



# Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA  
REPUBLIEK VAN SUID AFRIKA

Vol. 655

3 January 2020  
3 Januarie 2020

No. 42939

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ISSN 1682-5843



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**IMPORTANT NOTICE:**

**THE GOVERNMENT PRINTING WORKS WILL NOT BE HELD RESPONSIBLE FOR ANY ERRORS THAT MIGHT OCCUR DUE TO THE SUBMISSION OF INCOMPLETE / INCORRECT / ILLEGIBLE COPY.**

**No FUTURE QUERIES WILL BE HANDLED IN CONNECTION WITH THE ABOVE.**

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government  
printing

Department:  
Government Printing Works  
REPUBLIC OF SOUTH AFRICA

## HIGH ALERT: SCAM WARNING!!!

### TO ALL SUPPLIERS AND SERVICE PROVIDERS OF THE GOVERNMENT PRINTING WORKS

It has come to the attention of the *GOVERNMENT PRINTING WORKS* that there are certain unscrupulous companies and individuals who are defrauding unsuspecting businesses disguised as representatives of the *Government Printing Works* (GPW).

The scam involves the fraudsters using the letterhead of *GPW* to send out fake tender bids to companies and requests to supply equipment and goods.

Although the contact person's name on the letter may be of an existing official, the contact details on the letter are not the same as the *Government Printing Works*. When searching on the Internet for the address of the company that has sent the fake tender document, the address does not exist.

The banking details are in a private name and not company name. Government will never ask you to deposit any funds for any business transaction. *GPW* has alerted the relevant law enforcement authorities to investigate this scam to protect legitimate businesses as well as the name of the organisation.

Example of e-mails these fraudsters are using:

[PROCUREMENT@GPW-GOV.ORG](mailto:PROCUREMENT@GPW-GOV.ORG)

Should you suspect that you are a victim of a scam, you must urgently contact the police and inform the *GPW*.

*GPW* has an official email with the domain as [@gpw.gov.za](mailto:@gpw.gov.za)

Government e-mails DO NOT have org in their e-mail addresses. All of these fraudsters also use the same or very similar telephone numbers. Although such number with an area code 012 looks like a landline, it is not fixed to any property.

*GPW* will never send you an e-mail asking you to supply equipment and goods without a purchase/order number. *GPW* does not procure goods for another level of Government. The organisation will not be liable for actions that result in companies or individuals being resultant victims of such a scam.

*Government Printing Works* gives businesses the opportunity to supply goods and services through RFQ / Tendering process. In order to be eligible to bid to provide goods and services, suppliers must be registered on the National Treasury's Central Supplier Database (CSD). To be registered, they must meet all current legislative requirements (e.g. have a valid tax clearance certificate and be in good standing with the South African Revenue Services - SARS).

The tender process is managed through the Supply Chain Management (SCM) system of the department. SCM is highly regulated to minimise the risk of fraud, and to meet objectives which include value for money, open and effective competition, equitability, accountability, fair dealing, transparency and an ethical approach. Relevant legislation, regulations, policies, guidelines and instructions can be found on the tender's website.

## Fake Tenders

National Treasury's CSD has launched the Government Order Scam campaign to combat fraudulent requests for quotes (RFQs). Such fraudulent requests have resulted in innocent companies losing money. We work hard at preventing and fighting fraud, but criminal activity is always a risk.

### How tender scams work

There are many types of tender scams. Here are some of the more frequent scenarios:

Fraudsters use what appears to be government department stationery with fictitious logos and contact details to send a fake RFQ to a company to invite it to urgently supply goods. Shortly after the company has submitted its quote, it receives notification that it has won the tender. The company delivers the goods to someone who poses as an official or at a fake site. The Department has no idea of this transaction made in its name. The company is then never paid and suffers a loss.

OR

Fraudsters use what appears to be government department stationery with fictitious logos and contact details to send a fake RFQ to Company A to invite it to urgently supply goods. Typically, the tender specification is so unique that only Company B (a fictitious company created by the fraudster) can supply the goods in question.

Shortly after Company A has submitted its quote it receives notification that it has won the tender. Company A orders the goods and pays a deposit to the fictitious Company B. Once Company B receives the money, it disappears. Company A's money is stolen in the process.

Protect yourself from being scammed

- If you are registered on the supplier databases and you receive a request to tender or quote that seems to be from a government department, contact the department to confirm that the request is legitimate. Do not use the contact details on the tender document as these might be fraudulent.
- Compare tender details with those that appear in the Tender Bulletin, available online at [www.gpwonline.co.za](http://www.gpwonline.co.za)
- Make sure you familiarise yourself with how government procures goods and services. Visit the tender website for more information on how to tender.
- If you are uncomfortable about the request received, consider visiting the government department and/or the place of delivery and/or the service provider from whom you will be sourcing the goods.
- In the unlikely event that you are asked for a deposit to make a bid, contact the SCM unit of the department in question to ask whether this is in fact correct.

Any incidents of corruption, fraud, theft and misuse of government property in the *Government Printing Works* can be reported to:

Supply Chain Management: Ms. Anna Marie Du Toit, Tel. (012) 748 6292.  
Email: [Annamarie.DuToit@gpw.gov.za](mailto:Annamarie.DuToit@gpw.gov.za)

Marketing and Stakeholder Relations: Ms Bonakele Mbhele, at Tel. (012) 748 6193.  
Email: [Bonakele.Mbhele@gpw.gov.za](mailto:Bonakele.Mbhele@gpw.gov.za)

Security Services: Mr Daniel Legoabe, at tel. (012) 748 6176.  
Email: [Daniel.Legoabe@gpw.gov.za](mailto:Daniel.Legoabe@gpw.gov.za)

# Closing times for **ORDINARY WEEKLY** **GOVERNMENT GAZETTE** **2020**

*The closing time is **15:00** sharp on the following days:*

- **24 December 2019**, Tuesday for the issue of Friday **03 January 2020**
- **03 January**, Friday for the issue of Friday **10 January 2020**
- **10 January**, Friday for the issue of Friday **17 January 2020**
- **17 January**, Friday for the issue of Friday **24 January 2020**
- **24 January**, Friday for the issue of Friday **31 January 2020**
- **31 February**, Friday for the issue of Friday **07 February 2020**
- **07 February**, Friday for the issue of Friday **14 February 2020**
- **14 February**, Friday for the issue of Friday **21 February 2020**
- **21 February**, Friday for the issue of Friday **28 February 2020**
- **28 February**, Friday for the issue of Friday **06 March 2020**
- **06 March**, Friday for the issue of Friday **13 March 2020**
- **13 March**, Thursday for the issue of Friday **20 March 2020**
- **20 March**, Friday for the issue of Friday **27 March 2020**
- **27 March**, Friday for the issue of Friday **03 April 2020**
- **02 April**, Thursday for the issue of Thursday **09 April 2020**
- **08 April**, Wednesday for the issue of Friday **17 April 2020**
- **17 April**, Friday for the issue of Friday **24 April 2020**
- **22 April**, Wednesday for the issue of Thursday **30 April 2020**
- **30 April**, Thursday for the issue of Friday **08 May 2020**
- **08 May**, Friday for the issue of Friday **15 May 2020**
- **15 May**, Friday for the issue of Friday **22 May 2020**
- **22 May**, Friday for the issue of Friday **29 May 2020**
- **29 May**, Friday for the issue of Friday **05 June 2020**
- **05 June**, Friday for the issue of Friday **12 June 2020**
- **11 June**, Thursday for the issue of Friday **19 June 2020**
- **19 June**, Friday for the issue of Friday **26 June 2020**
- **26 June**, Friday for the issue of Friday **03 July 2020**
- **03 July**, Friday for the issue of Friday **10 July 2020**
- **10 July**, Friday for the issue of Friday **17 July 2020**
- **17 July**, Friday for the issue of Friday **24 July 2020**
- **24 July**, Friday for the issue of Friday **31 July 2020**
- **31 July**, Thursday for the issue of Friday **07 August 2020**
- **06 August**, Thursday for the issue of Friday **14 August 2020**
- **14 August**, Friday for the issue of Friday **21 August 2020**
- **21 August**, Friday for the issue of Friday **28 August 2020**
- **28 August**, Friday for the issue of Friday **04 September 2020**
- **04 September**, Friday for the issue of Friday **11 September 2020**
- **11 September**, Friday for the issue of Friday **18 September 2020**
- **17 September**, Thursday for the issue of Friday **25 September 2020**
- **25 September**, Friday for the issue of Friday **02 October 2020**
- **02 October**, Friday for the issue of Friday **09 October 2020**
- **09 October**, Friday for the issue of Friday **16 October 2020**
- **16 October**, Friday for the issue of Friday **23 October 2020**
- **23 October**, Friday for the issue of Friday **30 October 2020**
- **30 October**, Friday for the issue of Friday **06 November 2020**
- **06 November**, Friday for the issue of Friday **13 November 2020**
- **13 November**, Friday for the issue of Friday **20 November 2020**
- **20 November**, Friday for the issue of Friday **27 November 2020**
- **27 November**, Friday for the issue of Friday **04 December 2020**
- **04 December**, Friday for the issue of Friday **11 December 2020**
- **10 December**, Thursday for the issue of Friday **18 December 2020**
- **17 December**, Thursday for the issue of Friday **24 December 2020**
- **23 December**, Wednesday for the issue of Friday **31 December 2020**

## LIST OF TARIFF RATES FOR PUBLICATION OF NOTICES

**COMMENCEMENT: 1 APRIL 2018**

### NATIONAL AND PROVINCIAL

Notice sizes for National, Provincial & Tender gazettes 1/4, 2/4, 3/4, 4/4 per page. Notices submitted will be charged at R1008.80 per full page, pro-rated based on the above categories.

Pricing for National, Provincial - Variable Priced Notices		
Notice Type	Page Space	New Price (R)
Ordinary National, Provincial	1/4 - Quarter Page	252.20
Ordinary National, Provincial	2/4 - Half Page	504.40
Ordinary National, Provincial	3/4 - Three Quarter Page	756.60
Ordinary National, Provincial	4/4 - Full Page	1008.80

### EXTRA-ORDINARY

All Extra-ordinary National and Provincial gazette notices are non-standard notices and attract a variable price based on the number of pages submitted.

The pricing structure for National and Provincial notices which are submitted as **Extra ordinary submissions** will be charged at **R3026.32** per page.



## GOVERNMENT PRINTING WORKS - BUSINESS RULES

The **Government Printing Works (GPW)** has established rules for submitting notices in line with its electronic notice processing system, which requires the use of electronic *Adobe Forms*. Please ensure that you adhere to these guidelines when completing and submitting your notice submission.

### CLOSING TIMES FOR ACCEPTANCE OF NOTICES

1. The *Government Gazette* and *Government Tender Bulletin* are weekly publications that are published on Fridays and the closing time for the acceptance of notices is strictly applied according to the scheduled time for each gazette.
2. Please refer to the Submission Notice Deadline schedule in the table below. This schedule is also published online on the Government Printing works website [www.gpwonline.co.za](http://www.gpwonline.co.za)

All re-submissions will be subject to the standard cut-off times.

**All notices received after the closing time will be rejected.**

Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
National Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 working days prior to publication
Regulation Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 working days prior to publication
Petrol Price Gazette	Monthly	Tuesday before 1st Wednesday of the month	One day before publication	1 working day prior to publication
Road Carrier Permits	Weekly	Friday	Thursday 15h00 for next Friday	3 working days prior to publication
Unclaimed Monies (Justice, Labour or Lawyers)	January / September 2 per year	Last Friday	One week before publication	3 working days prior to publication
Parliament (Acts, White Paper, Green Paper)	As required	Any day of the week	None	3 working days prior to publication
Manuals	Bi- Monthly	2nd and last Thursday of the month	One week before publication	3 working days prior to publication
State of Budget (National Treasury)	Monthly	30th or last Friday of the month	One week before publication	3 working days prior to publication
<i>Extraordinary Gazettes</i>	As required	Any day of the week	<i>Before 10h00 on publication date</i>	<i>Before 10h00 on publication date</i>
Legal Gazettes A, B and C	Weekly	Friday	One week before publication	Tuesday, 15h00 - 3 working days prior to publication
Tender Bulletin	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 working days prior to publication
Gauteng	Weekly	Wednesday	Two weeks before publication	3 days <b>after</b> submission deadline
Eastern Cape	Weekly	Monday	One week before publication	3 working days prior to publication
Northern Cape	Weekly	Monday	One week before publication	3 working days prior to publication
North West	Weekly	Tuesday	One week before publication	3 working days prior to publication
KwaZulu-Natal	Weekly	Thursday	One week before publication	3 working days prior to publication
Limpopo	Weekly	Friday	One week before publication	3 working days prior to publication
Mpumalanga	Weekly	Friday	One week before publication	3 working days prior to publication

### GOVERNMENT PRINTING WORKS - BUSINESS RULES

Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
Gauteng Liquor License Gazette	Monthly	Wednesday before the First Friday of the month	Two weeks before publication	3 working days <b>after</b> submission deadline
Northern Cape Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 working days <b>after</b> submission deadline
National Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 working days <b>after</b> submission deadline
Mpumalanga Liquor License Gazette	Bi-Monthly	Second & Fourth Friday	One week before publication	3 working days prior to publication

### EXTRAORDINARY GAZETTES

3. *Extraordinary Gazettes* can have only one publication date. If multiple publications of an *Extraordinary Gazette* are required, a separate Z95/Z95Prov *Adobe* Forms for each publication date must be submitted.

### NOTICE SUBMISSION PROCESS

4. Download the latest *Adobe* form, for the relevant notice to be placed, from the **Government Printing Works** website [www.gpwonline.co.za](http://www.gpwonline.co.za).
5. The *Adobe* form needs to be completed electronically using *Adobe Acrobat / Acrobat Reader*. Only electronically completed *Adobe* forms will be accepted. No printed, handwritten and/or scanned *Adobe* forms will be accepted.
6. The completed electronic *Adobe* form has to be submitted via email to [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za). The form needs to be submitted in its original electronic *Adobe* format to enable the system to extract the completed information from the form for placement in the publication.
7. Every notice submitted **must** be accompanied by an official **GPW** quotation. This must be obtained from the *eGazette* Contact Centre.
8. Each notice submission should be sent as a single email. The email **must** contain **all documentation relating to a particular notice submission**.
  - 8.1. Each of the following documents must be attached to the email as a separate attachment:
    - 8.1.1. An electronically completed *Adobe* form, specific to the type of notice that is to be placed.
      - 8.1.1.1. For *National Government Gazette* or *Provincial Gazette* notices, the notices must be accompanied by an electronic Z95 or Z95Prov *Adobe* form
      - 8.1.1.2. The notice content (body copy) **MUST** be a separate attachment.
    - 8.1.2. A copy of the official **Government Printing Works** quotation you received for your notice. (*Please see Quotation section below for further details*)
    - 8.1.3. A valid and legible Proof of Payment / Purchase Order: **Government Printing Works** account customer must include a copy of their Purchase Order. **Non-Government Printing Works** account customer needs to submit the proof of payment for the notice
    - 8.1.4. Where separate notice content is applicable (Z95, Z95 Prov and TForm 3, it should **also** be attached as a separate attachment. (*Please see the Copy Section below, for the specifications*).
    - 8.1.5. Any additional notice information if applicable.

## GOVERNMENT PRINTING WORKS - BUSINESS RULES

9. The electronic *Adobe* form will be taken as the primary source for the notice information to be published. Instructions that are on the email body or covering letter that contradicts the notice form content will not be considered. The information submitted on the electronic *Adobe* form will be published as-is.
10. To avoid duplicated publication of the same notice and double billing, Please submit your notice **ONLY ONCE**.
11. Notices brought to **GPW** by "walk-in" customers on electronic media can only be submitted in *Adobe* electronic form format. All "walk-in" customers with notices that are not on electronic *Adobe* forms will be routed to the Contact Centre where they will be assisted to complete the forms in the required format.
12. Should a customer submit a bulk submission of hard copy notices delivered by a messenger on behalf of any organisation e.g. newspaper publisher, the messenger will be referred back to the sender as the submission does not adhere to the submission rules.

### QUOTATIONS

13. Quotations are valid until the next tariff change.
  - 13.1. **Take note:** **GPW's** annual tariff increase takes place on **1 April** therefore any quotations issued, accepted and submitted for publication up to **31 March** will keep the old tariff. For notices to be published from 1 April, a quotation must be obtained from **GPW** with the new tariffs. Where a tariff increase is implemented during the year, **GPW** endeavours to provide customers with 30 days' notice of such changes.
14. Each quotation has a unique number.
15. Form Content notices must be emailed to the *eGazette* Contact Centre for a quotation.
  - 15.1. The *Adobe* form supplied is uploaded by the Contact Centre Agent and the system automatically calculates the cost of your notice based on the layout/format of the content supplied.
  - 15.2. It is critical that these *Adobe* Forms are completed correctly and adhere to the guidelines as stipulated by **GPW**.
16. **APPLICABLE ONLY TO GPW ACCOUNT HOLDERS:**
  - 16.1. **GPW** Account Customers must provide a valid **GPW** account number to obtain a quotation.
  - 16.2. Accounts for **GPW** account customers **must** be active with sufficient credit to transact with **GPW** to submit notices.
    - 16.2.1. If you are unsure about or need to resolve the status of your account, please contact the **GPW** Finance Department prior to submitting your notices. (If the account status is not resolved prior to submission of your notice, the notice will be failed during the process).
17. **APPLICABLE ONLY TO CASH CUSTOMERS:**
  - 17.1. Cash customers doing **bulk payments** must use a **single email address** in order to use the **same proof of payment** for submitting multiple notices.
18. The responsibility lies with you, the customer, to ensure that the payment made for your notice(s) to be published is sufficient to cover the cost of the notice(s).
19. Each quotation will be associated with one proof of payment / purchase order / cash receipt.
  - 19.1. This means that **the quotation number can only be used once to make a payment.**

**GOVERNMENT PRINTING WORKS - BUSINESS RULES****COPY (SEPARATE NOTICE CONTENT DOCUMENT)**

20. Where the copy is part of a separate attachment document for Z95, Z95Prov and TForm03
- 20.1. Copy of notices must be supplied in a separate document and may not constitute part of any covering letter, purchase order, proof of payment or other attached documents.
- The content document should contain only one notice. (You may include the different translations of the same notice in the same document).
- 20.2. The notice should be set on an A4 page, with margins and fonts set as follows:
- Page size = A4 Portrait with page margins: Top = 40mm, LH/RH = 16mm, Bottom = 40mm;  
Use font size: Arial or Helvetica 10pt with 11pt line spacing;
- Page size = A4 Landscape with page margins: Top = 16mm, LH/RH = 40mm, Bottom = 16mm;  
Use font size: Arial or Helvetica 10pt with 11pt line spacing;

**CANCELLATIONS**

21. Cancellation of notice submissions are accepted by **GPW** according to the deadlines stated in the table above in point 2. Non-compliance to these deadlines will result in your request being failed. Please pay special attention to the different deadlines for each gazette. Please note that any notices cancelled after the cancellation deadline will be published and charged at full cost.
22. Requests for cancellation must be sent by the original sender of the notice and must be accompanied by the relevant notice reference number (N-) in the email body.

**AMENDMENTS TO NOTICES**

23. With effect from 01 October 2015, **GPW** will not longer accept amendments to notices. The cancellation process will need to be followed according to the deadline and a new notice submitted thereafter for the next available publication date.

**REJECTIONS**

24. All notices not meeting the submission rules will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)). Reasons for rejections include the following:
- 24.1. Incorrectly completed forms and notices submitted in the wrong format, will be rejected.
- 24.2. Any notice submissions not on the correct *Adobe* electronic form, will be rejected.
- 24.3. Any notice submissions not accompanied by the proof of payment / purchase order will be rejected and the notice will not be processed.
- 24.4. Any submissions or re-submissions that miss the submission cut-off times will be rejected to the customer. The Notice needs to be re-submitted with a new publication date.

**GOVERNMENT PRINTING WORKS - BUSINESS RULES****APPROVAL OF NOTICES**

25. Any notices other than legal notices are subject to the approval of the Government Printer, who may refuse acceptance or further publication of any notice.
26. No amendments will be accepted in respect to separate notice content that was sent with a Z95 or Z95Prov notice submissions. The copy of notice in layout format (previously known as proof-out) is only provided where requested, for Advertiser to see the notice in final Gazette layout. Should they find that the information submitted was incorrect, they should request for a notice cancellation and resubmit the corrected notice, subject to standard submission deadlines. The cancellation is also subject to the stages in the publishing process, i.e. If cancellation is received when production (printing process) has commenced, then the notice cannot be cancelled.

**GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY**

27. The Government Printer will assume no liability in respect of—
  - 27.1. any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;
  - 27.2. erroneous classification of a notice, or the placement of such notice in any section or under any heading other than the section or heading stipulated by the advertiser;
  - 27.3. any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.

**LIABILITY OF ADVERTISER**

28. Advertisers will be held liable for any compensation and costs arising from any action which may be instituted against the Government Printer in consequence of the publication of any notice.

**CUSTOMER INQUIRIES**

Many of our customers request immediate feedback/confirmation of notice placement in the gazette from our Contact Centre once they have submitted their notice – While **GPW** deems it one of their highest priorities and responsibilities to provide customers with this requested feedback and the best service at all times, we are only able to do so once we have started processing your notice submission.

**GPW** has a 2-working day turnaround time for processing notices received according to the business rules and deadline submissions.

Please keep this in mind when making inquiries about your notice submission at the Contact Centre.

29. Requests for information, quotations and inquiries must be sent to the Contact Centre ONLY.
30. Requests for Quotations (RFQs) should be received by the Contact Centre at least **2 working days** before the submission deadline for that specific publication.

## GOVERNMENT PRINTING WORKS - BUSINESS RULES

### PAYMENT OF COST

31. The Request for Quotation for placement of the notice should be sent to the Gazette Contact Centre as indicated above, prior to submission of notice for advertising.
32. Payment should then be made, or Purchase Order prepared based on the received quotation, prior to the submission of the notice for advertising as these documents i.e. proof of payment or Purchase order will be required as part of the notice submission, as indicated earlier.
33. Every proof of payment must have a valid **GPW** quotation number as a reference on the proof of payment document.
34. Where there is any doubt about the cost of publication of a notice, and in the case of copy, an enquiry, accompanied by the relevant copy, should be addressed to the Gazette Contact Centre, **Government Printing Works**, Private Bag X85, Pretoria, 0001 email: [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za) before publication.
35. Overpayment resulting from miscalculation on the part of the advertiser of the cost of publication of a notice will not be refunded, unless the advertiser furnishes adequate reasons why such miscalculation occurred. In the event of underpayments, the difference will be recovered from the advertiser, and future notice(s) will not be published until such time as the full cost of such publication has been duly paid in cash or electronic funds transfer into the **Government Printing Works** banking account.
36. In the event of a notice being cancelled, a refund will be made only if no cost regarding the placing of the notice has been incurred by the **Government Printing Works**.
37. The **Government Printing Works** reserves the right to levy an additional charge in cases where notices, the cost of which has been calculated in accordance with the List of Fixed Tariff Rates, are subsequently found to be excessively lengthy or to contain overmuch or complicated tabulation.

### PROOF OF PUBLICATION

38. Copies of any of the *Government Gazette* or *Provincial Gazette* can be downloaded from the **Government Printing Works** website [www.gpwonline.co.za](http://www.gpwonline.co.za) free of charge, should a proof of publication be required.
39. Printed copies may be ordered from the Publications department at the ruling price. The **Government Printing Works** will assume no liability for any failure to post or for any delay in despatching of such *Government Gazette(s)*

## GOVERNMENT PRINTING WORKS CONTACT INFORMATION

#### Physical Address:

**Government Printing Works**

149 Bosman Street

Pretoria

#### Postal Address:

Private Bag X85

Pretoria

0001

#### GPW Banking Details:

**Bank:** ABSA Bosman Street

**Account No.:** 405 7114 016

**Branch Code:** 632-005

**For Gazette and Notice submissions:** Gazette Submissions:

**For queries and quotations, contact:** Gazette Contact Centre:

**E-mail:** [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za)

**E-mail:** [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)

**Tel:** 012-748 6200

**Contact person for subscribers:** Mrs M. Toka:

**E-mail:** [subscriptions@gpw.gov.za](mailto:subscriptions@gpw.gov.za)

**Tel:** 012-748-6066 / 6060 / 6058

**Fax:** 012-323-9574



## GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

## DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 1

03 JANUARY 2020

## GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT 22 OF 1994) AS AMENDED

Notice is hereby given in terms of section 11(1) (c) of the Restitution of Land Rights Act, 1994 as amended) that a claim has been lodged for restitution of land rights on:

REF NO	CLAIMANT	PROPERTY DESCRIPTION	CURRENT LANDOWNERS	BONDS / NO BONDS	DEED OF TRANSFER	INTERESTED PARTIES
KK 278	Ms. Nono Dorcas Ramatlo	Portion 167	Baboco Armando	None	T168611/2007	Land Claimant, the current landowners, the Mogale City Local Municipality, and West Rand District Municipality
		Portion 170	Hayes Nigel Lavington	Absa Bank LTD: B21601/2004 B154835/2007	T24484/2004	
		Portion 172	Rosengarten Trust	No Bonds	T53575/2011	
		Portion 240 (RE)	Rosengarten Trust	No Bonds	T49761/2011	
		Portion 243 (RE)	De Groot Sven Jozef and De Groot Odilia Maria Martina Rademan Alex	Standar bank LTD : B45152/2005	T 11904/2005	
		Portion 248		Allicon Commercial PTY LTD: B8424/2019	T48285/2014	
		Portion 260 Portion 261	Malan Francois Malan Francois	No Bond Absa Home Loans Guarantee CO (RF) PTY LTD: B23241/2017	T62972/2017 T50166/2012	
		Portion 295	Vogel Cornelis Jacobus	Absa Home Loans Guarantee CO (RF) PTY LTD: B36756/2017	T63201/2017	
		Portion 362	Lourens Henning Jacobus and Lourens Beata Princen-cia	Standard Bank: B105760/1996 B158054/2007 B7994/1993	T7801/1993	

	Portion 372	Gueorguiev Gueorgui Malechkov, Gueorguiev Todorka Alexandrova, Ni-kolic Aleksandar and Gueorguieva Milena.	Nedbank LTD VA2212/2015	T56076/2011
	Portion 391 (RE)	Andriesse Jan	No Bond	T91885/2015
	Portion 412 (RE)	Balocco Armando	No Bonds	T84699/2003
	Portion 413	Balocco Armando	No Bonds	T84698/2003
	Portion 420	Not registered	Not registered	Not registered

Take further notice that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of Rule 5 of the Rules Regarding Procedure of Commission Established in terms of section 16 of Restitution of Land Rights Act as amended. Any interested party on the claim is hereby invited to submit, representations in terms of section 11A of the Restitution of Land Rights Act 22 of 1994 as amended within 90 (ninety) working days from the publication date of this notice, any comments/information may be send to:

Chief Directorate: Land Restitution Support Gauteng Province

Private Bag X03

**ARCADIA**

0007

Tel: (012) 310-6500

Fax: (012) 324-5812

  
MR. L.H. MAPHUTHA

REGIONAL LAND CLAIMS COMMISSIONER

DATE: 2019/11/25

**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM****NO. 2****03 JANUARY 2020**

The Minister for Agriculture, Land Reform and Rural Development hereby publishes the Beneficiary Selection and Land Allocation Policy for public comment.

Members of the public are invited to submit written comments within 60 calendar days of the publication of this notice to the following address:

By post to: The Director-General: Rural Development and Land Reform  
Attention: Mr Barry Levinrad  
Private Bag X833  
PRETORIA  
0001

By fax to: (012) 324 2118

By e-mail to: [Bsla@drdlr.gov.za](mailto:Bsla@drdlr.gov.za)

Hand delivery: 184 Jeff Masemola Street, Pretoria, (Old Building reception).

Comments received after the closing date will not be considered.

# **NATIONAL POLICY FOR BENEFICIARY SELECTION AND LAND ALLOCATION**

09 NOVEMBER 2019

VERSION V2 18

DRAFT

**DRAFT NATIONAL POLICY ON BENEFICIARY SELECTION AND LAND ALLOCATION**

27 NOVEMBER 2019

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**THIS POLICY MUST BE READ IN CONJUNCTION WITH OTHER DEPARTMENTAL  
POLICIES**

**DRAFT NATIONAL POLICY ON BENEFICIARY SELECTION AND LAND ALLOCATION**

27 NOVEMBER 2019

**i.. LIST OF ACRONYMS AND ABBREVIATIONS**

DALRRD	:	Department of Agriculture, Land Reform and Rural Development
SLLDP	:	State Land Lease and Disposal Policy
LDS	:	Land Development Support
M&E	:	Monitoring and Evaluation
NLAACC	:	National Land Acquisition and Allocation Control Committee
SPLUMA	:	Spatial Planning Land Use Management Act (Act 13 of 2013)

**ii. DEFINITIONS AND INTERPRETATION**

The meanings of words or terms that are defined in this document are operative only in the context of this document and shall supersede any other meaning provided elsewhere. Any citation of a law without the words, "*as amended*", refers to the latest version of that law, including any amendments thereto. In this Policy, unless inconsistent with or otherwise indicated by the context, the following words and expressions shall have the following meanings and cognate expressions shall have corresponding meanings:

**"Act 126"** means The Land Reform: Provision of Land and Assistance Act, 1993 (Act No. 126 of 1993).

**"Agriculture"**: Involves the sustainable and productive utilisation of natural resources and other inputs by people for plant and/or animal production purposes, either for own consumption or for marketing.

**"Previously Disadvantaged South African Citizens"** means a Black Person (Africans, Coloureds and Indians) who is 18 years or older and who holds a valid South African Identity document and is a bona fide citizen of South Africa. and **"Land Reform Farmers"** shall have a corresponding meaning.



**"Communal Land"** means "communal land" means land contemplated in section 2 of the Communal Land Rights Act 11 Of 2004 (*as amended*) which is, or is to be, occupied or used by members of a community subject to the rules or custom of that community

**"Constitution"** means the Constitution of the Republic of South Africa Act 108 of 1996.

**"Department"** means the department of Agriculture, Land Reform and Rural Development.

**"Descendant/s"** means an offspring of a public servant who is 18 years or older and meets other criteria for qualification of allocation of land under the SLLDP.

**"Development"** means providing support to Black Farmers in terms of human capacity development, infrastructural development and operational inputs on land acquired or leased by such Black Farmer.

**"Development Partners"** means a partnership where a mutually-beneficial relationship is built on trust, sharing of knowledge and integration, with its partners regarding development of Black Farmers.

**"Development Support"** means the capital renewal and restructuring of constrained Agricultural Enterprises conducted by Black Producers.

**"Director-General"** means the Director-General of the Department.

**"Disability":** A condition imposed by a society when a person with a physical, psycho-social, intellectual, neurological and or sensory impairment is denied access to full participation in all aspect of life, and when society fails to uphold the rights and specific needs of individuals with impairments.

**"Double-dipping":** Is defined as an act of getting multiple supports (financial and non-financial) from the same or different institutions for the same purpose.

**"Effectiveness":** An aggregate measure of (or judgment about) the merit or worth of an activity, i.e., the extent to which an intervention has attained, or is expected to attain, its major relevant objectives efficiently in a sustainable fashion and with a positive institutional development impact.

**"Encumbrance"** means, in relation to any asset (including a share), to encumber such asset in any way including by way of a pledge, a cession in *securitatem debiti*, a general notarial bond, a special notarial bond, a deed of hypothecation, a mortgage bond, a charge (whether fixed or floating) or to grant any other similar or analogous security interest of any nature whatever over such asset.

**"Farm dweller"** any person, other than the farm owner or person in charge who is

**"Farm Worker":** a person who works on a farm regularly whether full time, part time or time or seasonal including general worker on a farm, all domestic workers who work in a house on a farm and also a security guard (not employed in the private security industry) who is employed to guard the farm and areas where farming activities takes place. A farm worker is not necessarily a farm dweller as some do not live in the farm.

**"Household Producer (Vulnerable)"** Is defined as a producer that produces primarily for household consumption and has limited resources and skills to operate a market-oriented production system. This category includes child headed households & households producing in communal land and commonages that are registered as indigents or they meet the criteria for registration as indigents with their municipality.

**"Household Producer (Subsistence)"** Is defined as a producer that produces primarily for household consumption. These producers are not or would not be classified as indigents by their municipality. They may market limited surplus production with an annual turnover of R 500 000 or less.

**"Juristic person":** Is defined is a social entity, a community or an association of people which has an independent right of existence under the law.

**"Large Scale Commercial Producer":** Is defined as a venture undertaken by an individual or entity for the purpose of production and sale of agriculture products to make a profit. These are established enterprises producing for market to make a profit with an annual turnover ranging between R10 000 001 – R50 million.

**Mega Producer:** Is defined as a venture undertaken by an individual or entity for the purpose of production and sale of agricultural products to make a profit. These are established enterprises producing for market to make a profit with an annual turnover of more than R 50 million.

**"Medium Scale Commercial farmer":** Is defined as a venture undertaken by an individual or entity for the purpose of production and sale of agricultural products to make a profit. These are established enterprises producing for market to make a profit with an annual turnover of more than R 500 000 and are eligible for VAT registration.

**"Monitoring":** A systematic collection of data on specified indicators to provide management and the main stakeholders of an on-going development intervention with indications of the extent of progress and achievement of objectives and progress in the use of allocated land and/or funds.

**"Naturalized South African":** A person born in another country who has acquired South African citizenship.

**"Persons with disabilities":** Refers to persons who have perceived and / or actual physical, psychosocial, intellectual, neurological and/or sensory impairments which, as a result of various attitudinal, communication, physical and information barriers, are hindered in participating fully and effectively in society on an equal basis with others.

**"Rights to land":** Means any real or personal right in land, including a right to cropping and grazing land.

**"Smallholder Producer":** Is defined as a producer that produces (at primary, secondary, and tertiary level) for household consumption and markets, therefore farming is consciously undertaken in order to meet the needs of the household and derive a source of income. These are usually the new entrants aspiring to produce for market at a profit with a maximum annual turnover of R 500 000 or less.

**"Social Assistance"** Assistance refers to social grants in the form of a supplementary grant, a foster care grant, a child-support grant, a care-dependency grant or a financial award, granted under the Social Assistance Act, 1992 (Act No. 59 of 1992).

**"Sustainability":** The continuation of benefits from an intervention: The probability of continued long-term benefits including resilience to risk of the net benefit flows over time.

**"Traditional Leader":** Any person who, in terms of customary law of the traditional community concerned, holds a traditional leadership position, and is recognised in terms of the Traditional Leadership and Governance Framework Act 41 of 2003 and the Traditional and Khoi-San Leadership Bill of 2019.

**"Vulnerability":** The degree to which geophysical, biological and socioeconomic systems are susceptible to and unable to cope with, adverse impacts of environmental degradation, drought and climate change. Temporal and spatial exposure to different types of environmental degradation and climate risks is assumed in this definition, as are potential changes in resilience.

**"Vulnerable Groups":** In this policy will include: youth, women, persons with disabilities, and orphans and **"Vulnerable person"** shall be used interchangeably

**"Vulnerable person":** A person whose survival, care, protection or development may be compromised, due to a particular condition, situation or circumstance and which prevents the fulfilment of his or her rights.

**"Women":** A female human of any age and race.

**"Youth":** Young people as those falling within the age of 18 to 35 years.

DRAFT

## 1. INTRODUCTION

- 1.1. The White Paper on South African Land Policy of 1997 states that: *The purpose of the Land Redistribution Programme is to provide the poor with land for residential and productive purposes in order to improve their livelihoods... Land redistribution is intended to assist the urban and rural poor, farmworkers, labour tenants, as well as emergent farmers.*
- 1.2 However despite various land reform policy efforts initiated in the post-1994 period, more than two decades later, the inequity of land ownership has been left relatively intact. This can largely be attributed to major challenges of land reform, foremost of which are the slow pace of land redistribution and tenure reform (in which the supply of land for farming and other purposes is still not met in areas where demand is greatest) and the overall failure of land reform farms to sustain production as well as backlogs of land for housing in specified localities which could improve livelihoods.
- 1.3 A notable number of Black South Africans continue to be landless, are excluded from participating in sustainable agriculture, and live in unsustainable human settlements without sufficient livelihood resources.

## 2. PROBLEM STATEMENT

- 2.1 Currently within the land redistribution programme the vulnerable groups and the marginalised have not been given sufficient opportunities to have access to land. It is therefore critical for the State to prioritise the most marginalised and the vulnerable groups, specifically small holder producers, women, youth (including agricultural graduates) and people living with disabilities, rural and peri-urban residents and military veterans.
- 2.2 The lack of a credible and transparent process for land allocation and beneficiary selection has resulted in manipulation of the process. There is gender inequity in



land allocation and access and a lack of mechanisms to enable poor communal residents and villagers to access land in case of natural disasters and other urgent situations. The lack of access to land by poor municipalities in rural and peri-urban areas for commonage and settlement purposes has resulted in a lack of access to land for production and settlement by vulnerable groups, poor rural and peri-urban residents, women, youth and people with disabilities.

- 2.3 The Final Report of the Presidential Advisory Panel on Land Reform and Agriculture (4 May 2019) has noted that “A more systematic approach is needed to redress and correct the ills within a democratic dispensation ..... (and that) the vast majority of South Africans are eligible for land reform, but few are provided with actual access to land. Therefore, the question of who should be selected as beneficiaries, and what they are eligible to get, is of central importance. There is a need to specify policy on who is to be prioritised, who is not, how scarce resources are rationed and spread across competing needs, and how beneficiary selection from a pool of applicants is decided.”<sup>1</sup>

### **3. LEGISLATIVE PROVISIONS**

- 3.1 The legislation discussed below is only that which has a direct impact on the work that will be performed by the Land Allocation Panels and other institutional arrangements that are proposed towards the achievement of the Policy.
- 3.2 The Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996) enjoins the State to take reasonable legislative and other measures, within its available resources, to foster conditions which enable citizens to gain access to land on an equitable basis. The provisions of this Policy are consequently about access and equity as opposed to revenue generation.

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<sup>1</sup> *Final report of the Presidential Advisory Panel on Land Reform (04 May 2019) for His Excellency The President of South Africa* Pretoria, Government Printer pp 56

- 3.3 The State Land Disposal Act, 1961 (Act No 48 of 1961) empowers the President to, amongst other things, lease State land. These powers were assigned to the predecessor to the Minister of Agriculture, Land Reform and Rural Development in July 1995 in respect of land located in former homelands. The powers therefore vest in the Minister of Agriculture, Land Reform and Rural Development in succession.
- 3.4 The Land Reform: Provision of Land and Assistance Act, 1993 (Act No. 126 of 1993), empowers the Minister to, amongst other things, lease any property contemplated in the said Act. The land acquired to further the objectives of the Proactive Land Acquisition Strategy is leased or disposed in accordance with the provisions of this Act.
- 3.5 Sections 38 and 45 of the Public Finance Management Act, 1999 deals with General Responsibilities of Accounting Officers. The said responsibilities include;
- 3.5.1 Effective, efficient, economic and transparent use of the resources of the Department;
- 3.5.2 Taking effective and appropriate steps to collect all money due to the Department; and
- 3.5.3 Responsibility for the management, including the safeguarding and the maintenance of the assets, and for the management of the liabilities of the Department.
- 3.6 The Government Immovable Asset Management Act (Act 19 of 2007) mainly provides a uniform framework for the management of immovable assets that are held or used by national or provincial departments. It also seeks to ensure coordination of the use of immovable assets with service delivery objectives of national and provincial departments. The provisions of this policy have consequently been designed in a manner that seeks to adhere to immovable asset management principles provided in the said Act.

- 3.7 The Land Reform (Labour Tenants) Act (Act 6 of 1996) provides for acquisition of land or rights in land by qualifying Labour Tenants and their associates.
- 3.8 The Extension of Security of Tenure Act (Act 62 of 1997) (as amended) provides in Section 4 for acquisition of land or rights in land in on-site and off-site settlements as defined in the Act.
- 3.9 The Spatial Planning Land Use Management Act (Act 16 of 2013) provides for a uniform and comprehensive system of spatial planning and land use management to ensure the promotion of social and economic inclusion to redress the imbalances of the past.

#### 4. POLICY PROPOSALS AND PRINCIPLES

##### 4.1 POLICY PROPOSALS:

- a) **Ensure equitable access** to land for all the previously disadvantaged citizens;
- b) **Address diverse or different land needs** (for agricultural production, human settlements, commonage, residential and industrial development purposes);
- c) **Promote industrialization and change of spatial development** with the focus towards township economy, special economic zones, and industries in rural areas;
- d) **Promote urban agriculture** through access to agricultural development plots or allotments;
- e) **Create a credible and transparent system** of land allocation and beneficiary selection;
- f) **Target the rural poor, landless, poor municipalities and peri-urban residents** to gain access to land;
- g) **Create a crop of new young black smallholder/commercial farmers** through targeting women and unemployed agricultural graduates, youth in the agricultural sector to access land and associated Agro processing value chain opportunities;
- h) **Establish an independent selection panel** for land allocation.

#### 4.2 POLICY PRINCIPLES:

- a) **Equitable access to land**: Government will strive to promote conditions which enable all the previously disadvantaged citizens and targeted groups (women, youth, people with disabilities and military veterans) **to gain access to land**;
- b) **Online Application system and National Application register**: All applicants are expected to lodge applications online and walk in applicants support shall be provided and this will ensure a credible and transparent system of an application process land allocation and beneficiary selection;
- c) **Land allocation and Selection panel**: **An independent panel** shall be established to ensure a credible and transparent process land allocation and beneficiary selection;
- d) **Addressing diverse land needs**: Government shall ensure that all land needs are addressed i.e. Agricultural production, commonage, Human settlements, industrial development and other needs);
- e) **Graduation of beneficiaries**: Government shall promote conditions which will enable a selected beneficiary to graduate and produce at the level that matches the potential of an allocated farm;
- f) **Commercialization of black farmers**: Government shall ensure we rekindle the class of black commercial farmers which were systematically destroyed by the 1913 Natives land Act;
- g) **Biasness towards Poor Rural residents and Municipalities**: Government shall ensure rural poor, landless, poor municipalities and peri-urban residents gain access to land for production, commonage, human settlement, and industrial development.
- h) **Women and Youth advancement through access to land**: Government shall ensure in particular that land allocation reach out to women, unemployed agricultural graduates, and youth in the agricultural sector for participation in agricultural production, economic activities and associated Agro processing value chain opportunities.
- i) **Needs assessment and skills audit**: All applicants shall be subjected to a skills audit and assessment before being allocated the land to inform training

requirements and to ensure sustainability and utilization of the assets being allocated.

- 4.3 The allocation of land and properties to Municipalities, and Communities for industrialisation and job creation should achieve changes in spatial development with a focus on township economies, special economic zones, and industrial development in rural areas. Human settlement development and residential development for students, learners and apprentices should similarly contribute towards spatial integration of urban and rural areas.

## **5. POLICY OBJECTIVES**

- 5.1 To provide a uniform, fair, credible and transparent process and criteria for selection of beneficiaries for land allocation or leasing of State properties;
- 5.2 To rekindle the class of Black commercial producers who were destroyed by the 1913 Land Act;
- 5.3 To address diverse or different land needs - agricultural production, human settlements, commonage, and residential and industrial development purposes:
- 5.4 To promote industrialization, changes in spatial development, support for township economies, and the creation of special economic zones and industries in rural areas through access to land;
- 5.5 To promote accountability and transparency within the Department in allocating State assets;
- 5.6 To ensure qualified, suitable and deserving candidates gain access to land on an equitable basis;

- 5.7 To ensure special and targeted groups of land reform beneficiaries (youth, women, people living with disabilities, producers on communal land and military veterans) gain access to land for production purposes;
- 5.8 To ensure that the selected beneficiaries have the skills and capacity to maintain immovable state assets;
- 5.9 To establish an independent Land Allocation Panel to preside over the selection of suitable candidates for land allocation;
- 5.10 To provide for a standardized national land application system to ensure a fair and transparent process of beneficiary selection and the rationing of resources; and
- 5.11 To provide for the creation of a Provincial and National land application register for potential beneficiaries of land allocation.

## 6. CATEGORIES OF BENEFICIARIES FOR LAND ALLOCATION

- 6.1 The 1997 White Paper<sup>2</sup> identified the following categories of beneficiaries:
  - a. **landless people, especially women**, who wish to gain access to land and settlement opportunities in rural or urban areas;
  - b. **farm workers and their families** who wish to improve their settlement and tenure conditions;
  - c. **labour tenants and their families** who wish to acquire and improve the land which they hold or alternative land;
  - d. **residents of urban and peril-urban areas** needing land on commonages and allotments;
  - e. **residents who wish to secure and upgrade the conditions of tenure under which they live;**
  - f. **beneficiaries of the Land Restitution Programme;**

<sup>2</sup> DLA (1997) *White Paper on South African Land Reform Policy*. Pretoria: Government Printer. p. 31

g. **dispossession cases** which fall outside the ambit of the *Restitution of Land Rights Act, 22 of 1994*<sup>3</sup> (pp. 18).

6.2. The Report of the Presidential Advisory Panel on Land Reform and Agriculture identifies the following categories of farmers:

- a) **Category 1:** Households with no or very limited access to land, even for subsistence production.
- b) **Category 2:** Small-scale farmers who are farming or intend to farm for subsistence purposes. They may be or may not be selling some of their produce in local markets.
- c) **Category 3:** Medium-scale commercial farmers who have already been farming commercially at a small scale and with aptitude to expand, but are constrained by land and other resources;
- d) **Category 4:** Large-scale and Mega or well-established farmers who have been farming at a reasonable commercial scale, but are disadvantaged by location, size of land and other resources or circumstances, and with real potential to grow. **Large:** Is defined as a venture undertaken by an individual or entity for the purpose of production and sale of agriculture products to make a profit. These are established enterprises producing for market to make a profit with an annual turnover ranging between R10 000 001 – R50 million and **above R50 million for Mega.**

6.3 The State has the obligation to respond to the various land needs of the different categories of farmers with regards to access to land for agricultural production and value chain opportunities, however there are communities and individual farmers in rural areas or living on state owned farms who need land for production and various activities and who may not fit within these defined categories.

<sup>3</sup> DLA (1997) *White Paper on South African Land Reform Policy*. Pretoria: Government Printer. Pp. 18



- 6.4 The National Comprehensive Producer Support policy has introduced 6 categories of farmers based on their turnover which have different land needs and support requirements and which will be aligned to this policy in terms of land allocation and selection.
- 6.5 **Municipalities, local authorities and communities:** Where land is required for the establishment or extension of sustainable residential and human settlements, commonages, and where land is required for industrial development. The Department shall not acquire new farms for this purpose but release existing state land to support these applications.
- 6.6 The majority of beneficiaries of the land redistribution programme will be the rural and the peril-urban vulnerable groups. Special emphasis will be placed on targeting women, youth and those with disabilities. Many of these poor are resident on farms; some may be farm workers, others are unemployed. There are also considerable numbers of landless persons who are former farm workers, and on being made redundant, have clustered on the periphery of rural towns. People resident in former homeland areas will be looking forward to an opportunity to access additional land or to secure their tenure.<sup>4</sup> The implementation of the land reform programme will ensure a wide geographic spread, diversity of programmes, covering varying beneficiary sectors, different land uses, and different tenure arrangements.”<sup>5</sup>
- 6.7 **Special Targeted Groups and Interventions for Land Allocation:**
- a) **Women:** Who either have basic farming skills or demonstrate a willingness to acquire such skills, and female headed households with none or very limited access to land, even for subsistence production, shall be given access to land for their advancement.

- b) **Youth and Unemployed Agricultural Graduates:** Participants in the Department's enterprise development/incubation/apprenticeship programme and agricultural para-professionals;
  - c) **People Living with Disabilities:** Persons with no or very limited access to land, even for subsistence production. Individuals with a disability working in an agricultural setting will be prioritized.
  - d) **Military Veterans:** As defined in the Military Veterans Act, 2011 (Act No.18 of 2011) shall also be prioritized. This shall however exclude those who served in the Union Defence Force (prior to 1961) and the South African Defence Forces (prior to 27 April 1994), who want to venture into farming will be prioritized for access to land for production.
  - e) **Communal farmers and state land residents:** Individuals currently living on State owned properties and Communal land whose livelihoods depend on subsistence farming but have no form of tenure should be prioritized for land allocation by the State. Communal farmers must be prioritised for allocation especially on land adjacent to their communities/villages in order to achieve decongestion of the communal land.
  - f) **Industrial and Residential Development:** Industrialisation and changes in spatial development with the focus towards township economies, and the creation of special economic zones, and industries in rural areas.
- 6.8 This Policy proposes no less than 50% allocation of agricultural farming land for smallholders under the Redistribution Programme to women, 40% to youth, and 10% to people living with disabilities.

## 7. ELIGIBILITY CRITERIA - WHO QUALIFIES

### 7.1 Agricultural Production:

- 7.1.1 All previously disadvantaged South African citizens (Blacks, Indians and Coloureds including Khoi-San) over the age of 18 shall qualify;

- 7.1.2 Women and people with disabilities shall be prioritized for advancement through access to agricultural productive land;
- 7.1.3 Military veterans especially the unemployed;
- 7.1.4 Natural and naturalized persons or legal entities;
- 7.1.5 Spouses of public servants shall be considered for allocation of land subject to the amendment of the existing stateland lease and disposal policy and that the applicant shall declare that his or her spouse is a public servant. The state shall develop clear controls to manage any manipulation of the system and determine the income levels and support to these types of applicants to ensure there is no conflict of interest. Public servants shall also declare that his or her spouse has applied for allocation of land under this policy;
- 7.1.6 Communal farmers, township dwellers and state-land residents or individuals: currently living on State owned properties and Communal land whose livelihoods depend on subsistence farming but have no form of tenure should be prioritized for land allocation by the State.

**7.2 Land allocation for Commonage, Human Settlements/residential and Industrial Development:**

- 7.2.1 Rural poor Municipalities with low revenue base shall apply for commonage land and land for rural industrial development and Residential/human settlement purposes;
- 7.2.2 Metros and Cities are eligible to apply directly to the Department for access to strategically located state properties to address particular and urgent needs. Such applications must be dealt with inter-governmentally with coordination between all spheres, National, Provincial, District and Local Authorities. Such applications will be for land for commonage, sustainable settlements and other compelling and impactful projects.
- 7.2.3 Property Developers shall qualify for allocation of state properties for industrial development for high impact projects provided they are registered with relevant authorities and the Interim Protection of Informal Land Rights Act (Act 31 of 1996) procedures shall be applied, and the State Land Lease and Disposal

Policy and the Spatial Planning Land Use Management Act (Act 16 of 2013) shall be considered.

**7.3 Qualifying municipalities and communities in Communal areas** may apply directly to the Department for acquisition of strategically located properties to address particular and urgent needs. Such applications must be dealt with inter-governmentally with coordination between all spheres, namely; National, Provincial, District and Local Authorities. Such applications for land for commonage and sustainable settlements will be implemented through the Land Acquisition for Sustainable Settlement (LASS) Programme as contained in the Grants and Services Document Version 9 approved in September 2009 as amended.

**7.4 Who does not qualify?**

- 7.4.1 Non South African citizens including the previously advantaged South African citizens;
- 7.4.2 Foreign Nationals and Illegal immigrants;
- 7.4.3 Employees of the Department of Agriculture, Land Reform and Rural Development;
- 7.4.4 Politicians: holding public office; however, there shall be a cooling period of 12 months after leaving the public office;
- 7.4.5 Current beneficiaries of the Land Redistribution programme, where the person has been allocated a property or farm and has abandoned the property, vandalised the property, mismanaged state assets or misused funds provided by the State.
- 7.4.6 Farmers/individuals/legal entities currently leasing a State property unless he or she intends to hand the current property/farm back to the State.
- 7.4.7 State Employees shall qualify provided he/she undertakes to resign from state employment upon being allocated a farm and must prior to their application

being considered, submit an affidavit which discloses their status as public servants and undertake to terminate any relationship that creates the public duty. There shall be a cooling period of 24 months for State Employees should they wish to apply for allocation of land after resignation.

7.4.8 Employees of any company, Public entities or entity where Government (all three spheres) of the Republic of South Africa is a majority shareholder and employees of any company or entity that has been created by an Act of Parliament shall qualify, provided they undertake to resign from public duty upon being allocated a farm and signing of a lease agreement, if not, the State shall reverse the approval of the lease. A cooling period of two years shall apply.

7.4.9 Traditional leaders who are recognized under any legislation in the Country shall qualify provided they disclose their status and remuneration by the State and have proven that they are involved in farming at various scales; the Minister shall make the final determination.

## **8. BENEFICIARY SELECTION CRITERIA**

8.1 The Presidential Advisory Panel recommends that the selection of beneficiaries should be undertaken as proposed in “The Global Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests .....adopted by member states in the Committee on World Food Security at the Food and Agricultural Organization (FAO) of the United Nations in 2012. It states, on the issue of beneficiary selection, that: *Beneficiaries should be selected through open processes, and they should receive secure tenure rights that are publicly recorded... States should endeavour to prevent corruption in redistributive reform programmes, particularly through greater transparency and participation.* (FAO 2012: 24)

**8.2 Mega and Large Commercial Black Farmers, the following shall be considered:**

- a) Must be able to submit off-take agreements,
- b) Proof of own investment, or financial guarantees,
- c) A bankable business plan to qualify for access to land or allocation of land,
- d) Must be willing to undertake training and be able to pay lease rental.
- e) The State shall allocate land only and the applicants or farmer shall use own investment to finance production and other related costs ,
- f) The required capacity and capability of an applicant must be assessed to manage the intended farming enterprise based on the farm potential critical to the development of the farm at this level.
- g) Annual turn- over of more than R10 000 000.

**8.3 Medium Scale Farmers, the following shall be considered:**

- a) Relevant agricultural skills or qualifications in agriculture,
- b) Must be able to produce a business proposal,
- c) Must be willing to undertake training or demonstrate previous training.
- d) Agricultural graduates or youth in agriculture shall have completed the incubation or enterprise development programme run by the department or placed under the apprenticeship programme define in this policy.
- e) Youth or agricultural graduates who are women shall be prioritized for training and specific farms and adverts shall be directed to women for their advancement through access to land for production and economic activities.
- f) Annual turn-over of more than R500 000.

**8.4 Smallholder Farmers, Households subsistence and Households Vulnerable, the following shall be considered:**

- a) Preference shall be given to those with experience in agriculture and a willingness to undertake training and incubation on properties established by the Department;

- b) Agricultural or other relevant qualifications including participation in Government and Commodity Organization training programmes.
- c) However these Category 1 and Category 2 farmers are largely subsistence or household producers, therefore, qualifications shall not be a defining criteria but current experience in farming or involvement in farming and need for access to land shall be considered. Farms shall be specifically identified per Province for allocation to women only.
- d) Annual turn-over less than R500 000.

**8.5 Communities, state land and township residents:**

- a) In circumstances where a community/ state land residents, villagers, Urban or township residents, have identified the needs for land for collective agricultural farming or small-scale production activities i.e. grazing, cropping, mitigate natural disaster or soil degradation or overcrowding in the area shall approach the Department.
- b) The Department shall conduct a detailed needs assessment.
- c) The Department shall conduct an audit of available state-owned land or available land for acquisition under these circumstances.
- d) The Department shall develop rules on how the land shall be used and shared by these communities collectively based on the needs identified.
- e) The community shall not be subjected to a long application process but the land needs assessment report shall form the basis for land allocation as the criteria.

- 8.6** The Department will solicit applications from Municipalities requiring access to land for residential, human settlement, commonage and industrial development through engagements with SALGA, Departments of Human Settlement, Private developers, Water and Sanitation, Cooperative Governance and Traditional Affairs, and Provincial Departments.



## 9. CONTROL MEASURES:

### 9.1 Agricultural Production:

- a) All applicants shall be subjected to a skills audit which will determine the training needs and a training programme prior to allocation of land or must provide proof of previous training.
- b) Preference shall however be given to those with experience in agriculture, previous training or a willingness to undertake training and incubation on properties established by the Department; and Agricultural or other relevant qualifications including participation in Government and Commodity Organization training programmes.
- c) The capacity and capability of an applicant to manage the intended farming enterprise based on the farm potential is critical to the development of the farm. Applicants who possess basic farming skills, and demonstrate a willingness to acquire these, or have qualifications in the field of agriculture, and agricultural graduates of the Department's incubation programme will therefore enjoy a preferential advantage.
- d) All Agricultural Graduates and Youth in Agriculture applicants shall be subjected to an *Apprenticeship Program* before allocation which will be designed to introduce and train young aspiring farmers into farmers, and also enable young persons to enter into the agricultural workforce. The program should be a three year program which combines both hands-on farm experience and formal vocational training. The formal vocational training should be done through recognised institutions – TVET colleges, mainly colleges of agriculture in the country.
- e) The apprentice shall be placed on a farm under a *Master Farmer* who has gone through a master training program and qualified. Only master farmers can participate in apprenticeship program as they have requisite skills and experience. The program entails general farming that includes animal, crops,

mechanization and general farm management. The program will prepare land reform application for placement on farms and the apprentice will receive stipend in terms of the current incubation program from the Department.

- f) Communal farmers, state land residents and township residents. A detailed Land Needs Assessment shall be conducted by the Department as a requirement for land allocation. Such applications must be dealt with inter-governmentally with coordination between National, Provincial, District and Local spheres. A record of land needs shall be maintained by the Department with a list of natural persons and households intended to benefit from the land allocation. In case of grazing and cropping an audit of the number of livestock owned by each intended beneficiaries as well as brand mark is a requirement. A plan or veld management plan for future use of the land and planned maintenance of the land must be fully described and submitted with the application.

## **9.2 COMMONAGE LAND:**

- a) The Municipality must provide an undertaking to make the relevant land acquired available to its residents on a secure and equitable basis with the emphasis on poor and less privileged residents for grazing and cropping.
- b) The Municipality must agree to undertake a comprehensive audit of its agricultural land to ensure that its land administration is sound from a legal and administrative perspective.
- c) A personal servitude in terms of Section 67 of the Deeds Registry Act (Act 37 of 1937) with the right of first refusal will be registered on the title in favour of the Department. The servitude shall stipulate the purpose for which the land is to be utilised and for the land to revert back to the Department if the Municipality is not able to utilise it as initially envisaged.
- d) The Municipality will enter into a user / lease agreement with the User Association or individuals as per the identified land need. The Commonage

implementation Policy Framework shall be amended by the Department to provide clear guidelines for the management of the land by Municipalities.

### **9.3 LAND FOR HUMAN SETTLEMENTS AND RESIDENTIAL PURPOSES:**

- a) The land shall be used to assist the historically disadvantaged and the poor who in the first instance have settlement needs;
- b) Priority shall be given to poor Municipalities that seek to decongest existing formal and informal settlements, provide housing to back-yard dwellers and bring about integrated human settlements;
- c) The Department shall not acquire new farms for this purpose but release existing state land to support Municipalities;
- d) An application shall be accompanied by a Council Resolution and Housing Development Plan approved by the Municipality. Furthermore only Municipalities that do not have other landholdings that they can make available for settlement are entitled to apply;
- e) The land shall be used to support any municipal housing programme that requires land subject to certain conditions as determined by the Department of Human Settlement. The Department will work with the Department of Human Settlements, Housing Development Agency to release and allocate state land for this purpose;
- f) Section 67 of the Deeds Registry Act (Act 37 of 1937) with the right of first refusal will be registered on the title in favour of the Department. The servitude shall stipulate the purpose for which the land is to be utilised and for the land to revert back to the Department if the Municipality is not able to utilise it as initially envisaged.

### **9.4 LAND FOR INDUSTRIAL DEVELOPMENT PURPOSES**

- a) Applications shall be informed by the Land Needs Analysis and a detailed development study. The Department will solicit applications from Municipalities

and independent developers to apply for access to State land for industrial development through engagements with Department of Trade, Industry & Competition,

- b) Applications for access to State land for industrial development shall be processed in collaboration with the Department of Trade, Industry & Competition in line with its Industrial Policy Action Plan, and Department of Cooperative Governance and Traditional Affairs in line with the District Based development model.
- c) An application must be accompanied by a Council Resolution, Development Plan, SPLUMA development approval and Community Resolutions. Interim Protection of Informal Land Rights Act (Act 31 of 1996) procedures shall be applied.
- d) Land shall be used to support projects only for industrial development in support of township and rural economic development;
- e) The land shall be leased from the State and a personal servitude in terms of section 67 of the Deeds registry Act deed with first right of refusal will be registered on the title in favour of the Department. The servitude shall stipulate the purpose for which the land is to be utilised and for the land to revert back to the Department if it is no longer used for the purposes it was initially envisaged.

## **9.5 SOURCES OF LAND FOR LAND ALLOCATION:**

- 9.5.1 State - owned land – Land under the custody of the Department including land acquired through the Proactive Land Acquisition Policy, South African Development Trust Land, Financial Assistance Land (FALA), as well as properties of the Department of Public Works, Local Authorities and State Owned Entities.
- 9.5.2 Land Donations – A policy, procedures and conditions for donations has been developed and approved

9.5.3 Auction Sales - Guidelines for participation in auction sales by the State have been developed and approved, the State shall participate in public auctions.

9.5.4 Bank Repossessed - Memoranda of Understanding with banks and financial institutions shall be finalized with approval of National Treasury.

9.5.5 Open Market - acquisition of suitable land for land redistribution purposes.

## **10. APPLICATION PROCESS FOR LEASING LAND:**

10.1 Provincial and National Adverts shall be used for the selection of specific natural persons and legal entities applying to lease land for agricultural production or for allocation to particular portions of land, this will only take place once suitable land has been identified. The advert shall be specific to a targeted group of farmers or beneficiaries.

10.2 A land application system shall be used for applicants to apply for access to land from the State and to ensure a transparent and equitable public process. This system marks an end to an era of an unmonitored long database that caused a lot of dismay among targeted farmers and to ensure a synced and properly seamless system that endeavours to eradicate any form of fraud and nepotism. Communal residents, state land residents, Municipalities and developers defined above shall not be subjected to an advert but the allocation will be based on land needs assessment audit and shall apply directly to the State for access to land.

10.3 A National Application register will be created to monitor and assess progress on applications received.

10.4 Through the online land offer application system, the Department will be able to reach far and to a wide range of farmers willing to make land available or donate land for land reform purposes. The application and registration system will be available online or at the National, Provincial and District offices of the Department.

10.5 The Department will create a Provincial and National Land Register of all land offered by farmers, estate agents or their proxy, state entities or other government

departments and subjects them to assessment to determine their suitability for acquisition by the state.

- 10.6 Special dedicated Provincial and District officials will still be available for applicants that are not able to personally submit online applications. The walk-in assistance will entail the uploading or submission of an online application by an official of the Department on behalf of the applicant.

## **11. ADMINISTRATIVE CONTROLS**

- 11.1 The natural persons or Legal entity representative shall sign a declaration to the effect that neither they nor their spouse is a public servant as defined in the Departmental State Land Lease and Disposal Policy and acknowledge that any misrepresentation in this regard constitutes a ground for immediate termination of the lease agreement.
- 11.2 Beneficiaries applying as a legal entity shall disclose individual directors and members according to the legal documents and they shall be subjected to the same screening process. Where a legal entity is in existence, latest financial statements should be submitted together with the application.
- 11.3 Individual farmers, cooperatives, Legal entities engaged in agricultural business shall be considered. A new legal entity should be registered for beneficiaries wishing to trade as an agricultural enterprise.
- 11.4 All applications in this regard must be accompanied by supporting documents of all the directors that will form the legal entity.
- 11.5 In situations, where a community or villagers collectively expressed the need for access to land due to circumstances outlined in the policy above, the department shall assist the community with governance structures to manage the allocated land and use for the purposes it was allocated and a personal servitude shall be registered in favour of the Department.

## 12. INSTITUTIONAL ARRANGEMENTS FOR LAND ALLOCATION

12.1 A National and Provincial Land Allocation and Selection Panel shall be established and shall be a non-statutory body which shall be multi-disciplinary and diverse with representatives from all relevant stakeholders in the Land and Agrarian Reform sector and the Terms of Reference and the composition shall be determined by the Department.

12.2 The National Panel shall deal with allocation of land above a value of R 50 million for agricultural production, land donated by other Government Departments, private farmers and land made available for Mega Projects of national interest, Commonage land to Municipalities as well as land for settlement, residential or industrial development. Key Government Departments shall be identified such as the Department of Human Settlement, Water and Sanitation, Department of Public Works, and Department of Cooperative Governance and Traditional Affairs.

12.3 The Provincial Panel shall deal with allocation of land up to a value of R 50 million for agricultural production, release of state-owned land for various needs and categories of farmers as outlined in the policy and make recommendations for approval by the delegated authority for land allocation.

12.4 Upon receipt of the preliminary shortlist from the National Office, the Panel shall further shortlist in line with the developed and agreed beneficiary selection criteria. A compulsory farm inspection and interviewing of prospective applicants will be arranged and concluded by the Panel with recommendations to the relevant Departmental approval structure.

12.5 All unsuccessful applicants for agricultural land will be encouraged to reapply upon the publication of the next adverts as the database will be kept for reference and monitoring purposes. In the case of Municipalities and communities or state land residents, the advert system shall not apply and the



applicants will therefore approach the Department based on the needs assessment as and when the need arises depending on available resources in the Department.

12.6 Individual households in rural and urban areas who are predominantly women may apply directly to the Department and may be allocated land for farming or other uses to support their production and shall not be subjected to the screening process. These applicants will mainly be the beneficiaries of the Department's One Hectare One Household redistributive programme.

12.7 The State shall take deliberate measures to ensure these persons have access to land for production to ensure that an inclusive rural economy becomes a reality.

### **13. DISPUTE RESOLUTION**

13.1 Where a dispute arises in relation to the selection, allocation and categorization of applicants an applicant may appeal in writing to the Selection and Allocation Panel. Further appeals may be directed to the Director General and finally the Minister for final adjudication.

### **14. TERMINATION AND REALLOCATION**

14.1 A provisional allocation or selection shall cease under the following circumstances:

14.1.1 Death of the potential beneficiary

14.1.2 Criminal records or conviction of a serious crime

14.1.3 Written withdrawal of application by the beneficiary

14.1.4 Withdrawal of the farm by the land owners or seller

14.1.5 Sub-Leasing

14.1.6 Any further circumstances outlined in the lease agreement

14.1.7 Any other circumstances that the Department may feel justify the urgent termination or withdrawal of the allocation.

- 14.2 The surviving spouse or dependent of the beneficiary shall enjoy the first preference in the event they elect to apply for an allocation to lease land.
- 14.3 The spouse or dependent referred to above should be eligible in terms of the requirements of this Policy and also in terms of the criteria prescribed by the Department's State Land Lease and Disposal Policy.
- 14.4 In the event of the surviving spouse or dependent not satisfying the criteria, the District Panel shall report with recommendations for the Approval Authority to make a decision.
- 14.5 Such report shall include recommendations on steps that would need to be taken to place the applicants in a position that will make them eligible.
- 14.6 Except in circumstances described above, a potential lessee shall not cede its rights and obligations to any other person, except with the approval of the Department.

## **15. MONITORING AND EVALUATION**

- 15.1 The Department, through its Chief Directorate: Monitoring and Evaluation, will develop indicators for land reform initiatives at different scales. The Business Plan that is prepared for each property will provide the baseline information for monitoring progress in the initiative. Monitoring audits will thereafter be performed in terms of a checklist for the various types of land reform initiatives.
- 15.2 Evaluation will take place at regular intervals during the implementation of the initiatives and for a period of three years after the lessees have entered into a long term lease arrangement for the land and property. Such information will be included in the Department's overarching monitoring and evaluation.

## DEPARTMENT OF TRANSPORT

NO. 3

03 JANUARY 2020

**NATIONAL RAILWAY SAFETY REGULATOR ACT, 2002 (ACT NO. 16 OF 2002)**  
**DETERMINATION OF PERMIT FEES UNDER SECTION 23(2) OF THE NATIONAL**  
**RAILWAY SAFETY REGULATOR ACT, 2002**

The Minister of Transport, hereby in terms of section 23(2) of the National Railway Safety Regulator Act, 2002 (Act No. 16 of 2002) publishes for comments the determination of the fees that the Railway Safety Regulator must charge for safety permits as indicated in the Schedule.

Interested persons are invited to submit written comments to the Director-General, Department of Transport, within 30 days after the date of publication of this notice, for the attention of:

Director-General: Transport  
ATT: Mr Diapo Letsoalo  
Department of Transport  
Private Bag X 193  
PRETORIA  
0001

Email: [Letsoald@dot.gov.za](mailto:Letsoald@dot.gov.za) or E-mail: [NgobeniY@dot.gov.za](mailto:NgobeniY@dot.gov.za)  
Tel: (012) 309 3852 Tel: (012) 309 3149

Or

Email: [MokubyaS@dot.gov.za](mailto:MokubyaS@dot.gov.za)  
Tel: (012) 309 3540

## SCHEDULE

### 1. Definitions

#### **For the purpose of calculating fees:**

**“activity”** means the activities undertaken by operators on a railway network;

**“annual passengers”** means the total number of passengers transported aboard railway operator’s passenger or commuter rolling stock between two points (i.e. a station of boarding and of disembarkation) with the exception of a train operator’s personnel, over the period of an operator’s most recently completed financial year;

**“annual tons”** means the total sum of the mass of dangerous or general goods loaded onto a locomotive by a train operator in the preceding financial year, and transported along the portion of a rail network for which the train operator has a permit to traverse;

**“cape gauge”** means a type of railway track where the distance between the two rails of the track is 1,067 millimetres in length;

**“general freight or passenger operators”** means network, train or station operators (or a combination thereof) whose operations include the transportation of passengers and freight that excludes dangerous or mining goods;

**“mine operations”** means the operations undertaken above surface by train, network, and station operators to support mining activities;

**“non-rail related revenue”** means revenue generated by Train Operators, Network Operators or Station Operators whose railway operation is incidental to its main business;

**“passengers”** means people transported by a train between two points (i.e. a station of boarding and of disembarkation) with the exception of a train operator’s personnel;

**“rail-related revenue”** means the gross inflow of cash arising from all rail operating activities of an operator;

**“relevant risk-based fee rate”** means the rand value equivalent of the risks attributable to rail activities. The units of measurement include R/Kilometres (for network operations), R/number of stations (for station operator), R/passenger kilometres (for passenger operations), and R/ton kilometre (for freight operations);

**“standard gauge”** railway track where the distance between the two rails of the railway track is 1,435 millimetres in length; and

**“tourist passengers”** means passengers transported aboard railway operator's rolling stock between two points (i.e. a station of boarding and of disembarkation) for recreational purposes, with the exception of a train operator's personnel and commuter passengers.

## 2. Application Fees

A non-refundable application fee must accompany an application for a safety permit. The fees specified in the categories **Operator category and amount** column of the Schedule shall be payable in respect of the corresponding **application fees for general safety permit** that is applied for as specified in the first column of the Schedule indicated as follows: -

APPLICATION FEES FOR GENERAL SAFETY PERMIT	OPERATOR CATEGORY AND AMOUNT (RANDS)		
	Transportation of Mining Goods	Transportation of Dangerous Goods	Transportation of passengers or General Freight
<b>Group A:</b> Train, Network and Station operators Application Fee	R59 093	R59 093	R59 093
<b>Group B:</b> Train, Network and Station Operators Application Fee	R19 363	R19 363	R 3 498
<b>Group C:</b> Train, Network and Station Operators Application Fee	R8 120	R8 120	R3 493

## 3. Other Safety Permit Fees For Railway Operations

The fees specified in the categories **OPERATOR CATEGORY AND AMOUNT** column of the Schedule shall be payable in respect of the corresponding **APPLICATION FEES FOR OTHER SAFETY PERMIT** being applied for specified in the first column of the Schedule indicated as follows: -



APPLICATION FEES FOR OTHER SAFETY PERMIT	OPERATORS CATEGORY AND AMOUNT		
	GROUP A	GROUP B	GROUP C
Temporary Safety Permit	R135 578	R108 462	R14 914
Construction Train Safety Permit	R677 890	R88 126	R4 067
Test and Commissioning Safety Permit	R1 355 780	R135 578	R54 232

#### 4. Permit Fee Rates For Non-Rail-Related Revenue Generating Train Operators, Network Operators And Station Operators

4.1 The fees payable will be calculated as follows: -

OPERATOR CATEGORY		Transportation of Mining Goods by rail	Transportation of Dangerous Goods by rail	Transportation of passengers and /or General Freight by rail
NETWORK		Permit fee paid in 2019/20 FY + 4.9% (CPI)		
TRAIN	Private Siding Lines for General Freight/ Dangerous Goods	Flat Rate: <b>R71 053</b>	Flat Rate: <b>R473 868</b>	Flat Rate: <b>R10 390.00</b>
	Private Siding Lines for Tourist / Passengers	<b>NOT APPLICABLE</b>		Flat Rate: <b>R10 390.00</b>
STATION	On and off boarding sites/ zones for passengers	<b>NOT APPLICABLE</b>		Flat Rate: <b>R115 527.00</b>

#### 5. Permit Fee Rates For Rail-Related Revenue Generating Train Operators, Network Operators And Station Operators

5.1 The Operators have been grouped as follows:

##### (a) Group A: Train Operators, Network Operators and Station Operators

Railway Operators who transport 500 000 tons or more of general goods, 50 000 tons or more of dangerous goods, or passengers are liable to pay railway safety permit fees determined in accordance with the formula below.

**(b) Group B: Train Operators, Network Operators and Station Operators**

Railway Operators who transport between 200 000 tons and 500 000 tons of general goods, less than 50 000 tons of dangerous goods or tourists are liable to pay railway safety permit fees determined in accordance with the formula below.

**(c) Group C: Train Operators, Network Operators and Station Operators**

Railway Operators who transport less than 200 000 tons of general goods are liable to pay a flat fee of R10 390.00

5.2 Table below is used as a basis to calculate railway Operators annual safety permit fee:

OPERATOR GROUP	BAND	PERMIT FEE PAYABLE
<b>GROUP A:</b> Train Station Network	Dangerous goods $\geq$ 50 000t General goods $\geq$ 500 000t All passengers	Permit fee paid in 2019/20 FY + 4.9% (CPI)
<b>GROUP B</b> Train Station Network	Dangerous goods < 50 000t General goods $\geq$ 200 000t and < 500 000t All tourists	Permit fee paid in 2018/19 FY + 4.9% (CPI)
<b>GROUP C</b> Train Station Network	General goods < 200 000t	Flat Rate: R10 390.00



**Application of Notice**

- 6.1 The permit fee rates determined for the 2019/20 financial year shall apply to the following entities:
- |  |                        |
|--|------------------------|
| (a) Transnet SOC Ltd   | <b>R110 009 878.00</b> |
| (b) Passenger Rail Agency of South Africa (PRASA)  | <b>R32 792 737.00</b>  |
| (c) Bombela Operating Company  | <b>R2 779 850.00</b>   |
| (d) Non-South African train operators operating in the Republic of South Africa will pay the Permit Fee paid in 2019/20 FY + 4.9% (CPI). |                        |

**Short Title**

7. This notice is called the Determination of Safety Permit Fees for the 2020/21 financial year, and is published for public comments.

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**GENERAL NOTICES • ALGEMENE KENNISGEWINGS**

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**NATIONAL TREASURY****NOTICE 3 OF 2020****PUBLICATION OF DRAFT MUNICIPAL FISCAL POWERS AND FUNCTIONS AMENDMENT BILL, FOR PUBLIC COMMENT**

The draft Municipal Fiscal Powers and Functions Amendment Bill ("the draft Bill") is hereby published for public comment.

The draft Bill seeks to amend the Municipal Fiscal Powers and Functions Act, 2007 by, among others—

- (a) inserting certain definitions;
- (b) regulating the power of municipalities to levy development charges;
- (c) setting out the permissible uses of income from development charges;
- (d) providing for the basis of calculation of development charges;
- (e) providing for municipal development charges policies, community participation and by-laws;
- (f) providing for matters relating to the budgeting of and accounting for development charges;
- (g) providing for transitional provisions relating to development charges; and
- (h) empowering the Minister to make regulations for the effective implementation of matters relating to development charges

The draft Bill and the memorandum on its objects are available on the National Treasury's website at <http://www.treasury.gov.za> under Legislation, Draft Bills. Public comment on the draft Bill emailed to [development.charges@treasury.gov.za](mailto:development.charges@treasury.gov.za) by no later than **31 March 2020** will be considered. Enquiries regarding the draft Bill may be made to Judy Nkosi at 012 3155574 or Mmachuene Mpyana at 012 3155173.

**SOUTH AFRICAN RESERVE BANK****NOTICE 4 OF 2020****Notice and Order of Forfeiture**

Notice of Forfeiture to the State of money in terms of the provisions of Regulation 22B of the Regulations ("the Exchange Control Regulations") made under Section 9 of the Currency and Exchanges Act, 1933 (Act No. 9 of 1933), as amended, as promulgated by Government Notice No. R.1111 of 1961-12-01 in respect of the money of:

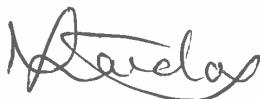
**Mr Soni Waziri Dyarebu, asylum seeker temporary permit CTRNGA000390809 (the "Respondent")**

of:

2 Stone Street Off Gie Road  
Parklands  
Table View  
7441

**Be pleased to take notice that:**

1. The Minister of Finance has, by virtue of the provisions of Regulation 22E of the Exchange Control Regulations delegated all the functions and/or powers conferred upon the Treasury by the provisions of the Exchange Control Regulations [with the exception of the functions and/or powers conferred upon the Treasury by Regulations 3(5) and (8), 20 and 22, but which exception does not include the functions and/or powers under Exchange Control Regulations 22A, 22B, 22C and 22D], and assigned the duties imposed thereunder on the Treasury, to, *inter alia*, the Deputy Governors of the South African Reserve Bank.
2. By virtue of the functions, powers and/or duties vested in me, in my capacity as the Deputy Governor of the South African Reserve Bank, in terms of the delegation and assignment of the functions, powers and/or duties referred to in 1 above, I hereby give notice of a decision to forfeit to the State the following money and I hereby declare and order forfeited to the State the following money, namely:
  - 2.1 The amount of R191 879.10, being capital standing to the credit of the Respondent in account number 11300001164, with Bidvest Bank Limited, together with any interest thereon or any other accrual thereto.
3. The date upon which the money specified in 2 above is hereby forfeited to the State is the date upon which this Notice of Forfeiture is published in this Gazette.
4. The money specified in 2 above shall be disposed of by deposit of the proceeds thereof to the National Revenue Fund.
5. This Notice also constitutes a written order, as contemplated in Regulation 22B of the Exchange Control Regulations, in terms of which the money specified in 2 above is hereby forfeited to the State.
6. Signed at Pretoria on this 11 day of DECEMBER 2019.



**K Naidoo**  
**Deputy Governor**  
**South African Reserve Bank**

# **WARNING!!!**

## **To all suppliers and potential suppliers of goods to the Government Printing Works**

The Government Printing Works would like to warn members of the public against an organised syndicate(s) scamming unsuspecting members of the public and claiming to act on behalf of the Government Printing Works.

One of the ways in which the syndicate operates is by requesting quotations for various goods and services on a quotation form with the logo of the Government Printing Works. Once the official order is placed the syndicate requesting upfront payment before delivery will take place. Once the upfront payment is done the syndicate do not deliver the goods and service provider then expect payment from Government Printing Works.

Government Printing Works condemns such illegal activities and encourages service providers to confirm the legitimacy of purchase orders with GPW SCM, prior to processing and delivery of goods.

To confirm the legitimacy of purchase orders, please contact:

Anna-Marie du Toit (012) 748-6292 ([Anna-Marie.DuToit@gpw.gov.za](mailto:Anna-Marie.DuToit@gpw.gov.za)) and

Siraj Rizvi (012) 748-6380 ([Siraj.Rizvi@gpw.gov.za](mailto:Siraj.Rizvi@gpw.gov.za))

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001  
Contact Centre Tel: 012-748 6200. eMail: [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)  
Publications: Tel: (012) 748 6053, 748 6061, 748 6065