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REPUBLIC OF SOUTH AFRICA
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IMPORTANT NOTICE OF OFFICE RELOCATION**government
printing**Department:
Government Printing Works
REPUBLIC OF SOUTH AFRICAPrivate Bag X85, PRETORIA, 0001 149 Bosman Street, PRETORIA
Tel: 012 748 6197, Website: www.gpwonline.co.za**URGENT NOTICE TO OUR VALUED CUSTOMERS: PUBLICATIONS
OFFICE'S RELOCATION HAS BEEN TEMPORARILY SUSPENDED.**

Please be advised that the GPW Publications office will no longer move to 88 Visagie Street as indicated in the previous notices.

The move has been suspended due to the fact that the new building in 88 Visagie Street is not ready for occupation yet.

We will later on issue another notice informing you of the new date of relocation.

We are doing everything possible to ensure that our service to you is not disrupted.

As things stand, we will continue providing you with our normal service from the current location at 196 Paul Kruger Street, Masada building.

Customers who seek further information and or have any questions or concerns are free to contact us through telephone 012 748 6066 or email Ms Maureen Toka at Maureen.Toka@gpw.gov.za or cell phone at 082 859 4910.

Please note that you will still be able to download gazettes free of charge from our website www.gpwonline.co.za.

We apologise for any inconvenience this might have caused.

Issued by GPW Communications

For purposes of reference, all Proclamations, Government Notices, General Notices and Board Notices published are included in the following table of contents which thus forms a weekly index. Let yourself be guided by the gazette numbers in the righthand column:

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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

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

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
- 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

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

Security Services: Mr Daniel Legoabe, at tel. (012) 748 6176.
Email: 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**
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- **02 October**, Friday for the issue of Friday **09 October 2020**
- **09 October**, Friday for the issue of Friday **16 October 2020**
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- **23 October**, Friday for the issue of Friday **30 October 2020**
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- **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

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 after 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 after submission deadline
Northern Cape Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 working days after submission deadline
National Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 working days after 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.
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. 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). 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 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 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**E-mail:** info.egazette@gpw.gov.za**Tel:** 012-748 6200**Contact person for subscribers:** Mrs M. Toka:**E-mail:** subscriptions@gpw.gov.za**Tel:** 012-748-6066 / 6060 / 6058**Fax:** 012-323-9574

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

NO. 6

10 JANUARY 2020

AGRICULTURAL PRODUCT STANDARDS ACT, 1990 (ACT No. 119 OF 1990)

STANDARDS AND REQUIREMENTS REGARDING CONTROL OF THE EXPORT OF APPLES: AMENDMENT

I, Billy Malose Makhafola, appointed as Executive Officer in terms of section 2(1) of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990), hereby give notice under section 4(3) (c) of the said Act, that –

- (a) the standards and requirements regarding control of the export of Apples as stipulated in Government Notice No. R. 1983 of 23 August 1991 and promulgated in Government Notice No. 2633 of 30 October 1998, amended by Government Notices No. 2480 of 19 November 1999, No. 4698 of 22 December 2000, No. 2371 of 14 December 2001, No. 3004 of 22 November 2002, No. 3350 of 28 November 2003, No. 2986 of 31 December 2004, No. 323 of 3 March 2006, No. 1485 of 20 October 2006; No. 1102 of 7 September 2007, No. 1185 of 19 September 2008, No. 1009 of 30 October 2009, No. 816 of 27 August 2010, No. 591 of 2 September 2011, No. 752 of 21 September 2012, No. 1011 of 11 October 2013, No. 27 of 15 January 2016 and No. 250 of 01 March 2019 are hereby further amended; and
- (b) the standards and requirements mentioned in paragraph (a) –
- (i) shall be available for inspection at the office of the Executive Officer: Agricultural Product Standards, Harvest house, 30 Hamilton Street, Arcadia, Pretoria;
- (ii) may be obtained from the Executive Officer: Agriculture Product Standards, Department of Agriculture, Private Bag x 343, Pretoria, 0001, Tel. (012) 319 – 6121 or Fax (012) 319 – 6055 or email: MbulaheniM@daff.gov.za on payment of the prescribed fees or from <https://www.daff.gov.za/daffweb3/Branches/Agricultural-Production-Health-Food-Safety/Food-Safety-Quality-Assurance/Export-Standards/Deciduous-Fruit>; and
- (iii) shall come into operation seven days after publication of this notice.

B. M. MAKHAFOLA
Executive Officer: Agricultural Product Standards

DEPARTEMENT VAN LANDBOU, BOSBOU EN VISSERIE

NO. 6

10 JANUARIE 2020

WET OF LANDBOUPRODUKSTANDAARDE, 1990 (WET No. 119 VAN 1990)

STANDAARDE EN VEREISTES BETREFFENDE BEHEER OOR DIE UITVOER VAN APPLES: WYSIGING

Ek, Billy Malose Makhafola, ingevolge artikel 2(1) van die Wet op Landbouprodukstandaarde, 1990 (Wet No. 119 van 1990), as Uitvoerende Beampte aangewys, gee hiermee kragtens artikel 4(3) (c) van die vermeldde Wet, kennis dat –

- (a) standaarde en vereistes betreffende beheer oor die uitvoer van Apples soos gestipuleer in Goewermentskennisgewing No. R 1983 van 23 Augustus 1991 en afgekondig in Goewermentkennisgewing No. 2633 van 30 Oktober 1998, wysiging in Goewermentkennisgewing No. 2480 van 19 November 1999, No. 4698 van 22 Desember 2000, No. 2371 van 14 Desember 2001, No. 3004 van 22 November 2002, No. 3350 van 28 November 2003, No. 2986 van 31 Desember 2004, No. 323 van 3 Maart 2006, No. 1485 van 20 Oktober 2006, No. 1102 van 7 September 2007, No. 1185 van 19 September 2008, No. 1009 van 30 Oktober 2009, No. 816 van 27 Augustus 2010, No. 591 van 2 September 2011, No. 752 van 21 September 2012, No. 1011 van 11 Oktober 2013, No. 27 van 15 Januarie 2016 en No. 250 van 01 Maart 2019 hiermee verder gewysig word; en
- (b) die standaarde en vereistes in paragraaf (a) vermeld –
- (i) ter insae beskikbaar is by die kantoor van die Uitvoerende Beampte: Landbouprodukstandaarde, Harvest house, Hamiltonstraat 30, Arcadia, Pretoria;
- (ii) teen betaling van die voorgeskrewe bedrag vanaf die Uitvoerende Beampte Landbouprodukstandaarde, Departement van landbou, Privaatsak x343, Pretoria, 0001, Tel. (012) 319 – 6121 of Faks (012) 319 – 6055 of e-pos MbulaheniM@daff.gov.za of vanaf <https://www.daff.gov.za/daffweb3/Branches/Agricultural-Production-Health-Food-Safety/Food-Safety-Quality-Assurance/Export-Standards/Deciduous-Fruit>, verkrygbaar, en
- (iii) sewe dae na publikasie van hierdie kennisgewing in werking tree.

B. M. MAKHAFOLA
Uitvoerende Beampte: Landbouprodukstandaarde

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

NO. 7

10 JANUARY 2020

AGRICULTURAL PRODUCT STANDARDS ACT, 1990 (ACT No. 119 OF 1990)

STANDARDS AND REQUIREMENTS REGARDING CONTROL OF THE EXPORT OF PEARS: AMENDMENT

I, Billy Malose Makhafola, appointed as Executive Officer in terms of section 2(1) of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990), hereby give notice under section 4(3) (c) of the said Act, that –

- (a) the standards and requirements regarding control of the export of Pears as stipulated in Government Notice No. R. 1983 of 23 August 1991 and promulgated in Government Notice No. 2631 of 30 October 1998, amended by Government Notices No. 1288 of 29 October 1999; No. 4634 of 17 November 2000; No. 2053 of 21 September 2001; No. 1737 of 20 September 2002; No. 3349 of 28 November 2003; No. 2987 of 31 December 2004; No. 322 of 3 March 2006; No. 1484 of 20 October 2006; No. 1103 of 7 September 2007; No. 1070 of 5 September 2008; No. 1008 of 30 October 2009; No. 832 of 3 September 2010; No. 590 of 2 September 2011; No. 753 of 21 September 2012; No. 1008 of 11 October 2013; No. 8 of 15 January 2016 and No. 249 of 01 March 2019 are hereby further amended; and
- (b) the standards and requirements mentioned in paragraph (a) –
- (i) shall be available for inspection at the office of the Executive Officer: Agricultural Product Standards, Harvest house, 30 Hamilton Street, Arcadia, Pretoria;
- (ii) may be obtained from the Executive Officer: Agriculture Product Standards, Department of Agriculture, Private Bag x343, Pretoria, 0001, Tel. (012) 319 – 6121 or Fax (012) 319 – 6055 or email: MbulaheniM@daff.gov.za on payment of the prescribed fees or from <https://www.daff.gov.za/daffweb3/Branches/Agricultural-Production-Health-Food-Safety/Food-Safety-Quality-Assurance/Export-Standards/Deciduous-Fruit>, and
- (iii) shall come into operation seven days after publication of this notice.

B. M. MAKHAFOLA
Executive Officer: Agricultural Product Standards

DEPARTEMENT VAN LANDBOU, BOSBOU EN VISSERIE

NO. 7

10 JANUARIE 2020

WET OF LANDBOUPRODUKSTANDAARDE, 1990 (WET No. 119 VAN 1990)

STANDAARDE EN VEREISTES BETREFFENDE BEHEER OOR DIE UITVOER VAN PERE: WYSIGING

Ek, Billy Malose Makhafola, ingevolge artikel 2(1) van die Wet op Landbouprodukstandaarde, 1990 (Wet No. 119 van 1990), as Uitvoerende Beampte aangewys, gee hiermee kragtens artikel 4(3) (c) van die vermelde Wet, kennis dat –

- (a) standaarde en vereistes betreffende beheer oor die uitvoer van Pere soos gestipuleer in Goewermentskennisgewing No. R 1983 van 23 Augustus 1991 en afgekondig in Goewermentkennisgewing No. 2631 van 30 Oktober 1998; wysiging in Goewermentkennisgewing No. 1288 van 29 Oktober 1999; No. 4634 van 17 November 2000; No. 2053 van 21 September 2001; No. 1737 van 20 September 2002; No. 3349 van 28 November 2003; No. 2987 van 31 Desember 2004; No. 322 van 3 Maart 2006; No. 1484 van 20 Oktober 2006; No. 1103 van 7 September 2007; No. 1070 van 5 September 2008; No. 1008 van 30 Oktober 2009; No. 832 van 3 September 2010; No. 590 van 2 September 2011; No. 753 van 21 September 2012; No. 1008 van 11 Oktober 2013; No. 8 van 15 Januarie 2016 en No. 249 van 01 Maart 2019 hiermee verder gewysig word; en
- (b) die standaarde en vereistes in paragraaf (a) vermeld –
- (i) ter insae beskikbaar is by die kantoor van die Uitvoerende Beampte: Landbouprodukstandaarde, Harvest house, Hamiltonstraat 30, Arcadia, Pretoria;
- (ii) teen betaling van die voorgeskrewe bedrag vanaf die Uitvoerende Beampte Landbouprodukstandaarde, Departement van landbou, Privaatsak x343, Pretoria, 0001, Tel. (012) 319 – 6121 of Faks (012) 319 – 6055 of e-pos MbulaheniM@daff.gov.za of vanaf <https://www.daff.gov.za/daffweb3/Branches/Agricultural-Production-Health-Food-Safety/Food-Safety-Quality-Assurance/Export-Standards/Deciduous-Fruit> verkrygbaar is; en
- (iii) sewe dae na publikasie van hierdie kennisgewing in werking tree.

B. M. MAKHAFOLA
Uitvoerende Beampte: Landbouprodukstandaarde

DEPARTMENT OF ENERGY

NO. 8

10 JANUARY 2020

PETROLEUM PRODUCTS ACT, 1977

PUBLICATION OF DRAFT GUIDELINES TO APPLICANTS FOR NEW TO INDUSTRY SITE AND RETAIL LICENCES FOR PUBLIC COMMENT

I, Samson Gwede Mantashe, the Minister of Mineral Resources and Energy hereby invite interested persons to submit written comments on the proposed Guidelines to Applicants for New to Industry Site and Retail Licences, within 60 days, to the Director-General, Department of Energy, Private Bag X96, Pretoria 0001; Matimba House 192 Visagie Street, Pretoria; or email shaun.kraut@energy.gov.za (for attention Directorate: Legal Services).

Kindly provide the name, address, telephone number, fax number and email address of the person or organisation submitting the comments. Comments received after the closing date may not be considered.


A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, is written over a horizontal line.**SAMSON GWEDE MANTASHE, MP****MINISTER OF MINERAL RESOURCES AND ENERGY**

04/12/2019



energy

Department:
Energy

REPUBLIC OF SOUTH AFRICA

DRAFT GUIDELINES TO APPLICANTS FOR NEW TO INDUSTRY SITE AND RETAIL LICENCES

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1. BACKGROUND

- 1.1 Pursuant to Judgments in **Nine Nine Ninety Nine Projects (Pty) Ltd and Another v Minister: Department of Energy and Others** (A543/12) [2014] ZAGPPHC 335 and **Quick Serve Petrol Station (Pty) Ltd and another v the Minister of Energy and the Controller of Petroleum Products** 2017 JDR 1337 (GP), the Minister was directed to reconsider the respective applicants' licence applications, with such reconsideration to include formulating guidelines to the applicants or informing the applicants of the criteria by which their licence applications will be evaluated.
- 1.2 The criteria for the evaluation of applications for site and retail licences, together with all the information that must be provided by an applicant, are set out in the legislation and regulations below. The Controller will cause the applications to be investigated and additional relevant information may be obtained during such investigation. The applicants will have a further opportunity to respond to objections received by interested and affected parties, findings by the Controller of the investigation and any such additional information obtained from third parties that are additional to the licence application documentation lodged with the Controller. The Controller will then decide the applications.
- 1.3 Due to the fluid nature of the applications it is virtually impossible to pre-determine exactly what information would be required in each specific instance where an application is received. Each site and retail licence application is basically unique and only after same has been received will it be possible to evaluate the application(s). Should extra information be required, the Controller can request such further information. However, given the aforesaid judgments and uncertainty among applicants on the criteria considered in determining applications for new site and retail licences, these guidelines have been developed. They are intended to elucidate upon the applicable legislation and regulations but these guidelines are not intended to be binding and enforceable.

2. APPLICABLE LEGISLATION AND REGULATIONS

2.1 The Petroleum Products Act 120 of 1977 as amended (*"the PPA"*)

2.1.1. The long title describes the objectives of *the PPA* as follows:

"To provide for measures in the saving of petroleum products and an economy in the cost of distribution thereof, and for the maintenance and control of a price therefor, for the furnishing of certain information regarding petroleum products, and for the rendering of services of a particular kind, or services of a particular standard, in connection with petroleum products; to provide for the licensing of persons involved in the manufacturing and sale of certain petroleum products; to promote the transformation of the South African petroleum and liquid fuels industry; to provide for the promulgation of regulations relating to such licences; and to provide for matters incidental thereto."

2.1.2 In terms of applicable provisions of section 2A(4) of *the PPA* any person who has to apply for a licence in terms of subsection (1) must-

"...(b) in the case of a site licence be the owner of the property concerned or in the case of publicly owned land have the written permission of the owner;

(c) in the case of retail and wholesale licences be the owner of the business concerned;"

2.1.3 In terms of section 2B(1), the Controller of Petroleum Products must issue licences in accordance with the provisions of *the PPA*. Section 2B(2) states that –

"(2) In considering the issuing of any licences in terms of this Act, the Controller of Petroleum Products shall give effect to the provisions of section 2C and the following objectives:

(a) Promoting an efficient manufacturing, wholesaling and retailing petroleum industry;

(b) facilitating an environment conducive to efficient and commercially justifiable investment;

(c) the creation of employment opportunities and the development of small businesses in the petroleum sector;

(d) ensuring countrywide availability of petroleum products at competitive prices; and

(e) promoting access to affordable petroleum products by low-income consumers for household use."

2.1.4 Section 2C(1) of *the PPA* on Transformation of South African petroleum and liquid fuels industry provides that -

"(1) In considering licence applications in terms of this Act, the Controller of Petroleum Products shall-

(a) promote the advancement of historically disadvantaged South Africans; and

(b) give effect to the Charter."

2.1.5 Section 2E of *the PPA* provides for the Minister to prescribe by regulation a system as envisaged in subsection (3) for the allocation of site and their corresponding retail licences by which the Controller of Petroleum Products shall be bound. Such a system-

- (a) must intend to transform the retail sector into one that has the optimum number of efficient sites;
- (b) must intend to achieve an equilibrium amongst all participants in the petroleum products industry within the constraints of this Act;
- (c) must be based on the objectives referred to in section 2B (2) and 2C;
- (d) must promote efficient investment in the retail sector and the productive use of retail facilities and may in this regard-
- (i) limit the total number of site and corresponding retail licences in any period;
 - (ii) link the total number of site and corresponding retail licences in any period, to the total mass or volume of prescribed petroleum products sold by licensed retailers; and
 - (iii) use any other appropriate means;
- (e) must allow licensed wholesalers to trade with each other any contractual rights and obligations they may have, to supply licensed retailers with prescribed petroleum products;
- (f) [Para. (f) deleted by s. 4 (c) of Act 2 of 2005.]
- (g) may link the issuing of a new site licence and the corresponding retail licence to the termination or transfer of ownership of one or more existing site licences and the corresponding retail licences;
- (h) may link the issuing of a new retail licence to the transfer from a licensed wholesaler of contractual rights enjoyed by that wholesaler in respect of one or more licensed retailers, to another licensed wholesaler.

2.2 The Regulations Regarding Petroleum Products Site and Retail Licences published under Government Notice R.286 in GG 28665 of 27 March 2006 as amended by Government Notice R.1061 in GG 35984 of 19 December 2012 (*"the Regulations"*)

2.2.1 Regulation 6 deals with the evaluation of a site licence application and states that –

"(1) In evaluating an application for any site licence, the Controller must, subject to subregulation (2), verify that-

- (a) the information and the documents submitted with the application form are true and correct; and*
- (b) the notice contemplated in regulation 4(1) was published.*

(2) In the case of an application for a site licence made by a person in respect of whom section 2D of the Act is not applicable, the Controller must be satisfied that-

- (a) there is a need for a site; and*
- (b) the site will promote the licensing objectives stipulated in sections 2B(2) of the Act."*

2.2.2 Regulation 18 deals with the evaluation of a retail licence application and states that –

- “ (1) In evaluating an application for any retail licence, the Controller must, subject to subregulation (2), verify that-*
- (a) the information and the documents submitted with the application form are true and correct; and*
 - (b) the notice contemplated in regulation 16(1) was published.*
- (2) In the case of an application for a retail licence made by a person in respect of whom section 2D of the Act is not applicable, the Controller must be satisfied that-*
- (a) the retailing business is economically viable; and*
 - (b) the retailing business will promote licensing objectives stipulated in section 2B(2) of the Act.*
- (3) In determining the economic viability contemplated in subregulation (2)(a), the Controller must be satisfied that the net present value has been correctly calculated and is positive.”*

2.3 Documents and information to be submitted in terms of the Regulations

2.3.1 Regulation 3 read with regulation 13(1) of the Regulations set out the documents that must be lodged with a new site licence application:

1	Motivation for the approval of the site licence.
2	A certified copy of the applicant's identity document if the applicant is a natural person and, in the case of a non- South African citizen, permanent residence permit or employment permit and proof of residence in South Africa, or proof of domicile in South Africa, as the case may be. OR A certified copy of the business entity's registration documents, if the applicant is a corporate entity or a trust.
3	A certified copy of the land-use zoning certificate issued by a competent authority or person, authorizing retailing activity ^{1&2} .
4	A certified copy of the Environmental Authorisation of the environmental authorities, permitting retailing operations on the site ³ .
5	A certified copy of, in the case of- (a) an owner, the title deed to the land on which the site is located; OR (b) publicly owned land, the written permission of the landowner.

¹ In exceptional cases, where a land-use zoning certificate cannot be attained then an excerpt or other proof that the site has been zoned may be accepted.

² If the property is tribal land, then the Controller may accept a letter from the tribal authority as proof thereof.

³ In instances where the combined storage capacity does not exceed 80m³, a letter from the environmental authorities (which accordance with the apposite environmental legislation, as amended from time to time) will be sufficient.

6	The permission by the National Roads Authority to develop the site, if the site allows or is intended to allow access by vehicles to a national road.
7	If necessary, the original or certified copy of a declaration by the applicant giving reasons why any attachment required is not provided.

2.3.2 Regulation 15 read with regulation 25(1) of *the Regulations* set out the documents that must be lodged with a new retail licence application:

1	Motivation for the retailing activity.
2	A certified copy of the applicant's identity document, if the applicant is a natural person and, in the case of a non- South African citizen, permanent residence permit or employment permit and proof of residence in South Africa, or proof of domicile in South Africa, as the case may be. OR A certified copy of the business entity's registration documents, if the applicant is a corporate entity or a trust.
3	In the case of an application made by a natural person claiming to be a historically disadvantaged South African, a declaration by that person to that effect.
4	The net present value calculation including- <ul style="list-style-type: none"> • The result of the net present value calculation, and • All data and assumptions used in the calculation of the net present value. <i>This should be for a period of five years.</i>
5	A declaration by the applicant stating that the applicant is not owned in any way by a licensed wholesaler.
6	In the case of an application made by a juristic person, a declaration on the extent of ownership of the business by historically disadvantaged South Africans as defined in the Charter.
7	In the case of retail business owned by a licensed wholesaler for training purposes, declaration by the licensed wholesaler stating that the licensed retailing activity will be used for training purposes.
8	If necessary, the original or certified copy of a declaration by the applicant giving reasons why any attachment required is not provided.

2.3.3 In addition to proof of publication of the applications that must be submitted to the Controller, in terms of Regulation 35 of *the Regulations*, the following additional information is required to accompany an application⁴:

	Original or certified copies of notice of the applications (site and retail) published in a prominent manner in at least two of the most popular newspapers circulating in the area of the proposed activity in two official languages one of which must be English (Regulations 4 and 16).
1	Copy of business plan linked to the objectives in terms of section 2B(2) of <i>the PPA</i>
2	Certified copies of all members' identity documents for Close Corporation or Shareholders/Directors for a Company
3	Certified copies of Share certificates, Share register and Shareholder's agreement (if applicable)
4	Certified copies of Memorandum of Incorporation (if applicable)
5	Certified copy of a loan agreement (if applicable)
6	Copy of a Franchise Agreement or Supply Agreement with a licensed petroleum wholesaler
7	Traffic count and report including assumptions on interception rate ⁵ .
8	Declarations under oath by the applicants stating that they will comply with <i>the PPA</i> , and applicable Regulations
9	Certified declarations by an Accounting Officer or Legal Representative stating the percentage (%) of Historically Disadvantaged South Africans (HDSA) in the entity.
10	Number of employees as indicated in Table 1 below.

Table 1 - Number of employees

	African Female(s)	African Male(s)	Coloured Female(s)	Coloured Male(s)	Indian Female(s)	Indian Male(s)	White Female(s)	White Male(s)	Disabled Individual(s)
Forecourt									
Admin									

⁴ In addition to the listed documentation and/or information, the Controller may request additional information from a licence applicant that may be necessary to enable the Controller to decide upon a licence application.

⁵ It is recommended that the traffic count include a narrated report which supports the need for the filling station.

3. FACTORS TO BE CONSIDERED IN DETERMINING NEED FOR A NEW SITE

3.1 The number of existing service stations and proximity to the proposed site

3.1.1 The legislative framework intends to transform the retail sector into one that has the optimum number of efficient sites and seeks to promote efficient investment in the retail sector and the productive use of retail facilities. In this context the Applicant must establish that there is a need for a further filling station.

3.1.2 The Controller, as a minimum, will consider all existing licensed sites-

- (a) in an urban area, within a five (5) kilometre radius of the proposed site; or
- (b) in a rural area or on a national road, within a twenty five (25) kilometre radius of the proposed site.

3.2 Petroleum Products Volumes pumped by competitor sites (Period to be determined, Growth or declining volumes), Design / Storage capacity of existing sites and impact on existing sites

3.2.1 All sites contemplated in 3.1.2 (a) and (b) shall be considered competitor sites. The Controller will consider fuel volumes pumped at these sites over the previous three year period to be used as a benchmark to ascertain whether an additional filling station will promote the objectives contained in the Act. Fuel volumes shall be verified with oil companies, and such information shall be treated as confidential.

3.2.2 Fuel volumes must evince growth in demand. Any decline in fuel volumes will militate against the approval of a new site. The application must provide substantial evidence to support need in these circumstances.

3.2.3 The Controller will further consider the design or storage capacity of existing sites to establish whether these sites can cater for additional demand. The Controller must ensure optimal and productive use of existing capacity.

3.2.4 the Controller will consider the probable impact the proposed site will have on existing licensed sites.

3.3 Location of site: Road infrastructure, feeder roads, and access points to the proposed site

3.3.1 The Controller will consider the extent to which the location of the proposed site increases access to and availability of petroleum products to consumers.

3.3.2 This factor must be balanced against the impact on existing sites and the objective of *facilitating an environment conducive to efficient and commercially justifiable investment*

3.4 Feasibility studies and Traffic Counts: Serviced and subserviced traffic flows

- 3.4.1 The Controller will consider expert reports on feasibility of the proposed site, taking into account traffic counts.
- 3.4.2 Historic traffic counts may be vital in demonstrating growth.
- 3.4.3 Traffic counts should be accompanied by a report compiled by a registered engineer with relevant expertise in the field. The report must include all assumptions on interception rate⁶, including traffic volumes (transient or local); location and layout, convenience, facilities and services offered; and competitor density.
- 3.4.4 All assumptions and projected volumes will be noted. The Applicant must demonstrate that the retailing business is economically viable. In determining economic viability, the Controller must be satisfied that the **net present value** (*a generally accepted method used to determine economic viability by considering future streams of revenues and costs of a business activity discounted into equivalent present values*) has been correctly calculated and is positive. The NPV must only pertain to the forecourt and actual costs associated with the retailing activity. The convenience store and associated facilities must be excluded in the calculation.

3.5 New markets, Attraction points and Developments:

- 3.5.1 It is vital for the Controller to assess the extent and nature of the applicant's targeted market.
- 3.5.2 An Applicant must substantiate any new demand and market for petroleum products in the area. Timelines for proposed developments to be realised must not exceed 2 years from date of application. It must be noted that a number of external factors play a role in determining traffic generated by a specific development, including nature of land uses in the area, the road network, access to public transport and socio-economic conditions prevailing in the area.
- 3.5.3 In this regard an applicant may provide: Municipal plans for new or proposed development in the area (Residential or Commercial); Developer confirmation of recent realised developments; or proposed timeline of developments⁷.

3.6 Employment opportunities and the development of small businesses in the petroleum sector

- 3.6.1 The Controller will consider the extent to which the proposed site will create employment opportunities and promote small business development.

⁶ A realistic interception rate must be utilised when calculating projected volumes. Should the interception rate exceed 3% a detailed motivation is required.

⁷ It would be beneficial for an applicant to demonstrate that the proposed growth will be realised.

- 3.6.2 While these are critical considerations, this must be balanced against the impact on existing sites and the objective of *facilitating an environment conducive to efficient and commercially justifiable investment*.

3.7 Transformation of the sector

- 3.7.1 The Controller, in considering licence applications, must *promote the advancement of historically disadvantaged South Africans; and give effect to the Charter*.
- 3.7.2 The Charter aims to ensure a sustainable presence, ownership or control by historically disadvantaged South Africans in all facets of the liquid fuels industry.

DEPARTMENT OF ENVIRONMENTAL AFFAIRS

NO. 9

10 JANUARY 2020

**NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998
(ACT NO. 107 OF 1998)****PROCEDURES TO BE FOLLOWED FOR THE ASSESSMENT AND MINIMUM CRITERIA FOR REPORTING OF IDENTIFIED ENVIRONMENTAL THEMES IN TERMS OF SECTION 24(5)(a) AND (h) OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998, WHEN APPLYING FOR ENVIRONMENTAL AUTHORISATION**

I, Barbara Dallas Creecy, Minister of Environment, Forestry and Fisheries, hereby give notice of my intention to prescribe protocols for the assessment and minimum report content requirements of environmental impacts for environmental themes for activities requiring environmental authorisation, as contained in the Schedule hereto. When the requirements of these protocols apply, the requirements of Appendix 6 of the Environmental Impact Assessment Regulations, 2014, published under Government Notice No. R. 982 in Government Gazette 38282 of 04 December 2014, as amended, and promulgated under sections 24(5) and 44 of the National Environmental Management Act, 1998 (Act No. 107 of 1998), are replaced by these requirements.

Each protocol applies exclusively to the environmental theme identified within its scope. Multiple themes may apply, and assessments for these themes must be undertaken in accordance with the relevant protocol, or, where no specific protocol has been prescribed, in accordance with the requirements of the EIA Regulations, as amended.

Members of the public are invited to submit written comments or inputs to the Minister, within 30 days of publication of this Notice in the *Gazette*, to the following addresses:

By post to: The Director-General:
Department of Environmental Affairs
Attention: Ms D Fischer
Private Bag X447
PRETORIA
0001

By hand at: Reception, Environment House, 473 Steve Biko Road, Arcadia, Pretoria, 0083
By email: DFischer@environment.gov.za

Any inquiries in connection with the Notice can be directed to Tel: (012) 399 9315.

Comments received after the closing date may not be considered.



BARBARA DALLAS CREECY
MINISTER OF ENVIRONMENT, FORESTRY AND FISHERIES

3. TERRESTRIAL ANIMAL SPECIES

3(c) - PROTOCOL FOR THE ASSESSMENT AND REPORTING OF ENVIRONMENTAL IMPACTS ON TERRESTRIAL ANIMAL SPECIES

1. SCOPE

This protocol provides the criteria for the assessment and reporting of impacts on terrestrial animal species for activities requiring environmental authorisation. The assessment requirements of this protocol are associated with a level of environmental sensitivity identified by the national web based environmental screening tool for terrestrial animal species, which is based on species of conservation concern as provided by the South African National Biodiversity Institute (SANBI). If any part of the proposed development falls within an area of “very high”, “high” or “medium” sensitivity, the requirements prescribed for such sensitivity apply.

The national web based environmental screening tool can be accessed at:
<https://screening.environment.gov.za/screeningtool>

2. REQUIREMENTS FOR THE INITIAL SITE SENSITIVITY VERIFICATION

Requirements for the assessment and reporting of impacts on terrestrial animal species for activities requiring environmental authorisation are set out in Table 1 below and correlate to the sensitivity ratings contained in the national web based environmental screening tool. Prior to beginning the assessment, the current use of the land and the potential environmental sensitivity of the site as identified by the national web based environmental screening tool must be confirmed by undertaking an initial site sensitivity verification.

- 2.1 The initial site sensitivity verification must be undertaken by an environmental assessment practitioner or a specialist registered with the South African Council for Natural Scientific Professionals (SACNASP) with expertise in the relevant environmental theme being considered.
- 2.2 The initial site sensitivity verification must be undertaken through the use of:
 - (a) a desk top analysis, using satellite imagery and other available and relevant information; and
 - (b) a preliminary on-site inspection to identify if there are any discrepancies with the current use of land and environmental status quo versus the environmental sensitivity as identified on the national web based environmental screening tool, such as new developments, infrastructure, indigenous/pristine vegetation, etc.
- 2.3 The outcome of the initial site sensitivity verification must be recorded in the form of a report that—
 - (a) confirms or disputes the current use of the land and environmental sensitivity as identified by the national web based environmental screening tool;
 - (b) contains a motivation and evidence (e.g. photographs) of either the verified or different use of the land and environmental sensitivity; and
 - (c) is submitted together with the relevant assessment report prepared in accordance with the requirements of the Environmental Impact Assessment Regulations, as amended, promulgated under sections 24(5) and 44 of the National Environmental Management Act, 198 (Act No. 107 of 1998).

3. REQUIREMENTS FOR ENVIRONMENTAL ASSESSMENT

TABLE 1: CRITERIA FOR THE ASSESSMENT AND REPORTING OF IMPACTS ON TERRESTRIAL ANIMAL SPECIES FOR ACTIVITIES REQUIRING ENVIRONMENTAL AUTHORISATION	
<p>VERY HIGH SENSITIVITY RATING – for terrestrial animal species</p> <ol style="list-style-type: none"> 1. Critical habitat for range restricted species of conservation concern that have a global range of less than 10 km². 2. Species of conservation concern listed on the IUCN Red List of Threatened Species¹ or South Africa's National Red List website² as Critically Endangered, Endangered or Vulnerable according to the IUCN Red List 3.1. Categories and Criteria or listed as Nationally Rare. <p>These areas are irreplaceable in terms of species of conservation concern.</p>	<p>1. General Information</p> <ol style="list-style-type: none"> 1.1 An applicant, intending to undertake an activity as identified in the scope of this protocol on a site identified as being of "very high", "high" or "medium" sensitivity for terrestrial animal species on the national web based environmental screening tool must submit a Terrestrial Animal Species Impact Assessment Report. 1.2 However, where the information gathered from the initial site sensitivity verification identified in section 2 of this protocol or the specialist assessment differs from the designation of "very high", "high", or "medium" terrestrial animal species sensitivity from the national web based environmental screening tool and it is found to be of a "low" sensitivity, then a Terrestrial Animal Species Impact Assessment is not required. 1.3 Should paragraph 1.2 apply, a Terrestrial Animal Species Compliance Statement must be submitted. An environmental assessment practitioner or a suitably qualified taxon relevant specialist, registered with the South African National Council for Natural Scientific Professionals (SACNASP), must append to the Terrestrial Animal Species Compliance Statement a motivation and evidence (e.g. photographs) of the different terrestrial animal species sensitivity. <p>2. Terrestrial Animal Species Impact Assessment</p> <ol style="list-style-type: none"> 2.1 The assessment must be undertaken by a suitably qualified taxon relevant SACNASP registered specialist aligned with the taxa identified in the report generated from the national web based environmental screening tool on the site being submitted as the preferred development site. 2.2 The Terrestrial Animal Species Impact Assessment must include the results of a site assessment undertaken on the preferred development site. 2.3 The Terrestrial Animal Species Impact Assessment must be undertaken in accordance with the <i>Species Environmental Assessment Best Practice Guidelines</i>³ and must identify the following: <ol style="list-style-type: none"> 2.3.1 The species of conservation concern which were found on site; 2.3.2 The distribution, location, viability (ability to survive and reproduce in future) and detailed description of population size of the species of conservation concern identified on the preferred development site; 2.3.3 The nature and the extent of the potential impact of the proposed development on the species of conservation concern on the proposed development site; 2.3.4 The importance of the conservation of the population of the species of special concern identified on the proposed development site based on information available in national and international databases including the IUCN Red List of Threatened Species, South African Red List of Species, and/or other relevant databases; 2.3.5 The potential impact of the proposed development on the habitat of the species of conservation concern;
<p>HIGH SENSITIVITY RATING – for terrestrial animal species</p> <ol style="list-style-type: none"> 1. Confirmed habitat for species of conservation concern. 2. Species of conservation concern listed on the IUCN Red List of Threatened Species or South Africa's National Red List website as Critically Endangered, Endangered or Vulnerable according to the IUCN Red List 3.1. Categories and Criteria. <p>These areas are unsuitable for development due to a very likely impact on species of conservation concern.</p>	

¹ <https://www.iucnredlist.org/>

² <http://bgis.speciesstatus.sanbi.org/>

³ <http://bgis.sanbi.org/>

<p>MEDIUM SENSITIVITY RATING – for terrestrial animal species</p> <ol style="list-style-type: none"> 1. Suspected habitat for species of conservation concern based either on there being records for this species collected in the past prior to 2002 or being a natural area included in a habitat suitability model. 2. Species of conservation concern listed on the IUCN Red List of Threatened Species or South Africa's National Red List website as Critically Endangered, Endangered or Vulnerable according to the IUCN Red List 3.1. Categories and Criteria. 	<ol style="list-style-type: none"> 2.3.6 Any dynamic ecological processes occurring within the site and its surrounds that might be disrupted by the proposed development and resulting impact on the identified species of conservation concern; for example, fires in fire-prone systems; 2.3.7 Any potential impact of ecological connectivity (on site, and in relation to the broader landscape) and resulting impact on the identified species of conservation concern; 2.3.8 Buffer distances as per the <i>Species Environmental Assessment Best Practice Guidelines</i> used for the population of each species of conservation concern; 2.3.9 The likelihood of other threatened species, undescribed species or highly localised endemics, migratory species, or species of conservation concern, occurring in the vicinity; and 2.3.10 Identify any alternative development footprints within the preferred development site which would be of "low" sensitivity as identified by the national web based environmental screening tool and verified through the initial site sensitivity verification. <ol style="list-style-type: none"> 3. The findings of the Terrestrial Animal Species Impact Assessment must be written up in a Terrestrial Animal Species Impact Assessment Report. This report must include as a minimum the following information: <ol style="list-style-type: none"> 3.1 Contact details and curriculum vitae of the specialist including SACNASP registration number and fields of expertise; 3.2 A signed statement of independence by the specialist; 3.3 Duration, date and season of the site investigation and the relevance of the season to the outcome of the assessment; 3.4 A description of the methodology used to undertake the impact assessment and site inspection, including equipment and modelling used where relevant; 3.5 A description of the assumptions made and any uncertainties or gaps in knowledge or data as well as a statement of the timing and intensity of site inspection observations; 3.6 Areas not suitable for development, to be avoided during construction and operation where relevant; 3.7 Additional environmental impacts expected from the proposed development based on those already evident on the site and a discussion on the cumulative impacts; and 3.8 Impact management actions and impact management outcomes proposed by the specialist for inclusion in the Environmental Management Programme (EMPr); 3.9 A reasoned opinion, based on the findings of the specialist assessment, regarding the acceptability or not of the proposed development and if the proposed development should receive approval or not, and any conditions to which the opinion is subjected; 3.10. A motivation must be provided if there were development footprints identified as per paragraph 2.3.10 above that were identified as having a "low" terrestrial animal species sensitivity and were not considered appropriate. 4. The findings of the Terrestrial Animal Impact Assessment must be incorporated into the Basic Assessment Report (BAR) or the Environmental Impact Assessment Report (EIAR), including the mitigation and monitoring measures as identified, which must be incorporated into the EMPr. A signed copy of the assessment must be appended to the BAR or EIAR.
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<p>LOW SENSITIVITY RATING – for terrestrial animal species</p> <ol style="list-style-type: none"> 1. Areas where no natural habitat remains. 2. Natural areas where there is no suspected occurrence of species of conservation concern. 	<ol style="list-style-type: none"> 1. General Information <ol style="list-style-type: none"> 1.1 An applicant, intending to undertake an activity as identified in the scope of this protocol, on a site identified as being of “low sensitivity” for terrestrial animal species on the national web based environmental screening tool must submit a Terrestrial Animal Species Compliance Statement, unless <ol style="list-style-type: none"> 1.1.1 the information gathered from the initial site sensitivity verification identified in section 2 of this protocol differs from that identified as having a “low” terrestrial animal species sensitivity by the national web based environmental screening tool and it is found to be of a “very high” “high” and/or “medium” sensitivity. 1.2 Should 1.1.1 apply, a Terrestrial Animal Species Impact Assessment is to be undertaken and a report should be prepared in accordance with the requirements of a Terrestrial Animal Impact Assessment. 2. Terrestrial Animal Species Compliance Statement <ol style="list-style-type: none"> 2.1 The Terrestrial Animal Species Compliance Statement must be prepared by a suitably qualified, taxon relevant SACNASP registered specialist, on the site being submitted as the preferred development site and must verify: <ol style="list-style-type: none"> 2.1.1 That the site is of “low” sensitivity for terrestrial animal species; and 2.1.2 Whether or not the proposed development will have any impact on the terrestrial animal species. 3. The Terrestrial Animal Species Compliance Statement, must contain, as a minimum, the following information: <ol style="list-style-type: none"> 3.1 Contact details and curriculum vitae of the specialist including SACNASP registration number and field of expertise; 3.2 A signed statement of independence by the specialist; 3.3 Methodology used to undertake the site survey and prepare the compliance statement, including equipment and modelling used where relevant; 3.4 Where required, proposed impact management outcomes or any monitoring requirements for inclusion in the EMP; and 3.5 A description of the assumptions made and any uncertainties or gaps in knowledge or data as well as a statement of the timing and intensity of site inspection observations; and 3.6 Any conditions to which the statement is subjected. 4. A signed copy of the full Terrestrial Animal Species Compliance Statement must be appended to the BAR or EIAR.
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3(d) - PROTOCOL FOR THE ASSESSMENT AND REPORTING OF ENVIRONMENTAL IMPACTS ON TERRESTRIAL PLANT SPECIES

1. SCOPE

This protocol provides the criteria for the assessment and reporting of impacts on terrestrial plant species for activities requiring environmental authorisation. The assessment requirements of this protocol are associated with a level of environmental sensitivity identified by the national web based environmental screening tool for terrestrial plant species, which is based on species of conservation concern as provided by the South African National Biodiversity Institute (SANBI). If any part of the proposed development falls within an area of “very high”, “high” or “medium” sensitivity, the requirements prescribed for such sensitivity apply.

The national web based environmental screening tool can be accessed at: <https://screening.environment.gov.za/screeningtool>

2. REQUIREMENTS FOR THE INITIAL SITE SENSITIVITY VERIFICATION

Requirements for the assessment and reporting of impacts on terrestrial plant species for activities requiring environmental authorisation are set out in Table 1 below, and correlate to the sensitivity ratings contained in the national web based environmental screening tool. Prior to beginning the assessment, the current use of the land and the potential environmental sensitivity of the site as identified by the national web based environmental screening tool must be confirmed by undertaking an initial site sensitivity verification.

- 2.1 The initial site sensitivity verification must be undertaken by an environmental assessment practitioner or a specialist registered with the South African Council for Natural Scientific Professionals (SACNASP) with expertise in the relevant environmental theme being considered.
- 2.2 The initial site sensitivity verification must be undertaken through the use of:
 - (a) a desk top analysis, using satellite imagery and other available and relevant information; and
 - (b) a preliminary on-site inspection to identify if there are any discrepancies with the current use of land and environmental status quo versus the environmental sensitivity as identified on the national web based environmental screening tool, such as new developments, infrastructure, indigenous/ pristine vegetation, etc.
- 2.3 The outcome of the initial site sensitivity verification must be recorded in the form of a report that-
 - (a) confirms or disputes the current use of the land and the environmental sensitivity as identified by the national web based environmental screening tool;
 - (b) contains a motivation and evidence (e.g. photographs) of either the verified or different use of the land and environmental sensitivity; and
 - (c) is submitted together with the relevant assessment report prepared in accordance with the requirements of the Environmental Impact Assessment Regulations, as amended, promulgated under sections 24(5) and 44 of the National Environmental Management Act, 1998 (Act No. 107 of 1998).

3. REQUIREMENTS FOR ENVIRONMENTAL ASSESSMENT

TABLE 1: CRITERIA FOR THE ASSESSMENT AND REPORTING OF IMPACTS ON TERRESTRIAL PLANT SPECIES FOR ACTIVITIES REQUIRING ENVIRONMENTAL AUTHORISATION	
<p>VERY HIGH SENSITIVITY RATING – for terrestrial plant species</p> <ol style="list-style-type: none"> 1. Critical Habitat for range restricted species of conservation concern that have a global range of less than 10 km². 2. Species of conservation concern listed on the IUCN Red List of Threatened Species¹ or South Africa's National Red List website² as Critically Endangered, Endangered or Vulnerable according to the IUCN Red List 3.1. Categories and Criteria or listed as Nationally Rare. <p>These areas are irreplaceable in terms of species of conservation concern.</p>	<p>4. General Information</p> <ol style="list-style-type: none"> 1.1 An applicant, intending to undertake an activity as identified in the scope of this protocol on a site identified as being of "very high", "high" or "medium" sensitivity for terrestrial plant species on the national web based environmental screening tool must submit a Terrestrial Plant Species Impact Assessment Report. 1.2 However, where the information gathered from the Initial Site Sensitivity Verification identified in section 2 of this Protocol or the specialist assessment differs from the designation of "very high", "high", or "medium" terrestrial plant species sensitivity from the national web based environmental screening tool and it is found to be of a "low" sensitivity, then a Terrestrial Plant Species Impact Assessment is not required. 1.3 Should paragraph 1.2 apply, a Terrestrial Plant Species Compliance Statement must be submitted. An environmental assessment practitioner or a suitably qualified, taxon relevant specialist, registered with the South African Council for Natural Scientific Professionals must append to the Terrestrial Plant Species Compliance Statement a motivation and evidence (e.g. photographs) of the different Terrestrial Plant Species sensitivity. <p>2. Terrestrial Plant Species Impact Assessment</p> <ol style="list-style-type: none"> 2.1 The assessment must be undertaken by a taxon relevant SACNASP registered specialist aligned with the taxa identified in the screening report on the site being submitted as the preferred development site. 2.2 The Terrestrial Plant Species Impact Assessment must include the results of a site assessment undertaken on the preferred development site. 2.3 The Terrestrial Plant Species Impact Assessment must be undertaken in accordance with the <i>Species Environmental Assessment Best Practice Guidelines</i>³ and must identify the following: <ol style="list-style-type: none"> 2.3.1 The species of conservation concern which were found on site; 2.3.2 The distribution, location, viability (ability to survive and reproduce in future) and detailed description of population size of the species of conservation concern identified on the proposed development site; 2.3.3 The nature and the extent of the potential impact of the proposed development on the species of conservation concern on the proposed development site; 2.3.4 The importance of the conservation of the population of the species of special concern identified on the proposed development site based on information available in national and international databases including the IUCN Red List of Threatened Species, South African Red List of Species, and/or other relevant databases; 2.3.5 The potential impact of the proposed development on the habitat of the species of conservation concern; 2.3.6 Any dynamic ecological processes occurring within the site and its surrounds, that might be disrupted by the proposed development and resulting impact on the identified species of conservation concern; for example, fires in fire-prone systems;
<p>HIGH SENSITIVITY RATING – for terrestrial plant species</p> <ol style="list-style-type: none"> 1. Confirmed habitat for species of conservation concern. 2. Species of conservation concern listed on the IUCN Red List of Threatened Species or South Africa's National Red List website as Critically Endangered, Endangered or Vulnerable according to the IUCN Red List 3.1. Categories and Criteria. <p>These areas are unsuitable for development due to a very likely impact on species of conservation concern.</p>	

<p>MEDIUM SENSITIVITY RATING – for terrestrial plant species</p> <ol style="list-style-type: none"> 1. Suspected habitat for species of conservation concern based either on there being records for this species collected in the past prior to 2002 or being a natural area included in a habitat suitability model. 2. Species of conservation concern listed on the IUCN Red List of Threatened Species or South Africa's National Red List website as Critically Endangered, Endangered or Vulnerable according to the IUCN Red List 3.1. Categories and Criteria. 	<ol style="list-style-type: none"> 2.3.7 Any potential impact of ecological connectivity (on site, and in relation to the broader landscape) and resulting impact on the identified species of conservation concern; 2.3.8 Buffer distances as per the <i>Species Environmental Assessment Best Practice Guidelines</i> used for the population of each species of conservation concern; and 2.3.9 The likelihood of other threatened species, undescribed species or highly localised endemics, migratory species, or species of conservation concern, occurring in the vicinity. 2.3.10 Identify any alternative development footprints within the preferred development site which would be of "low" sensitivity as identified by the national web based environmental screening tool and verified through the initial site sensitivity verification. <ol style="list-style-type: none"> 3. The findings of the Terrestrial Plant Species Impact Assessment must be written up in a Terrestrial Plant Species Impact Assessment Report which contains a collation of the Terrestrial Plant Species Impact Assessment that have been conducted by taxon relevant SACNASP registered specialist. <p>This report must include as a minimum the following information:</p> <ol style="list-style-type: none"> 3.1 Contact details and curriculum vitae of the specialist including SACNASP registration number and fields of expertise; 3.2 A signed statement of independence by the specialist; 3.3 Duration, date and season of the site investigation and the relevance of the season to the outcome of the assessment; 3.4 A description of the methodology used to undertake the impact assessment and site inspection, including equipment and modelling used where relevant; 3.5 A description of the assumptions made and any uncertainties or gaps in knowledge or data as well as a statement of the timing and intensity of site inspection observations; 3.6 Areas not suitable for development, to be avoided during construction and operation where relevant; 3.7 Additional environmental impacts expected from the proposed development based on those already evident on the site and a discussion on the cumulative impacts; 3.8 A motivation must be provided if there were development footprints identified as per paragraph 2.3.10 above that were identified as having a "low" terrestrial plant species sensitivity and were not considered appropriate; and 3.9 Impact management actions and impact management outcomes proposed by the specialist for inclusion in the Environmental Management Programme (EMPr). 3.10A reasoned opinion, based on the findings of the specialist assessment, regarding the acceptability or not of the proposed development and if the proposed development should receive approval or not, and any conditions to which the opinion is subjected. <ol style="list-style-type: none"> 4. The findings of the Terrestrial Plant Impact Assessment must be incorporated into the Basic Assessment Report (BAR) or the Environmental Impact Assessment Report (EIAR), including the mitigation and monitoring measures as identified, which must be incorporated into the EMPr. A signed copy of the assessment must be appended to the BAR or EIAR.
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LOW SENSITIVITY RATING – for terrestrial plant species

1. Areas where no natural habitat remains.
2. Natural areas where there is no suspected occurrence of species of conservation concern.

1. General Information

- 1.1 An applicant, intending to undertake an activity as identified in the scope of this protocol, on a site identified as being of “low sensitivity” for terrestrial plant species on the national web based environmental screening tool must submit a Terrestrial Plant Species Compliance Statement to the competent authority, unless
 - 1.1.1 the information gathered from the initial site sensitivity verification identified in section 2 of this Protocol differs from that identified as having a “low” terrestrial plant species sensitivity by the national web based environmental screening tool and it is found to be of a “very high,” “high” or “medium” sensitivity.
- 1.2 Should 1.1.1 apply, a Terrestrial Plant Species Impact Assessment is to be undertaken and a report should be prepared in accordance with the requirements of a Terrestrial Plant Species Impact Assessment.

2. Terrestrial Plant Species Compliance Statement

- 2.1 The Terrestrial Plant Species Compliance Statement must be prepared by a taxon relevant SACNASP registered specialist, on the site being submitted as the preferred development site and must verify:
 - 2.1.1 That the site is of “low” sensitivity for terrestrial plant species; and
 - 2.1.2 Whether or not the proposed development will have any impact on the terrestrial plant species.
3. The Terrestrial Plant Species Compliance Statement, must contain, as a minimum, the following information:
 - 3.1 Contact details and curriculum vitae of the specialist including SACNASP registration number and field of expertise;
 - 3.2 A signed statement of independence by the specialist;
 - 3.3 Methodology used to undertake the site survey and prepare the compliance statement, including equipment and modelling used where relevant;
 - 3.4 Where required, proposed impact management outcomes or any monitoring requirements for inclusion in the EMPr;
 - 3.5 A description of the assumptions made and any uncertainties or gaps in knowledge or data as well as a statement of the timing and intensity of site inspection observations; and
 - 3.6 Any conditions to which the statement is subjected.
4. A signed copy of the full Terrestrial Plant Species Compliance Statement must be appended to the BAR or EIAR.

¹ <https://www.iucnredlist.org/>

² <http://bgis.speciesstatus.sanbi.org/>

³ <http://bgis.sanbi.org/>

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 10

10 JANUARY 2020

**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT,
1994 (ACT NO.22 OF 1994)**

Notice is hereby given in terms of section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No.22 of 1994 as amended) that a claim for restitution of land rights on:

REFERENCE : 6/2/2/D/57/0/0/21
CLAIMANT : Arthur Nosilela (On behalf of Congoskraal Community)

PROPERTY DESCRIPTION	EXTENT OF LAND	TITLE DEED	CURRENT OWNER
Rem. of Portion 2 Lidney	559,9093 ha	T12805/94	T. I Buchner And M.N. Buchner
Portion 12 Farm 307 Congoskraal	415,8089 ha	T41616/16	Jacob Steyn Trust
Portion of Farm 409 Alexandria RD	428,8655 ha	T3871/2008	Werner Buchner Family Trust
Portion 6 of Farm Milnervale 295	656,8206 ha	T57726/2009	J R Du Preez family Trust
Portion 10 Ouwerf of Portion 1 farm Congoskraal	61,7801 ha	T76686/2002	Two Piggeries PTY LTD
Rem. of Portion 1 Farm Congoskraal 307	75,1820 ha	T54496/1993	Goevieskraal Trust
Remainder of Portion 2 of farm Groenekop No. 309	241,8689 ha	T26076/1969	John Lake Trust
Portion 6 (Klondyke) of Farm Groenekop No. 309	45,4146 ha	T26076/1969	John Lake Trust
Farm No. 418 Alexandria RD	806,8283 ha	IT 486/1997	Buchner Family Trust

All properties are situated in Alexandria in the Ndlambe Local Municipality, Sarah Baartman District Municipality, in the Eastern Cape Province

DATE SUBMITTED : 28/10/1998

Has been submitted to the Regional Land Claims Commissioner for the Eastern Cape and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course.

Any person who has an interest in the above-mentioned land is hereby invited to submit, within fourteen (14) days from the publication of this notice, any comments/information to:

Office of the Regional Land Claims Commissioner : Eastern Cape
Department of Rural Development and Land Reform
PO Box 1375
East London
5200
Tel : 043 700 6000
Fax : 043 743 3687


Mr. L.H. Maphutha
Regional Land Claims Commissioner

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM**NO. 11****10 JANUARY 2020****GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT,
1994 (ACT NO.22 OF 1994)**

Notice is hereby given in terms of section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No.22 of 1994 as amended) that a claim for restitution of land rights on:

REFERENCE : 6/2/2/D/1073/0/0/46

CLAIMANT : Simon Matoti (Family Claim)

PROPERTY DESCRIPTION : Unsurveyed piece of land in Southeyvill Location no. 26 also known as Lubisi Location, Cofimvaba, Intsika Yethu Local Municipality in Chris Hani District Municipality in the Eastern Cape Province

EXTENT OF LAND : Residential site: 5654 M²
Arable land : estimated 4 Hectares

DATE CLAIM SUBMITTED : 8 December 1998

CURRENT OWNER : Department of Water Affairs

Has been submitted to the Regional Land Claims Commissioner for the Eastern Cape and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course.

Any person who has an interest in the above-mentioned land is hereby invited to submit, within fourteen (14) days from the publication of this notice, any comments/information to:

Office of the Regional Land Claims Commissioner : Eastern Cape
Department of Rural Development and Land Reform
PO Box 1375
East London
5200
Tel : 043 700 6000
Fax : 043 743 3687



Mr. L.H. Maphutha
Regional Land Claims Commissioner

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM**NO. 12****10 JANUARY 2020****GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT,
1994 (ACT NO.22 OF 1994)**

Notice is hereby given in terms of section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No.22 of 1994 as amended) that a claim for restitution of land rights on:

REFERENCE : 6/2/2/D/1073/0/0/46

CLAIMANT : Simon Matoti (Family Claim)

PROPERTY DESCRIPTION : Unsurveyed piece of land in Southeyville Location no. 26 also known as Lubisi Location, Cofimvaba, Intsika Yethu Local Municipality in Chris Hani District Municipality in the Eastern Cape Province

EXTENT OF LAND : Residential site: 5654 M²
Arable land : estimated 4 Hectares

DATE CLAIM SUBMITTED : 8 December 1998

CURRENT OWNER : Department of Water Affairs

Has been submitted to the Regional Land Claims Commissioner for the Eastern Cape and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course.

Any person who has an interest in the above-mentioned land is hereby invited to submit, within fourteen (14) days from the publication of this notice, any comments/information to:

Office of the Regional Land Claims Commissioner : Eastern Cape
Department of Rural Development and Land Reform
PO Box 1375
East London
5200
Tel : 043 700 6000
Fax : 043 743 3687



Mr. L.H. Maphutha
Regional Land Claims Commissioner

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 13

10 JANUARY 2020

**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT,
1994 (ACT NO.22 OF 1994)**

Notice is hereby given in terms of section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No.22 of 1994 as amended) that a claim for restitution of land rights on:

REFERENCE : 6/2/2/D/1003/0/0/5

CLAIMANT : Nomvula Nonyameko Georgina Lusaseni nee Gabela
(on behalf of Lusaseni family)

PROPERTY DESCRIPTION : Building Lot No. 33 in Ngqamakhwe, under Mnquma
Local Municipality, Amathole District Municipality,
Eastern Cape Province

EXTENT OF LAND : 3.56603 Hectares

DATE CLAIM SUBMITTED : 23 November 1995

CURRENT OWNER : Mnquma Local Municipality

Has been submitted to the Regional Land Claims Commissioner for the Eastern Cape and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course.

Any person who has an interest in the above-mentioned land is hereby invited to submit, within fourteen (14) days from the publication of this notice, any comments/information to:

Office of the Regional Land Claims Commissioner : Eastern Cape
Department of Rural Development and Land Reform
PO Box 1375
East London
5200
Tel : 043 700 6000
Fax : 043 743 3687



Mr. L.H. Maphutha
Regional Land Claims Commissioner

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 14

10 JANUARY 2020

AMMENDMENT OF GAZETTE 507 OF 2015 DATED 05 JUNE 2015 AS CONTAINED IN GOVERNMENT GAZETTE NUMBER 38844 IN RESPECT OF ZENZILE FARM FOR BOLOTWA COMMUNITY IN INTSIKA YETHU LOCAL MUNICIPALITY, CHRIS HANI DISTRICT, EASTERN CAPE PROVINCE.

Notice is hereby given in terms of Section 11 A (4) of the Restitution of Land Rights Act, No, 22 of 1994 as amended, due to a an error in the gazette notice 507 of 2015 dated the 05 June 2015 as contained in the Gazette Number 38844

The above mentioned gazette notice is hereby ammended to correct the claimant representation and extent of land.

Reference No. : KRO: 6/2/2/D/58/0/0/11

Claimant : Sonwabile Papiyana (On behalf of Bolotwa Community)

Property Description : Zenzile Farm situated under Intsika Yethu Local Municipality, Cofimvaba, Chris Hani District, Eastern Cape Province.

Extent of Land : 1374.1043 Hectares

Current Title Deed : None

Date Submitted : 19 November 1998


Current Owner : Department of Rural Development and Land Reform

Has been submitted to the Regional Land Claims Commissioner for the Eastern Cape and that the Commission on Restitution of Land Rights will further investigate the claims in terms of the provisions of the Act, as amended in due course.

Any party who has an interest in the abovementioned land claim is hereby invited to submit, within 14 days from the date of the publication of this Notice, any comments / information to :

**The Regional Land Claims Commissioner
Eastern Cape Province
P.O. Box 1375
East London
5201**

**Tel: (043) 700 6000
Fax: (043) 743 3687**


**Mr. Lebjane Maphutha
Regional Land Claims Commissioner
(Eastern Cape)**
Date: 2019/11/26

SPORT AND RECREATION SOUTH AFRICA

NO. 15

10 JANUARY 2020

NOTICE OF INTENTION TO INTRODUCE

SOUTH AFRICAN INSTITUTE FOR DRUG – FREE SPORT AMENDMENT BILL, 2020 (hereinafter referred to as “the draft Amendment Bill”) IN PARLIAMENT

The Minister of Sport and Recreation hereby –

- notifies all interested parties and the public at large of the intention to amend **the** South African Institute for Drug- free Sport Act, 2006 (Act No. 25 of 2006; and
- invites all interested parties, sports bodies, recreation bodies and the public at large to submit their written representations on the draft Amendment Bill to Sport and Recreation South Africa (“**SRSA**”) as set out hereunder.

The draft Amendment Bill seeks to amend the South African Institute for Drug – Free Sport, 2006 (Act No. 25 of 2006) as follows:

to delete certain definitions and to insert, amend or substitute other; to provide for the testing of learners participating in sport ; to provide for prior consent in writing by parents or legal guardians relative to testing of learners under the age of 18 years; to provide for undergoing dope testing for members of the fitness industry; to provide for inspection, power of entry by inspectors; to provide for the appointment of inspectors; to provide for prohibitions relative to the possession and distribution of illegal substance as prescribed by the WADA; to provide for compliance with performance system ; and to provide for matters connected therewith.

Please forward your written inputs on the draft legislation to **Adv. Nkosana Mehloimakulu** of Legal Services, SRSA, Private Bag X896, Pretoria, 0001 or

hand-deliver it at 66 Regent Place, C/o Queen and Madiba Streets, Pretoria, or e-mail it to **nkosana@srsa.gov.za** within 30 calendar days from the date of this publication. No late representations in the above regard shall be accepted.

A copy of the draft Amendment Bill and the Memorandum on its Objects can be downloaded from the website of SRSA: **www.srsa.gov.za**

SPORT AND RECREATION SOUTH AFRICA

NO. 16

10 JANUARY 2020

NOTICE OF INTENTION TO INTRODUCE

THE NATIONAL SPORT AND RECREATION AMENDMENT BILL, 2020 (hereinafter referred to as "the draft Amendment Bill") IN PARLIAMENT

The Minister of Sport and Recreation hereby –

- notifies all interested parties and the public at large of the intention to amend the National Sport and Recreation Act, 1998 (Act No. 110 of 1998); and
- invites all interested parties, sports bodies, recreation bodies and the public at large to submit their written representations on the draft Amendment Bill to Sport and Recreation South Africa ("**SRSA**") as set out hereunder.

The draft Amendment Bill seeks to amend the National Sport and Recreation Act, 1998 (Act No. 110 of 1998 as amended) as follows:

To delete, amend and insert certain definitions; to provide for the promotion and development of sport and recreation; to establish a Sport Arbitration Tribunal to resolve disputes between sport or recreation bodies; to provide for and regulate combat sport; to provide for and regulate the fitness industry; to provide for the procedure in bidding for and hosting of international sports and recreation events; to provide for the delegation of powers; to provide for offences and penalties; and to provide for matters connected therewith.

Please forward your written inputs on the draft legislation to **Adv. Nkosana Mehloakulu** of Legal Services, SRSA, Private Bag X896, Pretoria, 0001 or hand-deliver it at 66 Regent Place, C/o Queen and Madiba Streets, Pretoria, or e-mail it to **nkosana@srsa.gov.za** within 30 calendar days from the date of this publication. No late representations in the above regard shall be accepted.

A copy of the draft Amendment Bill and the Memorandum on its Objects can be downloaded from the website of SRSA: **www.srsa.gov.za**

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF LABOUR**NOTICE 6 OF 2020****NOTICE IN TERMS OF SECTION 62 (7) OF THE LABOUR RELATIONS ACT 66 OF 1995
(AS AMENDED)**

TAKE NOTICE THAT the Bargaining Council for the Meat Trade Gauteng has applied to the CCMA for a determination in terms of section 62 of the Labour Relations Act, 1995 ("the LRA") wherein the following issues are to be decided:-

- (a) Whether Chester Butcheries (Pty) Ltd ("the employer") and its employees engaged or employed in the Alberton and Southdale branches of the employer are engaged and or employed in the sector referred to in the certificate of registration of the Bargaining Council.
- (b) Whether the Main Collective Agreement of the Bargaining Council is binding on the employer and/or the employees referred to in paragraph (a).
- (c) What the effect thereof is that only 61 of the 787 employees of the employer are employed in the two branches referred to in paragraph (a) above.
- (d) What the effect thereof is that the rest of the 787 employees are employed in branches in KwaZulu- Natal.

TAKE NOTICE FURTHER THAT it will be considered during the demarcation proceedings whether the following factual allegations made by the parties are correct:

TAKE NOTICE FURTHER THAT the issues are to be determined under Case No. KNDB 17125-18 at the offices of the CCMA, Aqua Sky Building, 275 Anton Lembede Street (Smith Street), Durban on a date to be determined by the Registrar.

TAKE NOTICE FURTHER THAT any interested party may, within 21 days of date of publication of this notice, make written representations envisaged by section 62 (7) and (9) of the LRA in relation to the issues to be determined and that such written representations are to be directed to:-

Contact: **Ms Kirsty Payne**

Tel: **031 326 2336**

Email: **kirstyp@ccma.org.za**

Hand delivery: **CCMA, Aqua Sky Building
275 Anton Lembede Street (Smith Street)
Durban**

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