



Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

Vol. 689

25

November
November 2022

No. 47559

PART 1 OF 3

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ISSN 1682-5845



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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](mailto:GPW@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** **REGULATION GAZETTE** **2022**

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

- **31 December 2021**, Friday for the issue of Friday **07 January 2022**
- **07 January**, Friday for the issue of Friday **14 January 2022**
- **14 January**, Friday for the issue of Friday **21 January 2022**
- **21 January**, Friday for the issue of Friday **28 January 2022**
- **28 January**, Friday for the issue of Friday **04 February 2022**
- **04 February**, Friday for the issue of Friday **11 February 2022**
- **11 February**, Friday for the issue of Friday **18 February 2022**
- **18 February**, Friday for the issue of Friday **25 February 2022**
- **25 February**, Friday for the issue of Friday **04 March 2022**
- **04 March**, Friday for the issue of Friday **11 March 2022**
- **11 March**, Friday for the issue of Friday **18 March 2022**
- **17 March**, Thursday for the issue of Friday **25 March 2022**
- **25 March**, Friday for the issue of Friday **01 April 2022**
- **01 April**, Friday for the issue of Friday **08 April 2022**
- **07 April**, Thursday for the issue of Thursday **14 April 2022**
- **13 April**, Wednesday for the issue of Friday **22 April 2022**
- **21 April**, Thursday for the issue of Friday **29 April 2022**
- **28 April**, Thursday for the issue of Friday **06 May 2022**
- **06 May**, Friday for the issue of Friday **13 May 2022**
- **13 May**, Friday for the issue of Friday **20 May 2022**
- **20 May**, Friday for the issue of Friday **27 May 2022**
- **27 May**, Friday for the issue of Friday **03 June 2022**
- **03 June**, Friday for the issue of Friday **10 June 2022**
- **09 June**, Thursday for the issue of Friday **17 June 2022**
- **17 June**, Friday for the issue of Friday **24 June 2022**
- **24 June**, Friday for the issue of Friday **01 July 2022**
- **01 July**, Friday for the issue of Friday **08 July 2022**
- **08 July**, Friday for the issue of Friday **15 July 2022**
- **15 July**, Friday for the issue of Friday **22 July 2022**
- **22 July**, Friday for the issue of Friday **29 July 2022**
- **29 July**, Friday for the issue of Friday **05 August 2022**
- **04 August**, Thursday for the issue of Friday **12 August 2022**
- **12 August**, Friday for the issue of Friday **19 August 2022**
- **19 August**, Friday for the issue of Friday **26 August 2022**
- **26 August**, Friday for the issue of Friday **02 September 2022**
- **02 September**, Friday for the issue of Friday **09 September 2022**
- **09 September**, Friday for the issue of Friday **16 September 2022**
- **16 September**, Friday for the issue of Friday **23 September 2022**
- **23 September**, Friday for the issue of Friday **30 September 2022**
- **30 September**, Friday for the issue of Friday **07 October 2022**
- **07 October**, Friday for the issue of Friday **14 October 2022**
- **14 October**, Friday for the issue of Friday **21 October 2022**
- **21 October**, Friday for the issue of Friday **28 October 2022**
- **28 October**, Friday for the issue of Friday **04 November 2022**
- **04 November**, Friday for the issue of Friday **11 November 2022**
- **11 November**, Friday for the issue of Friday **18 November 2022**
- **18 November**, Friday for the issue of Friday **25 November 2022**
- **25 November**, Friday for the issue of Friday **02 December 2022**
- **02 December**, Friday for the issue of Friday **09 December 2022**
- **08 December**, Thursday for the issue of Thursday **15 December 2022**
- **15 December**, Thursday for the issue of Friday **23 December 2022**
- **22 December**, Thursday for the issue of Friday **30 December 2022**

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.

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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

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Account No.: 405 7114 016
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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, LAND REFORM AND RURAL DEVELOPMENT

NO. 2766

25 November 2022

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

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 has been lodged on the 28th December 1998 by M.L. Makola and L.A. Malegodi on behalf of Magadimana Nloeng Community on the properties situated within Greater Tubatse and Fetakgomo Local Municipalities, Sekhukhune District: Limpopo. The land claim was lodged on properties listed on the table below.

PROPERTY	CURRENT OWNER	TITLE DEED	EXTENT	BONDS RESTRICTIVE CONDITIONS	AND
De Paarl 97 KT	National Government of the Republic of South Africa	T8517/1940PTA	3873.2348	None	
Wismar 96 KT	National Government of the Republic of South Africa	T13052/1946PTA	2434.4438	None	
Schwerin 95 KT	National Government of the Republic of South Africa	T13052/1946PTA	1325.6617	None	
Croydon 120 KT	National Government of the Republic of South Africa	T8670/1948PTA	4924.8492	None	
Putney 110 KT	National Government of the Republic of South Africa	T8670/1948PTA	5975.3942	None	
Hackney 116 KT	National Government of the Republic of South Africa	T8670/1948PTA	3414.2622	None	
Stellenbosch 91 KT	Provincial Government of Limpopo	T2039/1949PTA T61220/2015	4976.4509	None	
Surbiton 115 KT	Government of Lebowa	T15303/1927PTA	2037.4269	None	
Havercroft 99 KT	National Government of the Republic of South Africa	T8670/1948PTA	4289.5123	None	
Tivoli 98 KT	National Government of the Republic of South Africa	T5326/1958PTA T69235/2014PTA	1547.5563	None	
R/E of Zwartkoppies 413 KS	Jibeng INV PTY LTD	T40696/2001PTA	1425.7914	None	
Portion 1 of Zwartkoppies 413 KS	South African National Roads Agency Soc LTD	T1997/2019	10.6228	None	
Portion 2 of Mecklenburg 112 KS	National Government of the Republic of South Africa	T10002/1930PTA	1934.9058	None	
Portion 3 of Mecklenburg 112 KS	National Government of the Republic of South Africa	T31013/2001PTA	1834.2805	None	

Portion 5 of Mecklenburg 112 KS	of South Africa				
R/E of Waterkop 113 KT	Greater Tubatse Municipality	T293537/2006PT A	79.1934	None	
Portion 1 of Waterkop 113 KT	National Government of the Republic of South Africa	T7711/1928PTA	2071.3085	None	
	Jibeng INV PTY LTD	T40696/2001PTA	1050.0411	None	

Take further notice that the Office of the Regional Land Claims Commissioner: Limpopo is in a process of settling this land claim. Any party that has an interest in the above-mentioned property is hereby invited to submit in writing within **30** days of publication of this notice, any comment, and/or objection to this land claim to the Office of the Regional Land Claims Commissioner: Limpopo at the address set out below under reference number **KRP NO: 1493**

Office of the Regional Land Claims

Submissions may also be delivered to:

Commissioner: Limpopo
Private Bag x 9552
POLOKWANE
0700

61 Biccard Street
Corner Grobler & Biccard Streets
POLOKWANE
0700



L.H. MAPHUTHA

REGIONAL LAND CLAIMS COMMISSIONER: LIMPOPO

DATE: 2022/10/24

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. 2767

25 November 2022

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

Notice is hereby given in terms of Section 11A(4) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994), as amended, that an Amendment hereby made on Notice 890 of 2006, contained in Government Gazette Number 29004, published on the 14th July 2006, to add the farm ZONDAGSLOOP 802 KR, that was erroneously omitted during the publishing of that Notice.

The land claim was lodged by Mr. NKOTI KOOS MONANYANE on the 10th November 1998 on behalf of the SEKUNGWE COMMUNITY, located in the Modimolle-Mookgophong Local Municipality, Waterberg District, Limpopo.

PROPERTIES	LANDOWNERS	TITLE DEED NUMBERS	EXTENT IN HECTARES	ENDORSEMENTS	HOLDERS	LOCAL MUNICIPALITY	CLAIMANTS
1. THE FARM ZONDAGSLOOP 802 KR							
REMAINING EXTENT OF ZONDAGSLOOP THE FARM FARMING PTY LTD ZONDAGSLOOP 802 KR		T89811/2008PTA	631.9733	KR.802PTA B201/2020 B3136/2020 B529/2019 VA9060/2016PTA CONSOLIDATE FROM CONSOLIDATE FROM	NEDBANK LTD NEDBANK LTD NEDBANK LTD ZONDAGSLOOP FARMING PTY LTD REG DIV KR, NAME DE NYL ZYN OOG, NO 31, PRTN 9 REG DIV KR, NAME DE NYL ZYN OOG, NO 31, PRTN 6	MODIMOLLE- MOOKGOPHONG	SEKUNGWE CPA

The Office of the Regional Land Claims Commissioner: Limpopo is investigating this land claim and any party that has an interest on the above-mentioned properties is hereby invited to submit in writing, within **90 days** of publication of this notice, comments or information or objection to the said notice under reference number **KRP 2278** to:

Office of the Regional Land Claims Commissioner: Limpopo
Private Bag X9552
POLOKWANE
0700

13th - 15th Floors, Nedbank Thabakgolo Building
50-58 Landros Mare Street
POLOKWANE
0699

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER
DATE: 2023/11/08

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. 2768

25 November 2022

NOTICE OF INTENTION TO AMEND THE GAZETTE NOTICE IN TERMS OF SECTION 11A (2) AND 11A (3) OF THE RESTITUTION OF LAND RIGHTS ACT, NO. 22 OF 1994 (AS AMENDED)

WHEREAS a land claim was lodged by the Mr. James Brownley, which land claim was published in terms of Section 11(1) of the Restitution of Land Rights Act, No. 22 of 1994 (as amended), hereinafter referred to as "the Act".

and

WHEREAS during further investigation of the land claim in so far as it relates to the claim form referred to below, the Regional Land Claims Commissioner, has reason to believe that the criteria set out in Section 2(2) of the Act, has not been met.

NOW THEREFORE NOTICE is hereby given in terms of Section 11A (2) and 11A (3) of the Act that at the expiry of 30 days from the date of the publication of this notice in the Government Gazette, the notice for this claim form previously published twice in terms of section 11(1) of the Act in Gazette No 26649, under Notice 1620 of 2004, dated 13 August 2004 and in Gazette No. 41350, under Notice 1467 of 2017, dated 22nd of December 2017, to the extent that it relates to this claim, will be withdrawn unless cause to the contrary is shown to the satisfaction of the Regional Land Claims Commissioner.

The details of the above Gazette Notices relevant for this notice include the following:

Reference No: QQ 010
Claimant: Mr. James Brownley
Property Description: Erf 450 Newclare Township
Owner: Zak Adams Family Trust
Date Submitted: 03 April 1998

Ref No.	Property Description	Title Deed Number	Extent Ha	Land Owner
QQ 010	Erf 450 Newclare Township	T68027/2006	0.0861	Zak Adams Family Trust

The reasons the Regional Land Claims Commissioner believes that the criteria in section 11(1) of the Act may not have been met, is that:

- (a) The ascendants of the claimants were adequately compensated at the time of dispossession and thus the claim does not meet requirements in terms of section 2(2) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) as amended.

Any party who may have an interest in the above-mentioned land claim is hereby invited to make representations, within 30 days from the publication of this notice, as to why the claim should not be withdrawn in terms of section 11A (3) of the Act.

The representations must be forwarded to the Regional Land Claims Commissioner



MR L H MAPHUTHA
The Regional Land Claims Commissioner
Private Bag X 03
ARCADIA
0007
Tel: (012) 310-6500
Fax: (012) 323-2961

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. 2769

25 November 2022

**AMMENDMENT OF GOVERNMENT GAZETTE NOTICE NUMBER 20 of 2007
GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994), AS AMENDED**

Notice is hereby given in terms of section 11A (4) of the Restitution of Land Rights Act, Act No. 22 of 1994 as amended, that Chief Muthuhadini Nesengani Frank Davhana lodged a land claim for restitution of land rights on the farm Doornspruit 41 LT, situated within the Makhado Local Municipality, Vhembe District of the Limpopo. The amendment of Gazette number 20 of 2007, Notice number 29535 to add the farm Doornspruit 41 LT in favour of the households who lost land rights.

Detailed information of the property under claim is as follows:

The farm Doornspruit 41 LT				
No	Property	Landowner	Extent (ha)	Title Deed
1	Remaining Extent	Moeti Samuel Edwin	268.6332 ha	T23975/1993 PTA
2	1	National Government of South Africa	102.7838 ha	T15313/1982VNPTA
3	4	Mafune Muthewana Edward	61.5100 ha	T19427/1996PTA
4	R/E of portion 5	Botha Marius Christoffel	47.0680 ha	T106948/1998PTA
5	7	Moeti Samuel Edwin	51.3919 ha	T25508/1996PTA
6	R/E of portion 5	Sutherland Raymond Frederick	138.3465 ha	T7730/2014PTA
7	13	Mashimbye Mahlori Jeffrey	174.8933 ha	T4974/2008PTA
8	14	Toit Frederik	200.8006 ha	T9749/1978PTA
9	15	Malumbete Phamela Brenda	99.4411 ha	T1627/2021
10	16	Mabasa Tsakani Haizel	34.2613 ha	T4943/2020
11	17	Mafune Muthewana Edward	46.6771 ha	T20014/1996PTA
12	18	Sonneblom Ontwikkelings cc	47.0672 ha	T20543/2000PTA
13	20	National Government of Republic of South Africa	51.3919 ha	T23193/1982VNPTA
14	R/E of portion 22	Ramavhunga Nyamukamadi	119.1672 ha	T87772/1996PTA
15	R/E of portion 23	National Government of	173.1777 ha	T23193/1982VNPTA

		Republic of South Africa		
16	25	Telkom SA	1489.0000 SQM	T10965/1977PTA
17	28	Baloyi Hlengani Joseph	1.5603 ha	T45405/2003PTA
Total			514.810 ha	

Take note that the Office of the Regional Land Claims Commissioner: Limpopo is investigating this claim. Any party that has an interest in the above-mentioned property is hereby invited to submit in writing, within **30** (thirty) days of publication of this notice, any comment, and/or objection to this claim to the Regional Land Claims Commissioner at the addresses mentioned below, under reference number **2588**.

Further note that a meeting of all interested parties will be convened upon publication of this notice, for the purpose of information sharing and outlining of the Restitution process.

Commissioner: Limpopo
Private Bag x9552
POLOKWANE
0700



L H MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER
DATE: 25-09-22

13th Floor, 50-58 Thabakgolo
Nedbank Building
Landros Mare Street
POLOKWANE
0700

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. 2770

25 November 2022

GENERAL NOTICE IN TERMS OF SECTION 11(1) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994), AS AMENDED.

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 claims for Restitution of Land Rights were lodged by the below mentioned 17 individual land claimants, on the farm Steelpoordrift 365 KT, situated within the Greater Tubatse Local Municipality, Sekhukhune District of the Limpopo.

All these claims were lodged on the 02/12/1998.

The office of the Regional Land Claims Commissioner: Limpopo is processing these claims. Preliminary investigations indicate that the land claimants were not dispossessed of land rights from Steelpoordrift 365 KT but from different properties as mentioned below:

No	Surname and Name of the land claimant	Claim reference numbers	(KRP)	Properties where the claimants were dispossessed of land rights from
1.	Rantho Mafofo Dina	4590		Steelpoordrift 366 KT
2.	Kwale Mohwetsane Philemon	4597		Kennedy's Vale 361 KT
3.	Kubo Ntaylor Jim	4588		Tonteldoos 500 JS
4.	Pheehla Mafofo Johanna	4557		Spitzkop 333 KT
5.	Moela Mathume Blantina	4600		Mooimesfontein 363 KT
6.	Choma Johannes Kefatsipi	4307		Frischgewaagd 359 KT
7.	Choma Ragoseba Sabeth	4536		Spitzkop 333 KT
8.	Moela Morithi Florah	4551		Spitzkop 333 KT
9.	Maabane Manare Christina	4530		Kalkfontein 367 KT
10.	Utla Maitiemela Inah	4533		Hermansdal 3 JT
11.	Matshigwana Rineilwe Joyce Mkadi	4316		Winterveld 293 KT
12.	Mashegoana Kwatsise Alpheus	4581		Dwaarsrivier 372 KT
13.	Leshaga Mampare Lettie	4543		De Hoop 886 KT
14.	Makola Balushi Sarah	4602		Spitzkop 333 KT
15.	Msiza Betty Matseke	4549		Brakfontein 187 JS
16.	Choma Mogaletsele Dina	4558		Frischgewaagd 359 KT
17.	Makunyane Raesetja Johanna	4544		Kennedy's Vale 361 KT

The above-mentioned properties are situated within the Greater Tubatse and Elias Motsoaledi Local Municipalities, in the Sekhukhune District of the Limpopo.

All interested parties should take note that the office of the Regional Land Claims Commissioner: Limpopo is investigating these land claims. Any party that has an interest in the above-mentioned property is hereby invited to submit in writing within 30 days of publication

of this notice, any comment, and / or objection to the Office of the Regional Land Claims Commissioner: Limpopo at the addresses set out below, citing the above-mentioned claim reference numbers:

The Regional Land Claims Commissioner: Limpopo
Private Bag X9552
Polokwane
0700

Submissions can also be hand delivered to:
Koos Smit Building 61 Biccard Street/
13th – 15th Floor Thabakgolo Nedbank Building,
50-58 Landros Mare Street
Polokwane
0700


MR. LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER
DATE: 2022/10/19

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. 2771

25 November 2022

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

Notice is hereby given in terms of Section 11 (1) of Restitution of Land Rights Act, 1994 (Act 22 of 1994), as amended, that a claim for Restitution of Land Rights has been lodged on 27 Market street Pietersburg, now consolidated into Erf 6050 situated in Polokwane Local Municipality, Capricorn District of Limpopo.

The claim was lodged on the 20th of June 1997 by the late Mariam Suliman who is deceased and was the originally dispossessed individual of the property under claim. Farouk Aboobaker Suliman as the direct descendant of the late claimant will in terms of Section 2 (3b) substitute him as the claimant for settlement of the land claim.

The below table depicts the property description on 27 Market street Pietersburg, now consolidated into Erf 6050.

No	Property	Current Owner	Title Deed	Total Hectors
1	27 Market Street Pietersburg, now consolidated into Erf 6050.	MMI GROUP LTD	T156394/2005	2856 0000 SQM

Take further notice that the Office of the Regional Land Claims Commissioner: Limpopo is processing this land claim. Any party that has an interest in the above-mentioned property is hereby invited to submit in writing, within 30 days of the publication of this notice, any comment, objection or information under reference number **KRP 7037**


MR. LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER

DATE: 2022/11/14

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. 2772

25 November 2022

GENERAL NOTICE IN TERMS OF SECTION 11(1) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994), AS AMENDED.

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 claims for Restitution of Land Rights were lodged by the below mentioned 15 individual land claimants, on the farm Steelpoortdrift 365 KT, situated within the Greater Tubatse Local Municipality, Sekhukhune District of the Limpopo.

All these claims were lodged on the 02/12/1998.

The office of the Regional Land Claims Commissioner: Limpopo is processing these claims. Preliminary investigations indicate that the land claimants were not dispossessed of land rights from Steelpoortdrift 365 KT but from different properties as mentioned below:

No	Details of the land claimant	Claim reference	Properties where the claimants were dispossessed of land rights from
1.	Makola Leshega Petrus	KRP 4309	Steelpoortpark 366 KT
2.	Makola Leshega Petrus	KRP 4540	Steelpoortpark 366 KT
3.	Moretsele Makgetsi Mavis	KRP 4587	Mooimesjiesfontein 363 KT
4.	Riba Maria	KRP 4608	Rietfontein 70 JS
5.	Makola Fanie	KRP 4610	Boschkloof 331 KT
6.	Makola Mme Johannah	KRP 4613	De-Goedeverwachting 332 KT
7.	Mashilo Mahlabane Israel	KRP 4623	De-Goedeverwachting 332 KT
8.	Makola Laka Dinah	KRP 4624	Steelpoortpark 366 KT
9.	Dugishi Makwarela Johana	KRP 4630	Steyndrift 145 JS
10.	Mamaila Makhuthugane	KRP 4632	Roosenekal
11.	Bhembe Hlophe Hendrick	KRP 4633	Spitzkop 333 KT
12.	Tolo Sedikane Rebecca	KRP 4634	Mooimesjiesfontein 363 KT
13.	Makola Caba Velaphi	KRP 4635	Steelpoortpark 366 KT
14.	Matshigwana Reneilwe	KRP 4559	Steelpoortpark 366 KT
15.	Mokwena Simon Petrus	KRP 4578	Doornhoek 551 KT

The above-mentioned properties are situated within the Greater Tubatse and Elias Motsoaledi Local Municipalities, in the Sekhukhune District of the Limpopo.

All interested parties should take note that the office of the Regional Land Claims Commissioner: Limpopo is investigating these land claims. Any party that has an interest in the above-mentioned property is hereby invited to submit in writing within 30 days of publication of this notice, any comment, and / or objection to the Office of the Regional Land Claims Commissioner: Limpopo at the addresses set out below, citing the above-mentioned claim reference numbers:

The Regional Land Claims Commissioner: Limpopo
Private Bag X9552
Polokwane
0700

Submissions can also be hand delivered to:
Koos Smit Building 61 Biccard Street/
13th – 15th Floor Thabakgolo Nedbank Building,
50-58 Landros Mare Street
Polokwane
0700


MR. LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER
DATE: 2022/10/19

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. 2773

25 November 2022

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

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, Act No. 22 of 1994 as amended a land claim has been lodged by **Mr. Rikhotso Nduma Smuts of ID number 4501205258083** who lodged a land claim for restitution of land rights on behalf of Womgololo Community on the farm Womgololo 428 LT in Greater Tzaneen Municipality, Mopani District of the Limpopo. This land claim was lodged before the cutoff date of 31st December 1998.

Preliminary investigations that were done by the Office of the Regional Land Claims Commissioner: Limpopo indicates that the Womgololo Community was dispossessed of land rights from the farm Womgololo 428 LT.

Detailed information of the farm is as indicated in the below table.

PROPERTY	CURRENT OWNER	TITLE DEED	EXTENT (HECTARES)	ENDORSEMENTS/ENCUMBRANCES
Portion 0 of the farm Womgololo 428 LT	National Government of the Republic of South Africa	T8024/1955 PTA	2383.3345	VA1317/1966PTA

All interested parties should take note that the Officer of the Regional Land Claims Commissioner: Limpopo is investigating these land claims. Any party that has an interest in the above-mentioned properties is hereby invited to submit in writing within **14** (fourteen) days of publication of this notice, any comments, objections or information under **KRP-782** as the reference number to:

The office of the Regional Land Claims
Commissioner: Limpopo
Private Bag x9552
POLOKWANE
0700

Submission may also be delivered to:
61 Biccard Street
Corner Grobler & Biccard Streets
POLOKWANE
0700


L H MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER
DATE: 2022/10/19

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. 2774

25 November 2022

NOTICE OF WITHDRAWAL OF THE REMAINING EXTENT OF THE FARM INNES 6 LS FROM THE GOVERNMENT GAZETTE NO. 41996, NOTICE NO. 1168 OF 2018 IN TERMS OF SECTION 11A (4) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT 22 OF 1994), AS AMENDED, SINCE THE CLAIMANT DID NOT LOSE RIGHTS ON THOSE PROPERTIES.

Government Gazette Number 41996, Notice No. 1168 of 2018 was published on Remaining Extent of Innes 6 in the Blouberg Local Municipality, Capricorn District: Limpopo claimed by Mr. Wouter Adrianus Van Amstel, Details of the claimed property is described in the table below.

PROPERTY DESCRIPTION	OWNER	TITLE DEED NUMBER	HECTARES	ENDORSEMENT	HOLDER
Remaining Extent of the farm Innes 6 LS	National Government of Republic of South Africa	T22603/1974	1738.6900	K11/1943RMPTA K5814/19993RMPTA Converted from PTA	None
	National Government of Republic of South Africa	T10193/2017			

Take further notice that the Office of the Regional Land Claims Commissioner: Limpopo is in a process of settling this land claim. Any party that has an interest in the above-mentioned property is hereby invited to submit in writing within **14** days of publication of this notice, any comment, and/or objection to this land claim to the Office of the Regional Land Claims Commissioner: Limpopo at the address set out below under reference number **KRP NO: 1749**

Office of the Regional Land Claims **Submissions may also be delivered to:**

Commissioner: Limpopo
Private Bag x9552
POLOKWANE
0700

61 Biccard Street
Corner Grobler & Biccard Streets
POLOKWANE
0700


L.H. MAPHUTHA

REGIONAL LAND CLAIMS COMMISSIONER: LIMPOPO

DATE: 2022/10/19

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT**NO. 2775****25 November 2022****LAND REFORM (LABOUR TENANTS) ACT, 1996 (ACT NO. 3 OF 1996)**

Notice is hereby given, in terms of Section 17 (2) (c) of the Land Reform (Labour Tenants) Act, 1996 (Act No 3 of 1996) ("the LTA"), that an Application for acquisition of land was lodged with the Director General of the Department of Land Affairs by the Applicants, and in respect of the Property set out in the Schedule.

Any party who may have an interest in the above-mentioned Application is hereby invited to make written representations to the Director General, within 30 days from the publication of this Notice. The representations must be forwarded to:

The Director General

Director: Tenure Reform Implementation

Department of Agriculture, Land Reform and Rural Development

199 Pietermaritzburg Street, 3rd Floor Legal wise building, Pietermaritzburg, 3201 Tel: 033 – 3920650;

Fax: 033 – 3422103

File Reference: DC22/KZ222/86

SCHEDULE**Applicants:**

No.	Name and Surname	Identity Number
1.	Mr. Mmemezi Sogoman Madlala (Deceased)	551129 5738 08 3
	Mr. Henry Sipiwe Madlala (Successor)	760826 6086 08 4
2.	Ms. Sebenzile Ivy Ngubane (Deceased)	530425 0228 08 8
	Mr. Mconjwana Micah Ngubane (Successor)	531223 5393 08 3
3.	Mr. Andreas Sibusiso Zondi	691109 5788 08 1
4.	Mr. Mziwempi Zondi (Deceased)	250704 5117 08 4
	Mr. Stanley Bongumusa Zondi (Successor)	690104 5875 08 8
5.	Mr. Joseph Ndlela (Deceased)	660227 5699 08 7
6.	Ms. Ntombi Mavis Zondi	570421 05422 08 7
(Hereinafter referred to as "the applicants")		

Property:

No.		Locality			Bonds and Restrictive
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	Property Description	(District)	Current Title Deed No	Current Owner	Conditions (Interdicts)
1.	Portion 0 of the farm Braco No. 13499 (Mdaka Farm)	Umngeni	T5058/1948	Mr. William Shaw	n/a

SIGNED BY: Mr. B.E Ntuli

DIRECTOR: TENURE REFORM IMPLEMENTATION

DULY AUTHORISED

For **DIRECTOR-GENERAL: DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT**

DEPARTMENT OF FINANCE

NO. 2776

25 November 2022



CONSULTATION NOTE

Relating to the draft Directive 7 on the submission of risk compliance returns to the Financial Intelligence Centre by specified accountable institutions.

November 2022

FOR CONSULTATION PURPOSES ONLY**INTRODUCTION**

1. The Financial Intelligence Centre (FIC) has issued draft Directive 7 and an associated questionnaire for consideration by all accountable institutions in terms of section 43A of the Financial Intelligence Centre Act, 2001 (Act 38 of 200) (FIC Act).
2. Draft Directive 7 is aimed at addressing two key “Immediate Outcomes” identified by the Financial Action Task Force (FATF) as essential for an Anti-Money Laundering, Combating the Financing of Terrorism and Counter Proliferation Financing (AML/CTF/CPF) framework.
3. Firstly, to address Immediate Outcome 1 where the Money Laundering, Terrorism Financing and Proliferation Financing (ML/TF/PF) risks are understood, and allow for coordinated domestic efforts to combat ML/TF/PF.
4. Secondly, in support of Immediate Outcome 3 to allow for supervisors to identify and maintain an understanding of the ML/TF/PF risks in different sectors as a whole, between different sectors and types of institutions. Further, to support the efforts of a risk-sensitive approach to supervising and monitoring accountable institutions’ AML/CFT/CPF requirements.

BACKGROUND

5. Section 43A(3)(a) of the FIC Act provides for the FIC or a supervisory body to issue a directive to be provided with information or reports.
6. This draft Directive 7 applies to all accountable institutions listed in Schedule 1 of the FIC Act, excluding items 4, 5, 6, 7,8,10,12,13 and 19.

CONSULTATION

7. Commentators are invited to comment on the draft Directive 7 and associated questionnaire by making written submissions via the online link only

FOR CONSULTATION PURPOSES ONLY

Directive:

<https://forms.office.com/Pages/DesignPageV2.aspx?subpage=design&FormId=szVSHGOkAUqWp9wmNLKqDPsCBknmMm9GvGC4n2DPe99UOE1ZSEw3MU1CVExBQ0tBSzhSVUNDOFVHRi4u>

Questionnaire:

<https://forms.office.com/Pages/DesignPageV2.aspx?subpage=design&FormId=szVSHGOkAUqWp9wmNLKqDPsCBknmMm9GvGC4n2DPe99UREVNVzZPQkZUVU81VIEwWVdPWkFaSVdTTS4u>

8. The draft Directive 7 and associated questionnaire will be published on the FICs website at www.fic.gov.za. Any questions or requests relating to this draft Directive 7 may be sent to the Centre only at consult@fic.gov.za.
9. Comments on the Draft Directive 7 will be received until close of business on Friday, 2 December 2022. The FIC intends to conclude the consultation on this Draft Directive 7, by publishing final versions no later than Wednesday, 7 December 2022.

COMMUNICATION WITH THE FIC

10. Queries can be directed to the compliance contact centre on 012 641 6000 and select option 1, or be submitted online by clicking on <http://www.fic.gov.za/ContactUs/Pages/ComplianceQueries.aspx> or visiting the FIC's website and submitting an online compliance query.

Issued By:

The Director Financial Intelligence Centre
Private Bag X177
CENTURION
0046

18 November 2022

DEPARTMENT OF HOME AFFAIRS

NO. 2777

25 November 2022

ALTERATION OF FORENAMES IN TERMS OF SECTION 24 OF THE BIRTHS AND DEATHS REGISTRATION ACT, 1992 (ACT NO. 51 OF 1992)

Notice is hereby given of Government Gazette No. **47337** which, was published in Government Gazette No **2669** dated **21 October 2022**, is hereby rectified to read as follows:

1. Padmini Titus - 790925 0229 *** - 106 Warangal Road, MEREBANK, 4052 - *Padmini Charmaine*
2. Robetse Mnisi - 040329 0670 *** - 4871 Philander Street, EDEN PARK, 1458 - *Keabetswe Zendaya*
3. Sibongile Patience Tshabalala - 950301 0944 *** - 1041 Liverpool Street, LENASIA SOUTH, 1400 - *Suraya*
4. Sarah Lea Smith - 890929 6832 *** - 275 Wilson Street, Fairlands, RANDBURG, 2030 - *Samson*
5. Ethel Mbali Luthuli - 941023 0334 *** - Ntsonswane Road, UMKOMAAS, 4170 - *Mbali Ezamathuli*

Notice is hereby given of Government Gazette No. **46959** which, was published in Government Gazette No **2520** dated **23 September 2022**, is hereby rectified to read as follows:

1. George Matime Thobejane - 860205 5472 *** - Mashung Area, GA-RANKUWA, 0740 - *Tshoarelo Setšakadume*
2. Gladys Sibiya - 910615 0836 *** - 368 Sisulu Street, Pretoria Central, PRETORIA, 0001 - *Cebile Glad*

Notice is hereby given of Government Gazette No. **45275** which, was published in Government Gazette No **1015** dated **08 October 2021**, is hereby rectified to read as follows:

1. Rastus Thomas Mabasa - 720909 6078 *** - 8-3rd Avenue, ALEXANDRA, 2090 - *Didymus Twin*

Notice is hereby given of Government Gazette No. **46705** which, was published in Government Gazette No **2374** dated **12 August 2022**, is hereby rectified to read as follows:

1. Elsie Wewers - 940413 0228 *** - 1 Johanna Street, CARNARVON, 8925 - *Natacha Elsie*

DEPARTMENT OF HOME AFFAIRS

NO. 2778

25 November 2022

ALTERATION OF SURNAMES IN TERMS OF SECTION 26 OF THE BIRTHS AND DEATHS REGISTRATION ACT, 1992 (ACT NO. 51 OF 1992)

The Director-General has authorized the following persons to assume the surnames printed in *italics*

Notice is hereby given of Government Gazette No.47337 which, was published in Government Gazette No 2670 dated 21 October 2022, is hereby rectified to read as follows

1. Mpumelelo Richmond Gwebu - 920622 5378 *** - 3536-23rd Street, Etwatwa, DAVEYTON, 1520 - *Makhubalo*
2. Kuata Moses Mphela - 840806 5508 *** - 817 Mashimong Section, KGOMOKGOMO, 0444 - *Nkadimeng*
3. Khensani Nxumalo - 040331 1351 *** - 269 Caledon Drive, Norkem Park, KEMPTON PARK, 1618 - *Nhlapo*
4. Rabunyane Klas Kotoi - 850728 5676 *** - 17637 Letlabika Street, Rocklands, BLOEMFONTEIN, 9323 – *Litsesane*

Notice is hereby given of Government Gazette No.47337 which, was published in Government Gazette No 2668 dated 21 October 2022, is hereby rectified to read as follows

1. Thamsanza Meshack Jiyane - 890806 5218 *** - 362 Block Jj, SOSHANGUVE, 0152 - *Ngxiya*

DEPARTMENT OF HOME AFFAIRS

NO. 2779

25 November 2022

ALTERATION OF FORENAMES IN TERMS OF SECTION 24 OF THE BIRTHS AND DEATHS REGISTRATION ACT, 1992 (ACT NO. 51 OF 1992)

The Director-General has authorized the following persons to assume the forename printed in *italics*:

1. Gotloano Yende - 030331 6407 *** - 7744 Khumalo Street, Extension 7, IVORY PARK, 1620 - *Kutloano*
2. Ofentse Tshabangu - 020322 5568 *** - 2011 Section E, Ekangala, BRONKHORSTSPRUIT, 1021 - *Ofentse Tutu Johannes*
3. Mdumsen'ujehova Msibi - 011205 5573 *** - 7373 Section 5, MADADENI, 2951 - *Bandile Mdumsen'ujehova*
4. Andiswa Kubheka - 010920 6210 *** - 23023 Zayeka, PIETERMAROTZBURG, 3201 - *Andile*
5. Gomolemo Shikoane Nchabeleng - 021015 5630 *** - Mohloding Village, MASEMOLA, 1060 - *Gomolemo Sepheu*
6. Nokubonga Pretty Khumalo - 890720 1148 *** - 24 Kotagiri Corner, Northdale, PIETERMARITZBURG, 3201 - *Bonga Pretty*
7. Michael Majosi - 770909 5884 *** - Esibanini Area, HIBBERDENE, 4220 - *Nhlanhla Michael*
8. Zaakir Majiet - 980312 5385 *** - 5 Wattle Road, PARKWOOD ESTATE, 7945 - *Thaakir*
9. Michael Nxumalo - 940804 0582 *** - Matholesville Area, ROODEPOORT, 1724 - *Michelle Mbali*
10. Eunice Mpyanyana Sekhaolelo - 910810 0108 *** - 81-20th Avenue, ALEXANDRA, 2090 - *Eunice*
11. Daizee Demse De Boer - 010827 0742 *** - 945 Mzwakhe Street, Bongani, DOUGLAS, 8730 - *Daizee Denies*
12. Amos Ndlovu - 840923 5417 *** - Stand No 538, MGOBODZI, 1344 - *Boyabenyathi Amos*
13. Prosper Siphamandla Dubazana - 930614 5179 *** - Pinetown Area, DURBAN, 3610 - *Prosper Ross Siphamandla*
14. Rosina Matshwenyego Ngobeni - 760713 0382 *** - 819b Hebron Extension, HEBRON, 0198 - *Rosinah Mikateko*
15. Jesse Alfred Zion Zwart - 760201 5107 *** - 124 Oasis Road, Hazendal, ATHLONE, 7764 - *Jesse Abdul-Aziz*
16. Kabelo Mpho Pheto - 940909 6211 *** - 2258 Mmupudu Street, Phase 7, GA-RANKUWA, 0208 - *Gift Kabelo Mpho*
17. Maria Msiza - 040102 0807 *** - 103 Donkey Stop, SEHLAKWANE, 1044 - *Kamogelo Katirina*
18. Kgaola Thabo Mafiri - 891006 5947 *** - Madibeng Village, JANE FURSE, 1085 - *Mokoti Thabo*
19. Zamobuhle Lebohang Khumalo - 891222 5229 *** - 1152 Nkosi Street, Zondi 1, SOWETO, 1868 - *Buhlebamantungwa Lebogang*
20. Maemu Mudau - 950422 5775 *** - 17 Simmer Court, Driehoek Road, GERMISTON, 1400 - *Blessing*
21. Tears Mmola - 841116 0425 *** - 6578 Tenyane Street, TOKOZA, 1426 - *Priscilla Joy*
22. Hilda Noththuko Thasile Jili - 950908 0410 *** - Ophepheni Area, HIGHFLATS, 3306 - *Nontuthuko Thabisile*
23. Andreas Bhekisisa Ssekelo Jili - 860929 5389 *** - Eluphepheni Location, HIGHFLATS, 3306 - *Ssekelo*
24. Mmathapelo Rosina Maila - 870213 0578 *** - 815 Block L, SOSHANGUVE, 0152 - *Mmathapelo Rosina Lerato*

25. Tsietsi Simon Mvala - 720909 6202 *** - 798 Pompong Section, Dryharts, TAUNG, 8588 - *Tsietsi Sibusiso*
26. Michael Samson Uithaller - 720503 5163 *** - 254 Vuyani Street, Bolokanang, PETRUSBURG, 9932 - *Tumelo Michael Samson*
27. Eva Gwendolene Mailula - 680311 0762 *** - 4825a Redshow Street, Zone 4, DIEPKLOOF, 1864 - *Eva*
28. Tshidiso Mohale - 900726 5295 *** - 673 Phadima Section, KATLEHONG, 1429 - *Tlwariswa Tshidiso Solomon Don*
29. Magatle Mamaru - 720920 5929 *** - 01188 Porome Section, GA-PHAAHLA, 1085 - *Setomola*
30. Bucs Hlungwani - 000114 5317 *** - 5274/36 Mofutsanyane Street, ORLANDO EAST, 1804 - *Kwetsimani Bucs*
31. Kanyiswa Mazula - 940905 1361 *** - Ek45 Ekuphumleni, Dunoon, MILNERTON, 7441 - *Khanyisa*
32. Jeanette Dimakatso Mphufane - 880818 1260 *** - 1525 Block 1 Extension, LETLHABILE, 0268 - *Timothy*
33. Nsizwazonke Khumalo - 910702 5956 *** - Mbozamo Area, INANDA, 4310 - *Sandile*
34. Nkwele William Maponya - 850109 6074 *** - Mentz, SESORENG, 0727 - *Makhuparetša Paul*
35. Oscar Madiseng Kgotsi Masehla - 911114 5764 *** - Marishane Village, SEKHUKHUNE, 1064 - *Oscar*
36. Botlhale Agitate Kgomo - 911023 5876 *** - 55 Wildebees Street, Greenhills, RANDFONTEIN, 1759 - *Shalev Botlhale Lunar*
37. Tiisetso Arnold Manganyi - 960502 5493 *** - Stand No 369, Munzhedzi Village, BUSHBUCKRIDGE, 1280 - *Tiisetso Matimba*
38. Nqobile Mbotho - 960919 6509 *** - C1128 Sbusiso Mdakane Road, NTOKOZWENI, 4066 - *Manqoba Joshua*
39. Masimbonge Olwethu Makaye - 031111 1295 *** - Muthini Area, NKANDLA, 3855 - *Masimbongwe Olwethu*
40. Shaan Petersen - 840905 5053 *** - 23 Kwekerweg, Westridge, MITCHELLS PLAIN, 7798 - *Shaan Craig*
41. Mashalane Isaak Mohlatsane - 840612 5966 *** - 262 Mvuzi Street, Lakeside Estate, DE DUER, 1954 - *Mpho Isaak*
42. Nicholas Silva Carvalhaes - 011115 5098 *** - Ballito Hills Avenue, Dolphins Coast, BALLITO, 4339 - *Nicklas*
43. Sarah-Jane Openshaw - 011107 6232 *** - Vredellis Farm, Kwelera, EAST LONDON, 5259 - *James*
44. Ntomfikile Sikwata - 010919 6548 *** - Gabajana Area, FLAGSTAFF, 4810 - *Afikile*
45. Lauren Brightness Makhoba - 010607 0996 *** - 3356 Kgwele Streetl, Extension 9, Windmill Park, BOKSBURG, 1459 - *Mbali Brightness*
46. Nomothi Prudence Ngozo - 861116 0563 *** - 1424 Mashaeng, FOURIESBURG, 9725 - *Nomuthi Prudence*
47. Keaobaka Ernest Tiro - 850419 5754 *** - Mmasebudule Village, LEHURUTSHE, 2885 - *Majeng Keaobaka George*
48. Bewu Simnikiwe Bewu - 850212 6317 *** - 10 Voortrekker Street, ELLIOT, 5460 - *Simnikiwe*

49. Tshepo Mohapi - 870607 5826 *** - 23 Mpuko Street, Block 23, KWANOXOLO, 6059 - *Tshepo Mandlakhe*
50. Lundi Mtuzeze - 990427 5888 *** - 1333 Tole Street, Ngangelizwe Location, UMTATA, 5099 - *Philanathi*
51. Nqubeko Events Mlotshwa - 030819 6201 *** - Sishwili Area, ULUNDI, 3838 - *Nqubeko*
52. Phillip Masilo Ntuli - 000702 5727 087 - 579a Manne Street, WHITE CITY JABAVU, 1868 - *Celukwazi*
53. Anati Ezra Banzi - 010102 5388 *** - 295 Acaccia Street, PHILLIPI EAST, 7785 - *Nathi*
54. Sipho Daniel Mathese - 791010 6061 *** - 1750 Nyarela , WEPENER, 9944 - *Daniel Lira*
55. Jesse Mduduzi Bekumuzi Yende - 800401 5640 *** - 57 The Poplar, Poplar Avenue, Thoruton, CAPE TOWN, 7490 - *Jesse*
56. Thulile Inseparable Mkhwanazi - 020318 0555 *** - Umzinyathi Area, INANDA, 4310 - *Anele Inseparable*
57. Rearabetswe Sidney Mositsa - 000321 0347 *** - 4 Molteno Street, Ce5, VANDERBIJLPARK, 1911 - *Rearabetswe*
58. Sidney Mahlomuza - 800423 5458 *** - 3182 Mayokoyokwane Street, Gem Valley, MAMELODI EAST, 0122 - *Vusumuzi Sidney*
59. Tlou Frans Komape - 830929 5958 *** - 18 Llexa Lexalakala Street, Chroompark, MOKOPANE, 0601 - *Nare Frans*
60. Mandisa Gola-Goqolo - 840321 1160 *** - 25677 Muchinga Street, DELFT, 7100 - *Mandisa Maureen*
61. Molemi Petrus Bogosi - 931125 6368 *** - House No A603, MAGOJANENG, 8460 - *Molemi*
62. Samuel Mmotlana Mogohlwane - 840422 6002 *** - Stand No 171, Moteti A, DENNILTON, 1030 - *Johannes Mashgoanyana*
63. Letshepa Jeanett Mtati - 931102 0428 *** - 54-508 Mqha Street, Kuyasa, KHAYELITSHA, 7784 - *Letshepa*
64. Karabo Betty Maboja - 030526 0170 *** - P O Box 4481, MOEFADI, 0700 - *Karabo Mosebjadi*
65. Amanda Nomagugu Ncube - 900117 6243 *** - 145-11th Avenue, ALEXANDRA, 2090 - *Andile Millan*
66. John Moditi Matlou - 891130 5421 *** - 5570 Extension 9, EMBALENHLE, 7785 - *Karel Tadigadima*
67. Zama Nokwethaba Cynthia Nzimande - 810404 1315 *** - 360 Pitas Street, Bhokuzulu Location, VRYHEID, 3100 - *Thangithini Cynthia*
68. Rraserame Joseph Mothobi - 820224 5453 *** - 1162 Extension 4, Tihabologang, COLIGNY, 2725 - *Katlego Joseph*
69. Ntsikelelo Welcome Marambana - 830110 5870 *** - Feni Location, PEDDIE, 5640 - *Ntsikelelo*
70. Lerato Andries Mokhele - 880627 6069 *** - 1164 B2 Springbok Street, Penny Ville, NEW CANADA, 1804 - *Lerato Letshabo*
71. Thato Matternich Malebake - 880326 5813 *** - 1835 Ukhozi Street, EBONY PARK, 1685 - *Ngwanamosadi Mahlatji*

72. Ntshabeni Lucia Daba - 880304 1073 *** - 842 Vermooten Road, Princess, ROODEPOORT, 1724 - *Tshedza Lucia*
73. Surprice Dimakatso Paledi - 870828 0843 *** - 5058 Mshenguville, MOGANYAKA, 0459 - *Makabedi Julia*
74. Mothusi Joseph Chendru - 870823 5422 *** - House No 1823, Nanana Section, BATLHAROS, 8476 - *Mothusi*
75. Pholo Joseph Xaba - 811122 5428 *** - 1141 Zonke Section, ORANJEVILLE, 1995 - *Pholoho Joseph*
76. Mashampule Cornelius Monoke - 810925 5956 *** - 10575 Imiguza Street, NELLMAPIUS, 0122 - *Mphengwa Cornelius*
77. Thandeka Princess Mncwabe - 860112 1250 *** - Kwadeda Location, Kwaqanda, PIETERMARITZBURG, 3201 - *Princess*
78. Nyami Hope Mnyamani Khoza - 851228 0488 *** - 469 Knobwood Avenue, Extension 36, The Reeds, CENTURION, 0157 - *Mnyamani Hope*
79. Phezukwendaba Innocent Mbambo - 971110 6172 *** - D1011 Road, Intake, MARIANHILL, 3500 - *Nkanyiso Innocent*
80. Mavis Bobo - 940612 1231 *** - Vlei Area, FLAGSTAFF, 4810 - *Nontokozo*
81. Ntombozuko Yengwa - 940713 1082 *** - Mbhulumbha Location, UMZIMKHULU, 3297 - *Ntombozoku Oyama*
82. Jordae Boyd Lakey - 950111 1303 *** - 25 Fishermans Bend, Llandudno, CAPE TOWN, 7806 - *Alessandria Olympea*
83. Lucky Simon Motaung - 660817 5756 *** - 32u Section B, MAMELODI WEST, 0122 - *Luckyboy Simon*
84. Koos Malome Chabalala - 980410 6254 *** - 50302 Dithwaneng Section, BODIBE, 2741 - *Koos Xolani*
85. Mashienyane Resoketswe Maleka - 000406 0492 *** - 1672 Zone A, LEBOWAKGOMO, 0745 - *Ramatsobane Reshoketswe*
86. Gayron Fabian Slingers - 030109 5816 *** - 18 Jacob Geldenhuis, HERMANUS, 7200 - *Joseph Fabian*
87. Madumaele Thabang Mampa - 950912 5857 *** - Stand No 107, Lethabong, MAMELODI, 0122 - *Kgadimo Thabang*
88. Nonkululeko Peacefull Vidima - 991007 1206 *** - 21127 Emabheleni Area, Swayimane Location, WARTBURG, 3233 - *Nonkululeko Amanda*
89. Sinethemba Mfazwe - 991123 6010 *** - 141 Nohaya, NQAMAKWE, 3210 - *Okuhle Sinethemba*
90. Mosha David Mosieleng - 760203 6442 *** - 1163 Tladi Street, THABA NCHU, 9785 - *Raseabi Mosha*
91. Zimasa Makaula - 730329 0770 *** - Room 51, Bekkersdal Hostel, BEKKERSDAL, 1777 - *Bulelwa*
92. Siyanda Mdakane - 980912 5855 *** - Mpophomeni Area, Howick, MERRIVALE, 3290 - *Siza Siyanda*
93. Keatlatetse Maria Arumugam - 740224 0960 *** - 14 Suikerbekkie Avenue, ROOIHUISKRAAL, 0157 - *Keatlatetse Maria Bryan*
94. Simangele Clothilda Masondo - 740205 0868 *** - House No F1787, MADADENI, 2951 - *Nozipho Simangele Clothilda*

95. Tumelo Matthews Molatudi - 910206 5347 *** - 20570 Masangu Street, Etwatwa West, DAVEYTON, 1519 - *Tumelo Ketisa*
96. Charné Le-Anne Daniels - 920502 0312 *** - 6a Seine Road, MANENBERG, 7764 - *Shaqeelah*
97. Jacobus Johannes Meyer - 921008 5098 *** - 32 Bergsig Street, Koue, BOKKEVELD, 6836 - *John - Ryan*
98. Mofau Sarah Maeko - 920527 1134 *** - 898 Kamogelo Street, Extension 37, OLIEVENHOUTBOSCH, 0175 - *Mogau Sarah*
99. Lesiba Ivan Mazwi - 710412 6189 *** - 1269 Welheim Street, BOOYSENS, 0736 - *Tauetshesenyana Ivan*
100. Philisiwe Khanyile - 760221 5851 *** - D547 Odlameni Road, Swayimane, WARTBURG, 3233 - *Philangezwi*
101. Nelly Sharply - 710513 0779 *** - No 08 Stephen Road, ANERLEY, 4240 - *Nelly Vuyokazi*
102. Fikile Pretty Ngoma - 970206 0592 *** - 15620 Extension 12a, SOSHANGUVE, 0122 - *Fikile*
103. Dokazi Pupu - 961229 0853 *** - Qobo-Qobo Area, CENTANE, 4980 - *Anelisa*
104. Tsheletji Chuene Elias Sekwakwa - 970108 6138 *** - Stand No 556, Selolo Village, GA-MATLALA, 0746 - *Tsheletji Chuene*
105. Lukhanyo Ngetu - 990520 0821 *** - Rr 197 Bonga Drive, Site B, KHAYELITSHA, 7784 - *Yolanda*
106. Mokone Lavan Mokone - 910929 5301 *** - 21 Lenkwaneng, Ntoane, DENNILTON, 1030 - *Mokone Solomon*
107. Boitumelo Shabela Mokonyama - 920917 5259 *** - 07 Olienhout Street, Chantelle, AKASIA, 0201 - *Boitumelo Paepae Malesela*
108. Ngoako Victor Makwaeba - 900715 5744 *** - 1745 Winnie Mandela, Zone 12, TEMBISA, 1632 - *Maselelo Ngoako*
109. Deankaylin-Shadon-Shirlouzané Harvey - 000311 5286 *** - 67 Learjet Street, Highway Park, MOSSEL BAY, 6500 - *Deankalin Shadon Shirlouzane*
110. Kgaogelo Hlabirwa Makua - 820903 5979 *** - Ngwanamatlang Village, JANE FURSE, 1085 - *Kgaogelo Morwamabitse*
111. Moffat Nkhoma - 810528 5847 *** - 536 Ramotse Village, HAMMANSKRAAL, 0400 - *Morgan Moffat*
112. Grace Queen Tukishi - 780917 0457 *** - 6608 Legakabe Street, Zone 7, MEADOWLANDS, 1852 - *Palesa Grace Queen*
113. Gavin Peter Maart - 900513 5224 *** - 1c Eric Viljoen Walk, PARKWOOD ESTATE, 7945 - *Imraan*
114. Janice Anthony - 930830 0195 *** - 69a Athburg Walk, HANOVER PARK, 7780 - *Naeelah*
115. Chardonnay Letecia Present - 930412 0265 *** - 97 Carnation Road, OCEAN VIEW, 7974 - *Shahirah*
116. Shannon Norman - 910326 0426 *** - 21- A Long Kloof Circle, HEIDEVELD, 7764 - *Shaheedah*
117. Ebenezer Mandla - 850512 5233 *** - 44 Poplar Mews, Odine Drive, CAPE TOWN, 7485 - *Ebenezer Mziwenkosi*
118. Sipiwe Myboy Mabaso - 920115 5784 *** - 32 Sy Michaels, JAMBOERSKLOOF, 8001 - *Sipiwe*

119. Sibongile Nyembezi Bhila - 960722 1006 *** - 7195 Ndlovu Street, Ivory Park, MIDRAND, 1685 - *Precious Sibongokuhle*
120. Thato Sibusiso Gadel Kunene - 760310 5312 *** - 10942 Fumba Street, KWATHEMA, 1575 - *Thato Sibusiso Cadel*
121. Jamie-Lee Klink - 971207 0026 *** - 111 Dune Drive, Woodlands, MITCHELLS PLAIN, 7785 - *Jamila*
122. Khutso Andrew Mputla - 020419 5527 *** - Zm160 Brazaville, SAUSVILLE, 0125 - *Khutso Lesetja*
123. Andile Osman Tibane - 011001 6729 *** - Uityk Farm, MIDDLEBURG, 1050 - *Andile Osama*
124. Lehlohonolo Fortunate Mohumutji - 020721 0123 *** - 520 Block F East, SOSHANGUVE, 0152 - *Lehlohonolo Nyanese Fortunate*
125. Chrystal Felecia Plaatjies - 641104 0637 *** - Mayekiso Street 4434, Kwanonqabatdelaan, MOSSEL BAY, 6506 - *Caamilah*
126. Elliott William Scott Austin - 970718 1308 *** - 154 Victoria Road, WOODSTOCK, 7925 - *Kaiyana Von Luna*
127. Luzuko Jezile - 901010 6165 *** - Njakazi Area, CENTANE, 4980 - *Luzuko Odwa*
128. Mbaliyenkosi Dimakatso Patricia Ntombela - 880324 0349 *** - 1863 B, Zone 9, MEADOWLANDS, 1852 - *Dimakatso Favour Mbali*
129. Tarryn-Lee Sheldon - 901018 0113 *** - 11580 Jewel Street, LENASIA, 1827 - *Tasneem*
130. Thabo Leepile - 910726 5685 *** - Southern Farm, Augrabies Kakamas, UPINGTON, 8874 - *Sak Boeta*
131. Crhristopher Kagiso Lebogo - 920320 5425 *** - 396 Block H, SOSHANGUVE, 0152 - *Christopher Kagiso*
132. Andile Nxele - 920705 5731 *** - Elandskop, PIETERMARITZBURG, 3226 - *Sandile Wiseman*
133. Tetelo Mabula - 950828 5935 *** - Dithqabaneng, GA MPHAHLELE, 0736 - *Thakadu Lucas*
134. Raymond Gatyeni - 910605 5607 *** - 2816 Extension 2, MOTHOTLUNG, 0262 - *Raymond Sipho*
135. Cleon Lindsay Villett - 870325 0162 *** - 26 Heron Street, KUILSRIVER, 7580 - *Shadia*
136. Gary Adrian Daniels - 880918 5278 *** - 153 Anita Drive, Extension 12, PORT ELIZABETH, 6001 - *Ghaffār*
137. Majasa Solomon Manthata - 920827 5882 *** - 10735 Matikweni, TEMBISA, 1632 - *Jason Majase*
138. Vincent Lepaaku - 830112 5826 *** - 10 Th Avenue, 30th Avenue, ALEXANDRA, 1018 - *Reitumetse Vincent*
139. Rifco Mkhombo - 891112 0247 *** - 3145 Block 9, MOLOTO, 1022 - *Rifco Princess*
140. Tsakane Chami Chauke - 980619 0432 *** - 143116 Avenue, STANDTON, 2090 - *Tsakani Charmaine*
141. Thamsanqa Joseph Hlanganiso - 890517 5352 *** - 5163 Bloemside 2, BLOEMFONTEIN, 9306 - *Thamsanqa Lelouch*
142. Mbongeni Surprise Lubisi - 921016 5468 *** - Stand No 24, Thekwane North, KANYAMAZANE, 1214 - *Mbongeni Marvin*

143. Desmond Paulse - 570605 5948 *** - 6 Baleles Road, DELFT, 7100 - *Dawood*
144. Mark-Anthony Gaffley - 870526 5388 *** - 19 Juniper Street, BONTEHEUWEL, 7764 - *Mueed*
145. Roland Patrick Swartz - 850705 5378 *** - 4 Dahlia Street, Lentegeur, MITCHELLS PLAIN, 7785 - *Raees*
146. Nkatuma Thapelo Callies Marokane - 990418 5543 *** - Madibong, JANE FURSE, 1085 - *Nkatuma Thapelo*
147. Kayla Herman - 020215 0860 *** - 27 Conrad Road, Ottery, CAPE TOWN, 7941 - *Almaaz*
148. Bridget Ratau - 020722 0464 *** - Makgane, GA-RATAU, 1085 - *Mathibela Bridget*
149. Mariet Rosia Nyathi - 971229 0342 *** - 2192 Sabatha Street, DAVEYTON, 1520 - *Marriet Simphiwe Rosia*
150. Bezel Mhlarhi - 860417 5673 *** - 40 Q Esselen Park, Extension 3, KEMPTON PARK, 1632 - *Basil*
151. Ricci Pohl - 900910 1834 *** - 116 Woburn Avenue, BENONI, 1501 - *Lèricci Jadzia*
152. Nadine Albertus - 861222 0158 *** - 34 Russelweg, WELLINGTON, 7655 - *Nabeelah*
153. Gabothuse Victor Mogorosi - 871215 5343 *** - 161 – 11th Avenue, ALEXANDRA, 2090 - *Mofenyi Victor*
154. Ronell Ismail - 011125 0209 *** - 705 Papskuilsvlei Road, PHILIPPI, 7800 - *Ranah*
155. Melissa Nicole Brown - 910210 0424 *** - 411 B Walton Road, RETREAT, 7945 - *Layla*
156. Solly Skhosana - 730614 5444 *** - 21087 Karaha Street, ETWATWA, 1519 - *Solly Ntungwantuli*
157. Bonsiwe Buyisile Mbuli - 030315 0264 *** - Dark City, MANDENI, 4400 - *Bongiwe Buyisile*
158. Demelza Candice Bush - 860726 6396 *** - 28 Radnor Street, WESTDENE, 2092 - *Dylan Caleb*
159. Thembinkosi Albert Khulu - 821011 5616 *** - No D 177, OSIZWENI, 2952 - *Themba Syabonga*
160. Nivea Baloyi - 020116 0132 *** - 28353 Marula Street, Protea Glen, SOWETO, 1819 - *Lulama Nivea*
161. Sandy Mzenu Khoza - 961110 5461 *** - Jv 6172, Jeffsville, SAULSVILLE, 0125 - *Sandile Aidan*
162. Asanda Precious Hlangu - 900113 0600 *** - House No 9938, 10462 Phase 4, Illovo Township, WINTERSPRUIT, 4145 - *Asanda Faith Precious*
163. Olorato Charmaine Vuyiswa Gura - 870404 0506 *** - 15 Strelitzia Complex, Brombeer Street, Terenure, KEMPTON PARK, 1619 - *Olorato Charmaine*
164. Philisiwe Phyllis Bahle Vilakazi - 720723 0592 *** - 501 Skyalb Street, Tlama Tlama Section, TEMBISA, 1632 - *Philisiwe Sibahle*
165. Rian Elrich Maasdorp - 940227 5080 *** - 22 Perskelaan, RAASWATER, 8809 - *Ryan Elrich*
166. Sandra Matthys - 650711 0331 *** - 13 Posberg Heideveld, ATHLONE, 7764 - *Fatima*
167. Lorraine Mohammad - 750821 0597 *** - 6 Karbonkel Road, HOUTBAY, 7806 - *Toufeeqah*
168. Nontobeko Glory Sosibo - 871002 0791 *** - 46 Roberne Court, DURBAN, 4001 - *Nontobeko Zamathabetha*

169. Ntombothando Eunice Nani - 850825 0231 *** - 9 E Street, Fingo Village, GRAHAMSTOWN, 6139 - *Ntombothando*
170. Maoto Precious Motswi - 851230 5092 *** - Mogalakweng, LEPHALALE, 0555 - *Maoto Tshepho*
171. Molema Cedric Khabane - 800914 5473 *** - 06 Tims Place, Anton Le Roux, THE ORCHARDS, 0182 - *Molemo Cedric*
172. Resego Olifant - 010910 5499 *** - House No 105, Oj Piki Street, PUDUMONG, 8581 - *Beheer Resego*
173. Lebone Maboka Mahanyele - 020111 5071 *** - 190 Mamadila, POLOKWANE, 0142 - *Thuto Maboka*
174. Molatela Felicia Seloane - 940617 0631 *** - House No 287, Unit D, MANKWENG, 0727 - *Keletso Felicia*
175. Yoliswa Cynthia Peter - 750915 0730 *** - 6384 Skosana Street, KWANOKUTHULA, 6500 - *Cynthia*
176. Nkalané Klas Ndine - 980122 5567 *** - P O Box 2636, POLOKWANE, 0700 - *Malesela Klaas*
177. Lehlabile Mmowa - 920406 0387 *** - Ga-Moloi, GLEN COWIE, 1061 - *Lehlabile Mathibela*
178. Khanyesa Ntsete - 030812 0467 *** - Tambo Village, QUEENSTOWN, 5320 - *Khanyisa*
179. Tshavhungwa Bernice Shibure - 900815 0802 **** - Unit 13, Flora Villas, 35 Dries Niemandt Avenue, NORKEM PARK, 1618 - *Bernice*
180. Zondani Zinhle Ngongo - 900714 0350 *** - Mabhuda Road, UMLAZI, 4031 - *Zondani-Zinhle*
181. Ashira Menan Louise Du Plessis - 900529 1115 *** - 23 Clouds End, Morningside, SANDTON, 2196 - *Ariella Ashira Menan*
182. Inga Mgudu - 021002 1397 *** - Gobe Area, CENTANE, 5380 - *Athavile*
183. Makgwale Vinolia Mabogwane - 920308 0545 *** - P O Box 677, MARISHANE, 1064 - *Digwai Vinolia*
184. Oscar Seolo Moerane - 810313 5380 *** - 21200 Buffer Zone, MAMELODI EAST, 0122 - *Oscar Itumeleng*
185. Ruth Mhlauli - 781008 0436 *** - 42 Sunbird Avenue, YELLOWWOOD PARK, 4004 - *Nandipha*
186. Jeremiah Ngobeni - 770321 0335 *** - 15837 Mamelodi East, MAMELODI, 0122 - *Jeremiah Jezree*
187. Jantjie Lesibana Mochabane - 770316 5838 *** - 281 Baxa Section, TEMBISAT, 1620 - *Oupa Marobe*
188. Armstrong Samson Mkhize - 741214 5737 *** - 4369 Ward 17, OSIZWENI, 2952 - *Armstrong Bethuel Samson*
189. Dorkas Marina Adams - 790109 0052 *** - Clift Street, PAARL, 7646 - *Baara*
190. Tinky Johnson - 920302 0536 *** - 142 Percy Osborn Road, WINDERMERE, 4001 - *Agape Tinky*
191. Daniel Sikhambuzo Dladla - 800116 5274 *** - B214 Phaphama Road, NEWTOWN, 4359 - *Sikhumbuzo Daniel*
192. Marurubele Dudu Mashiano - 951010 0778 *** - 40037 Vergelengen C, JANE FURSE, 1085 - *Mamoshiane Dudu*
193. Ellen Nobantu Manakpepha - 820803 0880 *** - 433/7 Second Avenue, ENNERDALE, 1824 - *Arabile Nobantu*

194. Odinina Issufo - 980521 1145 *** - 9362 Morava Street, Extension 10, LENASIA, 1827 - *Nina Fatima*
195. Tshegofatso "Nshera" Lekganyane - 030605 0201 *** - 13 Clifton Street, CRYSTAL PARK, 1501 - *Tshegofatso Nshera*
196. Gody Given Dhlamini - 040223 5110 *** - 131 Suikerbekkie Street, JAN NIEMAND PARK, 0186 - *Thabang Gody Given*
197. Lonlabo Thabiso Sigila - 031221 5297 *** - J 306 Shwabane Crescent, KHAYELITSHA, 7784 - *Lonwabo Thabiso*
198. Jeanette Siphokazi Cubungu - 800108 0065 *** - 10 Rubin Crescent, PORT ELIZABETH, 6001 - *Siphokazi Jeanette*
199. Sharon Refilwe Sechabela - 790226 0565 *** - 59 Silweroks, Zowren, CENTURION, 0157 - *Annia Refilwe*
200. Karabo Bokamoso Motloutsi - 950430 0062 *** - 14723 Bierman Street, Extension 31, VOSLOORUS, 1475 - *Karabo Bokamoso Molele*
201. Mkhululi Protector Khumalo - 830808 5743 *** - F 1184 Ntuzuma Township, KWA MASHU, 4359 - *Sphehile Protector*
202. Noma-Italy Ntwakumba - 931010 0605 *** - 631 Ndimande Street, RATANDA, 1441 - *Thandeka Ntando*
203. Gift Moranye - 991225 0307 *** - 10 Aberdeen Road, Kensington, JOHANNESBURG, 2001 - *Gift Zoö*
204. Olorato Manopole - 960426 5532 *** - 91 De Korte Street, BRAAMFONTEIN, 2001 - *Tshepo Olorato*
205. Neoleen Lesley Parker - 940421 0083 *** - 3 Klinker Avenue, FLEURHOF, 1709 - *Liyana*
206. Zanethemba Lucas Qashani - 920921 5493 *** - 129 Union Street, RIVERIA, 0084 - *Zanethemba*
207. Dikoti Kamogelo Nkadimeng - 971210 0624 *** - 93 Mars Street, Meredale, JOHANNESBURG, 2091 - *Kamogelo Mercy*
208. Thuli Porce Mbuli - 870121 0792 *** - 1321 Rochester House, Cnr Main And Maritzburg Street, JEPPESTOWN, 2094 - *Thuli Portia*
209. Taryn Lasker - 940725 0253 *** - Vanguard Villas, MITCHELLS PLAIN, 7785 - *Aqeelah*
210. Ncumisa Carol Makambi - 911223 0192 *** - 19102 Ekuthuleni Street, LWANDLE, 7140 - *Ncumisa*
211. Brümilda Baverley Links - 920214 0363 *** - 68 Affodil Street, Topung, GROBLERSHOOP, 8850 - *Brümilda Botlhale*
212. Lenga Elizabeth Lesame - 950714 0354 *** - 07 Moretshe, ATTERIDGEVILLE, 0008 - *Regina Linger*
213. Kgagudi Khenzani Moloto - 941122 5548 *** - House No 255, Honeydew, ZANDSPRUIT, 2120 - *Kalushi Khenzani*
214. Minah Lebogang Mokonyane - 920820 0717 *** - 213 Drawwer Crescent, Derdepoort Park, PRETORIA, 0001 - *Minah Katlego*
215. Keketso Teddy Mpheteng - 941125 5324 *** - 211 Block C, MABOPANE, 0190 - *Daniel*
216. Khutso Mathabatha - 931223 5647 *** - 3805 Moseja Section, HEBRON, 0100 - *Khutso Glen*
217. Vitoda Mokase - 940105 0594 *** - Doctor Maribate Village, SOSHANGUVE, 0152 - *Vitoda Khensani*
218. Adolph Cry Monareng - 930313 5389 *** - 1478 Flagfontein, LENASIA, 1827 - *Adolph Sello*

219. Lerato Maphasa - 980627 0696 *** - 181 Klipspringer, LEONDALE, 1401 - *Lerato Thembelihle*
220. Nthoto Emily Maduna - 861222 0867 *** - 433 Leon Place, 451 Stanza Bopape Street, ARCADIA, 0083 - *Praise Emily*
221. Malefu Pertunia Tshabalala - 960224 0102 *** - 71091 Zone 24, SEBOKENG, 1983 - *Makhozana Malefu Pertunia*
222. Mmamodupi Doreen Ramoloto - 950325 0558 *** - 4216 Shark Street, DIEPSLOOT, 2189 - *Mahlogonolo Mamodupi*
223. Tshiliso Isac Ntsube - 970713 5319 *** - 807 F Section, BOTSHABELO, 9781 - *Tshidiso Isaac*
224. Rasepitle Eric Mashifane - 570715 5209 *** - 13080 Madevu Street, MAMELODI EAST, 0122 - *Rasepitle Malope*
225. Hodu Christopher Mohlammeane - 730607 5707 *** - Stand No 30, Ntwane Village, DENNILTON, 1030 - *Thebe Christopher*
226. Steinmann Goosen - 000906 1426 *** - 210 Cormallen Avenue, PRETORIA, 0081 - *Alice*
227. Sebengwane Heritage Chauke - 990924 1116 *** - 05 Plein Street, POLOKWANE, 0699 - *Mohlao Heritage*
228. Mathulena Peter Mafolo - 980901 6063 *** - Vergelegen C, JANE FURSE, 1085 - *Rotias Lucky*
229. Connor Shen Momberg - 041019 6060 *** - 6 Kinnoull Road, Camps Bay, CAPE TOWN, 8005 - *Shen Connor*
230. Nathaniel Mamongao Mamosebo - 780615 5808 *** - 12 Motingoe Street, Phase 3, Kagiso, KRUGERSDORP, 1754 - *Nathaniel Oikanyeng*
231. Kgope Charles Letswalo - 830602 5585 *** - 1033 Block BB, SOSHANGUVE, 0152 - *Mandla Charles*
232. Koketso Albert Moreku - 890908 5483 *** - 101 Maseko Street, SAULSVILLE, 0125 - *Adam Koketso Albert*
233. Bongumusa Mace Mkhize - 861124 5818 *** - 324 Sarnia Road, DURBAN, 4094 - *Bongumusa Nhlanhla*
234. Ollene Seabi - 950928 1187 *** - 249 Andesite Street, Stone Ridge Country Estate, Monavoni, CENTURION, 0157 - *Ollene Modubasha*
235. Thandiwe Gail Booysen - 780507 0391 *** - 15 Van Eden, The Reeds, CENTURION, 0157 - *Thandiwe Keamogetswe*
236. Solomon Molatlegi Mabena - 781104 5640 *** - 1230 Block Pp, SOSHANGUVE, 0152 - *Solomon Matome*
237. Chabe Samuel Tolamo - 880319 5572 *** - 65 Makhaza Street, SAULSVILLE, 0125 - *Boitumelo Manasseh Matome*
238. Nomsa Nthabiseng Khunou - 940415 0262 *** - 61788 Zone 17, SEBOKENG, 1983 - *Nomsa Nthabiseng*
239. Mzwakhe Mlotshwa - 800618 5526 *** - No 7 Tessa Lane, NORTHCLIFF, 2125 - *Bude Eaghteen*
240. Nkibe Roshmy Maleka - 900915 5880 *** - 41 Atair Silver Lakes, PRETORIA EAST, 0081 - *Roshmy Malose Samkelo*
241. Amokelani Angel Mulalo Mavusha - 040427 0245 *** - 291A Nyangwa Street, Mofolo Village, SOWETO, 1801 - *Amkelani Mahlatsi Angel*
242. Luxolo Mcebisi Sindane - 870831 5268 *** - 31-8th Street, PARKMORE, 2196 - *Luxolo Mcebisi Zanolkhanyo*
243. Elvis Zwerakhe Maselela - 860714 5389 *** - 8939 Extension 2, SOSHANGUVE, 0152 - *Elvis Zwelakhe*

DEPARTMENT OF HOME AFFAIRS

NO. 2780

25 November 2022

ALTERATION OF SURNAMES IN TERMS OF SECTION 26 OF THE BIRTHS AND DEATHS REGISTRATION ACT, 1992 (ACT NO. 51 OF 1992)

The Director-General has authorized the following persons to assume the surnames printed in *italics*:

1. Lekwetje Rosetta Zwane - 720424 0656 *** - 568 Witogje Street, DIE WILGERS, 0184 - *Masipa*
2. Lucky Mhlongo - 820706 5950 *** - 15404 Extension 15, EMBALENHLE, 2285 - *Ralarala*
3. Siphwe Professor Msibi - 940131 5689 *** - E321h Engodlomezi, FERNIE, 2335 - *Mchunu*
4. Sifundo Simelane - 880628 5817 *** - Chicago Area, NONGOMA, 3950 - *Mthenjana*
5. Mary Mmathapelo Khantyashe - 950203 1136 *** - 2106 Raleoto Section, SILVERKRAANS, 2839 - *Dichi*
6. Temogelo Casius Makwakwa - 991015 6177 *** - Rorderdam Village, VUYANI, 0934 - *Ramarumo*
7. Masande Poni - 981025 6008 *** - Mlungisi Location, STUTTERHEIM, 4930 - *Fupi*
8. Jabulane Khumalo - 601228 5663 *** - P O Box 367, BOLEU, 0474 - *Yika*
9. Petrus Punguja Molomo - 940726 6049 *** - 20028 Skotiphola Section, KWA-LITHO, 0482 - *Mahlangu*
10. Lehlohonolo Romeo Mathosa - 940709 5277 *** - 19 Rammala Street, ATTERIDGEVILLE, 0008 - *Ndhlovu*
11. Koketso Mathe - 990903 6054 *** - House No 3744, MAPOTENG, 8446 - *Moleele*
12. Kelebogile Abram Nchabeleng - 970104 5259 *** - 499 Zone A, LEBOWAKGOMO, 0737 - *Maleka*
13. Thando Kuhle Sindane - 970318 5792 *** - H2052 Umlazi Township, UMLAZI, 4031 - *Mthemba*
14. Solomon Mahlangu - 710407 5632 *** - 209 Block G, Refilwe Village, MORETELE, 0400 - *Mojela*
15. Matsipeng Samuel Serage - 700619 5863 *** - Stand No 198/665, Uxolo Crescent, MAHUBE, 1007 - *Maphanga*
16. Sibusiso Ached Mazibuko - 921224 5330 *** - 519 Ramnuidoo Road, Springfield, DURBAN, 4091 - *Biyase*
17. Lesego Philadelphia Motshwaiwa - 921003 0744 *** - Modiboa Section, KHUNWANA, 2748 - *Seonyane*
18. Johannes Jacob Kapp - 920907 5009 *** - 22 Sham Street, POSTMASBURG, 8420 - *Bronkhorst*
19. Delton Karabo Kongote - 910118 5576 *** - House No 1407, Mangwato Section, DISAKE, 0314 - *Letshwenyo*
20. Omphile Lorena Mahlangu - 940114 0720 *** - 1079 Pretoria Street, CLAREMONT, 0001 - *Matjeni*
21. Sakhile Petros Mpanza - 861227 5496 *** - Nkande Area, NQUTHU, 3135 - *Dube*
22. Treasure Pohotona - 950221 5776 *** - House No 197, Block XX, SOSHANGUVE, 0152 - *Ngobe*
23. Liesl Pitout - 040925 1352 *** - 115-5th Street, Linden, JOHANNESBURG, 2104 - *Van Der Colf*
24. Thobani Nzama - 030907 5798 *** - Keatesdrift Area, MSINGA, 3250 - *Ngcobo*
25. Ntsae Onkatile Tefo - 030422 0135 *** - Ntsae Onkatile Tefo, 216 Generals Beyer, PRETORIA NORTH, 0183 - *Bokaba*
26. Kearabetswe Bridgette Nkwe - 031028 0155 *** - 479 Extension 21, GA RANKUWA, 0208 - *Mokgoko*
27. Sibonelo Njabulo Dube - 891220 5963 *** - Phumulani Township, HLUHLUWE, 3960 - *Nsibande*
28. Xolisa Vuso - 990508 5613 *** - Kwinana Street, BUTTERWORTH, 1089 - *Mafu*
29. Brandon Lee Boucher - 010419 5046 *** - 12 Hall Street, Unit 519, KROONSTAD, 9499 - *Mcpherson*

30. Dumisani Elvis Tumane - 010108 5697 *** - 7810 Motsekuwa Street, BETHLEHEM, 9700 - *Maseko*
31. André Thobile Frieslaar - 010826 5277 088 - 35 Qwina Street, Kwa Mandlankosi, BEAUFORT WEST, 6970 - *Jikela*
32. Melusi Hector Nkabinde - 821208 5834 *** - 1644 Makhotha , MANZIMTOTI, 4126 - *Nyoka*
33. Sinethemba Ngcobo - 930305 0459 *** - P O Box 443, MTUBATUBA, 3935 - *Sithole*
34. Mlungisi Shusha - 040423 5749 *** - Ward 22, Newtown, MURCHISON, 4240 - *Mkhungo*
35. Lindani Theron Msipha - 040617 5219 *** - No 1057 Mountain View, KWAMHLANGA, 1022 - *Ntuli*
36. Wandisa Ngomane - 031018 5886 *** - 44 Hebron Crescent, SASOLBURG, 1947 - *Lekhuleni*
37. Wandile Hopewell Mhlongo - 030324 6205 *** - L1237 Bhubesi Road, KWAMASHU, 4360 - *Mthembu*
38. Zinhle Margaret Mbatha - 041108 0513 *** - Ezinambeni , 6045 Mandela Street, EMARIKANE, 1035 - *Sibiya*
39. Mabo Pontsho Gwala - 040119 0522 *** - 20 Gropius Road Die Hoewes, CENTURION, 0157 - *Monageng*
40. Darlington Mahlase - 890106 5938 *** - 31 Unit R, MABOPANE, 0190 - *Mahamathe*
41. Teboho Jeremia Makwe - 980208 5505 *** - 14603 Zone 11, SEBOKENG, 1980 - *Madibo*
42. Dimitri Tshepo Mhaka - 861230 5344 *** - 119 Extension 7, Phase 1, DIEPKLOOF, 1866 - *Nkosi*
43. Katlego Bafumane Josiah Dibitso - 940828 5332 *** - 653 Burgerford Street, Nellmapius, MAMELODI, 0122 - *Nkosi*
44. Thabo Ernest Nkhumbe - 870609 5451 *** - 15 Thornpear, Leondale, GERMISTON, 1401 - *Ndevu*
45. Vincent Phakisang Molefe - 930508 5768 *** - 5611 Moleleki, KATLEHONG, 1422 - *Motloung*
46. Khloé Leané Salzmänn - 010920 0335 *** - 246 Marjoram Street, Annlin, PRETORIA, 0129 - *Claasen*
47. Kgabo Petrus Kgomo - 901114 5344 *** - P O Box 50, BOCHUM , 0790 - *Mashosho*
48. Ayanda Thabo Mamogale - 870101 7798 *** - 12 Street Gamadiseng, BURGERSFORT, 1150 - *Malomane*
49. Bivas Phafane Madi - 940611 5665 *** - Finale Village, Stand No 27, MARULENG, 1380 - *Madine*
50. Lehlohonolo Tagisi Ramathibela - 830413 5268 *** - 1680 Isigobodi Street, Pamville, JOHANNESBURG, 1809 - *Madiega*
51. Letlhogonolo Jiyane - 890531 0469 *** - E213 Baloyi Stand, KROMKUIL, 0190 - *Khumalo*
52. Lwazi Wandile Zwane - 010207 5843 *** - F373 Ward 32, OSIZWENI, 2952 - *Kunene*
53. Christopher Potlako Ranthare - 720125 6182 *** - 54 Morapedi Street, KWA-THEMA, 1575 - *Nkabinde*
54. Tsumbedzo Godfrey Luruli - 710330 5261 *** - Matangari, THOHOYANDOU, 0950 - *Nemavhola*
55. Tshifhiwa Golden Mokhedhi - 901223 5946 *** - 223 Kaafonten, Extension 1, MIDRAND, 1685 - *Ralinala*
56. Innocent Mayoyo Siwela - 900901 5735 *** - 14th Road, 56 Erand Creek, Noodwyk, MIDRAND, 1682 - *Mdhuli*
57. Senzeni Vincent Visasi - 751027 5443 *** - P O Box 25, NELMAPHIUS, 0122 - *Ndlovu*
58. Tshidiso Famous Grass - 930208 5327 *** - 252 Mosiliki Section, KATLEHONG, 1431 - *Mofokeng*
59. Sibusiso Nkateko Success Mkhabele - 040206 5435 *** - 2919 Nkowankowa, 17th Avenue, TZANEEN, 0850 - *Mokobedi*
60. Justin Rodolfo Kalse - 990304 5124 *** - 8 Boekenhout Street, SECUNDA, 2302 - *Johansson*
61. Dimpho Teu Thaane - 940928 5767 *** - 596 Makhalaneng Village, WITSIESHOEK, 9870 - *Sehume*
62. Violet Senyane Mokwena - 730823 0639 *** - Makgemeng Village, PRAKTISEER, 1129 - *Makola*
63. Kopano Motsabi - 920924 5337 *** - Khaude Area, MATATIELE, 4730 - *Motale*

64. Keketso Prince Mpendu - 920604 5312 *** - 15164 Rathlagang Street, Extension 3, DAVEYTON, 1520 - *Ditsego*
65. Thabang Edward Makateng - 920419 5301 *** - 7 Greensland Street, ALIWAL NORTH, 9790 - *Kheo*
66. Katlego Emmanuel Mokaila - 950118 5658 *** - Dithakong Village, MAFIKENG, 2745 - *Nekhudzhiga*
67. Fikelela Vuthayo - 040328 5972 *** - Zalu Area, LUSIKISIKI, 4820 - *Bikitsha*
68. Kagiso Hope Molokomme - 030127 1269 *** - 860 Ga Mokgato, BOTLOKWA, 0812 - *Nakeni*
69. Thandile Nkasa - 040201 5894 *** - Nikwe Area, BIZANA, 4800 - *Ganyile*
70. Keamogetswe Mapelo - 021226 1215 *** - 60 Block E, LETLHABILE, 0264 - *Sekete*
71. Felix Nkanyiso Nhlengethwa - 850717 5567 *** - P O Box 5091, NONGOMA, 3950 - *Nene*
72. Louiese Lebogang Mahlo - 870816 6069 *** - 9162 Frazer Street, Phase 2, BRAAMFISHER, 1724 - *Mothiba*
73. Tumelo Mowa - 940113 5737 *** - Makurung, MPAHLELE, 0736 - *Tladi*
74. Refentse Nkuna - 040802 5563 *** - Pudi Akgopha Village, MOKOPANE, 0600 - *Manamela*
75. Godfrey Ramogau Matsila - 720303 5786 *** - Tilematic Flat, Stive Biko Road, Room 15, CAPITAL PARK, 0084 - *Shongoane*
76. Mandla Magagula - 850213 5752 *** - 652 Block V, SOSHANGUVE, 0152 - *Mahlangu*
77. Beatrice Ndlovu - 840217 0674 *** - 434 Naledi, Extension 2, Myezano Street, SOWETO, 1984 - *Dhlamini*
78. Andrew Ndubane - 910921 5979 *** - Stand No 20105, ACORNHOEK, 1360 - *Molapo*
79. Kgothatso Clement Litheko - 940824 5372 *** - 16705 Lerato Street, MAMELODI EAST, 0122 - *Ramaoka*
80. Mishack Thabiso Seodisha - 821217 5392 *** - 415 Block C, MABOPANE, 0190 - *Monaheng*
81. Tshepo John Mabote - 980701 5226 *** - 17674133 Almond Street, PROTEA GLEN, 1819 - *Kungwane*
82. Madimetja Daniel Kekana - 820918 5501 *** - 50671 Sekgakgapeng, MOKOPANE, 0600 - *Kgosana*
83. Creshenda Prudence Ngwenya - 920817 0601 *** - 418 Kanna Curve, GELUKSDAL, 1550 - *Adams*
84. Kagiso Rowan Mogale - 000616 5384 *** - 6580 Sikhonde Street, MAMELODI WEST, 0122 - *Nkosi*
85. Ayanda Ofunneka Busakwe - 030328 0554 *** - 414 Umsunduzi Street, Senaoane, SOWETO, 1868 - *Ndiwe*
86. Luyanda Nwanneka Busakwe - 030328 0553 *** - 414 Umsunduzi Street, Senaoane, SOWETO, 1868 - *Ndiwe*
87. Qiniso Mbanjwa - 980102 6403 *** - Ndumakude Location, UMZUMBE, 4226 - *Xaba*
88. Jan Mohau Mthethwa - 860726 5773 *** - 25512 Tokologo Street, MAMELODI EAST, 0122 - *Mofokeng*
89. Moses Moeng - 860226 6440 *** - New Stand, Mokalamosesane Village, KURUMAN, 8460 - *Setshego*
90. Mthokozisi Lungisani Shezi - 860407 6183 *** - 500720 Khambule Road, Edenvale, PIETERMARITZBURG, 3201 - *Nene*
91. Zimasa Sipiwe Maluleke - 830607 0547 *** - 629 39 Avenue, Tihabane Village, RUSTENBURG, 0299 - *Mahobe*
92. Goodwill Tone - 710412 5875 *** - 60079 Lenyeneng Section, Bapo li, RUSTENBURG, 0337 - *Diale*
93. Moses Glayani Mokele - 870825 6196 *** - 16591 Regionald Street, MAMELODI EAST, 0122 - *Lehlongoa*
94. Simon Zondwana Tshegofatso - 851216 5684 *** - 309 Sephaku, GROBLERSDAL, 0470 - *Skhosana*
95. Ntethelelo Maxwell Magagula - 960907 5760 *** - Stand No 287, Skhwahlane, MALALANE, 1341 - *Mkhatshwa*
96. Balungile Jamela - 830121 5680 *** - 22 B Kestrel Street, Gonubie, EAST LONDON, 5200 - *Mteto*
97. Kietsi Mamokete Moimane - 820821 0619 *** - Stand No 1952, Mamphokgo Village, MOGANYAKA, 0459 - *Mananyetso*

98. Sifiso Ngubane - 880313 5417 *** - 3466 Happyville, WOODLANDS, 3201 - *Mthethwa*
99. Nduduzo Mbongeni Mbatha - 990316 6123 *** - E172, EZAKHENI, 3381 - *Shabalala*
100. Tsakane Hadebe - 971108 0058 *** - 38 Bloekom Street, Arbor Park N N, NEWCASTLE, 2940 - *Nkosi*
101. Thando Collen Mthembu - 020102 6209 *** - 686 Maja Street, Khumalo Valley, KATLEHONG, 1431 - *Mdala*
102. Goitsewang Mahlomola Hendry Dikane - 930615 5314 *** - 5610 Mpumalanga, BOTHAVILLE, 9660 - *Mahlaku*
103. Thomas Ralepelle - 990819 5702 *** - 4th Avenue, ALEXANDRA, 2090 - *Mangena*
104. Carl Beira Tau - 741104 5825 *** - Stand No 430, LEEUKRAAL, 1059 - *Rakgalakane*
105. Nonhlanhla Charity Mhlongo - 740720 0787 *** - Njambeka Area, NONGOMA, 3950 - *Zwane*
106. Kobus Schutte - 781201 5229 *** - 79 Kwando Park, BLOMFOTEIN, 9301 - *Wessels*
107. Katleho Mofokeng - 881012 5687 *** - 23335 Motswedi Street, MEADOWLANDS, 1852 - *Mokoena*
108. Figiswe Siphungela - 881017 0379 *** - Dusumlenzana Area, UMZIMKHULU, 3279 - *Mahlanza*
109. Ntombikayise Sibongile Maduna - 850126 0515 *** - 21701 Seperepere Street, Ikageng, MAMELODI EAST, 0122 - *Mthimunya*
110. Mpendulo Brian Maduma - 851114 5900 *** - 28 Lily Street, Fleurhof, Extension 28, ROODEPOORT, 1709 - *Mboyisa*
111. Benedict Ofentse Mokolo - 970116 5351 *** - Olivenhoutbouch, 6325 Mahubahub Street, Extension 26, OLIVENHOUTBOCH, 0187 - *Popela*
112. Moleboheng Moloi - 940615 5202 *** - 2384 Ntshere Street, Naledi Extension, SOWETO, 1868 - *Maletse*
113. Winnie Sehlako - 011015 0712 *** - Bafgalo Street, Extension 2, DIEPSLOOT, 1149 - *Forane*
114. Sibusiso Sigubudu - 020226 6060 *** - Mbewunye Area, NQUTU, 3135 - *Ndhlela*
115. Hluvukani Niven Makhubele - 840822 5783 *** - 665 Cape Blackeye, Glenway Estate, CULLINAN, 0122 - *Baloyi*
116. Thokozani Gidion Mdluli - 940406 5254 *** - 6797 Shona Street, Moleleki, Extension 2, KATLEHONG, 1431 - *Mulhule*
117. Nzuzo Khenyeza - 940422 5452 *** - Kwashange Location, PIETERMARITZBURG, 3201 - *Zondi*
118. Sizwe Magam Makopo - 960608 5243 *** - 4278 Section B, EKANGALA, 1021 - *Kekana*
119. Didintle Dineo Wame Bareki - 960618 0225 *** - 241 Le Roux Avenue, MIDRAND, 1686 - *Keebine*
120. Thabo Justice Mokoena - 040224 6202 *** - 46 South Korea Crescent, Cosmo City, RANDBURG, 2188 - *Sibanda*
121. Pogisho Duncan Mabedi - 931016 5282 *** - 10516 Ditshehlolong, BOTHAVILLE, 9665 - *Spandeel*
122. Nomfundo Emilia Johnson - 020310 0220 *** - 533/29a Nxumalo Street, Zola 3, SOWETO, 1868 - *Mthimkhulu*
123. Junior Pheto Sengwane - 871228 5339 *** - 32404 Tshipo Road, Extension 12, MAMELODI EAST, 0122 - *Chiloane*
124. Kamogelo Gift Mpudi - 011221 5218 *** - 6351 B Diepkloof, SOWETO, 1868 - *Dube*
125. Juliet Karabo Dinale - 940416 0791 *** - 1538 Thoane Street, TLHABANE, 0300 - *Huma*
126. Letlotlo Moses Motlaka - 971031 5816 *** - 30 Roosmaryn Street, Geelhout, RUSTENBURG, 0299 - *Mantsha*
127. Ndiphiwe Siphenkosi Dlomo - 900805 6010 *** - Vlei Area, FLAGSTAFF, 4810 - *Hlangu*
128. Moleleki Ngece - 740221 5553 *** - 3619 Monyakeng, WESSELSBRON, 9680 - *Mokoatsi*
129. Simpiwe Matsha - 761031 5477 *** - 20 Ngaba-Ngaba, LITHA PARK, 7784 - *Nompumza*
130. Khumbulani Victor Rabotapi - 791214 5320 *** - 1315 Drizik 4, ORANGE FARM, 1841 - *Nyangwa*
131. Calin Sia - 990614 0110 *** - 23 Pinewood Avenue, Voorbrug, DELFT, 7100 - *Samuels*

132. Romeo Bogopa - 900104 5706 *** - 305 Hlahatse Section, KATLEHONG, 1431 - *Moswathupa*
133. Sandile Monte Nkuna - 890923 5034 *** - Stand No 1262, Sidlamafa, KOMATIPOORT, 1332 - *Myeni*
134. Jerry Modupi Kgatlle - 870601 5534 *** - Stand No 01, Sephaku, PHOMOLA, 0470 - *Makitla*
135. Tshepo Maredi - 850510 5649 *** - Lerrane Stand, Stand No V03, MOTETEMA, 0473 - *Lerobane*
136. Sibusiso Elija Skosana - 891231 5426 *** - 20189 Zakheni, KWAMHLANGA, 1022 - *Nene*
137. Gladness Sinenhlanhla Mtsweni - 000529 0220 *** - 6652 Extension 5, Emzinoni Township, BETHAL, 2310 - *Shabangu*
138. Mzwakhe Sihle Nkosi - 951201 5712 *** - 1339 Extension 3, Siyathuthuka, BELFAST, 1100 - *Mhlanga*
139. Jan Nikie Mmadi - 910810 5992 *** - Stand No 108, SEHLAKWANE, 1047 - *Khumalo*
140. Thandokuhle Comfort Ndhlovu - 971003 5086 *** - 196 Extension 12, EMPUMELELWENI, 1039 - *Zwane*
141. Pamela Pietersen - 730422 0122 *** - 741 Radebe Street, Suncity, SIR LOWRYS PASS, 7130 - *Benjamin*
142. Paul Mosweu Makgoana - 810327 5406 *** - Shaleng, Khunwana, ATAMELANG, 2748 - *Moile*
143. Tebogo Joseph Leagile - 870929 5413 *** - 1297 Extension 3, LEEUDORINGSTAD, 2640 - *Leagile Lensy*
144. Piet Kabelo Melodi - 880608 5944 *** - 1305 Queen-Annis, 15 Bruce Street, HILLBROW, 2001 - *Maboitshege*
145. Sakhile Mashack Lwana - 990603 5326 *** - 2310 Umphofu Street, OLIVENHOUTBOSCH, 0175 - *Khumalo*
146. Mosima Tshegofatso Moshoeu - 910909 0630 *** - 12 Vukusakhe Flat, 270 Smit Street, JOUBERT PARK, 2001 - *Madiba*
147. Khutso Mbazima - 960519 5703 *** - 0472 Extension 4, RETHABISENG, 1026 - *Malitsani*
148. John-Paul Venter - 980104 5109 *** - 24 Erica Street, Arcon Park, VEREENIGING, 1939 - *Prinsloo*
149. Moeketsi Piet Lepelesane - 851217 5333 *** - 8662 Thulare Street, Zone 7, SEBOKENG, 1983 - *Thulare*
150. Philani Celani Zungu - 930823 5512 *** - 25 Favourshm Road, Newtown, DANNHAUSER, 3080 - *Molefe*
151. Nkosingiphile Wandile Perfect Mokoena - 960829 5975 *** - 8652 Orchid Crescent, LADYSMITH, 3376 - *Zwane*
152. Lerato Mdunge - 010311 0541 *** - Crafcot Cotswold Farm, DUNDEE, 3000 - *Lekofojolo*
153. Martin Modirapula - 820426 5487 *** - 1125 Tanzania Street, BRAMFISHER, 1725 - *Letsele*
154. Sinethemba Siphelele Nkomonde - 960625 5614 *** - Driefontein, LADYSMITH, 3370 - *Kunene*
155. Legaseane Ivern Mphahlele - 020629 5144 *** - 3975/84 Ukubongwa Street, Extension 3, Mahube Valley, MAMELODI EAST, 0122 - *Mothiba*
156. Mduduzi Justice Matyeka - 961205 5624 *** - Stand No 17 A, THULAMAHASHE, 1365 - *Dzumba*
157. Sboniso Brian Phihlela - 821105 5330 *** - 104 Second Avenue, Geduld, SPRINGS, 1559 - *Dlamini*
158. Sibusiso Mfeka - 010211 5240 *** - Mkhunya Location, Ward 05, UMZINTO, 4200 - *Mbongo*
159. Relebogile Nthabeleng Motaung - 000127 1087 *** - 2462148 Lobito Street, Phase 4, Tshepisong, ROODEPOORT, 1724 - *Moralo*
160. Lubabalo Sisusa - 890922 6270 *** - 20 Clivia Flats, Olevenhoutbosch, CENTURION, 0178 - *Nyengane*
161. Koketso Getrude Mohale - 030126 0481 *** - 16095 Freedom Drive, Extension 2, IVORY PARK, 1685 - *Raphasha*
162. Keletso Modisha - 020828 5195 *** - Phase 1, Thusanang Street, MAMELODI EAST, 0122 - *Maphuta*
163. Mnqobi Sphiwosakhe Nxumalo - 020327 5989 *** - Mbundumane Reserve, ESHOWE, 3815 - *Magwaza*
164. Luthando Sibongakonke Sigwebela - 040117 5025 *** - 09 Troon Terrace, 13 Muswell Estate, PIETERMARITZBURG, 3201 - *Ntshangase*
165. Tshepo Nkosi - 720613 5634 *** - 21 Enerry Street, Klippoortjie, BOKSBURG, 1458 - *Kgatle*

166. Alpheus Willie Mpho Sibiya - 711222 5633 *** - 1 6202 Secction R, MAMELODI WEST, 0122 - *Legodi*
167. Thabelo Nemakhani - 951119 0834 *** - 020841 Tshivhilidulu Village, DZANANI, 0993 - *Netshivhilidulu*
168. Keamogetswe Desiree Nhleko Manganye - 950701 0401 *** - 813/8 Unit D, TEMBA, 0407 - *Matjila*
169. Lunathi Nyatela - 970813 5709 *** - 363 Watergang, Kayamandi, STELLENBOSCH, 7600 - *Mlonyeni*
170. Fortune Freedom Mondli Bhane - 931012 5470 *** - House 897, Chris Hani Street, GAMALAKHE, 4249 - *Cele*
171. Mpho George Moloi - 950510 5326 *** - No 9 Ennis Road, EVATON, 1984 - *Mofolo*
172. Rose Mamonyanya Kekana - 950915 0938 *** - Makushoaneng Village, ZEBEDIELA, 0632 - *Mmathete*
173. Nompumelelo Sinqobile Mbuyazi - 980206 0173 *** - Nelly Valley, DANNHAUSER, 3080 - *Dhlamini*
174. Nhlakanipho Knowledge Mthembu - 980624 5388 *** - Fenan, 38 Avenue, KWADABEKA, 3610 - *Majola*
175. Tshepo Erusmua Mutombene - 980710 6376 *** - Windor Street, PROTEA SOUTH, 1818 - *Hlongwane*
176. Nkanyiso Praiseworthy Mkize - 980906 5570 *** - C 1405 Sbusiso Mdakane Road, Umlazi Township, UMLAZI, 4031 - *Duma*
177. Mpho Ricky Legong - 940417 0770 *** - 210 Joe Modise Street, Lotus Gardens, PRETORIA, 0008 - *Semenya*
178. Tshepo Mohale - 800807 5574 *** - 1283 A Zone 9, MEADOWLANDS, 1852 - *Malematja*
179. Nokubonga Nomfundo Shwabede - 881113 0450 *** - 1983 Inanda Glebe, INANDA, 4309 - *Gcabashe*
180. Joseph Lesiba Kgolane - 000129 5466 *** - 4710 Tswelopele, Extension 8, TEMBISA, 1632 - *Monare*
181. Mongezi Kwazi Gigaba - 940331 5483 *** - 1600 Bucket Street, CLERMONT, 3610 - *Mhlungu*
182. Sibongakonke Hendry Maseko - 900211 5934 *** - 11503 Ilanga Street, Ivory Park, MIDRAND, 1685 - *Mthethwa*
183. Ntsako Keith Gama - 900830 5867 *** - 9 3rd Avenue, ROODEPOORT, 1724 - *Monareng*
184. Nyikiwe Wilson Matlala - 901122 5519 *** - 3471 Clinton Garden, GA MOTLE, 0490 - *Chauke*
185. Phathuxolo Nzimande - 901212 6140 *** - Umzimkulu, Ndabayilali, UMZIMKULU, 3297 - *Manci*
186. Seth Micheal Fynn - 930709 6285 *** - 37 Bird Street, BEAUFORT WEST, 6970 - *Johnson*
187. Lethabo Seipel Maluleka - 930713 0642 *** - 22756 Segwete Street, Extension 4, MAMELODI EAST, 0122 - *Kekae*
188. Linda Meodi Jr Mathipa - 930824 5203 *** - 165 Tjabalo Street, Extension2, Emndeni, SOWETO, 1861 - *Mkhonde*
189. Siyabonga Simphiwe Mnisi - 030516 6234 *** - Stand No 426, Masibekela, NKOMAZI, 1342 - *Nkalanga*
190. Palisi Nokwanda Zitha - 030922 0381 *** - Stand No 2034, Block A, KOMATIPOORT, 1346 - *Sibiya*
191. Nasiphi Siyamthanda Ngange - 010801 1437 *** - 35288 Kanti Street, KHAYELITSHA, 7724 - *Mpekula*
192. Tlotlo Kutlwano Ncapudi - 020909 5573 *** - 348 Disthlong, TAUNG, 8584 - *Maqandela*
193. Jesicca Gontse Legoabe - 030915 0082 *** - 18402 Extension 9 A, SOSHANGUVE, 0152 - *Mapoma*
194. Xolani Senzo Buthelezi - 030701 5568 *** - Mvuzini Area, EMONDLO, 3105 - *Mbatha*
195. Vilindile Thobile Zulu - 020729 1367 *** - Emalangane Area, ULUNDI, 3838 - *Mlambo*
196. Isaac Dibageng Matjila - 510729 5605 *** - 2187 Boiketlo Section, MAKAPANSTAD, 0404 - *Lebelo*
197. Kanyisa Tshungu-Tshungu - 000326 5277 *** - P O Box 91863, MOUNT FRERE, 5090 - *Nongcawula*
198. Nkosinathi Nala - 040223 5508 *** - Ogengele Area, MTUBATUBA, 3935 - *Mpanza*
199. Takgalo Dethwage Bongani Khumalo - 040203 5825 *** - 94 Welgevenden, 50 Eros Street, Olympus, PRETORIA, 0081 - *Letsoalo*

200. Mosai Mahlatse Theresa Kgongwana - 040105 0658 *** - 14 Kerry Road, Rembrandt Park, JOHANNESBURG, 0096 - *Maphai*
201. Zodumo Sinethemba Gcabashe - 901216 0750 *** - P O Box 369, ESHOWE, 3818 - *Biyela*
202. Yannick Gullet Shannon Dick - 910323 5077 *** - 1 Nomyayi Street, Joe Slovo Park, MILNERTON, 7349 - *Giose*
203. Norman Nxumalo - 730909 6019 *** - P O Box 1475, VOSLOORUS, 1475 - *Sithole*
204. Oamogetswe Mina Tloubatla - 030428 0559 *** - 386 Dilopye, Diphokobyeng Section, HAMMANSKRAAL, 0400 - *Modibana*
205. Nkululeko Innocent Mngadi - 860305 5372 *** - Ntuzuma E 1246, Siphosethu Road, DURBAN, 4359 - *Mthembu*
206. Dimakatso Phillip Silinda - 860501 5910 *** - 25803 Extension 7, MAMELODI EAST, 0122 - *Mashilwane*
207. Ntombenkulu Mbangatha - 001215 1055 *** - St Patrick's Mission, MTHATHA, 5099 - *Gqunu*
208. Samuel Neo Nsibande - 000529 1455 *** - 323 Dragon Drive, Extension 2, KLIPSPRUIT, 1806 - *Ngwenya*
209. Bandile Mamazi Zenande Hadebe - 000529 1089 *** - 1006 Khwezi, Madadeni, NEW CASTLE, 2951 - *Mthethwa*
210. Asisipho Mbulawa - 000919 1022 *** - Sikhomane, MOUNT AYLIFF, 4735 - *Jakuja*
211. Michael Kagiso Gadise - 830313 5547 *** - 111 Tulbacu, St Joseph Street, Symhurst, PRIMROSE, 2190 - *Motsisi*
212. Mputana David Tau - 810621 5554 *** - 8 Aviation Street, Tasbet Park, WITBANK, 1030 - *Mabelane*
213. Tebogo Zacharia Morare - 820724 5434 *** - 5 Rockridge, Country Estate, Totus Road, AMONOSA, 1724 - *Mohodi*
214. Toatametse Joseph Thamage - 730311 5262 *** - House No E198, Gasese Villag, KURUMAN, 8460 - *Mochwane*
215. Asanda Mkhize - 030825 6164 *** - P O Box 83055, PIETERMARITZBURG, 3200 - *Shange*
216. Kevin Comfort Sibia - 030505 5588 *** - 140no Wolvenkop, VERENA, 1086 - *Choma*
217. Koketso John Maruthane - 970305 5590 *** - Ramonwane, MAFEFE, 0738 - *Diale*
218. Kgahliso Kutlwano Ratthagane - 040630 0851 *** - 573 Harry Lubidla Street, Retswelele, KIMBERLEY, 8301 - *Lethoba*
219. Snothile Boniswa Nyandeni - 020603 1031 *** - Swart Mfelozi, VRYHEID, 3100 - *Zondo*
220. Neo Matshangaza - 021129 6079 *** - 2294 Leoka Street, LEEUDORINGSTAD, 2640 - *Tladi*
221. Mandisa Celiwe Khumalo - 960309 0860 *** - 25240calabash Street, PROTEA GLEN, 1818 - *Mlaba*
222. Mamoloko Dipho Matlala - 991105 0703 *** - B0044 Unitzight Village, REBONE, 0617 - *Mponwana*
223. Xolani Gubula - 851031 5669 *** - 551 New Location, STORKSTROOM, 5425 - *Magadla*
224. Delekile Collins Motseki - 950925 5606 *** - 1776 Motsu, Extension 5, Pekwa Street, TEMBISA, 1632 - *Siwa*
225. Thomas Modise - 750511 5284 *** - B293 New Stand, MOODERSPRUIT, 0257 - *Chuma*
226. John Simphiwe Matlejoane - 880216 5883 *** - 66-4th Avenue, ALEXANDRA, 2090 - *Machete*
227. Sphehile Jingela - 011121 5882 *** - D1011 Intake Roa, PINE TOWN, 3600 - *Thabethe*
228. Refilwe Lethabo Adam - 030301 0462 *** - Stand No 194, Malaeneng 4, DENNILTON, 1030 - *Mashilwane*
229. Sandile Jaca - 030312 5912 *** - Kokshill Area, UMZIMKULU, 3297 - *Mbhele*
230. Nompumelelo Mthabela - 880428 0935 *** - C1736 Ward 10, OSIZWENI, 2952 - *Lakaje*
231. Ntokozo Ziqubu - 000708 5285 *** - 42 Colnbrook Complex, 6th Road Noordwyk, MIDRAND, 1687 - *Nxumalo*
232. Kgodu Tecious Munisi - 890815 5681 *** - Ga-Machaba Village, BOCHUM, 0790 - *Manaka*
233. Tebogo Sethole - 921017 5432 *** - 1331 Block D2, New Eersterus, HAMMANSKRAAL, 0400 - *Baloyi*

234. Promist Tshephiso Machika - 830205 5382 *** - Stand No 839, Bapedi Section, REGAETOWNSHIP, 0450 - *Mogajana*
235. Tshepo Arthur Bapela - 960605 5735 *** - 27124 Ext 26, EMBALENHLE, 2285 - *Namanyane*
236. Khathutshelo Fortunate Muleya - 830803 5897 *** - Stand No 200, Tshiozwi Village, SINTHUMULE, 0938 - *Maumela*
237. Thapelo Innocent Shabangu - 971020 5839 *** - 6007 Ext 4, STANDERTON, 2430 - *Shezi*
238. Eric Nkosi - 951013 5439 *** - 67 Block Nn, Soshanguve, PRETORIA, 0152 - *Mahlangu*
239. Malcolm Tremaine Pillay - 940508 5252 *** - Xura A/A, LUSIKISIKI, 4820 - *Grimett*
240. Kabelo Tshwala - 041118 5563 *** - 5388 Ext U, SAKHILE, 2431 - *Motloung*
241. Luyanda Lungelo Tshakaca - 040322 5457 *** - 3 Alliance Road, Selcourt, SPRINGS, 1559 - *Nxele*
242. Mankekolo Ennie Moabelo - 851122 0521 *** - Mogoto Village, ZEBEDIELA, 0632 - *Chauke*
243. Manthau Samuel Mogale - 461228 5539 *** - 9 Scott Street, Ochards, PRETORIA, 0122 - *Segaole*
244. Daniel Tebogo Tsotetsi - 820926 5669 *** - 89 Evaton North, EVATON, 1994 - *Motsoeneng*
245. Joshua Jafta Shiburi - 730923 5857 *** - No 17-17th Avenue, ALEXANDRA, 2090 - *Madiga*
246. Lerato Sekonyela - 041104 0471 *** - 483 Serokeng Village, WITSIESHOEK, 9866 - *Mokoena*
247. Mowele Neo Angel Mpuru - 040229 0543 *** - Stand No D01618, Mahotsi, LEBOWAKGOMO, - *Mafahla*
248. Fezile Qiniso Langa - 010127 5134 *** - 2490 Zavolo Road, Unit 3, Imbali, PIETERMARITZBURG, 3201 - *Mthembu*
249. Kutlwano Kgaladi - 040106 6491 *** - 26 Mokolo Crescent, Geelhout Park, RUSTENBURG, 0299 - *Tshwaane*
250. Phutego Macdonald Shabangu - 950224 5455 *** - Stand No 1369, Alexandra Trust, BUSHBUCKRIDGE, 1280 - *Chiloane*
251. Khumbulani Jabulani Moyana - 790202 6043 *** - 45 Weigelia Street, Velden Vlei, RICHARDS BAY, 3900 - *Msweli*
252. Sifiso Petros Nhleko - 031010 6305 *** - Emahlathini Farm, PIET RETIEF, 2380 - *Dlamini*
253. Kamogelo Edwin Mashabela - 860910 5456 *** - Stand No 616, Tambo, DENNILTON, 1030 - *Kgaphola*
254. Nthathana Kleinbooi Makhafola - 920917 5435 *** - 522 Morarela, MARBLE-HALL, 0450 - *Matjeke*
255. Shaun-Douglas Matidza - 950827 5163 *** - 29 Wt Vale Street, Phillipnel Park, PRETORIA WEST, 0183 - *Lebese*
256. Dipale Joel Mokoena - 890115 5313 *** - 4857b Leebea Street, Zone 4, DIEPKLOOF, 1864 - *Motale*
257. Jean-Pierre Delport - 950814 5085 *** - 9 Mopani Street, BOTHAVILLE, 9660 - *De Jager*
258. Monde Ntola - 801001 5517 *** - Mizizi Area, BIZANA, 4800 - *Zangwa*
259. Nothando Nsele - 020918 0928 *** - Kwadabhazi Area, NONGOMA, 3950 - *Ngcobo*
260. Pule Meshack Dhlamini - 720122 5348 *** - 2252 North Moloto, Extension 2, Block A, MOLOTO, 1022 - *Seanego*
261. Olorato Loveness Kegoketse - 031001 0163 *** - House No 1354, Cassel Village, KURUMAN, 8460 - *Metseyabangwe*
262. Ayakhula Cele - 030514 0435 *** - Plot 236, Third Avenue, SEA PARK, 4240 - *Zulu*
263. Tshepo Steyn Lethole - 870104 5680 *** - 3089 Block L, SOSHANGUVE, 0152 - *Papole*
264. Mmamasedi Abson Shingwenyana - 710804 5670 *** - 46 Steenbok Street, BAVLAANSPOORT, 0039 - *Skosana*
265. Hellen Mankhubu Ranamane - 910708 1260 *** - 4960 Thabazimbi Section, MAJANENG, 0407 - *Mamabolo*
266. Ziphezinhle Silindile Sibisi - 911222 0601 *** - 214728,R102 Danganya , Umgababa, ILLOVO BEACH, 4126 - *Biyele*
267. Koketso Rejoyce Mapheto - 040518 0070 *** - 759 Zone 8, SESHEGO, 0742 - *Mokwele*

268. Londani Lucky Mbokazi - 020214 5627 *** - 402 Bishopsgate, 107 Russel Street, DURBAN, 4001 - *Nkwanyana*
269. Lungani Muzi Ewen Zulu - 790503 6145 *** - 4145 Winklespruit, ILLOVO, 4126 - *Qwabe*
270. Mathabatha Reuben Mafa - 740911 5814 *** - 5980 Mogoje Street, Ikageng, POTCHEFSTROOM, 2531 - *Kanyane*
271. Foster Nkhumeleni Sithole - 920101 5559 *** - Mapapila Village, MALAMULELE, 0982 - *Nemavunde*
272. Lerato Algenon Segomane - 910830 5315 *** - 3891 Umhlobowenene Street, Ivory Park, MIDRAND, 1685 - *Mokholoane*
273. Rosemary Pearl Ramatlo - 740419 0559 *** - 28 Beacon Avenue, Unit 1 Block 16, Thereid, LINBRO PARK, 2090 - *Adams*
274. Vuyisile Monwabisi Percevierance Sedibe - 950113 5662 *** - 42105 Dungane Street, Tsakane, BRAKPAN, 1550 - *Dhlamini*
275. Du-Wayne Luchan Paulse - 880525 5160 *** - 137 Solaris Place, Unit 10, EERSTE RIVER, 7100 - *Miller*
276. Mthobisi Layton Nene - 850322 5790 *** - 1239 Extension 3, Nelmapius, MAMELODI, 0122 - *Sibiya*
277. Tiisetso Chidi - 830128 5873 *** - 3938 Extension 6, Unit D, TEMBA, 0407 - *Kgagara*
278. Omphile Katlego Mashishi - 030127 0423 *** - 10693 Ndebele Street, MAMELODI, 0122 - *Khoza*
279. Thapelo Wakeford Leoma - 000204 5712 *** - 708 Samilo Park, SMITHFIELD, 9966 - *Rasoeu*
280. Boitumelo Mhlonyane - 011219 0214 *** - 7886 Rani Street, Rocklands, BLOEMFONTEIN, 9323 - *Itumeleng*
281. Thomas Tshediso Manyeli - 880212 5636 *** - 6831 Phase 4, BLOEMFONTEIN, 9323 - *Mojakisane*
282. Katlego Sean Mahaye - 910103 5570 *** - 70 Moropa Street, Zone 16, GA-RANKUWA, 0208 - *More*
283. Nhlakanipho Ntokozo Radebe - 920516 5060 *** - 697 Masoleng Street, Wattville, BENONI, 1501 - *Khanye*
284. Reginald Rakgwale - 961208 5819 *** - 4006 Ruth First Street, Phase 1, TSHEPISONG, 1725 - *Miyambo*
285. Siboniso Thalente Bhengu - 950710 5777 *** - V7/28 Umlazi Township, UMLAZI, 4066 - *Zondo*
286. Petros Siyabonga Radebe - 950812 5008 *** - 104 Emmangweni Section, TEMBISA, 1620 - *Msomi*
287. Thembanzi Hlanga - 781121 5405 *** - 97 Bale Avenue, Montclair, DURBAN, 4004 - *Godongwana*
288. Bonginkosi Edmond Gumede - 901008 5528 *** - A2753 Igwakgwafurn, Illovo, WINKLESPRUIT, 4126 - *Mnganga*
289. Motlholo Frans Tsipa - 800329 5650 *** - 1556 Lesedi Section, Malebogo Location, HERTZOGVILLE, 9482 - *Letshabo*
290. Johannes Sphiwe Mabogoane - 931218 5245 *** - 1 Welgedacht Road, SPRINGS, 1520 - *Kwanyana*
291. Zama Wendy Sithole - 960930 0085 *** - Muden Area, GREYTOWN, 3250 - *Sibisi*
292. David Picture Ngwenya - 740705 6092 *** - R113 Extension 34, ERMELO, 2350 - *Nhlabathi*
293. Nkgolodishe Josius Phaladi - 870727 6083 *** - 980 Rwala Street, Extension 21, NELLMAPIUS, 0122 - *Maeyane*
294. Samo Shadrack Phaladi - 891121 5783 *** - 980 Rwala Street, Extension 21, NELLMAPIUS, 0122 - *Maeyane*
295. Abram Phakiso Motshweneng - 980402 5139 *** - 10954 Extension 3, WINTERVELDT, 0198 - *Shongwe*
296. Tshidiso Brandon Sibiya - 931029 5821 *** - 7377/16 Block Vv, SOSHANGUVE, 0152 - *Khoza*
297. Lucky Tyapha - 970304 6076 *** - Mbihli Village, STERKSPRUIT, 9762 - *Dyani*
298. Lesiba Phineas Marokane - 920923 5853 *** - 99 Nobody Meetsimatsididi Street, GA-MOTHIBA, 0726 - *Malatji*
299. Clearance Matjila - 900906 5439 *** - 599 Maokeng Extension, TEMBISA, 1632 - *Malewa*
300. Nkanyiso Nhlakanipho Mkize - 960705 5599 *** - 10 James Herbert Road, Caversham Glen, PINETOWN, 3610 - *Mhlongo*
301. Ncobile Kenneth Ndlovu - 031128 5889 *** - Stand No 3872, Extension 6, KWAZAMOKUHLE, 1098 - *Mshololo*

302. Olwethu Siphesihle Mjwara - 040420 5762 *** - Kwapata Location, PIETERMARITZBURG, 3200 - *Mthimkhulu*
303. Sello Andries Mashavha - 920828 5309 *** - 3998 Mothotlung , BRITS, 0268 - *Selepe*
304. Ratanang Motha - 920405 5138 *** - 31 Babinaphuti Street, Tladi, SOWETO, 1868 - *Nkotsoe*
305. Michael Sbusiso Cebekhulu - 890104 5887 *** - Tshilavulu Village, MUTALE, 0946 - *Nethengwe*
306. Konanani Noria Munyai - 770417 0747 *** - Matangari Village, TSHIAWELO, 0956 - *Netshimbupfe*
307. Naledzani Munyai - 820909 0597 *** - Stand No C33, TSHANDAMA, 0956 - *Netshimbupfe*
308. Thokozani Andile Present Chiliza - 961122 5141 *** - E577 Sbusiso Mdakane Road, Umlazi Township, UMLAZI, 4031 - *Dladla*
309. Lebogang Gift Makwaeba - 910404 6221 *** - 8608 Zone 8, Winnie Mandela, TEMBISA, 1632 - *Kgatla*
310. Kgabile Eugene Teffo - 920523 5295 *** - Buffelshoek Area, BOCHUM, 0790 - *Molapo*
311. Siphamandla Nhlalenhle Nhlanguhlo - 981007 5326 *** - Mpumuza Location, PIETERMARITZBURG, 3217 - *Zuma*
312. S'lindile Amanda Zondi - 010514 1410 *** - Kwakhetha Area, IMPNDLE, 3227 - *Nxumalo*
313. Nonduduzo Deborah Hlela - 040309 0110 *** - Kwakhetha Location, IMPENDLE, 3227 - *Duma*
314. Jabulani Trevor Mothibi - 900713 5520 *** - 50623 Kgoro Section, BODIBE, 2741 - *Nsibande*
315. Avuyile Zotha - 021013 6189 *** - Jonji Area, MOUNT AYLIFF, 4735 - *Mkatazo*
316. Letlhogonolo Hendrick Letimela - 021202 6404 *** - 12 Daffedill Street, Warrenvale, WARRENTON, 8530 - *Britz*
317. Matsatsi Hilda Sebola - 020903 0506 *** - 104 Railway Street, LADANA, 0699 - *Serite*
318. Thabiso Christian Maphanga - 020827 6457 *** - Mlaba Location, IMPENDLE, 3227 - *Taylor*
319. Thabiso Edger Nkosi - 930616 5586 *** - 339 Piering Road, Unit 72, ELARDUSPARK, 0181 - *Sedibe*
320. Thabang Robert Mokhitli - 980719 5707 *** - 252 Block 2, TSHEPISONG, 1724 - *Seonyane*
321. Rixongile Dalsie Vukea - 920605 0777 *** - Mulamula Village, MALAMULELE, 0982 - *Mabunda*
322. Lungile Innocentia Brandt - 820321 0381 *** - 11 More Street, KWA-THEMA, 1575 - *Songo*
323. Ziphazonke Senzo Nsibande - 990331 5535 *** - 4370 Osizweni, OSIZWENI, 2952 - *Myeni*
324. Samukele Minenhle Dlamini - 980922 5705 *** - 59 Amatikulu, Ncandu Park, NEWCASTLE, 2940 - *Nkosi*
325. Sihawukele Thembelani Mbongo - 940517 5471 *** - Berou Farm, UTRETCH, 2980 - *Phenyane*
326. Lebohang Gladwill Moloi - 001123 5256 *** - 878 Winnie Section, TWEELING, 9820 - *Monyai*
327. Mothetsi Gordon Lekoro - 911110 5256 *** - 317 Mashaeng, FOURIESBURG, 9725 - *Zim*
328. Philangezwi Danisa - 000510 5512 *** - Msamu Area, MUDEN, 3250 - *Nkomo*
329. Thabang George Seshabela - 980505 5097 *** - 6776 Lakeside, LAKESIDE, 1921 - *Lenyatsa*
330. Nana Piet Phalafala - 041213 6308 *** - Stand No 20091, BOTSHABELO, 0621 - *Madibana*
331. Tebogo Khodani Montoedi - 891019 5359 *** - 3357 Kgetsi Street, Zone 2, DIEPKLOOF, 1864 - *Kwinda*
332. Lebogang Lemogang Mogopudi - 931103 5480 *** - 85 Windmill Complex, Mooikloof Ridge Estate, PRETORIA, 0001 - *Mathonsi*
333. Sphiwo Ceza - 860510 5823 *** - Lubhacweni Area, MOUNT FRERE, 5090 - *Diko*
334. Protas Thulasizwe Buthelezi - 830221 5326 *** - 12778 Tau Street, DAVEYTON, 1520 - *Mtshali*
335. Thulile Nokwethemba Makhathini - 910817 0395 *** - 5392 Cedarberg Street, Extension 4, LENASIA, 1829 - *Zulu*

336. Desmond Kagiso Makgatho - 930330 5465 *** - 2470 Ngayakaya, MAMELODI, 0122 - *Seshweni*
337. Kenneth Poolo - 870821 5552 *** - 2989 Slovo, WINTERVELD, 0198 - *Mashigo*
338. Tshepo Trevor Mogolwane - 930728 5396 *** - 1305 Newstand, HEBRON, 0193 - *Padi*
339. Ayakha Jobela - 020206 5148 *** - 14482 Daza Street, KRAALFONTEIN, 7570 - *Bomvana*
340. Robert Rebaone Moremedi - 850618 5542 *** - Rdp House No 2678, Block 1, NORTHAM, 0380 - *Pilane*
341. Xolani Victor Dlalisa - 850928 5290 *** - 05 Dove Street, THABAZIMBI, 0380 - *Mdlalose*
342. Simanga Sherlock Ndimande - 790904 5606 *** - Skhaleni Area, NONGOMA, 3950 - *Gule*
343. Jeffrey Mthembu - 800204 5647 *** - 1638 Matthewson, Daveyton, BENONI, 1501 - *Sibuyi*
344. Mahlale Michael Kotlolo - 870421 5482 *** - 66 Marishane Street, MAMELODI, 0122 - *Mathelele*
345. Marvin Matimu Chauke - 970621 5258 *** - 7004 Rebone Street, Extension 2, LAWLEY, 1830 - *Baloyi*
346. Straton-Skye Lodewyk - 000226 5064 *** - 25 Tirrupterrace, Westridge, MITCHELLS PLAIN, 7785 - *Sieberts*
347. Desmond Khutso Ngoveni - 010106 5625 *** - Waalwater, SEKGOSESE, 0835 - *Phosa*
348. Nhlanhla Kevin Mmusi - 960715 5269 *** - 19854 Eagle Street, Khotsong, MAMELODI, 0122 - *Masuku*
349. Victor Mankge - 760327 5532 *** - 5093 Modipa Street, Langaville, TSAKENE, 1550 - *Seakamela*
350. Fungelwa Sydney Mahlangu - 860929 5737 *** - 1163 Block Jj, SOSHANGUVE, 0152 - *Masanabo*
351. Sphiwo Andiswa Fakude - 030914 0916 *** - Skhaleni Area, NONGOMA, 3950 - *Mabanga*
352. Lehlohonolo Mazibuko - 810428 5491 *** - 18237 Acornhoek Street, Extension 16, PROTEA GLEN, 1818 - *Ngcobo*
353. Thabane Jonas Maphanga - 901007 5253 *** - 558 Greenstone Drive, Unit 114, ALOE PLACE, 1609 - *Sibanda*
354. Mamadijane Welhemina Motloba - 891124 0148 *** - 3625 Cowfish Street, Extension 7A, Kaalfontein, MIDRAND, 1685 - *Kali*
355. Ayanda Tshepo Benedict Tshotlhang - 860202 5458 *** - 5118-21th Avenue, ALEXANDRA, 1610 - *Chiya*
356. Thabani Jomo Ngubane - 760814 5353 *** - V22 Mbe Street, UMLAZI, 4031 - *Mkhize*
357. Mavuso Edwin Mlaba - 820404 5873 *** - 849 Ntuli Street, Lamontville, DURBAN, 4027 - *Dlamini*
358. Thabiso Ndhlovu - 900831 5649 *** - 5717 Botleng Location, Extension 3, DELMAS, 2210 - *Nkosi*
359. Rearabetswe Maile - 960828 0104 *** - 8427 Extension 15, BOPHELONG, 1911 - *Motaung*
360. Thato Chauke - 921110 5357 *** - 1173 Boulevard, TSUTSUMANI, 2090 - *Modiakgotla*
361. Tshepiso Gregory Raphuthi - 881012 5722 *** - 3182 Ikageng, KLIPGAT, 0190 - *Maseko*
362. Nkululeko Armstrong Ngqulunga - 761118 5526 *** - Y300 Umlazi Township, UMLAZI, 4066 - *Mbokazi*
363. Aubrey Makhurupetji - 001130 5561 *** - 0103 Kgwekgwe Village, Bolobedu, TZANEEN, 0850 - *Manyama*
364. Lesego Motsoahae - 950721 5490 *** - 9 Lawn Street, ROSETTENVILLE, 2000 - *Mothupi*
365. Phumelelo Dlamini - 010827 0554 *** - 2085 Radebe Street, SAKHILE, 2431 - *Madonsela*
366. Tshireletso Petunia Ditshwane - 970601 0706 *** - 4909 Masedi Street, KAGISO 2, 1754 - *Phakedi*
367. Branden Marcus - 010701 5080 *** - 45 King Street, HUMANSDORP, 6300 - *Van Der Berg*
368. Zoliswa Mbete - 840413 0293 *** - 20 Tshangana Street, New Brighton, PORT ELIZABETH, 6200 - *Mkele*
369. Thuso Matthews Seokamo - 741206 5814 *** - 9 Nommer 1, TAUNG, 8584 - *Monnamoloi*

370. Thabang Benedict Keitireng - 950616 5960 *** - A01 Manyeledi, MOROKWENG, 8614 - *Moroke*
371. Thembisile Patience Legwale - 950926 1003 *** - V034 Morokweng, VRYBURG, 8614 - *Nxonga*
372. Siyamthanda Nokwanda Mhlongo - 031009 0432 *** - N45 Ibohlololo Drive, Zone 5, KWAMASHU, 4360 - *Mthembu*
373. Senzo Dlomo - 030113 6260 *** - Mount Royal Area, PHOENIX, 4023 - *Ngubane*
374. Muhammad Waseem De Wet - 040817 5224 *** - 15 Kallosie Crescent, Roosendal, DELFT, 7100 - *Adams*
375. Boikanyego Sebelego - 020330 1019 *** - House No E286, Padstow, KURUMAN, 8460 - *Radebe*
376. Lunga Mdakane - 020615 6139 *** - Dabe Area, LOSKOP, 3330 - *Mazibuko*
377. Sihle Lethukuthula Vilakazi - 031117 5741 *** - 21 Diamond Street, Toekomsrus, RANDFONTEIN, 1759 - *Xaba*
378. Usiphile Waphinda Mthembu - 031201 6017 *** - 442 Ifracombe, UMKOMAAS, 4170 - *Koza*
379. Tshepiso Mavuso - 000326 5848 *** - 5857/26 Extension 10, Ililiba, TEMBISA, 1632 - *Zwane*
380. Mlondolozu Njabulo Magutshwa - 830409 5692 *** - A674 Khanyile Road, HAMMERSDALE, 3700 - *Nkabinde*
381. Fezisa Poswa - 011112 0281 *** - 407 Zazi Road, CLERMOND, 3602 - *Jwili*
382. Maisela John Motau - 871110 5738 *** - 1583 Tanzania Street, Extension 3, KLIPFONTEIN, 1637 - *Ledwaba*
383. Everesta Siphon Mokoena - 910824 5033 *** - 6362 Lakeside Ext2, LAKESIDE, 1805 - *Molefi*
384. Katlego Manu Mokobaki - 030421 5182 *** - 124 Matsitsi, Monsterlus, MPUDULUS, 1057 - *Nkoana*
385. Vincent Andile Nhlumayo - 911019 5675 *** - Bhokodisa Location, Ward 9, MARGATE, 4275 - *Xolo*
386. Puleng Patricia Nthotso - 041121 0447 *** - House 58 Lejwanong, WITSLESHOEK, 9870 - *Mbongo*
387. Nkosinathi Mpinga - 980925 6326 *** - Lom, HAZYVIEW, 1242 - *Sibuyi*
388. Zithobile Sydwell Mzimba - 770611 5620 *** - 28393 Owen Madihane, DELFT, 7100 - *Sitshinga*
389. Nosipho Peal Nhleko - 000831 1156 *** - Emahlathini Farm, PIET RETIEF, 2380 - *Dlamini*
390. Londolozu Elliot Ntsendwane - 970707 5471 *** - Ny67-G-44 No-3, GUGULETHU, 7750 - *Menziwa*
391. Khayaletu Petros Ntsendwane - 900129 5400 *** - Ny67-G-44 No-3, GUGULETHU, 7750 - *Menziwa*
392. Nonhlazeko Londeka Biyela - 030916 1598 *** - Nhlungwane Area, MAHLABATHINI, 3838 - *Ngema*
393. Nontobeko Bridget Mathonsi - 930329 0410 *** - No 3150 Ward 9, OSIZWENI, 2952 - *Sibiya*
394. Brian Fernando - 000912 5711 *** - 21258 Eastborner Farm, DANNHAUSER, 3080 - *Hadebe*
395. Omphile Andrew Pule - 960130 5387 *** - 7017 Tlebebe Section, LUKA, 0300 - *Katane*
396. Muzi Vincent Duze - 881117 5395 *** - Lindelani 39, Driefontein, PIET RETIEF, 2380 - *Makhanya*
397. Teboho Archibald Sehlako - 821207 5502 *** - 33 North Beach Rd, 406 Cozumel, UMDLOTI, 4319 - *Moko*
398. Sizakele Rebecca Malapane - 830807 0242 *** - 2131 Maraba Street, Mhluzi, MIDDELBURG, 1053 - *Choma*
399. Jane Raisibe Makgopa - 810212 0683 *** - 1129 Driekop, BURGERSFORT, 1150 - *Moraba*
400. Luthando Nelson Mabona - 850908 5694 *** - H 1020 Nogwaja Road, KWAMASHU, 4260 - *Langalibalele*
401. Kabelo Ramogama - 980821 5270 *** - 8930 Phase 5, Morula View, MABOPANE, 0190 - *Tshwatlang*
402. Londiwe Mabaso - 830715 0761 *** - 36 Main Road, PRIMROSE, 1401 - *Mdepa*
403. Onkabetse Olorato Masike - 010505 5491 *** - House No 1325, Lower Majeakgoro, PAMPIERSTAD, 8566 - *Molale*

404. Thataone Mogomotsi Masike - 991029 5414 *** - 1325 Lower Majeakgoro, Extension 7, PAMPIERSTAD, 8566 - *Molale*
405. Nchelete Hilary Mathabathe - 980119 0704 *** - 8068 Lehlwa Street, NELLMAPIUS 0109, 0122 - *Phora*
406. Sduduzo Lindani Ntombela - 030506 6290 *** - Mpembeni Area, HLABISA, 3937 - *Zulu*
407. Kgopotso Anderson Soopela - 931012 5433 *** - 12031 Relebohile, KROONSTAD, 9499 - *Suping*
408. Bhekumuzi Nkabinde - 031206 5447 *** - 1112 Stoffel Park, MAMELODI EAST, 0122 - *Sibiya*
409. Sello William Nkomo - 530603 5387 *** - 846 Zone 2a, LETLHABILE TOWNSHIP, 0264 - *Magagula*
410. Motshepe Jacob Phege - 010609 5313 *** - 12086ashwood Street, KAGISO, 1754 - *Gaeje*
411. Rebhone Tshegofatso Mohlala - 990512 0355 *** - 34b Zone-F, LEBOWAKGOMO, 0737 - *Mogoswane*
412. Rudzani Patrick Dzhanngi - 851018 5618 *** - Unit458 Bridgetown, Agulhas Road, BLOUBOSRAND, 2010 - *Tambani*
413. Wandile Buthelezi - 010911 6311 *** - 380 Njoli Road, INANDA, 4310 - *Bhengu*
414. Bulumko Jombile - 001226 5542 *** - 18 Alfred Street, Murrayfield, PRETORIA, 0184 - *Siyothula*
415. Khanyisa Moratwa Mdhuli - 980227 0266 *** - 127 Main Road, Claremont, CAPE TOWN, 7708 - *Job*
416. Tshepiso Dlamini - 880302 5889 *** - 2679 Siluma View, Mshyeni Street, KATLEHONG, 1432 - *Khanye*
417. Mmakgabo Chochi - 950924 0559 *** - 36363 Lehong Street, Extension 22, MAMELODI EAST, 0122 - *Mampshe*
418. Boitshwaro Alfred Bolao - 791029 5674 *** - 80 A Ditshikong, TAUNG, 8584 - *Mocweng*
419. Mervyn Thabang Makolane - 920907 5563 *** - 4779 Odirile Street, Nellmapius, PRETORIA, 0162 - *Makuwa*
420. Tsholofelo Jacobeth Kuku - 950301 0394 *** - 178 Block B, LETLHABILE, 0250 - *Jwili*
421. Pholo Naphtaly Ramoswe - 930725 5509 *** - 1129 Moseja Section, HEBRON, 0193 - *Makobe*
422. Unathi Owen Ndlebe - 870812 5934 *** - 1057 Vlakfontein, Bateleur Street, LENASIA, 1829 - *Ntobela*
423. Kabelo Sentso - 940527 5219 *** - 5856 Bergamont Street, BRAAMFICHERVILLE, 1717 - *Seriepe*
424. Asanda Junior Mthombeni - 010823 5468 *** - Nyanini Area, ESHOWE, 3815 - *Cele*
425. Surprise Thomas Mabina - 940906 5955 *** - 549 Block K K, SOSHANGUVE, 0152 - *Chauke*
426. Thalefo Mokgadi - 990629 5571 *** - House No 10753, BUXTON, 8583 - *Pilaco*
427. Lawrence Ntumiseng Seleka - 940616 5706 *** - P O Box 205, GASELEKA, 0609 - *Tjale*
428. Motshidisi Prudence Mashishi - 920702 0866 *** - 26 Preller, La Hof, KLERKSDORP, 2571 - *Temo*
429. Letlhogonolo Qeunten Seokamo - 950113 5763 *** - 05 F Maphoitsile Village, TAUNG, 8575 - *Kometsi*
430. Sophie Juliette Hertantyo - 010521 0406 *** - 26 North Way, PINELANDS, 7405 - *Smart*
431. Jabulani Velaphi Ntshwane - 920517 5244 *** - 30450 Mphutha Street, MAMELODI EAST, 0122 - *Maleka*
432. David Sifiso Ngwenya - 910711 5153 *** - 2210 Tshukudu, EMDENI, 1861 - *Masinga*
433. Elsie Duduzile Mahlangu - 730212 0576 *** - H855 Mabhantsana, Ackerville, EMALAHLENI, 1039 - *Nhlapo*
434. Domenic Tebogo Mavasa - 831010 5562 *** - 16 Risi Avenue, Linmeyer, JOHANNESBURG, 2190 - *Lekoma*
435. Sibongiseni Siyabonga Nxumalo - 980811 5367 *** - Khokhoba Road, Shokaville Township, KWADUKUZA, 4450 - *Zulu*
436. Mpho Ramoholi - 971101 5751 *** - House No 6328, R D P Block 7, NORTHAM, 0360 - *Mohlauli*
437. Thato Tolobela - 030222 1018 *** - 11327 Rapulang Street, DAVEYTON, 1520 - *Madika*

438. Junior Thapelo Mawayi - 040503 5570 *** - 3165/149 Mahube Valley, MAMELODI EAST, 0122 - *Moseka*
439. Mbuso Bongumusa - 791031 5661 *** - Makhasa Area, HLUHLUWE, 3960 - *Zungu*
440. Thero Mpoko Enos Makua - 860611 5785 *** - Ga Phasha, STEELPOORT, 1133 - *Mokgwadi*
441. Xolani Duncan Mthethwa - 890811 5486 *** - 470 Ethafeni Section, TEMBISA, 1632 - *Pakisi*
442. Linda Fortune Mandlazi - 920319 0638 *** - 3295 Mandlazi, MASHISHING, 1120 - *Nkadimeng*
443. Duduzile Emely Mabena - 750716 0401 *** - 6760 Siyanqoba, Clarinet, EMALAHLENI, 1039 - *Nkomo*
444. Maxson Solomon Molefe - 930726 5200 *** - 3535 Sec D, EKANGALA, 1021 - *Molubi*
445. Seipati Valentia Ntuli - 000110 0210 *** - 32 1st Avenue, ATTERIDGEVILLE, 0008 - *Motsaneng*
446. Nkosikhona Mathews Matomana - 000522 5512 *** - Plot 19, Pelsvale, RANDFONTEIN, 1764 - *Bukhali*
447. Mthandeni Mbanyana - 930308 5510 *** - 24 Bashman Street, ADELAIDE, 5760 - *Dyantyi*
448. Sthembiso Ntokozo Lutricia Msiza - 990413 0436 *** - 1231 Block P, SOSHANGUVE, 0152 - *Nkosi*
449. Matshepo Malekgala Mampury - 910213 0892 *** - 687 Block D, ALLMANSDRIFT, 0449 - *Masehla*
450. Kamogelo Theledi - 030504 6048 *** - Stand No A81, Madras, HAZYVIEW, 1242 - *Mgiba*
451. Vusi Irvin Mthombeni - 970301 5499 *** - 7 Farr Road, Eastleigh, EDENVALE, 1609 - *Mthimunye*
452. Hendrick Fonte Mahuma - 751224 6038 *** - House No 0709, Mogopa Section, BETHANIA, 0270 - *Bareki*
453. Khanyisa Bullet Dywili - 960502 5624 *** - House No 464, Driezick 2, ORANGE FARM, 1841 - *Ramaphakela*
454. Sibongile Linah Thamai - 950528 0238 *** - 218 Ibaca Section, TEMBA, 1632 - *Makaringe*
455. Sibahle Truelove Shangase - 880825 0392 *** - Unit 3, Sage Gardens, ALBERTON NORTH, 1449 - *Mathe*
456. Mulau Avhampfuni Alson Magoma - 930529 5385 *** - Mulenzhi, SIBASA, 0970 - *Davhana*
457. Nomonde Pertunia Maseko - 850708 0558 *** - Stand No 572, KANYAMAZANE, 1214 - *Malunga*
458. Blessing Theledi - 870714 5615 *** - P O Box 842, BUSHBUCKRIDGE, 1280 - *Mokoena*
459. Mduduzi Joachim Sithole - 840809 5385 *** - Ndwedwe Village, Ogunjini Area, NDWEDWE, 4343 - *Ngobese*
460. Clement Tshogofatso Mohlala - 881013 5146 *** - Stand No 512, ACORNHOEK, 1246 - *Shubane*
461. Simphiwe Siyanda Mhlongo - 020301 5262 *** - Kwa Khoza Area, ESHOWE, 3815 - *Khoza*
462. Pontsho Moima - 990917 5640 *** - 665/191 55 Mokone Street, Extension 2, Mahube Valley, MAMELODI EASTMAHUBE, 0122 - *Ntlatleng*
463. Dikeledi Jeanette Nkambule - 831223 0622 *** - House No 98, ROBEGA, 0310 - *Tlhabano*
464. Siyanda Lungisisa Manyoni - 020112 5060 *** - 22 Sarnia Umbilo, Umbilo, DURBAN, 4001 - *Gumede*
465. Jimmy Rasesu - 891110 5687 *** - Musina Mshango Ville, Aron Mashaba Street, House No 1982, NEBO, 0900 - *Serothwane*
466. Mpho Goodwin Sono - 791204 5656 *** - 1572 Strikers Street, Extension 3, NELLMAPIUS, 0122 - *Bambisa*
467. Halala Bongani Benedict Hlatshwayo - 030625 5411 *** - P O Box 2966, NQUTHU, 3135 - *Shabalala*
468. Lethokuhle Wandisa Mankonyane - 040814 0889 *** - 535 Lindela, Vukuzakhe, VOLKSRUST, 2470 - *Hlatshwayo*
469. Thoto Kwinana - 040601 6357 *** - Mkunyazo Village, STERKSPRUIT, 9762 - *Ntamo*
470. Lwazi Francisco Hlongwane - 040223 5834 *** - 1618 Pompano Street, Extension 1, LOWLEY, 1830 - *Khumalo*

471. Doctor Donald Kekana - 001021 6063 *** - Stand No 545, Suncity A A, KWAMHLANGA, 1022 - *Komane*
472. Siyanda Nyide - 040412 6092 *** - Mqandekweni Location, BULWER, 3244 - *Dlamini*
473. Petunia Motlalepula Motene - 970313 0083 *** - 456 Phola Par Town, KWAMHLANGA, 1022 - *Malele*
474. Boitumelo Basil Sikhakhani - 930605 5292 *** - 10709 A Mpotso Street, JOHANNESBURG, 1804 - *Matlala*
475. Gijimani John Mapamela - 981114 5205 *** - 442 A Jingijolo, Zone 4, PIMVILLE, 1809 - *Masangane*
476. Ryan Van Blerck - 961030 5168 *** - 10 Dewchworth East, ATHLONE, 7764 - *Harrison*
477. Lesiba Jaqueline Monareng - 001008 0499 *** - 2905 Ga Thoka, MANKWENG, 0727 - *Manyathela*
478. Tshifhiwa Given Thopedi - 970523 5919 *** - 1694 Leseding Section, BELA BELA, 0450 - *Mukhithi*
479. Leon Mushaisano Mphephu - 951003 5945 *** - No 6 Comrade Street, Cmmerncia , Extension 9, MIDRAND, 1685 - *Sibata*
480. Pheladi Elizabeth Shiko - 760919 0876 *** - 6694 Extension 19, MOKOPANE, 0600 - *Ledwaba*
481. Micholene Philedaphia Ramashala - 920701 0219 *** - 3577 Rue De Roen Street, Greenvillage, DOBSONVILLE, 1863 - *Sauls*
482. Sandiswa Rum - 971120 0641 *** - 20379 Khethelo Street, Bloekombos, KRAAIFONTEIN, 7570 - *Khumla*
483. Tsheamo Motswene - 961003 0407 *** - 192 Sekgakgapeng, MOKOPANE, 0600 - *Mahlokwane*
484. Mmadira Johanna Kgarose - 960914 0599 *** - 8427 Extension 19, MOKOPANE, 0600 - *Rambau*
485. Aluoneswi Singo - 970409 5859 *** - Tshidzini, THOHOYANDOU, 0952 - *Chauke*
486. Marchanté Lourens - 990822 5162 *** - 20 Strand Mews , Vredenhof Street, STRAND, 7140 - *Grant*
487. Slender Nonokie Matsepe - 841105 0384 *** - Gatsepe, TAFELKOP, 0474 - *Mphela*
488. Amanda Mkhize - 010408 0656 *** - Mchakwini Reserve, MTUBATUBA, 3935 - *Dube*
489. Musa Collen Makoe - 040220 5707 *** - 3087 Etwatwa East, DAVEYTON, 1520 - *Songo*
490. Dimpho Nia Mogajane - 010624 0434 *** - Barbet Street, 38 Monterosso Estate, MIDRAND, 1685 - *Nomvalo*
491. Happy Lethabo Malibe - 040508 5254 *** - Stand No 0612, Hlalanikahle, NEBO, 1059 - *Phetla*
492. Bongani Henry Mdluli - 870810 0573 088 - 113 16th Avenue, ALEXANDRA, 2090 - *Mokoena*
493. Ofentse Hlulani Mokwena - 900830 5422 *** - 280 Main Avenue, Ferndale, RANDBURG, 2144 - *Madisha*
494. Sibusiso Sydwell Gumede - 860208 5695 *** - 08 Robert Place, WESTVILLE, 3629 - *Dladla*
495. Tumelo Prince Mkhondo - 871216 5434 *** - 22 Kotze Street, Lodeyko, SPRINGS, 1559 - *Moagi*
496. Daniel Kabaiya - 890814 5549 *** - 3070 Thembelihle, LENASIA, 2027 - *Sena*
497. Tshegofatso Fakude - 950816 0077 *** - 3158 Vundla Street, Moroka, SOWETO, 1818 - *Munisi*
498. Hosia Morgan Molokele - 821009 5354 *** - 4056 Monamaladi, Kagiso, KRUGERSDORP, 1754 - *Rahube*
499. Sipho Molefe - 820619 5304 *** - 31 Kings Park, Grobler Park, ROODEPOORT, 1724 - *Ngumla*
500. Mildred Malefyane Molomo - 870727 0549 *** - 67 Lebanon, MABOPANE, 0190 - *Mabula*
501. Bongani Surprise Nhlapho - 880902 5397 *** - Tsuvulani Trust, Stand No 321, BUSHBUCKRIDGE, 1280 - *Nxumalo*
502. Sarah Jane Bowden-Visser - 770927 0657 *** - 27 Cornelius Street, Del Judor, WITBANK, 1035 - *Bowden*
503. Patson Zothani Ngema - 950203 5956 *** - Nsimbini Reserve, ESIKHAWINI, 3887 - *Mangue*
504. Junior Fani Botsoere - 040611 5288 *** - 3722 Poee Street, Extension, RATANDA, 1441 - *Manana*

505. Lethabo Mashile - 010808 0597 *** - Mogoto Village, ZEBEDIELA, 0632 - *Chauke*
506. Itumeleng Mathibela - 991221 0310 *** - 1620 Kubeka Street, Duduza, NIGEL, 1496 - *Nhlapo*
507. Mxolisi Eric Khumalo - 831119 5499 *** - 60223 Nkomokazini Location, Loskop, ESTCOURT, 3310 - *Ndlovu*
508. Malefa Josephine Kamagaga - 761123 0772 *** - 381 Court Street, PRETORIA WEST, 0183 - *Meya*
509. Kamogelo Makhaphela - 990312 5419 *** - 21 Teem Street, Saulsville, PRETORIA, 0125 - *Ndala*
510. Lindelani Leonard Mabogo - 880416 6029 *** - 96vhangani, MASIA, 0944 - *Munonde*
511. Tebogo Blom - 940414 5219 *** - 830 Simunda Street, Phahameng, BLOEMFONTEIN, 9323 - *Mfundisi*
512. Tankiso Lesiea - 870401 5530 *** - Palmietfontein, STERKSPRUIT, 9767 - *Mfincane*
513. Sifiso Noko - 990411 5305 *** - 8331 Lake Side, Extension 5, ORANGE FARM, 1841 - *Phakathi*
514. Salomon Sithembiso Motaung - 931009 5380 *** - 197 Mazibuko Street, Boitomelo, SEBOKENG, 1983 - *Mahlangu*
515. Lerato Edward Koma - 030901 5041 *** - 8820 Phase 7, Bohlokong, BETHLEHEM, 9701 - *Lekhela*
516. Siphamandla Paul Kgapho - 031118 6055 *** - 245 Forest Bank, Stephen Ngcobo, ALEXANDRA, 2090 - *Mlotshwa*
517. Kagiso Morare - 950518 5785 *** - 2698 Madlala Street, BRAKPAN, 1550 - *Sithole*
518. Innocent Beyonder Mnguni - 910314 5308 *** - 558 Nicosia Lane, Beedville, SPRINGS, 1550 - *Mashego*
519. Mathews Tiisetso Letsoalo - 950331 5766 *** - 3193 Siyabonga Street, MASHISHING, 1123 - *Tau*
520. Fortunate Masedie Banda - 000806 0585 *** - 25 Republic Street, NELSPRUIT, 1200 - *Sedie*
521. Pertunia Nkateko Maeko - 000128 1320 *** - 1st Klipgate, MABOPANE, 0190 - *Mkhabela*
522. Nhlamulo Welldone Mundlovhu - 900108 5640 *** - P O Box 931, SHAYANDIMA, 0945 - *Murei*
523. Phemelo Motsage - 970105 5570 *** - Borolong Section, ROPELA, 2774 - *Serongoane*
524. David Mohale Mosia - 880723 6000 *** - 187 Tsenelong Section, TEMBISA, 1632 - *Mahlangu*
525. Tshepo Hope Buthelezi - 980101 5162 *** - 7732 Khayoane Street, Marimba Gardens, Extension 9, VOSLOORUS, 1475 - *Motaung*
526. Kamogelo Mahlangu - 030614 5918 *** - 2062 Featherdust Crescent, EQUESTRIA, 0122 - *Moatshe*
527. Zwivhuya Thomas Thomoli - 931111 5994 *** - 40004 Pfamanani, TSHIDIMBINI, 0972 - *Tshivhandekano*
528. Rendani Emmanuel Mahada - 830123 5491 *** - 805 Cjs Centre Flat, Woburn Avenue, BENONI, 1501 - *Mashila*
529. Neo Ernest Mashinini - 991123 5340 *** - 7533 Motsekuma, BETHLEHEM, 9701 - *Macholo*
530. Pheello Ernest Tjaka - 930221 5215 *** - 7166 Constantia, KROONSTAD, 9499 - *Rapulungoane*
531. Chuene Donald Mntongwane - 931217 5343 *** - 25717 Muggiestone, Extension 6, SOSHANGUVE, 0152 - *Sedibana*
532. Yolanda Nelisiwe Khanye - 900710 0301 *** - 2788 Mathibela Street, Extension 2, ZITHOBENI, 1024 - *Msiza*
533. Warren Teswill Florus - 970925 5189 *** - 29 Repper Green, Summer Greens, MILNERTON, 7441 - *Snyman*
534. Sthulelesihle Karabo Madingoane - 000413 5731 *** - 7144 Hlakwana Street, TSAKANE, 1550 - *Zulu*
535. Ntsika Ntshongwana - 951024 5156 *** - 14 Alfred, CHRISVILLE, 2091 - *Bottoman*
536. Philemon Segone - 980326 5291 *** - 5094 Lettoli Street, Extension 4, PROTEA GLEN, 1819 - *Matlala*
537. Kamohelo Mbaduli - 961215 5465 *** - Magalagaleni Area, STERKSPRUIT, 9762 - *Rampheng*
538. Pretty Zinhle Manyoni - 910625 0689 *** - Fairview, IXOPO, 3276 - *Phungula*

539. Khanyisa Sibusisiwe Mbulwana - 970309 0327 *** - Lindile Area, Marambeni Location, MTHATHA, 5099 - *Gqwetha*
540. Alfred Nkamogeleng Mothiba - 920221 5288 *** - Mhlanga, PRETORIA, 0122 - *Maluleka*
541. Simphiwe Brian Ndayi - 930927 5541 *** - 34 Without Avenue, WELTEVREDEN PARK, 2196 - *Ndlazulwana*
542. Blessin Vutomi Mabasa - 941001 5355 *** - 396 Tsenelong Section, TEMBISA, 1632 - *Tshifhango*
543. Monnagape Ephraim Mampe - 781021 5533 *** - 3085 Makhubung Village, MAHIKENG, 2745 - *Makwati*
544. Phumlane Hopewell Mbatha - 950516 5554 *** - Nkande Area, NQUTU, 3135 - *Seyama*
545. Solomon Moeng - 881010 5639 *** - 2009 Block B, MADIDI, 0001 - *Khumalo*
546. Lerato Portia Khule - 790219 0608 *** - 6168 Horison Street, Swaneville, KRUGERSDORP, 1752 - *Leseyane*
547. Nkosiypathwa Ranala - 980517 5109 *** - 194 Ramokonopi East, KATLEHONG, 1432 - *Njube*
548. Mongameli Clerence Masuku - 940621 5460 *** - 107 Church Street, RICHMOND, 3780 - *Langa*
549. Tshireletso Evelyn Sekano - 880918 0580 *** - 185 Kgosieng Section, MMATAU, 2736 - *Konopi*
550. Xolani Maqungo - 810818 5723 *** - 230 Central Western Jabavu, SOWETO, 1818 - *Mngomezulu*
551. Amos Sifiso Twala - 830328 5923 *** - St Amant Street, MALVERN, 2096 - *Sukazi*
552. Thembisile Olifant - 960901 0745 *** - 1737 B Ntshangisa Street, EMNDENI, 1868 - *Nkosi*
553. Philadelphias Kamela - 831009 5671 *** - 10253 Poka Street, ORLANDO WEST, 0100 - *Dhlamini*
554. Bongani Jacob Njomo - 020124 5458 *** - 296 Verena, BRONKHORSTSPRUIT, 1020 - *Mnguni*
555. Matsobane Amos Tleane - 950110 5477 *** - 1948 Section H, EKANGALA, 1021 - *Masanabo*
556. Annah Sesinyana Ratlhogo - 960821 0384 *** - 385 Mashiane Stand, MABOPANE, 0198 - *Mashiane*
557. Ntebaleng Phuti Nthite - 911120 0555 *** - 241 Block Ff, SOSHANGUVE, 0152 - *Kobo*
558. Cyprian Sabelo Mabizela - 930205 5326 *** - 2 Fox Glove Road, PRIMROSE, 1401 - *Modisi*
559. Jafta Mpole - 701010 7150 *** - 572 Kannaweg Street, EERSTERUS, 0022 - *Macfarlane*
560. Mduduzi Nhlanhla Nhlapo - 920626 5141 *** - 1493 Cetswayo Street, MOFOLO NORTH, 1801 - *Mdaka*
561. Sinakho Mkhize - 950811 5913 *** - 3945 Oliver Tambo Road, KWANDENGEZI, 3607 - *Mthethwa*
562. Ndumiso Mfundo Mthethwa - 970518 5499 *** - 28 View Street, Desainger, TONGAAT, 4399 - *Nzuza*
563. Mluleki Senzo Nkosingiphile Hlongwane - 980105 6023 *** - 3524 Lesedi Street, Extension 3, VILLA LIZA, 1459 - *Mvelase*
564. Gift Kakabisane Mokwana - 980818 5859 *** - 6530 Mohlatlego, MAMELODI EAST, 0122 - *Monareng*
565. Kgole Timothy Mkhari - 811217 5676 *** - 2931 Extension 2, Tlang Street, MAMELODI, 0100 - *Maboa*
566. Lehlogonolo Juda Phukubye - 911029 5643 *** - 1117 Block Nn, SOSHANGUVE, 0152 - *Llane*
567. Khanyisile Rahabi Menye - 930720 0327 *** - 928 C Malunga Street, White City Jabavu, KWA XUMA, 1808 - *Mngomezulu*
568. Cylia Sundaycia Malope - 000213 0541 *** - Mooiplaas, CENTURION, 0157 - *Mokoena*
569. Ngcebo Wiseman Mnqayi - 000909 5074 *** - P O Box 51, KWAMBANAMBI, 3915 - *Dube*
570. Malibongwe Gideon Mnqayi - 990903 5339 *** - Ezidonini Area, KWA MBONANI, 3000 - *Dube*
571. Michelle Bongani Mogang - 930116 5563 *** - Stand No 2015, Morothono, MOREMELA, 1271 - *Phiri*
572. Kamohelo Paulos Ndlovu - 000927 5782 *** - 10607 Mandela Park, PHUTHADITJHABA, 9869 - *Maloisana*

573. Modupi Vicky Mashiane - 840404 6263 *** - 34 A Krokodil Drive, NORKEM PARK, 1618 - *Molepo*
574. Reotshepile Andriaan - 000812 5384 *** - 89 B Mokasa 2, TAUNG, 8584 - *Manone*
575. Boitumelo Glaudia Makgale - 871010 0603 *** - 886 Unit 2, MOGWASE, 0314 - *Diphoko*
576. Lebogang Pamela Mogoane - 860318 0728 *** - 18 B Millennium, MIDRAND, 1686 - *Mkhonto*
577. Tshepiso Ewen Mogoane - 840427 5701 *** - Owen Mlisa Street, WITBANK, 1036 - *Mkhonto*
578. Frans Jabulani Masina - 971015 5205 *** - 932 Kagiso, BRITS, 0264 - *Khumalo*
579. Tebogo Mokagane - 980422 0945 *** - 18 Plot 50, Oskraal, LETLHABILE, 0250 - *Selolo*
580. William Thabo Motlout - 790525 5753 *** - Gopane Village, ZEERUST, 2880 - *Diutlwileng*
581. Tshogane Abishia Tjati - 000114 5432 *** - Mabopane Area, MASEMOLA, 1060 - *Leshilo*
582. Phumelelo Caroline Chiloana - 950626 0369 *** - 37122 Cornwell Street, Extension 17, TSAKANE, 1550 - *Matea*
583. Fennel Bongane Nxunyane - 821223 5906 *** - 208 Roma Street, PHOMOLONG, 9445 - *Gxunyana*
584. Thabang Edwin Kagiso Ramabodu - 800905 5377 *** - 738 Zone 3, ITSOSENG, 2744 - *Mogorosi*
585. Claudian Ngobeni - 860709 0675 *** - 4445 Freedom Park, DEVLAND, 1118 - *Sibanda*
586. Mziyanda Sukwana - 771109 5560 *** - Zone 18, Room 16, LANGA, 7455 - *Khwelani*
587. Mswati Sithole - 960331 5419 *** - 10412 Hadebe, MZIMHLOPHE, 1804 - *Mabuza*
588. Tokollo Mac-Donald Masango - 830701 5608 *** - 122 Sekhu Street, ATTERIDGEVILLE, 0008 - *Skosana*
589. Florence Sibukutho Nompumelelo Methula - 830622 0814 *** - 64 Groen Avenue, KRIEL, 2271 - *Mokone*
590. Sbonelo Sandile Ndlongolo - 980814 5871 *** - 5209 Desai Road, NDENGEZI, 3607 - *Dlomo*
591. Thabo Johannes Masiteng - 791203 5257 *** - 17655 Sisulu Street, Ikageng Location, POTCHEFSTROOM, 2531 - *Loate*
592. Brian Seloma - 011102 5549 *** - 4209 Sofasonke Street, ORLANDO EAST, 1804 - *Mkhasi*
593. Neo Msizi Ezra Mwandla - 870818 5340 *** - 635 Roadiz Masuku, CHESTERVILLE, 4091 - *Mbongwa*
594. Ntombikayise Sokhela - 910115 0818 *** - C 2771 Ibhulu Road, LINDELANI, 4359 - *Ximba*
595. Buzani Beatrice Khubona - 691011 0708 *** - Fairview Location, IXOPO, 3276 - *Nzimbovu*
596. Thanduxolo Zolani Khuzwayo - 990730 5912 *** - Dambuza Location, PIETERMARITZBURG, 3200 - *Mngadi*
597. Louisa Kgomotso Mdagane - 900917 0582 *** - 2830 Phuthi Street, Slovo, WINTERVELDT, 0198 - *Seema*
598. Jameson Lefa Kgotlo - 910608 5218 *** - 1221 Block A, MABOPANE, 0190 - *Mbele*
599. Donald Godwill Pule Mokoena - 840302 5852 *** - Cook Avenue, Batho Location, BLOEMFONTEIN, 9323 - *Tsehloane*
600. Palesa Elizabeth Shelley Malet - 981108 0140 *** - 1476 Block Xx, SOSHANGUVE, 0152 - *Mokake*
601. Katleno Teboho Pitso Mdilose - 981008 5198 *** - 10790 Mexican Poppy Street, Extension 12, PROTEA GLEN, 1834 - *Mthini*
602. Themba Raymond Marape - 880425 5440 *** - Mashamlane, BURGERSFORT, 1150 - *Magoro*
603. Tiyiselani Mathebula - 950909 0717 *** - Tintswalo Hospital, ACORNHOEK, 1360 - *Mbetse*
604. Kate Malekoba Tshelakgolo - 780506 0752 *** - Ngwane, MAFEFE, 0738 - *Thobejane*
605. Nhlalenhle Mathengela - 940704 5076 *** - 183 Kingklip Avenue, NEWLANDS EAST, 4037 - *Nduli*
606. Tshogafatso Sydney Segale - 940601 5929 *** - 6 Kouwe Section, LESEHLHENG, 0318 - *Modise*

607. Koketso Macdonald Otukile - 890222 5676 *** - 30319 Mositwane Section, LEROME, 0318 - *Lekopanye*
608. Otshepeng Masege - 931129 0561 *** - House No 60501, WELGEVAL, 0318 - *Masisi*
609. Junias Mashona Makxeta - 940423 5617 *** - No 20, Masehlaneng, MOKOPANE, 0626 - *Matsane*
610. Tshupo Ignatius Motapanyane - 810829 5443 *** - 1452 A / 19 Pudulogo Street, Naledi, KWA XUMA, 1868 - *Mbatha*
611. Tsietso Edward Mashoge - 820912 5356 *** - Grasberg, KATHU, 8446 - *Maboitshege*
612. Sibongile Bongie Mhlango - 780213 0740 *** - Nkaude Area, NQUTU, 3135 - *Masilela*
613. Nokwethemba Wendy Sikonde - 010815 0732 *** - Mhlabaneni Area, VRYHEID, 3100 - *Buthelezi*
614. Mfanafuthi Arthur Jokweni - 800725 5358 *** - Area 38, UMGABABA, 4100 - *Mgobhozi*
615. Blessing Zwelethemba Mtshali - 850611 5732 *** - S 619, UMLAZI, 4001 - *Mthiyane*
616. Ntandoyenkosi Lodly Shazi - 850420 5279 *** - G 307 Ududu Road, KWA MASHU, 4360 - *Maphanga*
617. Phumzile Sekgobela - 840102 0294 *** - 3869 Magnolia Street, PALM SPRINGS, 1984 - *Khumalo*
618. Lindelani Zulu - 990512 5884 *** - P O Box 806, ULUNDI, 3838 - *Shandu*
619. Sibongiseni Lincoln Mdluli - 840317 5483 *** - C 863 Ilovu Road, KWAMASHU, 4360 - *Dlamini*
620. Sibonginhlana Mathengela - 991005 0085 *** - 183 Kingklip Avenue, Newlands East, DURBAN, 4010 - *Nduli*
621. Mathota Kagiso Moloi - 900825 5267 *** - 5 Pelican Park, 1 Pelican Road, Albemarle, GERMISTON, 1401 - *Gamede*
622. Mbali Semethy Zwane - 861010 0380 *** - 22 B, 1090 Bester Area, Inanda, DURBAN, 4001 - *Mkhonza*
623. Sikhumbuzo Trevor Khuzwayo - 920505 5578 *** - 596 Nomaswazi Road, Mount Royal, DURBAN, 4001 - *Simamane*
624. Lungelo Bokaba - 910607 5308 *** - Kitching, Charlo, PORT ELIZABETH, 6001 - *Mpalala*
625. Zamokuhle Penwell Msibi - 840729 5584 *** - 57 Milner Road, Kensington B, RANDBURG, 2194 - *Sibiya*
626. Setlakalane Precious Thaba - 800727 5373 *** - 19 Parsley Street, IVY PARK, 0699 - *Masanya*
627. Tsakane Destiny Manganye - 000330 5467 *** - 81318 Unit D, TEMBA, 0407 - *Matjila*
628. Kgaogelo Jacob Chauke - 011226 5487 *** - 1319 Zone 4, DANHOUSE, 0407 - *Tefu*
629. Nombulelo Caroline James - 910320 0506 *** - 21004 Rani Street, BLOEMFONTEIN, 9323 - *Mathe*
630. Ntando Reggy Hlambisa - 010507 5440 *** - 010570 Piteni Road, HILLCREST, 3650 - *Mabaso*
631. Ntokozo Praise-God Ndabezihle Mbhele - 801006 5808 *** - House No 2212, OSIZWENI, 2952 - *Mbatha*
632. Nomlindo Marcia Mabuza - 890519 0010 *** - Unit 115, Lavender Close, Sunrise Street, BOARDWALK VILLA, 0081 - *Mbuyane*
633. Lebo Jonas Magane - 970925 5268 *** - 34842 Barcelona, Extension 34, ETWATWA, 1519 - *Mabetlela*
634. Xolisa David - 970718 5451 *** - Brooksnek Area, MT AYLIFF, 4735 - *Makasana*
635. Xolani Zondi - 981215 5668 *** - Fannin Road, MOLWENI, 3650 - *Tenza*
636. Alexander Mokoena - 750306 5857 *** - 10 Tholakele Street, Kwadabeka, PINETOWN, 3610 - *Zulu*
637. Cyprian Gabriel Sandile Makhathini - 790402 5531 *** - 18 Olievenhout Street, VREDENBURG, 7380 - *Dlamini*
638. Titus Bonolo Kebuile Matlou - 880821 5810 *** - House No .111, Unit 1, Tsesebe Circle, MOGWASE, 0314 - *Huma*
639. Jerry Nkosikhona Nkosi - 980213 5376 *** - 37 Ibaxa Section, TEMBISA, 1632 - *Mdluli*
640. Thandi Mokone - 880914 0617 *** - 412 Fine Town, GRASMERE, 1828 - *Taukobong*

641. Lerato Motloung - 920313 5608 *** - 62 Brockette Street, Three Rivers, MEYERTON, 1929 - *Molaba*
642. Omphile Malekutu - 910731 5514 *** - 2107 Mogotlho Street, THLABANE, 0309 - *Mosetlhanyane*
643. Thato Eric Segole - 980708 5441 *** - 02 Kgogo Street, VANDERHOF PARK, 2745 - *Sehole*
644. Cindy Goodhope Mbuyazi - 870314 0602 *** - Ward 4, Kwasokhulu Reserve, KWAMBONAMBI, 3900 - *Mthiyane*
645. Matome Freddy Mathebajane - 820122 5655 *** - Stand No 634, Sebayeng, Ga-Dikgale, POLOKWANE, 0700 - *Mamaregane*
646. Preious Silvia Mmamokabi - 890222 0535 *** - 11657 Ihomba Street, VOSLOORUS, 1475 - *Moekwa*
647. Gabriel Letsatsi - 810129 5801 *** - 1548 Solomon Mahlangu Street, Tisane Location, KLERSDORP, 2600 - *Mofokeng*
648. Sandile Mpanza - 970210 5096 *** - 63 Buffalo Avenue, Leondale, GERMISTON, 1401 - *Madibo*
649. Thembinkosi Selby Ngwenyama - 890428 5641 *** - 342 Fine Town, GRASMERE, 1828 - *Ncala*
650. Mlungisi Sunduza - 930804 5054 *** - 1791 Hlope Street, TEMBISA, 1632 - *Nxumalo*
651. Thulani Mahamba - 801129 5820 *** - 2908 Perkint Street, NATURENA, 2000 - *Bhembe*
652. Thasha Ismail - 820218 0049 *** - The Street Unit 6, Rockrunner Street, Heuwelsig Gate 2, CENTURION, 0157 - *Singh*
653. Talent Sokhulu - 940606 5844 *** - Esingeni Area, JOZINI, 3967 - *Ntshangase*
654. Mpho Jim Mphoka - 970411 5843 *** - No 380, MBHOKOTA, 0960 - *Mbume*
655. Nokuphila Precious Mnyayi - 901110 0825 *** - Ezidonini Area, KWA-MBONAMBI, 3915 - *Dube*
656. Senamile Silindiwe Mnyayi - 961204 0599 *** - Ezidonini Area, KWA-MBONAMBI, 3915 - *Dube*
657. Mohau Amos Willebaai - 910828 5915 *** - 796 Zone 3, THABA NCHU, 9781 - *Molelekoa*
658. Naledi Mhlana - 990811 0236 *** - 34 Casas Street, Umfuyaneni Section, TEMBISA, 1632 - *Keebine*
659. Thato Bernard Mashego - 890626 5846 *** - 183 Sehlaku, DRIEKOP, 1129 - *Makua*
660. Thapelo Mashi - 890621 5621 *** - 1510 Kaalfontein, Extention 4, Wrasse Fish Street, MIDRAND, 1685 - *Mampuru*
661. Mondli Ndimiso Tsotetsi - 010404 5473 *** - 109 Masango Street, Emoyeni Section, TEMBISA, 1632 - *Phungwayo*
662. Lernart Kabelo Ntsaku - 940609 5759 *** - 1817 Moretwa Street, Blydeville, LICHTENBURG, 8740 - *Gama*
663. Scelo Griffies Goge - 850118 5673 *** - 436437 Ezinyathini Area, UMBUMBULU, 4105 - *Hlongwa*
664. Nikiwe Botho Mbatha - 950514 0048 *** - 5090 Field Street, Alexandra, JOHANNESBURG, 2090 - *Nxele*
665. Sifiso Malindi - 940910 5124 *** - 740 A Pela Street, Zone 3, Meadowlands, SOWETO, 1852 - *Nkosi*
666. Demi Christina Ceaser - 990223 0087 *** - 301 Justice Mahomed Street, Brooklyn, PRETORIA, 0181 - *Murray*
667. Elorn Ashley Rayners - 000102 5162 *** - 128 Adelia Road, KLIPSPRUIT, 1812 - *Wilskut*
668. Nkosana Xulu - 910619 5551 *** - 36999 Zone 10, MEADOWLANDS, 1852 - *Nhlapo*
669. Ashleig Debby Rayners - 020225 0077 *** - 128abelia Road, KLIPSPRUIT, 1812 - *Wilskut*
670. Linda Silindane - 010219 5194 *** - 1417 Ilundi Street, DIEPKLOOF, 1864 - *Ngwenya*
671. Bantubakhe Dlabantu - 820606 6164 *** - 11 Belna Courts Flat, Northend Road, Hilton, BLOEMFONTEIN, 9301 - *Poswa*
672. Theophalus Kgotso Mashaba - 910310 5559 *** - Wholesale Area, SEKGOSSE, 0814 - *Matungwa*
673. Itumeleng Mautlane - 980505 5273 *** - 1565 Buthelezi Street, Protea North, SOWETO, 1818 - *Kgampe*
674. Sebengwane Heritage Chauke - 990924 1116 *** - 05 Plein Street, POLOKWANE, 0699 - *Mohononi*

675. Mathulena Peter Mafolo- 980901 6063 *** -Vergelegen C, JANE FURSE, 1085 - *Makwela*
676. Connor Shen Momberg- 041019 6060 *** -6 Kinnoull Road, Camps Bay, CAPE TOWN, 8005 - *Eastman Momberg*
677. Nathaniel Mamongao Mamosebo- 780615 5808 *** -12 Motingoe Street, Phase 3, Kagiso, KRUGERSDORP, 1754 - *Thupe*
678. Kgope Charles Letswalo- 830602 5585 *** -1033 Block BB, SOSHANGUVE, 0152 - *Mngomezulu*
679. Koketso Albert Moreku- 890908 5483 *** -101 Maseko Street, SAULSVILLE, 0125 - *Rabothata*
680. Bongumusa Mace Mkhize- 861124 5818 *** -324 Sarnia Road, DURBAN, 4094 - *Ngcobo*
681. Ollene Seabi- 950928 1187 *** -249 Andesite Street, Stone Ridge Country Estate, Monavoni, CENTURION, 0157 - *Moloi*
682. Thandiwe Gail Booysen- 780507 0391 *** -15 Van Eden, The Reeds, CENTURION, 0157 - *Nkoana*
683. Solomon Molathegi Mabena- 781104 5640 *** -1230 Block Pp, SOSHANGUVE, 0152 - *Tshabalala*
684. Chabe Samuel Tolamo- 880319 5572 *** -65 Makhaza Street, SAULSVILLE, 0125 - *Mojapelo*
685. Nomsa Nthabiseng Khunou- 940415 0262 *** -61788 Zone 17, SEBOKENG, 1983 - *Kumalo*
686. Mzwakhe Mlotshwa- 800618 5526 *** -No 7 Tessa Lane, NORTHCLIFF, 2125 - *Thusi*
687. Nkibe Roshmy Maleka- 900915 5880 *** -41 Atair Silver Lakes, PRETORIA EAST, 0081 - *Morifi*
688. Amokelani Angel Mulalo Mavusha- 040427 0245 *** -291A Nyangwa Street, Mofolo Village, SOWETO, 1801 - *Nobula*
689. Luxolo Mcebisi Sindane- 870831 5268 *** -31-8th Street, PARKMORE, 2196 - *Tsoko*
690. Elvis Zwerakhe Maselela- 860714 5389 *** -8939 Extension 2, SOSHANGUVE, 0152 - *Khumalo*
691. Sipho Thabiso Musi – 840121 5303 *** - your wife – Dibakiso Lorraine Musi – 890528 1198 *** - 4814 Hela Street, Zone 12, SEBOKENG, 1983 - *Motseki*
692. Lefhuno Lerato Lovey Modiba – 951125 0102 *** - and minor child – Letago Palesa Molatelo Modiba – 161031 0644 *** - 1 Casuarina Street, 18 The Kemptonian, KEMPTON PARK, 1619 - *Rasekhwela*
693. Promise Nomlindo Mbuyeleni – 790602 0495 *** - and two minor children – Khethokuhle Maswamahle Mbuyeleni – 070415 5244 *** - Thandolwami Mbuyeleni – 050404 0102 *** - Ward 23, Near Community Hall, Boboyi Location, PORT SHEPSTONE, 4240 - *Cele*
694. Amogelang Bernis Modilane – 000718 0436 *** - and minor child – Kgothatso Hope Modilane – 180630 0424 *** - 1954 Seraleng Rdp, RUSTENBURG, 0300 - *Madibo*
695. Ayanda Gule – 870911 0495 *** - and two minor children – Lusanda Senzosethu Gule – 090112 5665 *** - Siphosethu Siyabonga Gule – 120605 5584 *** - Emgadini Area, DRIEFONTEIN, 3370 - *Mabizela*
696. Jeremiah Alphabet Mabena – 860302 5365 *** - your wife – Zanele Mabena – 880730 0290 *** - and two minor children – Kungentando Mabena – 210428 6469 *** - Simpiwe Lolwethu Mabena – 170720 0243 *** - Plot 222, Gatkoppies, POSTMASBURG, 8420 - *Mothoa*
697. Nelson Bheki Xulu – 770630 5637 *** - your wife – Tizo Sindisiwe Xulu – 691216 0769 *** - 40 Thandanani Way, Ezimangweni, INANDA, 4310 - *Cebekhulu*
698. Nompandulo Xoliswa Promise Mabaso – 821007 0699 *** - and minor child – Imnathi Ntandokazi Mabaso – 210707 1309 *** - 11 East Road, Cowies Hill Park, PINETOWN, 3610 - *Mlotshwa*
699. Makgoba Julias Malatjie – 720608 5744 *** - your wife – Magalane Stella Malatjie – 741024 0714 *** - and two minor children – Thabang Malatjie – 050812 5656 *** - Phenyio Malatjie – 131128 6094 *** - Ga-Phaahla Village, JANE FURSE, 1085 - *Choshane*
700. Bafana Ike Sibiya – 831108 5554 *** - your wife – Moipone Faith Sibiya – 870609 0271 *** - 50 Thiteng Section, TEMBISA, 1632 - *Khumalo*
701. Siphiwe Isayah Sokhela – 520606 6258 *** - your wife – Patricia Busisiwe Sokhela – 580703 0293 *** - 190708 Kwashange, VULINDLELA, 3200 - *Sibiya*
702. Simphiwe Edmund Mbhele – 820323 5725 *** - your wife – Nothandazo Mbhele – 840724 0323 *** - and two minor children – Asanda Nokulunga Sokhela – 070919 0399 *** - Njabulo Mluleki Sokhela – 130506 5643 *** - 1602 Lushozi Road, LAMONTVILLE, 4027 - *Hlatshwayo*

703. Danfrey Witbooi – 821007 5185 *** - your wife – Beronesia Witbooi – 890508 0112 *** - and four minor children – Ali Kyhano Kaizer David – 060622 5368 *** - Mohammad Sabata Donfrey Witbooi – 071017 5650 *** - Samuel Godfrey Dodie Davids – 110601 5633 *** - Ntombi Latifa Davids – 140709 1166 *** - 190 Mbueho Street, ZWELETEMBA, 6852 - *Paulsen*
704. Masilo Sibongile Huma – 810508 0865 *** - and three minor children – Tumishi Elias Huma – 120625 5139 *** - Mmatsoene Precious Huma – 140306 0354 *** - Mokgadi Suprise Huma – 180125 5421 *** - Kanana Village, MOLETJIE, 0746 - *Ntjana*
705. Sarah Dimakatso Magoro – 920808 1453 *** - and minor child – Realeboga Koketso Magoro – 161121 5787 *** - 4975 Section P, MAMELODI WEST, 0122 - *Bogoshi*
706. Anathi Mnase – 911206 1113 *** - and minor child – Nelisa Mnase – 100607 1616 *** - Makhwaleni Area, LUSIKISIKI, 4820 - *Mazingela*
707. Brilliant Kgothatso Manthosi – 980216 0739 *** - and minor child – Blessing Kholofelo Manthosi – 150627 5633 *** - 3459 Mkhamba Street, Extension 5, MAYFIELD, 1520 - *Mathobela*
708. Tumelo Bellicent Mogopudi – 880910 0543 *** - and minor child – Rethabile Orefile Mogopudi – 150928 0494 *** - 85 Windmill Complex, Mooikloof Ridge, PRETORIA EAST, 0181 - *Mathonsi*
709. Ntombikayise Mvulane – 890131 0967 *** - and two minor children – Ntando Siphesihle Mvulane – 090427 5886 *** - Phiwokuhle Nkanyezi Mvulane – 171028 0122 *** - 217/40 Mangali Street, JABULANI, 1868 - *Hlubi*
710. Noluthando Crimelda Ntsere – 960722 0374 *** - and minor child – Luchwayito Ntsere – 180308 0626 *** - 4233 Joe Gqabi, ALIWAL NORTH, 9750 - *Seema*
711. Vincent Sithembiso Mbhele – 820606 6200 *** - your wife – Bonisile Octavia Mbhele – 820214 0681 *** - and minor child – Siphesihle MABHELE – 180711 0936 *** - Mthwalume Location, PORT SHEPSTONE, 4240 - *Gumede*
712. Tshepang Ernest Mabuya – 940726 5252 *** - your wife – Mpolokeng Geoginah Mabuya – 900407 0607 *** - 4801 Extension 2, BETHLEHEM, 9201 - *Mzizi*
713. Bonginkosi Cyril Xaba – 940715 5281 *** - your wife – Khethiwe Xaba – 930329 0782 *** - L362 Umlazi Township, UMLAZI, 4031 - *Shange*
714. Kefentse Moloto Mamabolo – 960106 0268 *** - and minor child – Lethabo Remoratile Mamabolo – 210228 0239 *** - 1854 Mahlangu Street, MAMELODI GARDEN, 0122 - *Chuene*
715. Busisiwe Matakane – 650203 1045 *** - and minor child – Asanele Matakane – 100929 5616 *** - Tyeni Area, TSOLO, 5170 - *Mgolombane*
716. Jesica Esiya Malenji – 900701 0321 *** - and minor child – Mutshidzi Dzanga Malenji – 171006 0239 *** - 01759 Tshituni Tshafhasi, DZANANI, 0955 - *Manenzhe*
717. Ephodia Mmakgotso Maphanga – 940611 0639 *** - and minor child – Palesa Maphanga – 110724 1229 *** - Kutullo Village, NGWAABE, 1058 - *Matlala*
718. Keamogetse Masego Koloane – 960720 0019 *** - and two minor children – Khumo Kganya Koloane – 170914 5151 *** - Bahumi Lesedi Koloane – 170914 0181 *** - 185 Seboane, IPELENG, 8345 - *Dipico*
719. Hlabang Shaun Pilusa – 840106 5966 *** - your wife – Phogole Thelma Pilusa – 850605 1230 *** - Malokela Village, DRIEKOP, 1129 - *Moloto*
720. Ntombenhle Cebisa - 920426 0708 *** - and minor child – Alwande Simphiwe Cebisa – 130530 6446 *** - Nyandezulu Location, Ward 24, PORT SHEPSTONE, 4240 - *Ngcobo*
721. Sabelo Busani Sibiya – 920419 5595 *** - your wife – Nandi Elaine Sibiya – 940222 0702 *** - and four minor children – Siyanqoba Uzowakha Nhlonipho Sibiya – 200519 5780 *** - Wamkelwe Luthando Hlengwa – 171212 0862 *** - Ziyanda Ntokozo Wavela Hlengwa – 140603 0480 *** - Ntandoyenkosi Amile Khothamani Sibiya – 211210 5401 *** - 37 Mallinson Road, 34 Maluti Heights, OVERPORT, 4091 - *Mfayela*
722. Nanygirl Orapeleng Montshing – 880310 0730 *** - and minor child – Keikantse Otsile Montshing – 120117 5270 *** - 40146 Makgabana Section, GOPANE, 2882 -
723. Mbuzo Lucky Mbuyane – 780605 5426 *** - and three minor children – Wethu Casandra Mbuyane – 070315 0984 *** - Simesihle Divine Mbuyane – 171017 0479 *** - Khayaletu Suprise Mbuyane – 080908 6556 *** - Stand No 835, MANGWENI, 1341 - *Nkosi*

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

NO. 2781

25 November 2022

**HEREBY ISSUES A NOTICE REGARDING DRAFT RADIO FREQUENCY ASSIGNMENT PLANS FOR THE FREQUENCY BAND 138 TO 144 MHZ IN TERMS OF REGULATION 3 OF THE RADIO FREQUENCY SPECTRUM REGULATIONS, 2015**

1. The Independent Communications Authority of South Africa ("the Authority"), hereby publishes the **Draft Radio Frequency Spectrum Assignment Plan for the frequency band 138 MHz to 144 MHz for public consultation** in terms of regulation 3 of the Radio Frequency Spectrum Regulations, 2015, read with the Radio Frequency Migration Regulation 2013, the 2013 and 2019 Radio Frequency Migration Plans.
2. The Authority seeks feedback in particular on coordination arrangements between incumbents in the band and new assignees, including Broadband Fixed Wireless Access and UAV applicants.
3. Interested persons are hereby invited to submit written representations of their views on the RFSAP, in either MS Word and .pdf format.
4. Submission must be made no later than 16h00 on 13 January 2023.
5. Persons making representations are further invited to indicate whether they require an opportunity to make oral representations.
6. Written representations or enquiries may be directed by email to:

Attention:

Mr Manyapelo Richard Makgotlho

e-mail: rmakgotlho@icasa.org.zacc: jdikgale@icasa.org.za

7. All written representations submitted to the Authority pursuant to this notice will be made available for inspection by interested persons from 17 January 2023 at the ICASA Library. Electronic copies of such representations are obtainable on request and documents will be obtainable upon payment of the applicable fee.

335.4 - 380 MHz

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8. The draft plans and non-confidential representations will be uploaded to the ICASA website under this link: <https://www.icasa.org.za/legislation-and-regulations/radio-frequency-spectrum-plans/draft-radio-frequency-spectrum-plans>
9. In terms of section 4D of the ICASA Act, any person may request that any part of the pre-registration notice be treated as confidential. Confidential documents must be clearly marked as such and submitted together with the original written representation. Requests for Confidentiality must be submitted in line with the Guidelines for Confidentiality Request published in Government Gazette No 41839 (Notice No. 849) dated 17 August 2018.
10. Where an Applicant has requested confidentiality on sections of its written representations, the written representations must be accompanied by one (1) non-confidential copy with sections that are redacted. The non-confidential version of the written representations will be published for public comment if the request for confidentiality is granted. Requests for confidentiality will be considered within fourteen (14) working days of receiving the request. The Authority will communicate its decision to the respective Applicant.
11. In the event that the request for confidentiality is refused, the Applicant may choose to withdraw the information on which confidentiality is requested.



DR CHARLES LEWIS
ACTING CHAIRPERSON



Radio Frequency Spectrum Assignment Plan

Rules for Services operating in the Frequency Band
335.4 MHz to 380 MHz

335.4 - 380 MHz

Page 1

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1 Glossary

In this Radio Frequency Spectrum Assignment Plan, terms used shall have the same meaning as in the Electronic Communications Act 2005 (no. 36 of 2005); unless the context indicates otherwise:

“Act”	means the Electronic Communications Act, 2005 (Act No. 36 of 2005) as amended
“Administration”	means any governmental department or service responsible for discharging the obligations undertaken in the Constitution of the International Telecommunication Union, in the Convention of the International Telecommunication Union and in the Administrative Regulations (CS 1002).
“BTX”	means Base Transceiver
“B(F)WA”	means Broadband (Fixed) Wireless Access
“DMR”	Digital Mobile Radio
“FAP”	means Frequency Allocation Plan
“FWA”	means Fixed Wireless Access
“ITU”	means the International Telecommunication Union;
“ITU-R”	means the International Telecommunication Union Radiocommunication Sector
“MTX”	means Mobile Transceiver
“NRFP”	means the National Radio Frequency Plan 2021 for South Africa
“PAMR”	means Private Access Mobile Radio
“PMR”	means Public Mobile Radio
“PPDR”	means Public Protection and Disaster Relief
“PTP/PTMP”	means Point to Point/Point to Multi Point
“RFSAP”	means Radio Frequency Spectrum Assignment Plan
“SADC”	means Southern African Development Community
“SF”	means Single Frequency
“UAV”	means Unmanned Aerial Vehicle

“WRC-19” means World Radio Conference 2019 held in Sharm el-Sheikh

2 Purpose

- 2.1** The RFSAP provides information on the requirements attached to the use of a frequency band in line with the allocation and other information in the NRFP. This information includes technical characteristics of radio systems, frequency channelling, coordination, and details on required migration of existing users of the band and the expected method of assignment.
- 2.2** The RFSAP states the requirements for the utilisation of the frequency band between 335.4 - 380 MHz for co-primary Fixed and Mobile Services, and Mobile-Satellite (space-to-earth) services on a secondary basis.
- 2.3** This follows the feasibility study concerning the 335.4 - 380 MHz band¹, as mandated by the 2019 Radio Frequency Migration Plan². The 2019 RFM made two (2) key proposals for this band:
- 2.3.1** Firstly, migrating the existing over 1300 fixed links in this 335.4 - 380 MHz band to above 3 GHz as per SADC proposed common sub-allocation/utilisation. The current players have shown indications that they may relinquish these Fixed Links assignments spectrum due to spectrum fees imposed.
- 2.3.2** Secondly, that a feasibility study on the use of this band as per SADC Frequency Allocation Plan (FAP) sub-allocation/utilisation to assign BFWA and UAV Fixed and Mobile Services respectively in the band.
- 2.4** However, at the conclusion of the feasibility study into the band³, the Authority has concluded that these proposals would result in a more inefficient use of this spectrum band, because the fixed links would be migrated out (faster) and yet no new BWA/UVA services are licensed in the band in the near future.
- 2.5** Therefore, the Authority has concluded that proceeding with an exclusive assignment just for BFWA (in the Fixed Service) and UAVs (in the Mobile Service) in this band is premature at this stage. Consequently, though the co-primary allocations for Fixed and Mobile Services [and Mobile-Satellite (space-to-earth) services on a secondary basis] will continue, the Authority will *not* continue with its intention to assign exclusively for just BFWA and UAV applications.
- 2.6** Therefore, the intention of this RFSAP is to assign this band for Fixed and Mobile Services (inclusive of *non-exclusive* BFWA and UAV services) with coordination amongst fixed and mobile services. This Authority decision is consistent with the ITU and SADC allocations for the 335.4 - 380 MHz band as shown in Appendix A. The proposed SADC common sub-allocations and the sub-bands proposed will be respected in this RFSAP (see Appendix A).

¹ Implementation of the Radio Frequency Migration Plan and the International Mobile Telecommunications (IMT) Roadmap for public consultation, Government Gazette No. 45690, 24 December 2021.

² Government Gazette No 42337, 29 March 2019. <https://www.icasa.org.za/uploads/files/final-radio-frequency-migration-plan-2019.pdf>

³ Implementation of the Radio Frequency Migration Plan and the International Mobile Telecommunications (IMT) Roadmap for public consultation, Government Gazette No. 45690, 24 December 2021.

3 General

- 3.1** Technical characteristics of the equipment used in Fixed and Mobile Services' systems shall conform to all applicable South African standards, international standards, ITU and its radio regulations as agreed and adopted by South Africa.
- 3.2** All installations must comply with safety rules as specified in applicable standards.
- 3.3** The equipment used shall be certified under South African law and regulations.
- 3.4** The allocation of this frequency band and the information in the RFSAP are subject to review.
- 3.5** Frequency bands sub-allocations will be as per the SADC sub-allocations/utilisations as shown in Appendix A:
- 3.5.1** 335.4 - 336 MHz for PMR and/or PAMR
- 3.5.2** 336 - 346 MHz for Fixed Wireless Access (PTP//PTMP rural system – paired with 356 - 366 MHz)
- 3.5.3** 346.0 - 356.0 MHz for PMR and/or PAMR
- 3.5.4** 356.0 - 366.0 MHz for Fixed Wireless Access (PTP//PTMP rural system – paired with 336 - 346 MHz)
- 3.5.5** 366.0 - 386.0 MHz for PMR and/or PAMR
- 3.6** As seen in Appendix A, Footnote 5.254⁴ applies.
- 3.6.1** Footnote 5.254: The bands 235 - 322 MHz and 335.4 - 399.9 MHz may be used by the mobile satellite service, subject to agreement obtained under No. 9.21, on condition that stations in this service do not cause harmful interference to those of other services operating or planned to be operated in accordance with the Table of Frequency Allocations except for the additional allocation made in footnote No. 5.256A. (WRC-03)
- 3.7** The following documents may provide additional information for mobile-satellite service and UAV applications and typical characteristics and requirements for various systems operating in the band:
- 3.7.1** Recommendation M.1039-3 (03/06) Co-frequency sharing between stations in the mobile service below 1 GHz and mobile earth stations of non-geostationary mobile-

⁴ The Footnote is from the National Radio Frequency Plan 2021 (NRFP-21).

satellite systems (Earth-space) using frequency division multiple access (FDMA).
https://www.itu.int/dms_pubrec/itu-r/rec/m/R-REC-M.1039-3-200603-1!!PDF-E.pdf .

- 3.7.2** ERC Report 087 Sharing studies between MES and existing terrestrial services in the bands already allocated to the MSS below 1 GHz, 1 June 2000.
<https://docdb.cept.org/download/2177> .
- 3.7.3** Report ITU-R M.2204-0 (11/2010) Characteristics and spectrum considerations for sense and avoid systems use on Unmanned Aircraft Systems (UAS).
<https://www.itu.int/pub/R-REP-M.2204> .
- 3.7.4** Recommendation ITU-R M.1808-1 (11/2019) Technical and operational characteristics of conventional and trunked land mobile systems operating in the mobile service allocations below 869 MHz to be used in sharing studies in bands below 960 MHz. <https://www.itu.int/rec/R-REC-M.1808/en> .
- 3.7.5** Recommendation ITU-R SM.329-12 (09/2012) Unwanted emissions in the spurious domain. <https://www.itu.int/rec/R-REC-SM.329>
- 3.7.6** Recommendation T/R 25-08 Planning criteria and cross-border coordination of frequencies for land mobile systems in the range 29.7-470 MHz. Approved 15 January 1990. Amended 28 September 2018. <https://docdb.cept.org/document/909> . This document does not directly apply to the 335.4 – 380 MHz band (likely due to this band being devoted to defence in Europe) but may offer information useful for planning and coordination.
- 3.7.7** The documents Report ITU-R M.2014, ERC Report 104, ECC Report 97, ECC Report 42, ECC/DEC/(19)02, ECC Decision (04)06, ECC Report 173 do not directly apply to the 335.4 – 380 MHz band (likely due to this band being devoted to defence in Europe) but may offer a host of useful information, especially for PMR/PAMR.

4 Channelling Plan

- 4.1** The frequency band 335.4 - 380 MHz will be assigned according to the SADC proposed common sub-allocations as per Appendix A.
- 4.2** Fixed Services will operate in the 336.0 – 346.0 MHz band paired with 356.0 – 366.0 MHz.
- 4.3** Mobile Services will operate in the unpaired 335.4 – 336.0 MHz, 346.0 – 356.0 MHz and 366.0 - 380.0 MHz bands.

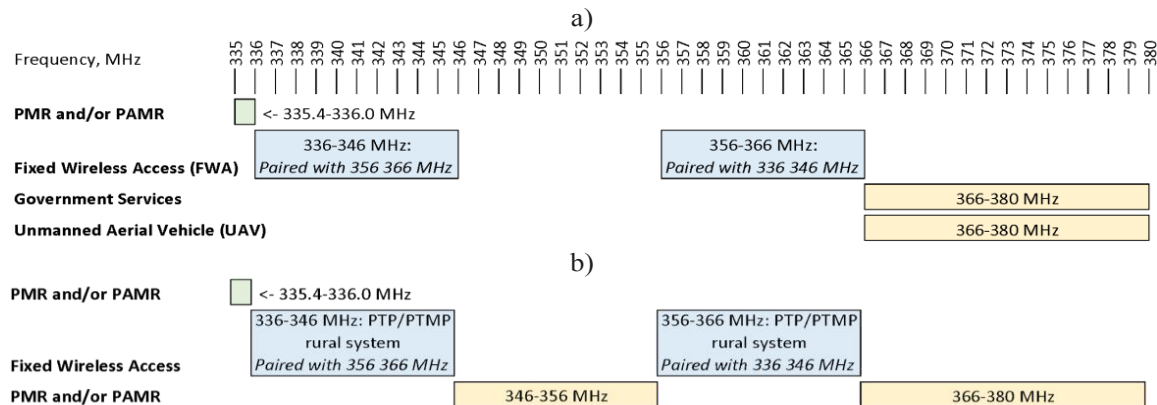


Figure 1: Channel arrangements for 335.4 – 380 MHz: a) current National Radio Frequency Plan 2021 sub-allocations, as per Table 1; b) proposed SADC sub-allocation, as per Table 2.

5 Requirements for usage of radio frequency spectrum

- 5.1** This chapter covers the minimum key characteristics considered necessary in order to make the best use of the available frequencies.
- 5.2** The use of the band is limited to Fixed and Mobile services.
- 5.3** In some cases, a radio system conforming to the requirements of this RFSAP may require modifications if harmful interference is caused to other radio stations or systems.
- 5.4** The allocation of spectrum and shared services within these bands are found in the National Radio Frequency Plan (NRFP) and an extract of NRFP is shown in Appendix A.
- 5.5** Maximum radiated powers are specified through the type approval process for the equipment used.
- 5.5.1** Base Station transmissions should not exceed 46 dBm per channel and a maximum of 55 dBm total ERP per base station.
- 5.5.2** Mobile Station transmissions should not exceed 33 dBm EIRP.
- 5.6** In some cases, a radio system conforming to the requirements of this RFSAP may require modifications if major interference is caused to other radio stations or systems.

6 Implementation

- 6.1** The RFSAP shall be effective on the date of issue.
- 6.2** No new assignment in the band 335.4 – 380 MHz shall be approved unless they comply with this RFSAP.

7 Co-ordination Requirements

- 7.1** Coordination is performed by the Authority during the process of assignment.
- 7.2** In the event of any interference, the Authority will require affected parties to carry out coordination. If the interference continues to be unresolved after 24 hours, the affected parties may refer the matter to the Authority for a resolution. The Authority will decide the necessary

modifications and schedule of modifications to resolve the dispute. The Authority will be guided by the interference resolution process as shown in Appendix B.

- 7.3** Assignment holders shall take full advantage of interference mitigation techniques such as antenna discrimination, tilt, polarization, frequency discrimination, shielding / blocking (introduce diffraction loss), site selection, and/or power control to facilitate the coordination of systems.

8 Assignment

8.1 Standard Approach

The assignment of frequency will take place according to the Standard Application Procedures in the Radio Frequency Spectrum Regulations 2015.

9 Revocation

- 9.1** The Fixed Links Licences in the band will be revoked after consultation and when this RFSAP comes into force.

10 Frequency Migration

10.1 Specific Procedure

There is no specific technical procedure needed. The Authority believes appropriate and proportionate spectrum fees would encourage any migrations needed from the 335.4 – 380 MHz band to other bands.

Appendix A National Radio Frequency Plan

Table 1 shows an extract from the National Frequency Plan for South Africa for the band 335.4 - 380 MHz.

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
335.4-387 MHz FIXED MOBILE 5.254	335.4-387 MHz FIXED NF6 MOBILE NF7 Mobile-satellite 5.254	PTP/PTMP FWA (336 – 346 MHz) FWA (356 – 366 MHz) Government Services (366-380 MHz) Digital Trunking (Emergency) (380 – 387 MHz) (PPDR ⁵) PMR and/or PAMR (335.4-336 MHz) Unmanned Aerial Vehicle (UAV) (366.0-380.0 MHz)	Paired with 356 – 366 MHz Paired with 336 – 346 MHz Paired with 390 – 397 MHz (Coordination is required with PTP/PTMP in the implementation of UAV) Radio Frequency Spectrum Assignment Plan GG 41512 Notice 148 of 2018

Table 1: National Radio Frequency Plan for South Africa for 335.4 - 380 MHz band⁶

ITU Region 1 allocations and footnotes	SADC common allocation/s and relevant ITU footnotes	SADC proposed common sub-allocations / utilisation	Additional information
335.4-387 MHz FIXED MOBILE 5.254	335.4-387 MHz FIXED MOBILE 5.254	335.4-336 MHz PMR and/or PAMR	
		336-346 MHz Fixed Wireless Access	PTP/PTMP rural system; Paired with 356-366 MHz
		346.0-356.0 MHz PMR and/or PAMR	
		356.0-366.0 MHz Fixed Wireless Access	PTP/PTMP rural system; Paired with 336-346 MHz

⁵ http://www.crasa.org/common_up/crasa-setup/12-03-2015_GUIDELINES%20ON%20FREQUENCIES%20FOR%20PPDR%202014.pdf

⁶ National Radio Frequency Plan 2021, (NRFP-21) 8.3 kHz – 3000 GHz, Independent Communications Authority of South Africa. <https://www.icasa.org.za/uploads/files/National-Radio-Frequency-Plan-2021.pdf>

		366.0-380.0 MHz PMR and/or PAMR	
		380.0-387.0 MHz PPDR	Paired with 390.0-397.0 MHz To be used mainly for digital systems.

Table 2: SADC Radio Frequency Spectrum Allocation Plan for the 335.4 - 380 MHz band ⁷

⁷ SADC Radio Frequency Spectrum Allocation Plan (SADC RFSAP) 8.3 kHz – 3000 GHz. Edition 2021.
https://assets.website-files.com/5fb8ce4adbd6ad2ccc1423e7/612fe72be15121775ae6a121_2021%20SADC%20RADIO%20FREQUENCY%20SPECTRUM%20ALLOCATION%20PLAN.%20docx%5B1%5D.pdf

Appendix B Interference Resolution Process

Technical procedures related to bilateral and multilateral cross-border frequency coordination agreements for 4 geographical sub-regions are defined by the African Union, which includes the Southern African sub-region of 10 countries. Cross-Border Frequency Coordination and interference resolution should follow the Harmonized Calculation Method for Africa, (HIPSSA)⁸ and (HCM4A),⁹ or any appropriate methods applicable.

When requesting coordination, the relevant characteristics of the base station and the code or PCI group number should be forwarded to the Administration affected. All of the following characteristics should be included:

- a) carrier frequency [MHz];
- b) name of transmitter station;
- c) country of location of transmitter station;
- d) geographical coordinates [latitude, longitude];
- e) effective antenna height [m];
- f) antenna polarisation;
- g) antenna azimuth [degrees];
- h) antenna gain [dBi];
- i) effective radiated power [dBW];
- j) expected coverage zone or radius [km];
- k) date of entry into service [month, year];
- l) code group number used;
- m) antenna tilt [degrees].

The Administration affected will evaluate the request for coordination and will, within thirty (30) days, notify the Administration requesting coordination the result of the evaluation. If, in the course of the coordination procedure, the Administration affected requires additional information, it may request such information.

If no reply is received by the Administration requesting coordination within (30) days, it may send a reminder to the Administration affected. Where the Administration fails to respond within thirty (30) days following communication of the reminder will be deemed to have given its consent, and the code coordination may be put into use with the characteristics given in the request for coordination.

The above-mentioned periods are subject to extension by common consent.

⁸ Cross-Border Frequency Coordination: Harmonized Calculation Method for Africa (HCM4A), Agreement. HIPSSA - Harmonization of ICT Policies in Sub-Saharan Africa, ITU, 2013, 54pp. Available online at

https://www.itu.int/en/ITU-D/Projects/ITU-EC-ACP/HIPSSA/Documents/FINAL%20DOCUMENTS/FINAL%20DOCS%20ENGLISH/hcm4a_agreement.pdf.pdf

⁹ Cross-Border Frequency Coordination Agreement Harmonized Calculation Method for Africa (HCM4A): On the coordination of frequencies between 29.7 MHz and 43.5 GHz For the fixed service and the land mobile service. Adopted on [01.01.2022]. DRAFT, 25 pp. Available online at https://www.itu.int/en/ITU-D/Projects/ITU-EC-ACP/PRIDA/PublishingImages/Pages/default/HCM4A_2022_%20Main%20text_and%20annex%2012%20_EN_v.0.pdf

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

NO. 2782

25 November 2022



HEREBY ISSUES A NOTICE REGARDING DRAFT RADIO FREQUENCY ASSIGNMENT PLANS FOR THE FREQUENCY BAND 380 TO 399.9 MHZ IN TERMS OF REGULATION 3 OF THE RADIO FREQUENCY SPECTRUM REGULATIONS, 2015

1. The Independent Communications Authority of South Africa ("the Authority"), hereby publishes the **Draft Radio Frequency Spectrum Assignment Plan for the frequency band 380 MHz to 399.9 MHz for public consultation** in terms of regulation 3 of the Radio Frequency Spectrum Regulations 2015 and the Radio Frequency Migration Plan of 2013 and 2019.
2. The Radio Frequency Migration Regulations 2013 provide that upon completion of this Radio Frequency Spectrum Assignment Plan the Authority will issue a notice to users to be migrated (regulation 6(1) of the Radio Frequency Migration Regulations)
3. Interested persons are hereby invited to submit written representations of their views on this RFSAP, in both MS Word and .pdf format.
4. Submission must be made no later than 16h00 on Friday 13 January 2023.
5. Persons making representations are further invited to indicate whether they require an opportunity to make oral representations.
6. Written representations or enquiries may be directed by email to:

Attention:

Mr Manyapelo Richard Makgotlho

e-mail: rmakgotlho@icasa.org.za

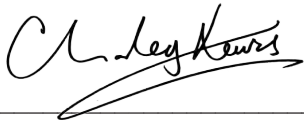
cc: jdikgale@icasa.org.za

7. All written representations submitted to the Authority pursuant to this notice will be made available for inspection by interested persons from 17 January 2023 at the ICASA Library. Electronic copies of such representations are obtainable on request and documents will be obtainable on payment of a fee.

380 - 399.9 MHz

Page 1

8. The draft plans and non-confidential representations will be uploaded to the ICASA website under this link: <https://www.icasa.org.za/legislation-and-regulations/radio-frequency-spectrum-plans/draft-radio-frequency-spectrum-plans>
9. . In terms of section 4D of the ICASA Act, any person may request that any part of the pre-registration notice be treated as confidential. Confidential documents must be clearly marked as such and submitted together with the original written representation. Requests for Confidentiality must be submitted in line with the Guidelines for Confidentiality Request published in Government Gazette No 41839 (Notice No. 849) dated 17 August 2018.
10. Where an Applicant has requested confidentiality on sections of its written representations, the written representations must be accompanied by one (1) non-confidential copy with sections that are redacted. The non-confidential version of the written representations will be published for public comment if the request for confidentiality is granted. Requests for confidentiality will be considered within fourteen (14) working days of receiving the request. The Authority will communicate its decision to the respective Applicant.
11. In the event that the request for confidentiality is refused, the Applicant may choose to withdraw the information on which confidentiality is requested.



DR CHARLES LEWIS
ACTING CHAIRPERSON



Radio Frequency Spectrum Assignment Plan

Rules for Services operating in the Frequency Band
380-387 MHz & 387-390 MHz
& 390-399.9 MHz

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1 Glossary

In this Radio Frequency Spectrum Assignment Plan, terms used shall have the same meaning as in the Electronic Communications Act 2005 (no. 36 of 2005); unless the context indicates otherwise:

“Act”	means the Electronic Communications Act, 2005 (Act No. 36 of 2005), as amended
“Administration”	means any governmental department or service responsible for discharging the obligations undertaken in the Constitution of the International Telecommunication Union, in the Convention of the International Telecommunication Union and in the Administrative Regulations (CS 1002).
“AGA”	means Astronomy Geographic Advantage Act (AGA Act No. 21 of 2007)
“ATU”	means African Telecommunications Union
“BTX”	means Base Transceiver
“CEPT”	means the European Conference of Postal and Telecommunications Administrations
“DF”	means Dual Frequency
“DMO”	means Direct Mode Operation
“ETSI”	means the European Telecommunications Standards Institute
“ITU”	means the International Telecommunication Union
“ITU-R”	means the International Telecommunication Union Radiocommunication Sector
“LTE”	means Long Term Evolution – the latest standards for cellular communications. LTE provides higher data rates than 2G and 3G cellular systems
“MTX”	means Mobile Transceiver
“NRFP”	means the National Radio Frequency Plan 2021 for South Africa
“PABX”	means Private Automated Branch eXchange
“PPDR”	means Public Protection and Disaster Relief, as defined in ITU-R Report M.2377-1 (11/2017) ¹⁸
“PSTN”	means Public Switched Telephone Network

“PMR”	means Public Mobile Radio
“RFSAP”	means Radio Frequency Spectrum Assignment Plan
“SF”	means Single Frequency
“SAPS”	means the South African Police Service
“TCCA”	means TETRA and Critical Communications Association (see www.tandcca.com)
“TETRA”	means Terrestrial Trunked Radio
“TEDS”	means TETRA Enhanced Data Services (or TETRA 2)
“WRC-12”	means the World Radio Conference held in Geneva in 2012
“WRC-15”	means the World Radio Conference held in Geneva in 2015

2 Purpose

- 2.1 Radio Frequency Spectrum Assignment Plan (RFSAP) provides information on the requirements attached to the use of a frequency band in line with the allocation and other information in the National Radio Frequency Plan (NRFP). This information includes technical characteristics of radio systems, frequency channelling, coordination, and details on the required migration of existing users of the band and the expected method of assignment.
- 2.2 This RFSAP states the requirements for the utilization of the frequency bands 380 - 387 MHz, 387 - 390 MHz and 390 - 399.9 MHz for Public Protection and Disaster Relief (PPDR), including digital PMR services.
- 2.3 This follows the feasibility study concerning the 380 – 387 MHz, 387 – 390 MHz, and 390 - 399.9 MHz band¹, as mandated by the 2013² and 2019³ Radio Frequency migration plans, in which the Authority has concluded that the most efficient use of this band is for PPDR services. Therefore, the Authority confirms its proposal in the ICASA 2013 Radio Frequency Migration Plan, which proposed that all public safety services should be consolidated in the same radio frequency band (380 - 399.9 MHz). The proposal also recommended that public safety users adopt a common standard where possible.
- 2.4 The clear general intention of this RFSAP is to assign this band as a continuous block for public protection and disaster relief (PPDR) as well as public safety. This RFSAP recognises the importance of having a band dedicated to Public Safety and free of any other potential sources of interference. Users would include Metro Police, Fire-Fighting services, Ambulance Services, Border Control, National Security, and other Government Services. This will result in all other

¹ Implementation of the Radio Frequency Migration Plan and the International Mobile Telecommunications (IMT) Roadmap for public consultation, Government Gazette No. 45690, 24 December 2021.

² Frequency Migration regulation and Radio Frequency Migration Plan March 2013, Government Gazette No 36334, 3 April 2013

³ ICASA. 2019. Radio Frequency Migration Plan 2019. Government Gazette No 42337, 29 March 2019

users being migrated, making this a dedicated band for public safety. Therefore, all other users will migrate out of the band.

- 2.5 Public Protection and Disaster Relief, defined in ITU-R Report M.2377-1 (11/2017)¹⁸, takes into account the individual definitions of public protection and disaster relief as stated below:

Public protection (PP) radiocommunication: Radiocommunications used by responsible agencies and organisations dealing with maintenance of law and order, protection of life and property, and emergency situations.

Disaster relief (DR) radiocommunication: Radiocommunications used by agencies and organisations dealing with a serious disruption of the functioning of society, posing a significant, widespread threat to human life, health, property, or the environment, whether caused by accident, nature, or human activity, and whether developing suddenly or as a result of complex, long-term processes.

Private mobile radio (PMR) Public Mobile Radio is radio apparatus used for short-range two-way voice communications.

- 2.6 Historically the 380 - 399.9 MHz band is divided into three sub-bands, i.e., 380 – 387 MHz, 387 – 390 MHz, and 390 - 399.9 MHz, for digital PPDR (including Digital PMR) services. However, in this RFSAP the Authority proposes to consider these as one band.
- 2.7 To conclude, the specific intention of this RFSAP is to assign the 380 – 387 MHz & 387 – 390 MHz & 390 - 399.9 MHz bands to digital PPDR (incl. Digital PMR) services. Digital PPDR services include Terrestrial Trunked Radio (TETRA), the predominant standard for this band in Europe⁴, P25 in North America or a still-emerging LTE PPDR/LTE 380 (not yet a 3GPP standard). There is ongoing strategic work by key stakeholders in the LTE ecosystem (e.g., the 450 MHz Alliance⁵) to identify LTE spectrum allocation in the 380 MHz band. TETRA narrowband (voice) spectrum usage is typically 5 MHz (380 - 385 MHz uplink and 390 - 395 MHz downlink) dedicated exclusively to public service agencies. The inherent data capabilities of TETRA are low. So, this is partly bridged by the wideband data standard - TETRA Enhanced Data Services ('TEDS'), also known as 'TETRA 2', which increases data throughput tenfold from the existing TETRA standard⁶. Broadband PPDR typically requests to require 2 x 10 MHz of spectrum, e.g., see TEDS spectrum requirement⁷ from the TCCA. LTE 380 would likely require 2 x 5 / 2 x 10 MHz, too, for Broadband PPDR.
- 2.8 Considering all noted in the aforementioned 2.7, this RFSAP intends to
- 2.8.1 Reserve the overall band for digital public safety. All non-digital and non-PPDR users will be migrated out of this band.
- 2.8.2 Assign the 380 – 389.9 MHz band paired with 390 – 399.9 MHz for digital PPDR (including Digital PMR) services.

⁴ ETSI EN 300 392-2 (V3.4.1) (08-2010): "Terrestrial Trunked Radio (TETRA); Voice plus Data (V+D); Part 2: Air Interface (AI)".

⁵ 450 Alliance, <https://450alliance.org/> & <https://450alliance.org/wp-content/uploads/2021/10/450Alliance-Annual-Global-Update-Public-version-FINAL-B.pdf>

⁶ <http://www.tetra-applications.com/item.html&objID=15195>

⁷ [Submission 4 - Attachment7 - Australasian TETRA Forum - Public Safety Mobile Broadband - Commissioned study \(pc.gov.au\)](#) and <https://tcca.info/documents/january-2019-tcca-spectrum-position.pdf/>

3. General

- 3.1. Technical characteristics of the equipment used for digital PPDR systems shall conform to all applicable South African standards, international standards, International Telecommunication Union (ITU) and its radio regulations as agreed and adopted by South Africa.
 - 3.1.1. There are however a few minor differences between the national, ITU and European allocations, as mentioned below. The frequency arrangements for narrowband PPDR provided in section 2-1.3 of ITU Rec. M.2015⁸ show the band starting at 380.0125 MHz (and also offset by 12.5 kHz for the inner intra-band boundaries), and not at exactly 380 MHz. The M.2015 also shows the band ending at 399.9875 MHz (and not 399.9 MHz).
 - 3.1.2. In section 2-1.4 of the same M.2015, the harmonized frequency arrangements within the frequency range 380 - 470 MHz in accordance with the ATU harmonization measures for narrowband and/or wideband PPDR are shown to start at 380 MHz, offer 5 MHz and 4.99 MHz wide subdivision and end at 399.99 MHz rather than 399.9 MHz.
 - 3.1.3. In contrast, the ECC T/R 25-08⁹ provides a band plan with channels starting exactly at 380 MHz, matching the outer borders of the allocation. The end of the band is also stated as 399.99 MHz (not 399.9 MHz).
 - 3.1.4. Comparing the data presented in 3.1.1-3.1.3 against the South African allocation shown in Appendix A and the “Channelling Plan” provided in chapter 4 of this RFSAP advises of a slight mismatch. In South Africa, the national allocation takes priority.
- 3.2. All installations must comply with safety rules as specified in applicable standards.
- 3.3. The equipment used shall be certified under South African law and regulations.
- 3.4. The allocation of this frequency band and the information in this Radio Frequency Spectrum Assignment Plan (RFSAP) are subject to review.
 - 3.4.1. Frequency bands assigned for digital PPDR include bands 380.0 - 389.9 MHz paired with 390.0 - 399.9 MHz.
 - 3.4.2. Likely use of this band will be for public safety by the South African Police Service (SAPS), Department of Defence and the Army.
- 3.5. TETRA, its data-driven enhancement standard TEDS¹⁰ and the evolving LTE380 are applicable for the provision of the system and service. The typical technical and operational characteristics identified as appropriate by the ITU are described in the documents listed in section 3.6 below.
 - 3.5.1. TETRA is applicable for the provision of PPDR services in this band. TETRA is a digital radio standard for critical communications. The development of the standards

⁸ Recommendation ITU-R M.2015-2 (01/2018): Frequency arrangements for public protection and disaster relief radiocommunication systems in accordance with Resolution 646 (Rev.WRC-15)
https://www.itu.int/dms_pubrec/itu-r/rec/m/R-REC-M.2015-2-201801-I!!PDF-E.pdf

⁹ ECC Recommendation T/R 25-08 Planning criteria and cross-border coordination of frequencies for land mobile systems in the range 29.7-470 MHz. Approved 15 January 1990. Amended 28 September 2018. Available online at <https://docdb.cept.org/download/2544>.

¹⁰ ETSI TR 102 491 V1.2.1 (2006-05): Technical Report: Electromagnetic compatibility and Radio spectrum Matters (ERM); TETRA Enhanced Data Service (TEDS); System reference document. Available online at https://www.etsi.org/deliver/etsi_tr/102400_102499/102491/01.02.01_60/tr_102491v010201p.pdf

for the TETRA system has been carried out by the European Telecommunications Standards Institute (ETSI).

Some services that TETRA offers:

- Wide area fast call set-up "all informed net" group calls;
- Direct Mode Operation (DMO)¹¹ allowing "back-to-back" communications between radio terminals independent of the network;
- High level voice encryption to meet the security needs of public safety organisations;
- An Emergency Call facility that gets through even if the system is busy; and
- Full duplex voice for PABX and PSTN telephony communications.

3.5.2. TEDS is a new TETRA High Speed Data (HSD) service using different RF channel bandwidths and data rates for flexible use of Digital PMR frequency bands. TEDS is fully compatible with TETRA Release 1 and allows for ease of migration. It has been optimised for efficient use of PMR frequency bands and designed for all TETRA market segment applications. The RF channel bandwidths supported in TEDS are 25 kHz, 50 kHz, 100 kHz, and 150 kHz.

Some added services that TEDS offers¹²:

- "With adaptive selection of modulation schemes, RF channel bandwidths and coding according to propagation conditions, user bit rates in the region of 10 to 500 kbits/s can be expected.
- For ease of evolution and migration from TETRA Release 1 reuse of the TETRA protocol stack and TDMA structure have been maximised.
- TEDS also allows up to 8 multimedia applications and QoS negotiation for real-time class data applications, such as voice and video and telemetry, with the QoS attributes negotiated being; throughput, delay, priority, and reliability.
- Support for sectorised cells is also provided enabling the use of existing TETRA Release 1 Base Sites for TEDS without the need for additional sites.
- Even though TEDS is capable of providing High Speed Data in 150 kHz RF channels, the current limitation caused by insufficient RF spectrum to support the growth of TETRA will probably limit early deployments to 50 kHz RF channel assignments only."

It may be noted that, as per ECC Report 99¹³, "Usage of TEDS in 380 - 385/390 - 395 MHz band is possible within Europe, with a guard band at the edges to protect adjacent AGA services. This guard band depends on the TEDS bandwidth and goes up to 300 kHz for TEDS-150 kHz". Additional spectrum

¹¹ [Direct Mode Operation \(DMO\) - TCCA](#)

¹² [TETRA Release 2 - TCCA - https://tcca.info/tetra/for-tetra-specialist/tetra-release-2/](https://tcca.info/tetra/for-tetra-specialist/tetra-release-2/)

¹³ ECC Report 99 "TETRA Enhanced Data Services (TEDS): Compatibility Studies with Existing PMR/PAMR and Air Ground Air (AGA) Systems in the 400 MHz Band", Bern, February 2007, Budapest, September 2007. Available online at <https://docdb.cept.org/download/432>

requirements for Europe may be explored from ETSI TR 102 628¹⁴. More in-depth information is also available from ETSI standards, e.g., EN 302 561¹⁵, TR 102 580¹⁶.

3.5.3. LTE380: There are some LTE 380 trials and consultations ongoing in other parts of the world in the 380 – 400 MHz band, including in Colombia and Uganda¹⁷. The process is, however, still early with respect to standards. They are likely to happen within the next several years.

3.6. Further details of relevant bands and applicable technologies are specified in the following ITU and CEPT/ECC documents:

- Report ITU-R M.2377-1 (11/2017): Radiocommunication objectives and requirements for Public Protection and Disaster Relief¹⁸
- Report ITU-R M.2014-3 (11/2016): Digital land mobile systems for dispatch traffic¹⁹;
- Report ITU-R M.2415-0 (11/2017): Spectrum needs for Public Protection and Disaster Relief (PPDR)²⁰;
- Recommendation ITU-R M.2015-2 (01/2018): Frequency arrangements for public protection and disaster relief radiocommunication systems in accordance with Resolution 646 (Rev.WRC-15)²¹;
- Report ITU-R M.2291-2 (12/2021): The use of International Mobile Telecommunications (IMT) for broadband Public Protection and Disaster Relief (PPDR) applications²².

¹⁴ ETSI TR 102 628 v1.2.1 (2014-09) Electromagnetic compatibility and Radio spectrum Matters (ERM); System Reference document (SRdoc); Land Mobile Service; Additional spectrum requirements for future Public Safety and Security (PSS) wireless communication systems in the UHF frequency range.

¹⁵ ETSI EN 302 561 V2.1.1 (2016-03) Land Mobile Service; Radio equipment using constant or non-constant envelope modulation operating in a channel bandwidth of 25 kHz, 50 kHz, 100 kHz or 150 kHz; Harmonised Standard covering the essential requirements of article 3.2 of the Directive 2014/53/EU.

¹⁶ ETSI TR 102 580 V1.1.1 (2007-10) Technical Report Terrestrial Trunked Radio (TETRA); Release 2; Designer's Guide; TETRA High-Speed Data (HSD); TETRA Enhanced Data Service (TEDS). Available online at https://www.etsi.org/deliver/etsi_tr/102500_102599/102580/01.01.01_60/tr_102580v010101p.pdf.

¹⁷ <https://450alliance.org/wp-content/uploads/2021/10/450Alliance-annual-device-update-P-rev-Final.pdf>

¹⁸ ITU-R Report M.2377-1 (11/2017): Radiocommunication objectives and requirements for Public Protection and Disaster Relief (PPDR). Available online at <https://www.itu.int/pub/R-REP-M.2377>.

¹⁹ ITU-R Report M.2014-3 (11/2016): Digital land mobile systems for dispatch traffic. Available online at <https://www.itu.int/pub/R-REP-M.2014>.

²⁰ ITU-R M.2415-0 (11/2017): Spectrum needs for Public Protection and Disaster Relief. Available online at <https://www.itu.int/pub/R-REP-M.2415/en>.

²¹ ITU-R Recommendation M.2015-2 (01/2018): Frequency arrangements for public protection and disaster relief radiocommunication systems in accordance with Resolution 646 (Rev.WRC-15). Available online at <https://www.itu.int/rec/R-REC-M.2015/en>.

²² Report ITU-R M.2291-2 (12/2021): The use of International Mobile Telecommunications (IMT) for broadband Public Protection and Disaster Relief (PPDR) applications. Available online at https://www.itu.int/dms_pub/itu-r/opb/rep/R-REP-M.2291-2-2021-PDF-E.pdf

- Recommendation ITU-R M.2009-2 (01/2019): Radio interface standards for use by public protection and disaster relief operations in accordance with Resolution 646 (Rev.WRC-15) ²³;
- Recommendation ITU-R M.1808-1 (11/2019): Technical and operational characteristics of conventional and trunked land mobile systems operating in the mobile service allocations below 869 MHz to be used in sharing studies in bands below 960 MHz ²⁴.
- ECC Decision (08)05 “The harmonisation of frequency bands for the implementation of digital Public Protection and Disaster Relief (PPDR) narrow band and wide band radio applications in bands within the 380-470 MHz range”, Approved 27 June 2008, Amended 8 March 2019 ²⁵ ;
- ECC Recommendation T/R 25-08 “Planning criteria and cross-border coordination of frequencies for land mobile systems in the range 29.7 - 470 MHz”, Approved 15 January 1990, Amended 28 September 2018 ⁹.
- ECC Report 276 “Thresholds for the coordination of CDMA and LTE broadband systems in the 400 MHz band”, 27 April 2018²⁶.
- ECC Report 99: “TETRA Enhanced Data Services (TEDS): Impact on existing PMR/PAMR and Air Ground Air (AGA) systems in the 400 MHz band” ¹³.

Additional useful references on the subject may be found in Annex 1 of ITU-R Report M.2377-1 ¹⁸, and Annex 2 of ECC/DEC/ (08)/05 ²⁷. In particular, Annex 2 of ECC/DEC/ (08)/05 provides a list of digital land mobile systems and related sharing and compatibility reports, and so does the Annex of ECC/DEC (04)06²⁸. ECC Decision (16)02 ²⁹ offers an extensive set of references for considering implementation of Broadband PPDR (BB-PPDR).

4. Channelling Plan

- 4.1. The frequency band 380-400 MHz provides a total bandwidth of close to 2×10 MHz or 20 MHz for the Digital PPDR/PMR services.

²³ Recommendation ITU-R M.2009-2 (01/2019): Radio interface standards for use by public protection and disaster relief operations in accordance with Resolution 646 (Rev.WRC-15).
https://www.itu.int/dms_pubrec/itu-r/rec/m/R-REC-M.2009-2-201901-I!!PDF-E.pdf

²⁴ Recommendation ITU-R M.1808-1 (11/2019): Technical and operational characteristics of conventional and trunked land mobile systems operating in the mobile service allocations below 869 MHz to be used in sharing studies in bands below 960 MHz. Available online at <https://www.itu.int/rec/R-REC-M.1808> .

²⁵ ECC Decision (08)05: “The harmonisation of frequency bands for the implementation of digital Public Protection and Disaster Relief (PPDR) radio applications in bands within the 380-470 MHz range”, Approved 27 June 2008, Amended 8 March 2019, <https://docdb.cept.org/document/416> .

²⁶ ECC Report 276 Thresholds for the coordination of CDMA and LTE broadband systems in the 400 MHz band, 27 April 2018. Available online at <https://docdb.cept.org/download/1324> .

²⁷ The harmonisation of frequency bands for the implementation of digital Public Protection and Disaster Relief (PPDR) narrow band and wide band radio applications in bands within the 380 – 470 MHz range
<https://docdb.cept.org/download/1574>

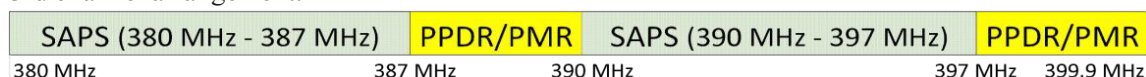
²⁸ The availability of frequency bands for the introduction of Wide Band Digital Land Mobile PMR/PAMR in the 400 MHz and 800/900 MHz bands <https://docdb.cept.org/download/1690>

²⁹ ECC Decision (16)02 Harmonised technical conditions and frequency bands for the implementation of Broadband Public Protection and Disaster Relief (BB-PPDR) systems. Approved 17 June 2016. Amended 8 March 2019. Available online at <https://docdb.cept.org/download/1486> .

4.2. The band plan would therefore be 380 – 389.9 MHz band paired with 390 – 399.9 MHz for digital PPDR services

4.2.1. Channel arrangements for the 380 – 400 MHz band are shown in Figure 1.

a) Old channel arrangement:



b) New channel arrangement:

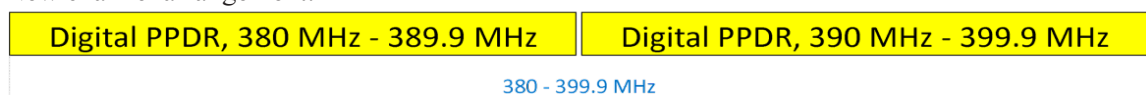


Figure 1: Channel arrangements for 380 - 400 MHz: a) old and b) new channel arrangements.

5. Requirements for usage of radio frequency spectrum

5.1. This chapter covers the minimum key characteristics considered necessary in order to make the best use of the available frequencies.

5.2. The use of the band is limited to Digital PPDR (including Digital PMR) services.

5.3. Only systems using digital technologies that promote spectral efficiency will be issued with an assignment. Capacity enhancing digital techniques are being rapidly developed, and such techniques that promote efficient use of spectrum, without reducing the quality of service are encouraged.

5.4. In some cases, a radio system conforming to the requirements of this RFSAP may require modifications if harmful interference is caused to other radio stations or systems.

5.5. The allocation of spectrum and shared services within these bands are found in the National Radio Frequency Plan (NRFP) and an extract of NRFP is shown in Appendix A.

5.6. Maximum radiated power:

5.6.1. Base Station transmissions should not exceed 46 dBm per channel and a maximum of 55 dBm total ERP per base station.

5.6.2. Mobile Station transmissions should not exceed 33 dBm EIRP.

5.6.3. On a case-to-case basis, higher EIRP may be permitted if acceptable technical justification is provided.

5.6.4. Where appropriate, subscriber terminal stations should comply with the technical specification outlined under EN 300 394-1³⁰ and TS 100 392-2³¹.

³⁰ ETSI EN 300 394-1 V3.3.1 (2015-04) Terrestrial Trunked Radio (TETRA); Conformance testing specification; Part 1: Radio (available online at https://www.etsi.org/deliver/etsi_en/300300_300399/30039401/03.03.01_60/en_30039401v030301p.pdf) or later.

³¹ ETSI TS 100 392-2 V3.9.1 (2019-01) Terrestrial Trunked Radio (TETRA); Voice plus Data (V+D); Part 2: Air Interface (AI) (available online at https://www.etsi.org/deliver/etsi_ts/100300_100399/10039202/03.09.01_60/ts_10039202v030901p.pdf) or later.

- 5.7. In some cases, a radio system conforming to the requirements of this RFSAP may require modifications if major interference is caused to other radio stations or systems.

6. Implementation

- 6.1. The implementation of the Migration of the Government Services from the 406 - 410/416 - 420 MHz and 413 - 416/423 - 426 MHz bands into the 380 - 400 MHz band began in 2010.
- 6.2. This RFSAP shall be effective on the date of publication of this RFSAP.
- 6.3. No new assignment for Digital PPDR or PMR in the band 380 – 400 MHz shall be approved unless they comply with this RFSAP.

7. Co-ordination Requirements

- 7.1. Use of these frequency bands shall require coordination with the neighbouring countries within the coordination zones of 50 kilometres³² (specific to coordination between TETRA systems) from the neighbouring country. The coordination distance is continuously being reviewed and may be updated from time to time.
- 7.1.1. The following field strength thresholds have to be assured. Based on studies (ECC-Rep 97³²), a level of -114.7 dBm (=14.3 dBµV/m/25 kHz) is proposed as the threshold above which coordination between TETRA systems is required. The value is measured in a 25 kHz bandwidth and refers to a measuring height of 3 metres for duplex bands.
- 7.1.2. Operator-to-operator coordination may be necessary to avoid interference.
- 7.2. General indicative coordination thresholds for analogue or digital land mobile systems:
- 7.2.1. The aim of coordination thresholds is to avoid harmful interference between stations located in neighbouring countries. In order to achieve this, indicative coordination thresholds are established which should not be exceeded without coordination between neighbouring countries.
- 7.2.2. Indicative coordination threshold for land mobile systems (co-channel, 50% locations, 10% time³³, 10 m receiving antenna height, within a reference bandwidth of 25 kHz, at the borderline) is 18 dB (µV/m) for frequencies between 380 and 400 MHz;
- 7.2.3. For all other spectral power distributions, indicative coordination threshold levels should be applied within every 25 kHz bandwidth within the channel spacing.
- 7.3. For coordination thresholds for other systems and combinations of the systems, the following references may be considered:
- 7.3.1. ECC Report 97 provides coordination thresholds for several combinations of narrowband FM, TETRA, CDMA-PAMR, and Flash OFDM;
- 7.3.2. Annex 2 of ECC/DEC/ (08)/05 provides a list of related sharing and compatibility reports.

³² ECC Report 097 "Cross Border Interference for Land Mobile Technologies", Bern, February 2007
<https://docdb.cept.org/download/428>

³³ In certain situations, the 1% time curves should be used for digital systems, e.g. to better protect analogue systems.

- 7.3.3.** In case of coordination between LTE systems, Annex 5 of T/R 25-08⁹ may be considered, unless newer LTE 380 studies become available.
- 7.3.4.** As per ECC Report 276³⁴, “For historical reasons the Recommendation T/R 25-08 defines the trigger value at 10 m height. However, typically 3 m heights are considered for coordination of land mobile systems since the coverage is usually assumed for mobile user equipment. Furthermore, the definition of the trigger value at 3 m height is also easy applicable for drive tests (antenna at a vehicle’s roof). Recalculation of the derived thresholds from 3 m to 10 m height increases the coordination threshold by 15.6 dB”.
- 7.3.4.1.** For systems using a channel spacing greater than 25 kHz, the following bandwidth conversion formula can be used provided that the spectral power distribution within this channel spacing is uniform within the channel. $BC = 10 \times \log_{10} (\text{channel spacing} / 25 \text{ kHz}), \text{ dB}$
- 7.3.4.2.** The value (BC) resulting from the formula should be added to the indicative coordination threshold as listed above.

To obtain the power level in wideband channel bandwidth, the BC resulting from the formula above should be added to the calculated threshold level (at 3 m or 10 m height) as calculated in 25 kHz bandwidth for the applicable preferential channel distance.

- 7.4.** In the event of any interference, the Authority will require affected parties to carry out coordination. In the event that the interference continues to be unresolved after 24 hours, the affected parties may refer the matter to the Authority for a resolution. The Authority will decide the necessary modifications and schedule of modifications to resolve the dispute. The Authority will be guided by the interference resolution process as shown in Appendix B.
- 7.5.** Assignment holders shall take full advantage of interference mitigation techniques such as antenna discrimination, tilt, polarisation, frequency discrimination, shielding/blocking (introduce diffraction loss), site selection, and/or power control to facilitate the coordination of systems.

8. Assignment

8.1. Standard Approach

The assignment of frequency will take place according to the Standard Application Procedures in the Radio Frequency Spectrum Regulations 2015.

9. Revocation

- 9.1.** In the previous 2018 Radio Frequency Assignment Plan for this band³⁵ the Authority decided that existing licences for the use of the band will be revoked by 31st of March 2019 if they are NOT for PPDR/PMR.

³⁴ ECC Report 276 Thresholds for the coordination of CDMA and LTE broadband systems in the 400 MHz band, 27 April 2018. Available online at <https://docdb.cept.org/download/1324>.

³⁵ ICASA. 2018. Radio Frequency Assignment Plan 2018. Government Gazette No 41512, 23 March 2018

10. Frequency Migration**10.1. Specific Procedure**

This band will be assigned as a contiguous block for public protection and disaster relief (PPDR) as well as public safety with users including SAPS, SANDF, the ambulance service, metro police and Fire-fighting services. All other users will migrate out of this band.

The band is exclusively reserved for digital public safety PPDR/PMR and all relevant non-digital usage/users (e.g., SAPS etc.) will migrate into this band.

Appendix A National Radio Frequency Plan

Table 1 shows an extract from the National Radio Frequency Plan for South Africa.

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
335.4-387 MHz FIXED MOBILE 5.254	335.4-387 MHz FIXED NF6 MOBILE NF7 Mobile satellite 5.254	PTP/PTMP FWA (336 – 346 MHz) FWA (356 – 366 MHz) Government Services (366-380 MHz) Digital Trunking (Emergency) (380 – 387 MHz) (PPDR ³⁶) PMR and/or PAMR (335.4-336 MHz) Unmanned Aerial Vehicle (UAV) (366.0 - 380.0 MHz)	Paired with 356 – 366 MHz Paired with 336 – 346 MHz Paired with 390 – 397 MHz (Coordination is required with PTP/PTMP in the implement of UAV) Radio Frequency Spectrum Assignment Plan GG 41512 Notice 148 of 2018
387-390 MHz FIXED MOBILE Mobile-satellite (space-to-Earth) 5.208A 5.208B 5.254 5.255	387-390 MHz FIXED MOBILE NF7 Mobile-satellite (space-to-Earth) 5.208A 5.208B 5.254 5.255	Digital Trunking (387 – 390 MHz) (Govt.) PMR and/or PAMR	Paired with 397 – 399.9 MHz (To be used mainly for digital systems.) Radio Frequency Spectrum Assignment Plan GG 41512 Notice 148 of 2018 Final Frequency Migration Plan 2019 (GG No. 42337 Notice 36 of 2019)
390-399.9 MHz	390-399.9 MHz		

³⁶http://www.crasa.org/common_up/crasa-setup/12-03-2015_GUIDELINES%20ON%20FREQUENCIES%20FOR%20PPDR%202014.pdf

FIXED MOBILE	FIXED MOBILE NF7 Mobile-satellite	Digital Trunking Emergency) (390 – 397 MHz) (PPDR) Government Services Digital Trunking (397 – 399.9 MHz) (Govt.) PMR and/or PAMR	Paired with 380 – 387 MHz Paired with 387 – 390 MHz In accordance with Resolution 646 and Recommendation ITU-R M.2015-2 latest version. Radio Frequency Spectrum Assignment Plan GG 41512 Notice 148 of 2018 Final Frequency Migration Plan 2019 (GG No. 42337 Notice 36 of 2019)
5.254	5.254		

Table 1: National Radio Frequency Plan for South Africa for 335.4 – 399.9 MHz band³⁷

³⁷ National Radio Frequency Plan 2021, (NRFP-21) 8.3 kHz – 3000 GHz, Independent Communications Authority of South Africa

Appendix B Interference Resolution Process

Technical procedures related to bilateral and multilateral cross-border frequency coordination agreements for 4 geographical sub-regions are defined by the African Union, which includes the Southern African sub-region of 10 countries. Cross-Border Frequency Coordination and interference resolution should follow the Harmonized Calculation Method for Africa (HCM4A)^{38, 39} or any appropriate methods applicable.

When requesting coordination, the relevant characteristics of the base station and the code or PCI group number should be forwarded to the Administration affected. All of the following characteristics should be included:

- a) carrier frequency [MHz]
- b) name of transmitter station
- c) country of location of transmitter station
- d) geographical coordinates [latitude, longitude]
- e) effective antenna height [m]
- f) antenna polarisation
- g) antenna azimuth [degrees]
- h) antenna gain [dBi]
- i) effective radiated power [dBW]
- j) expected coverage zone or radius [km]
- k) date of entry into service [month, year].
- l) code group number used
- m) antenna tilt [degrees]

The Administration affected will evaluate the request for coordination and will, within thirty (30) days, notify the Administration requesting coordination the result of the evaluation. If, in the course of the coordination procedure, the Administration affected requires additional information, it may request such information.

If no reply is received by the Administration requesting coordination within (30) days, it may send a reminder to the Administration affected. Where the Administration fails to respond within thirty (30) days following communication of the reminder will be deemed to have given its consent, and the code coordination may be put into use with the characteristics given in the request for coordination.

The above-mentioned periods are subject to extension by common consent.

³⁸ Cross-Border Frequency Coordination: Harmonized Calculation Method for Africa (HCM4A), Agreement. HIPSSA - Harmonization of ICT Policies in Sub-Saharan Africa, ITU, 2013, 54pp. Available online at https://www.itu.int/en/ITU-D/Projects/ITU-EC-ACP/HIPSSA/Documents/FINAL%20DOCUMENTS/FINAL%20DOCS%20ENGLISH/hcm4a_agreement.pdf.pdf

³⁹ Cross-Border Frequency Coordination Agreement Harmonized Calculation Method for Africa (HCM4A): On the coordination of frequencies between 29.7 MHz and 43.5 GHz For the fixed service and the land mobile service. Adopted on [01.01.2022]. DRAFT, 25pp. Available online at https://www.itu.int/en/ITU-D/Projects/ITU-EC-ACP/PRIDA/PublishingImages/Pages/default/HCM4A_2022_%20Main%20text_and%20annex%2012%20_EN_v.0.pdf

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

NO. 2783

25 November 2022

**HEREBY ISSUES A NOTICE REGARDING DRAFT RADIO FREQUENCY ASSIGNMENT PLANS FOR THE FREQUENCY BAND 406.1 TO 410 MHz IN TERMS OF REGULATION 3 OF THE RADIO FREQUENCY SPECTRUM REGULATIONS, 2015**

1. The Independent Communications Authority of South Africa ("the Authority"), hereby publishes the **Draft Radio Frequency Spectrum Assignment Plan for the frequency band 406.1 MHz to 410 MHz for public consultation** in terms of regulation 3 of the Radio Frequency Spectrum Regulations 2015 and the Radio Frequency Migration Plan of 2013 and 2019.
2. The Radio Frequency Migration Regulations 2013 provide that upon completion of this Radio Frequency Spectrum Assignment Plan the Authority will issue a notice to users to be migrated (regulation 6(1) of the Radio Frequency Migration Regulations)
3. All existing analogue services (i.e., analogue PMR and analogue Mobile) should be migrated out of the band as stipulated by the ECA¹ (Section 8(2)(n) which requires "the efficient use of the radio frequency spectrum and migration to digital use of such radio frequency spectrum").
4. Interested persons are hereby invited to submit written representations of their views on this RFSAP, in both MS Word and .pdf format.
5. Submissions must be made no later than 16h00 on Friday 13 January 2023.
6. Persons making written representations are further invited to indicate whether they require an opportunity to make oral representations.
7. Written representations or enquiries may be directed by email to:

Attention:

Mr Manyapelo Richard Makgotlho

e-mail: rmakgotlho@icasa.org.zacc: jdikgale@icasa.org.za

¹ ICASA. 2006. Electronic Communications Act 2005. Government Gazette No 28743, 18 April 2006

8. All written representations submitted to the Authority pursuant to this notice will be made available for inspection by interested persons from 17 January 2023 at the ICASA Library. Electronic copies of such representations are obtainable on request and documents will be obtainable on payment of a fee.
9. The draft plans and non-confidential representations will be uploaded to the ICASA website under this link: <https://www.icasa.org.za/legislation-and-regulations/radio-frequency-spectrum-plans/draft-radio-frequency-spectrum-plans>
10. In terms of section 4D of the ICASA Act, any person may request that any part of the pre-registration notice be treated as confidential. Confidential documents must be clearly marked as such and submitted together with the original written representation. Requests for Confidentiality must be submitted in line with the Guidelines for Confidentiality Request published in Government Gazette No 41839 (Notice No. 849) dated 17 August 2018.
11. Where an Applicant has requested confidentiality on sections of its written representations, the written representations must be accompanied by one (1) non-confidential copy with sections that are redacted. The non-confidential version of the written representations will be published for public comment if the request for confidentiality is granted. Requests for confidentiality will be considered within fourteen (14) working days of receiving the request. The Authority will communicate its decision to the respective Applicant.
12. In the event that the request for confidentiality is refused, the Applicant may choose to withdraw the information on which confidentiality is requested.



DR CHARLES LEWIS
ACTING CHAIRPERSON



Radio Frequency Spectrum Assignment Plan

Rules for Services operating in the Frequency Band
406.1 MHz to 410 MHz

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1 Glossary

In this Radio Frequency Spectrum Assignment Plan, terms used shall have the same meaning as in the Electronic Communications Act 2005 (no. 36 of 2005); unless the context indicates otherwise:

“Act”	means the Electronic Communications Act, 2005 (Act No. 36 of 2005) as amended
“Administration”	means any governmental department or service responsible for discharging the obligations undertaken in the Constitution of the International Telecommunication Union, in the Convention of the International Telecommunication Union and in the Administrative Regulations (CS 1002).
“BTX”	means Base Transceiver
“DMR”	means Digital Mobile Radio
“EIRP”	means Effective Isotropic Radiated Power
“ERP”	means Effective/equivalent radiated power
“ITU”	means the International Telecommunication Union
“ITU-R”	means the International Telecommunication Union Radiocommunication Sector
“MTX”	means Mobile Transceiver
“NRFP”	means the National Radio Frequency Plan 2013 for South Africa
“PPDR”	means Public Protection and Disaster Relief
“P(A)MR”	means Public Mobile Radio/Private Access Mobile Radio
“RFSAP”	means Radio Frequency Spectrum Assignment Plan
“SKA”	means the Square Kilometre Array (Radio Astronomy sites)
“WRC-19”	means the World Radio Conference 2019 held in Sharm el-Sheikh

2 Purpose

- 2.1** A Radio Frequency Spectrum Assignment Plan (RFSAP) provides information on the requirements attached to the use of a frequency band in line with the allocation and other information in the National Radio Frequency Plan (NRFP). This information includes technical characteristics of radio systems, frequency channelling, coordination, and details on the required migration of existing users of the band and the expected method of assignment.

- 2.2 This Radio Frequency Spectrum Assignment Plan states the requirements for the utilisation of the frequency band 406.1 - 410 MHz as for Digital Mobile Radio (DMR) and Fixed Services along with the Radio Astronomy Service.
- 2.3 This follows the feasibility study concerning the 406.1 - 410 MHz band², as mandated by the 2013³ and 2019⁴ Radio Frequency migration plans, in which the Authority has concluded that the most efficient use of this band is for these aforementioned (in 2.2) services.
- 2.4 This Authority's decision is consistent with both the ITU and South African allocations for the 406.1 - 410 MHz band, as shown in Appendix 1.
- 2.5 Therefore, the intention of this RFSAP is to assign this band for DMR, Fixed and Radio Astronomy Services.
- 2.5.1 This will result in all other users being migrated, making this a *dedicated band for public safety*
- 2.5.2 *Therefore, all other uses (e.g., all existing analogue PMR or analogue mobile) will migrate out of the band.*
- 2.6 Radio Astronomy is a unique radio service which operates in this band. Therefore, exclusion/quiet zones will need to be maintained around the Radio Astronomy sites, e.g., the Square Kilometre Array in South Africa.

3 General

- 3.1 Technical characteristics of the equipment used for Digital Mobile Radio, Radio Astronomy and Fixed systems shall conform to all applicable South African standards, international standards, International Telecommunication Union (ITU) and its radio regulations as agreed and adopted by South Africa
- 3.2 All installations must comply with safety rules as specified in applicable standards.
- 3.3 The equipment used shall be certified under South African law and regulations.
- 3.4 The allocation of this frequency band and the information in this Radio Frequency Spectrum Assignment Plan (RFSAP) are subject to review.
- 3.4.1 Likely use of this band apart from Radio Astronomy within its exclusion/quiet zones will be for Digital Private (Professional) Mobile Radio and Public Access Mobile Radio (PMR) in the Mobile Services. In addition, Fixed Links in the Fixed Services would operate in the band. Likely users would include Government use for public safety, including both Fixed and Mobile usage. All Public Protection and Disaster Relief (PPDR) use in this band is encouraged to move to 380 - 400 MHz.
- 3.5 The Frequency range assigned for Radio Astronomy within its exclusion/quiet zones will span 406.1 – 410 MHz. The frequency range assigned for both Fixed and Mobile Services will span 406.1 – 410 MHz, therefore requiring coordination amongst these two services for everyone outside the radio astronomy exclusion areas.
- 3.5.1 Further details of applicable technologies are specified in the following documents:

² Implementation of the Radio Frequency Migration Plan and the International Mobile Telecommunications (IMT) Roadmap for public consultation, Government Gazette No. 45690, 24 December 2021.

³ Frequency Migration regulation and Radio Frequency Migration Plan March 2013, Government Gazette No 36334, 3 April 2013

⁴ ICASA. 2019. Radio Frequency Migration Plan 2019. Government Gazette No 42337, 29 March 2019

- Report ITU-R M.2017 (1998) Spectrum efficient digital land mobile systems for dispatch traffic. <https://fddocuments.net/download/m2014-spectrum-efficient-digital-land-mobile-viewspectrum-efficient-digital> .
- Report ITU-R M.2014-3 (11/2016): Digital land mobile systems for dispatch traffic. <https://www.itu.int/pub/R-REP-M.2014>.
- Report ITU-R M.2377-1 (11/2017): Radiocommunication objectives and requirements for Public Protection and Disaster Relief. <https://www.itu.int/pub/R-REP-M.2377>.
- Report ITU-R M.2415-0 (11/2017): Spectrum needs for Public Protection and Disaster Relief (PPDR). <https://www.itu.int/pub/R-REP-M.2415/en>.
- Recommendation ITU-R M.2015-2 (01/2018): Frequency arrangements for public protection and disaster relief radiocommunication systems in accordance with Resolution 646 (Rev.WRC-15). <https://www.itu.int/rec/R-REC-M.2015/en> .
- Recommendation ITU-R M.2009-2 (01/2019): Radio interface standards for use by public protection and disaster relief operations in accordance with Resolution 646 (Rev.WRC-15). https://www.itu.int/dms_pubrec/itu-r/rec/m/R-REC-M.2009-2-201901-I!!PDF-E.pdf .
- Recommendation ITU-R M.1808-1 (11/2019): Technical and operational characteristics of conventional and trunked land mobile systems operating in the mobile service allocations below 869 MHz to be used in sharing studies in bands below 960 MHz. <https://www.itu.int/rec/R-REC-M.1808> .
- ECC/DEC/ (19)02, ECC Decision of 8 March 2019 on Land mobile systems in the frequency ranges 68-87.5 MHz, 146-174 MHz, 406.1-410 MHz, 410-430 MHz, 440-450 MHz, and 450-470 MHz, 8 March 2019. <https://docdb.cept.org/document/9680> .
- ECC Decision (08)05 “The harmonisation of frequency bands for the implementation of digital Public Protection and Disaster Relief (PPDR) narrow band and wide band radio applications in bands within the 380-470 MHz range”, Approved 27 June 2008, Amended 8 March 2019. <https://docdb.cept.org/document/416> .
- T/R 25-08 Recommendation T/R of 30 May 2008 on Planning criteria and cross-border coordination of frequencies for land mobile systems in the range 29.7-470 MHz. Latest amended on 28 September 2018. 28 September 2018. <https://docdb.cept.org/document/909> .
- ECC Report 099 TETRA Enhanced Data Services (TEDS): Impact on existing PMR/PAMR and Air Ground Air (AGA) systems in the 400 MHz band. 20 September 2007. <https://docdb.cept.org/document/207> .
- ECC Report 097 Cross Border Interference for Land Mobile Technologies. 20 February 2007. <https://docdb.cept.org/document/205> .
- ECC Report 102 Public protection and disaster relief spectrum requirements. 6 February 2007. <https://docdb.cept.org/document/210> .
- ERC Report 075 Narrowband return path two-way paging compatibility studies in the 406.1 - 410 MHz, 440 - 470 MHz and 862 - 871 MHz bands. 1 May 1999. <https://docdb.cept.org/document/643> .

Additional useful references on the subject may be found in Annex 1 of ITU-R Report M.2377-1⁵, and Annex 2 of ECC/DEC/ (08)/05⁶. In particular, Section A1.3 of Rep. ITU-R BT.2377-1 offers a list of public safety recommendations and reports, and Annex 2 of ECC/DEC/ (08)/05 provides a list of digital land mobile systems and related sharing and compatibility reports.

4 Channelling Plan

- 4.1** The frequency band 406.1 MHz - 410 MHz will be assigned in a coordinated fashion for Fixed and Digital Mobile Services outside the Radio Astronomy exclusion zones.
- 4.2** Fixed Services will operate within the 406.1 – 410 MHz band paired with the 416.1 – 420 MHz. Mobile Transmit (MTx) Services operating in the 406.1 – 410 MHz band will be paired with Base Transmit (BTx) in 416.1 – 420 MHz, too.

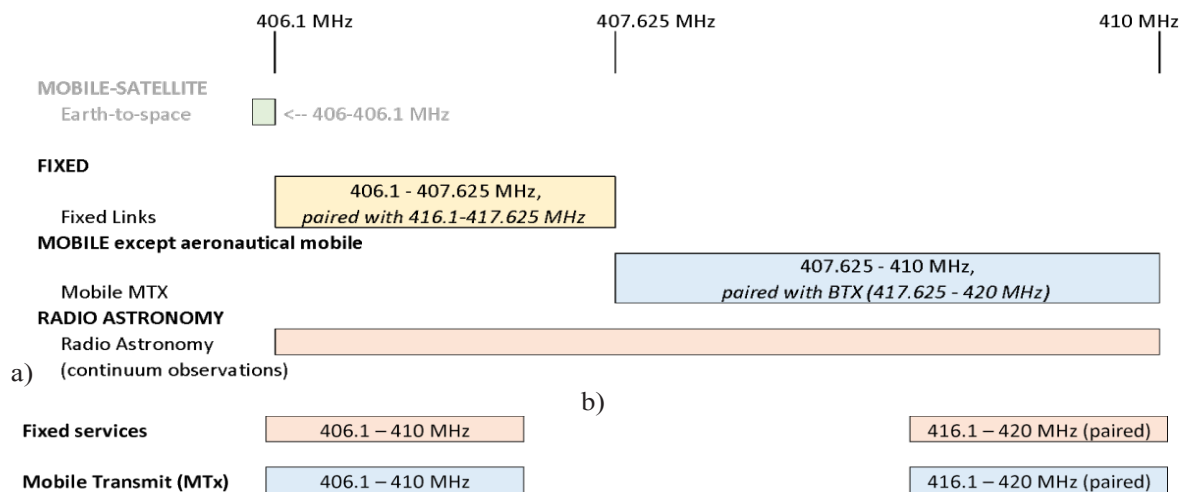


Figure 2: a) Current channel arrangements for 406.1 - 410 MHz, also highlighting the adjacent Earth-to-space allocation (406 – 406.1 MHz); and b) Proposed band pairing.

5 Requirements for usage of radio frequency spectrum

- 5.1** This chapter covers the minimum key characteristics considered necessary in order to make the best use of the available frequencies.
- 5.2** The use of the band is limited to Fixed, Mobile and Radio Astronomy services.
- 5.3** In some cases, a radio system conforming to the requirements of this RFSAP may require modifications if harmful interference is caused to other radio stations or systems.

⁵ Report ITU-R M.2377-1 (11/2017): Radiocommunication objectives and requirements for Public Protection and Disaster Relief. <https://www.itu.int/pub/R-REP-M.2377>

⁶ The harmonisation of frequency bands for the implementation of digital Public Protection and Disaster Relief (PPDR) narrow band and wide band radio applications in bands within the 380 – 470 MHz range <https://docdb.cept.org/download/1574>

- 5.4 The allocation of spectrum and shared services within these bands are found in the National Radio Frequency Plan (NRFP), and an extract of NRFP is shown in Appendix A.
- 5.5 The Technical Requirements for *land mobile systems* with channel bandwidth of 6.25 kHz, 12.5 kHz and 25 kHz, 50 kHz, 100 kHz, 150 kHz, and 200 kHz, as well as the technical requirements for land mobile systems operating with channel bandwidth between 6.25 kHz and 200 kHz are provided in ECC/DEC/ (19)02⁷. A summary follows:

5.5.1 Adjacent and Alternate Channel Power

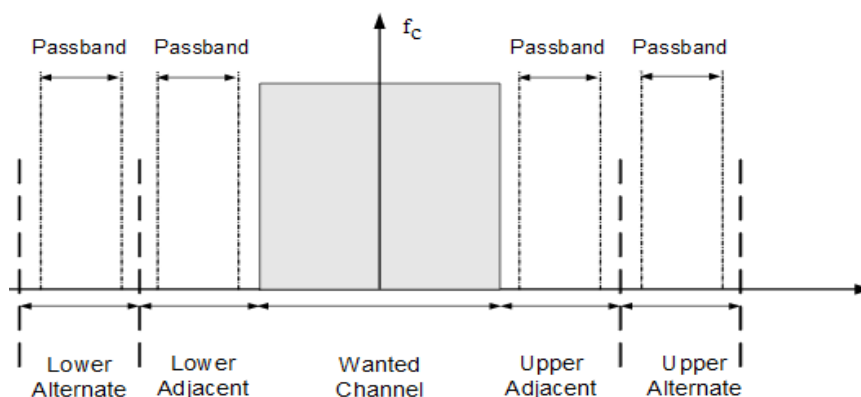


Figure 2: Wanted channel, adjacent and alternate adjacent channels

Within the wanted channel, the effective radiated power used shall comply with the authorisation conditions. Normal effective radiated power (ERP) emissions within the wanted *channel* do normally not exceed 40 dBm for user equipment and 53 dBm for base station equipment.

5.5.2 Adjacent and Alternate Adjacent Channel Power

The power in the lower and upper adjacent channels, as well as in the lower and upper alternate adjacent channels, shall not exceed a value of 60 dBc below the transmitter output power without the need to be below -36 dBm ERP.

These limits are valid for all base stations, user equipment and repeaters.

5.5.3 Unwanted Emissions in The Spurious Domain

The unwanted emissions within the spurious domain during operation shall not exceed -36 dBm for frequencies up to 1 GHz and shall not exceed -30 dBm for frequencies above 1 GHz. In standby mode, the unwanted emissions shall not exceed -57 dBm for frequencies up to 1 GHz and shall not exceed -47 dBm for frequencies above 1 GHz.

5.5.4 Intermodulation Attenuation

This requirement applies only to transmitters to be used in base stations or repeaters.

⁷ ECC/DEC/ (19)02, ECC Decision of 8 March 2019 on Land mobile systems in the frequency ranges 68-87.5 MHz, 146-174 MHz, 406.1-410 MHz, 410-430 MHz, 440-450 MHz, and 450-470 MHz, 8 March 2019. <https://docdb.cept.org/download/1455>.

Intermodulation attenuation is a measure of the capability of a transmitter to inhibit the generation of signals in its non-linear elements caused by the presence of the transmitter power and an interfering signal entering the transmitter via its antenna.

In general, the intermodulation attenuation ratio shall be at least 40 dB for any intermodulation component.

Note that ICASA may require a more stringent intermodulation attenuation requirement for base station equipment to be used in special service conditions, e.g., at sites where more than one transmitter will be in service, this is recommended to be at least 70 dB for any intermodulation component.

5.5.5 Adjacent Channel Transient Power

Transient power is the power falling into adjacent spectrum due to switching the transmitter on and off. The transient power in the adjacent channels (e.g., caused by push-to-talk functionality) shall not exceed -60 dBc in the adjacent channels, or -50 dBc for equipment, without the need to be below -36 dBm.

5.5.6 Receiver Requirements

5.5.6.1 Adjacent channel selectivity

The adjacent channel selectivity is the measure of the capability of the receiver of the land mobile system to receive a wanted modulated signal at the nominal operating frequency without exceeding a given degradation due to the presence of another land mobile system in assumed 25 kHz channels adjacent to the channel bandwidth for which the equipment is intended. E.g., the centre of an adjacent channel relative to the centre of the nominal channel is at +/- 62.5 kHz for a land mobile system operating with a 100 kHz channel bandwidth.

Table 1: Adjacent channel selectivity

Channel bandwidth	Unwanted signal levels
Up to 200 kHz	-37 dBm

5.5.6.2 Receiver blocking

Blocking is the measure of the capability of the receiver to receive a wanted modulated signal without exceeding a given degradation due to the presence of an unwanted input signal at any frequencies outside of the wanted channel and the lower and upper adjacent and alternate adjacent channels (see “Adjacent channel selectivity” above).

The blocking level shall not be less than -27 dBm.

5.6 Maximum radiated power:

5.6.1 Base Station transmissions should not exceed total ERP of 53 dBm per BS⁸.

User equipment transmissions should not exceed total ERP of 40 dBm.

⁸ ECC Decision (19)02, Land mobile systems in the frequency ranges 68-87.5 MHz, 146-174 MHz, 406.1-410 MHz, 410-430 MHz, 440-450 MHz, and 450-470 MHz Approved 8 March 2019

- 5.6.2** On a case-by-case basis, higher EIRP may be permitted if acceptable technical justification is provided.
- 5.6.3** Where appropriate subscriber terminal station should comply with the technical specification outlined under EN 300 394-1 ⁹ (for TETRA), or EN 300 392-2 ¹⁰ / TS 100 392-2 ¹¹ (for TEDS), whichever is appropriate.
- 5.7** In some cases, a radio system conforming to the requirements of this RFSAP may require modifications if major interference is caused to other radio stations or systems.

6 Implementation

- 6.1** This RFSAP shall be effective on the date of publication.
- 6.2** No new assignment in the band 406.1 – 410 MHz shall be approved unless they comply with this RFSAP.
- 6.3** The Authority is fully mindful of these constraints as part of the implementation of this RFSAP.
- 6.3.1** The ITU Radio Regulations' 5.265 Footnote on protecting the adjacent 406 - 406.1 MHz band is shown in Table 1. This will be achieved via prior coordination in the assignment process.

Frequency Band (MHz)	WRC	Res. / Rec.	Footnote	Resolution/ Footnote
406.1-410 MHz	15	205	5.265	17. Protection of the systems operating in the mobile satellite service in the frequency band 406-406.1 MHz

Table 1: Current constraints in this band¹²

⁹ ETSI EN 300 394-1 V3.3.1 (2015-04) Terrestrial Trunked Radio (TETRA); Conformance testing specification; Part 1: Radio (available online at https://www.etsi.org/deliver/etsi_en/300300_300399/30039401/03.03.01_60/en_30039401v030301p.pdf) or later.

¹⁰ ETSI EN 300 392-2 V3.8.1 (2016-08) Terrestrial Trunked Radio (TETRA); Voice plus Data (V+D); Part 2: Air Interface (AI). (Latest version applies).

¹¹ ETSI TS 100 392-2 V3.9.1 (2019-01) Terrestrial Trunked Radio (TETRA); Voice plus Data (V+D); Part 2: Air Interface (AI) (available online at https://www.etsi.org/deliver/etsi_ts/100300_100399/10039202/03.09.01_60/ts_10039202v030901p.pdf) or later.

¹² ICASA. 2019. Radio Frequency Migration Plan 2019

- 6.3.2** Footnote 5.149 of the Radio Regulations urges administrations to take all practicable steps to protect the radio astronomy service from harmful interference. This will be implemented via quiet/exclusion zones for the SKA Astronomy Installations.
- 6.3.3** The WRC 15 Resolution 205 footnote 5.265 requires protection of the systems operating in the mobile satellite service needed in the frequency band.

7 Co-ordination Requirements

- 7.1** Generic indicative coordination threshold for analogue or digital land mobile systems is as follows, based on T/R 25-08 ¹³.

The aim of a coordination threshold is to avoid harmful interference between stations located in neighbouring countries. In order to achieve this, an indicative coordination threshold is established, which should not be exceeded without coordination between neighbouring countries.

The indicative coordination threshold for land mobile systems (co-channel, 50% locations, 10% time¹⁴, 10 m receiving antenna height, within a reference bandwidth of 25 kHz, at the border-line) is: 20 dB(μV/m).

For systems using a channel spacing greater than 25 kHz, the following bandwidth conversion formula can be used provided that the spectral power distribution within this channel spacing is uniform within the channel:

$$BC = 10 \times \log_{10} (\text{channel spacing} / 25 \text{ kHz}), \text{ dB}$$

The value (BC) resulting from the formula should be added to the indicative coordination threshold as listed above.

For all other spectral power distributions, indicative coordination threshold levels should be applied within every 25 kHz bandwidth within the channel spacing.

- 7.2** Some information on levels of interference and required separation distances from and to several traditional technologies (narrowband FM, TETRA, CDMA-PAMR, and Flash OFDM) may be found in ECC Report 097 ¹⁵.

- 7.2.1** Use of the frequency bands for TETRA ¹⁶ shall require coordination with the neighbouring countries within the coordination zones of 50 kilometres from the

¹³ Recommendation T/R 25-08: "Planning criteria and cross-border coordination of frequencies for land mobile systems in the range 29.7-470 MHz", Approved 15 January 1990, Amended 28 September 2018, <https://docdb.cept.org/document/909>

¹⁴ In certain situations, the 1%-time curves should be used for digital systems, e.g., to better protect analogue systems.

¹⁵ ECC Report 097, Cross Border Interference for Land Mobile Technologies, 20 February 2007. <https://docdb.cept.org/document/205>.

¹⁶ Terrestrial Trunked Radio (TETRA) overview may be found in ETSI documents, such as ETSI EN 300 392, ETSI ETR 300 and TR 102 300, ETSI EN 300 394-1, ETSI EN 300 395, ETSI EN 300 396.

neighbouring country. The coordination distance is continuously being reviewed and may be updated from time to time.

7.2.1.1 The following field strength thresholds have to be assured. Based on studies (ECC Report 97), the results and observations from these, a single level of -114.7 dBm (= 14.3 dBµV/m /25 kHz) is proposed as the threshold above which co-ordination is required. The value is measured in a 25 kHz bandwidth and refers to a measuring height of 3 metres for duplex bands.

7.2.1.2 Operator-to-operator coordination may be necessary to avoid interference

7.2.2 Annex 2 of ECC/DEC/ (08)/05 Error! Bookmark not defined. provides a list of related sharing and compatibility reports.

7.2.2.1 This includes ECC Report 99 ¹⁷, which provides information on the impact of TEDS on existing PMR/PAMR systems in the frequency range 380 - 470 MHz.

7.2.2.2 ERC Report 75 ¹⁸ provides protection distances required between a Two-way pager operating in the 406.1 - 410 MHz Band and a Radio Astronomy site

7.3 As per ECC Report 276 ¹⁹, “For historical reasons the Recommendation T/R 25-08 defines the trigger value at 10 m height. However, typically 3 m heights are considered for coordination of land mobile systems since the coverage is usually assumed for mobile user equipment. Furthermore, the definition of the trigger value at 3 m height is also easy applicable for drive tests (antenna at a vehicle’s roof). Recalculation of the derived thresholds from 3 m to 10 m height increases the coordination threshold by 15.6 dB”.

7.4 Planning characteristics in border areas.

The location, the power, and the antenna heights of all stations in the network should be selected in such a way that their range is confined, as far as possible, to the zone to be covered by the intended service.

Excessive antenna heights and transmitter outputs should be avoided, by using several locations of reduced height wherever possible. In border areas directional antennas should be used in order to minimise the interference potential.

The effective radiated power and the height of the antenna should be as low as possible in relation to the area to be served.

7.5 In the event of any interference, the Authority will require affected parties to carry out coordination. If the interference continues to be unresolved after 24 hours, the affected parties may refer the matter to the Authority for a resolution. The Authority will decide the necessary modifications and schedule of modifications to resolve the dispute. The Authority will be guided by the interference resolution process as shown in Error! Reference source not found.

¹⁷ ECC Report 99, TETRA Enhanced Data Services (TEDS): Impact on existing PMR/PAMR and Air Ground Air (AGA) systems in the 400 MHz band, 20 September 2007. <https://docdb.cept.org/document/207>

¹⁸ Narrowband Return Path Two Way Paging Compatibility Studies in the 406.1 - 410 MHz, 440 - 470 MHz and 862 - 871 MHz Bands, May 1999. <https://docdb.cept.org/download/2155> .

¹⁹ ECC Report 276 Thresholds for the coordination of CDMA and LTE broadband systems in the 400 MHz band, 27 April 2018. Available online at <https://docdb.cept.org/download/1324> .

- 7.6** Assignment holders shall take full advantage of interference mitigation techniques such as antenna discrimination, tilt, polarisation, frequency discrimination, shielding/blocking (introduce diffraction loss), site selection, and/or power control to facilitate the coordination of systems.

8 Assignment

8.1 Standard Approach

The assignment of frequency will take place according to the Standard Application Procedures in the Radio Frequency Spectrum Regulations 2015.

9 Revocation

- 9.1** Existing analogue Fixed and Mobile licences for the use of the band will be revoked by the 31st of March 2023 in favour of digital fixed and mobile uses.

10 Frequency Migration

10.1 Specific Procedure

N/A

Appendix A National Radio Frequency Plan

Table 2 shows an extract for the 406.1 - 410 MHz band from the National Frequency Plan for South Africa.

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
406.1-410 MHz FIXED MOBILE except aeronautical mobile RADIO ASTRONOMY 5.149 5.265	406.1-410 MHz FIXED MOBILE except aeronautical mobile RADIO ASTRONOMY 5.149 5.265	Fixed Links (406.1 – 407.625 MHz) Mobile MTX (407.625 – 410 MHz) Government uses for public safety PMR and/or PAMR PPDR Radio Astronomy (continuum observations)	Paired with 416.1 – 417.625 MHz Paired with BTX (417.625 – 420 MHz) The use of this band for PPDR to be studied. See section 5 for coordination with radio astronomy.

Table 2: National Radio Frequency Plan for South Africa for 406.1 MHz to 410 MHz band²⁰

²⁰ National Radio Frequency Plan 2021, (NRFP-21) 8.3 kHz – 3000 GHz, Independent Communications Authority of South Africa

Appendix B Interference Resolution Process

Technical procedures related to bilateral and multilateral cross-border frequency coordination agreements for 4 geographical sub-regions are defined by the African Union, which includes the Southern African sub-region of 10 countries. Cross-Border Frequency Coordination and interference resolution should follow the Harmonized Calculation Method for Africa (HIPPSA)²¹ and (HCM4A)²² or any appropriate methods applicable.

When requesting coordination, the relevant characteristics of the base station and the code or PCI group number should be forwarded to the Administration affected. All of the following characteristics should be included:

- a) carrier frequency [MHz]
- b) name of transmitter station
- c) country of location of transmitter station
- d) geographical coordinates [latitude, longitude]
- e) effective antenna height [m]
- f) antenna polarisation
- g) antenna azimuth [degrees]
- h) antenna gain [dBi]
- i) effective radiated power [dBW]
- j) expected coverage zone or radius [km]
- k) date of entry into service [month, year].
- l) code group number used
- m) antenna tilt [degrees]

The Administration affected shall evaluate the request for coordination and shall within 30 days notify the result of the evaluation to the Administration requesting coordination. If in the course of the coordination procedure the Administration affected requires additional information, it may request such information.

If in the course of the coordination procedure, an Administration may request additional information.

If no reply is received by the Administration requesting coordination within 30 days, it may send a reminder to the Administration affected. An Administration not having responded within 30 days following communication of the reminder shall be deemed to have given its consent and the code co-ordination may be put into use with the characteristics given in the request for coordination.

The periods mentioned above may be extended by common consent.

²¹ Cross-Border Frequency Coordination: Harmonized Calculation Method for Africa (HCM4A), Agreement. HIPSSA - Harmonization of ICT Policies in Sub-Saharan Africa, ITU, 2013, 54pp. Available online at https://www.itu.int/en/ITU-D/Projects/ITU-EC-ACP/HIPSSA/Documents/FINAL%20DOCUMENTS/FINAL%20DOCS%20ENGLISH/hcm4a_agreement.pdf.pdf

²² Cross-Border Frequency Coordination Agreement Harmonized Calculation Method for Africa (HCM4A): On the coordination of frequencies between 29.7 MHz and 43.5 GHz For the fixed service and the land mobile service. Adopted on [01.01.2022]. DRAFT, 25pp. Available online at https://www.itu.int/en/ITU-D/Projects/ITU-EC-ACP/PRIDA/PublishingImages/Pages/default/HCM4A_2022_%20Main%20text_and%20annex%2012%20EN_v.0.pdf

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

NO. 2784

25 November 2022

**HEREBY ISSUES A NOTICE REGARDING DRAFT RADIO FREQUENCY ASSIGNMENT PLANS FOR THE FREQUENCY BAND 410 TO 430 MHz IN TERMS OF REGULATION 3 OF THE RADIO FREQUENCY SPECTRUM REGULATIONS, 2015**

1. The Independent Communications Authority of South Africa ("the Authority"), hereby publishes the **Draft Radio Frequency Spectrum Assignment Plan for the frequency band 410 MHz to 430 MHz for public consultation** in terms of regulation 3 of the Radio Frequency Spectrum Regulations 2015 and the Radio Frequency Migration Plan of 2013 and 2019.
2. The Radio Frequency Migration Regulations 2013 provide that upon completion of this Radio Frequency Spectrum Assignment Plan, the Authority will issue a notice to users to be migrated in terms of Regulation 6.
3. Interested persons are hereby invited to submit written representations of their views on the RFSAP, in both Microsoft Word and PDF format.
4. Submission must be made no later than 16h00 on Friday 13 January 2023.
5. Persons making representations are further invited to indicate whether they require an opportunity to make oral representations.
6. Written representations or enquiries may be directed by email to:

Attention:

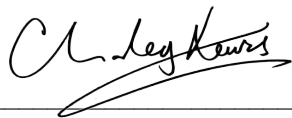
Mr Manyapelo Richard Makgotlho

e-mail: rmakgotlho@icasa.org.za

cc: jdikgale@icasa.org.za

7. All written representations submitted to the Authority pursuant to this notice will be made available for inspection by interested persons from 17 January 2023 at the ICASA Library. Electronic copies of such representations are obtainable on request and documents will be obtainable on payment of a fee.

8. The draft plans and non-confidential representations will be uploaded to the ICASA website under this link: <https://www.icasa.org.za/legislation-and-regulations/radio-frequency-spectrum-plans/draft-radio-frequency-spectrum-plans>
9. In terms of section 4D of the ICASA Act, any person may request that any part of the pre-registration notice be treated as confidential. Confidential documents must be clearly marked as such and submitted together with the original written representation. Requests for Confidentiality must be submitted in line with the Guidelines for Confidentiality Request published in Government Gazette No 41839 (Notice No. 849) dated 17 August 2018.
10. Where an Applicant has requested confidentiality on sections of its written representations, the written representations must be accompanied by one (1) non-confidential copy with sections that are redacted. The non-confidential version of the written representations will be published for public comment if the request for confidentiality is granted. Requests for confidentiality will be considered within fourteen (14) working days of receiving the request. The Authority will communicate its decision to the respective Applicant.
11. In the event that the request for confidentiality is refused, the Applicant may choose to withdraw the information on which confidentiality is requested.



DR CHARLES LEWIS
ACTING CHAIRPERSON



Radio Frequency Spectrum Assignment Plan

Rules for Services operating in the Frequency Band
410 MHz to 430 MHz

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1 Glossary

In this Radio Frequency Spectrum Assignment Plan, terms used shall have the same meaning as in the Electronic Communications Act 2005 (no. 36 of 2005); unless the context indicates otherwise:

“3GPP”	means 3 rd Generation Partnership Project
“5G”	means Fifth Generation (of mobile networks)
“Act”	means the Electronic Communications Act, 2005 (Act No. 36 of 2005) as amended
“Administration”	means any governmental department or service responsible for discharging the obligations undertaken in the Constitution of the International Telecommunication Union, in the Convention of the International Telecommunication Union and in the Administrative Regulations (CS 1002).
“APT”	means the Asia-Pacific Telecommunity
“BB-”	means Broadband (e.g., BB-PPDR)
“BS”	means Base Station
“BTX”	means Base Transceiver
“CEPT”	means the European Conference of Postal and Telecommunications Administrations
“CDMA”	means Code Division Multiple Access
“Days”	means working days unless otherwise specified
“dBc”	means decibels relative to carrier
“DF”	means Dual Frequency
“DM RS”	means Demodulation Reference Signal
“DSS”	means Dynamic Spectrum Sharing
“ECC”	means the Electronic Communications Committee (ECC) within the European Conference of Postal and Telecommunications Administrations (CEPT)
“ECC/DEC”	means ECC Decision
“ECC/REC”	means ECC Recommendation
“EIRP”	means Effective Isotropic Radiated Power
“ERP”	means Effective Radiated Power

“ETSI”	means the European Telecommunications Standards Institute
“FDD”	means Frequency Division Duplexing
“GSM”	means the Global System for Mobile Communications (GSM), the second generation (2G) of mobile networks
“HCM”	means Harmonised Calculation Method
“HIPSSA”	means the Sub-Saharan Africa Assessment Report on Harmonisation of ICT Policies in Sub-Saharan Africa
“ICNIRP”	means the International Commission on Non-Ionizing Radiation Protection (ICNIRP)
“IMT”	means the International Mobile Telecommunications
“IoT”	means the Internet of Things
“ITU”	means the International Telecommunication Union;
“ITU-R”	means the International Telecommunication Union Radiocommunication Sector
“LPWAN”	means Low Power Wide Area Network
“LRTC”	means the Least Restrictive Technical Conditions
“LTE”	means the Long-Term Evolution, which is a standard for wireless communication of high-speed data for mobile phones and data terminals
“M2M”	means Machine to Machine communications
“MTX”	means Mobile Transceiver
“NB-IoT”	means Narrow Band IoT
“NR”	means New Radio
“NRFP”	means the National Radio Frequency Plan 2021 for South Africa
“OOBE”	means Out Of Block Emissions
“PAMR”	means Public Access Mobile Radio
“PCI”	means Physical-Layer Cell Identities
“PN”	means Pseudo-Noise
“RFMP”	means the Radio Frequency Migration Plan
“RFSAP”	means the Radio Frequency Spectrum Assignment Plan
“PRACH”	means Physical Random Access Channel

“PMR”	means Private (Professional) Mobile Radio
“PN”	means Pseudo-Noise
“PPDR”	means Public Protection and Disaster Relief
“PUCCH”	means Physical Uplink Control Channel
“SF”	means Single Frequency
“TDD”	means Time Division Duplexing
“TEDS”	means TETRA Enhanced Data Service
“TETRA”	means a European standard for a trunked radio system, is a professional mobile radio and two-way transceiver specification; formerly known as Trans-European Trunked Radio
“UE”	means User Equipment (user terminal)
“WRC-12”	means the World Radio Conference held in Geneva in 2012
“WRC-15”	means the World Radio Conference held in Geneva in 2015
“WRC-19”	means the World Radio Conference held in Sharm el-Sheikh in 2019

2 Purpose

- 2.1** This Radio Frequency Spectrum Assignment Plan (RFSAP) provides information on the requirements attached to the use of a frequency band in line with the allocation and other information in the National Radio Frequency Plan (NRFP). This information includes technical characteristics of radio systems, frequency channelling, coordination, and details on required migration of existing users of the band and the expected method of assignment.
- 2.2** The Authority proposed in the RFMP 2013¹ and 2019 Radio Frequency Migration Plan² exclusive allocation for trunking services. However, in light of emerging trends in this band, the Authority proposed in the feasibility study concerning this band³ to make this band available for other potential emerging applications such as broadband Public Protection and Disaster Relief (PPDR) and Internet of Things (IoT), in addition to digital public trunking. The Authority also proposed that all other services migrate out of the band.
- 2.3** This RFSAP states the requirements for the utilization of the frequency band between 410 MHz and 430 MHz for potential emerging applications such as broadband PPDR and IoT, in addition to digital public trunking services.
- 2.4** The Authority's decision is consistent with the ITU allocations for the 410 MHz to 430 MHz band. The 410 MHz to 420 MHz band is allocated to FIXED, MOBILE (except aeronautical mobile) and SPACE RESEARCH (space-to-space) services. The 420 MHz to 430 MHz band is allocated to FIXED and MOBILE (except aeronautical mobile) services on a primary basis within Region 1. In addition, footnote 5.268 in the National Frequency Plan for South Africa notes that the use of the frequency band 410 – 420 MHz by the space research service is limited to space-to-space communication links with an orbiting, manned space vehicle. In this frequency band, stations of the space research service (space-to-space) shall not claim protection from, nor constrain the use and development of, stations of the fixed and mobile services. **The Authority has concluded that this band will be made available for other potential emerging applications such as broadband PPDR (BB-PPDR) and IoT, in addition to digital public trunking.**

3 General

- 3.1** Technical characteristics of the equipment used in potential emerging applications such as broadband PPDR and IoT and digital public trunking systems shall conform to all applicable South African standards, international standards, International Telecommunication Union (ITU) and its radio regulations as agreed and adopted by South Africa.
- 3.2** All installations must comply with safety rules as specified in applicable standards.
- 3.3** The equipment used shall be certified under South African law and regulations.
- 3.4** The allocation of this frequency band and the information in this RFSAP are subject to review.
- 3.5** Use of this band will be for potential emerging applications such as broadband PPDR and IoT, in addition to digital public trunking services.

¹ Frequency Migration regulation and Radio Frequency Migration Plan March 2013, Government Gazette No 36334, 3 April 2013

² Government Gazette No 42337, 29 March 2019. <https://www.icasa.org.za/uploads/files/final-radio-frequency-migration-plan-2019.pdf>

³ Implementation of the Radio Frequency Migration Plan and the International Mobile Telecommunications (IMT) Roadmap for public consultation, Government Gazette No. 45690, 24 December 2021.

- 3.6** The 2021 Implementation document⁴ discusses LTE and associated technologies in the context of PPDR and IoT. The LTE can be equally expanded on the next, fifth generation (5G) of the mobile networks, including New Radio (NR).
- 3.7** In line with the development of land mobile PMR/PAMR, the need for high-speed data and other additional services increases. Already now, there is an expressed requirement for services that cannot be delivered over traditional narrowband technology. In response, industry has already developed a number of systems, including for example TETRA TEDS using 25 kHz, 50 kHz, 100 kHz and 150 kHz bandwidth, systems using 200 kHz channel bandwidth based on GSM technology, M2M/IoT based on NB-IoT and LPWAN (Low Power Wide Area Network) technologies, CDMA-PAMR using 1.25 MHz channel bandwidth or LTE (Long-Term Evolution) based technologies using 200 kHz, 1.4 MHz, 3 MHz, and 5 MHz channel bandwidth.
- 3.8** As highlighted by “Implementation of the Radio Frequency Migration Plan and the International Mobile Telecommunications (IMT) Roadmap” 100, 3GPP has standardised two FDD band plans (see Figure 1) for the 410 – 430 MHz band⁵, namely bands 87 for PMR in APT (410 – 415 MHz for uplink and 420 – 425 MHz for downlink) and 88 for PMR in EU (412 – 417 MHz for uplink and 422 – 427 MHz for downlink). In particular, the band 88 matches ITU Region 1, where South Africa belongs.

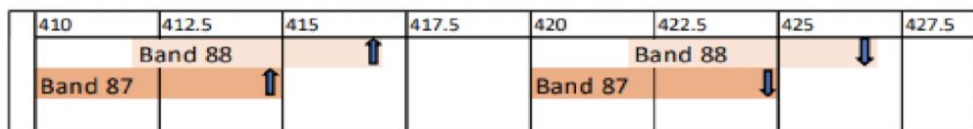


Figure 1: Two 3GPP band plans (87 and 88) for 410 MHz to 430 MHz band¹⁰⁰.

- 3.9** ECC/DEC/ (19)02⁶ suggests the following options for the land mobile systems with channel bandwidth of 1.25 MHz, 1.4 MHz, 3 MHz, and 5 MHz:
- 3.9.1** 410-415 MHz (uplink) / 420-425 MHz (downlink), similar to 3GPP's LTE band 87;
- 3.9.2** 411-416 MHz (uplink) / 421-426 MHz (downlink); and
- 3.9.3** 412-417 MHz (uplink) / 422-427 MHz (downlink), similar to 3GPP's LTE band 88.
- 3.9.4** Considering the mismatch to the 3GPP's for option 3.9.2, it is likely that only the other two options will receive industry support. For this reason, option 3.9.2 is not included in the proposed Channelling Plan shown in section 34.
- 3.10** Public Protection Disaster Relief (PPDR)

⁴ https://www.gov.za/sites/default/files/gcis_document/202112/45690gen739.pdf

⁵ 450 Alliance, <https://450alliance.org/>

⁶ ECC/DEC/ (19)02, ECC Decision of 8 March 2019 on Land mobile systems in the frequency ranges 68-87.5 MHz, 146-174 MHz, 406.1-410 MHz, 410-430 MHz, 440-450 MHz, and 450-470 MHz, 8 March 2019. (<https://docdb.cept.org/document/9680>)

3.10.1 Resolution 646 (Rev. WRC-15)⁷ defines the purpose of a PPDR radio system. Such a system includes two different uses. The first one is for Public Protection (PP) which covers radiocommunications used by responsible agencies and organisations dealing with maintenance of law and order, protection of life and property, and emergency situations. The second one is for Disaster Relief (DR) which covers radiocommunications used by agencies and organisations dealing with a serious disruption of the functioning of society, posing a significant, widespread threat to human life, health, property or the environment, whether caused by accident, nature or human activity, and whether developing suddenly or as a result of complex, long-term processes (the precise definitions are also included and explained in ECC Report 102 [5]).

3.10.2 BB-PPDR services can be provided by means of three infrastructure models; through mobile broadband networks dedicated to providing service to BB-PPDR users to meet their specific requirements, through commercial mobile networks providing both PPDR and commercial service or through hybrid solutions with partly dedicated and partly commercial network infrastructure.

3.10.3 As per ECC/DEC/ (16)02⁸, the 400 MHz range does not provide enough available spectrum to provide a stand-alone solution for broadband PPDR as calculated in ECC Report 199⁹, even though it can offer national flexibility, e.g., in the context of additional spectrum beside the 700 MHz range. In addition, the 400 MHz range has the advantage of very good propagation characteristics, potentially reducing the number of base station sites needed to provide the necessary coverage (rural areas).

As per ECC/DEC/ (16)02¹⁰, introduction of additional spectrum for BB-PPDR in parts of the 400 MHz range shall apply the Least Restrictive Technical Conditions (LRTC) for BB-PPDR (intended to ensure coexistence with other services), with channelling arrangements 1.4 MHz, 3 MHz, or 5 MHz within the following paired frequency ranges:

3.10.3.1 410.0-415.0 MHz (uplink) / 420.0-425.0 MHz (downlink);

3.10.3.2 411.0-416.0 MHz (uplink) / 421.0-426.0 MHz (downlink); or

3.10.3.3 412.0-417.0 MHz (uplink) / 422.0-427.0 MHz (downlink).

⁷ Resolution 646 (Rev. WRC-15): "Public Protection and Disaster Relief" recommends to use regionally harmonised bands for BB-PPDR radio systems to the maximum extent possible, taking into account the national and regional requirements and also having regard to any needed consultation and cooperation with other concerned countries/regions.

⁸ ECC/DEC/ (16)02, ECC Decision of 17 June 2016 on harmonised technical conditions and frequency bands for the implementation of Broadband Public Protection and Disaster Relief (BB-PPDR) systems. Amended on 8 March 2019. (<https://docdb.cept.org/document/941>)

⁹ ECC Report 199, User requirements and spectrum needs for future European broadband PPDR systems (Wide Area Networks), 30 May 2013. (<https://docdb.cept.org/document/306>)

¹⁰ ECC/DEC/ (16)02, ECC Decision of 17 June 2016 on harmonised technical conditions and frequency bands for the implementation of Broadband Public Protection and Disaster Relief (BB-PPDR) systems. Amended on 8 March 2019. (<https://docdb.cept.org/document/941>)

3.11 The following documents may also be useful when considering the 410 – 430 MHz band:

- 3.11.1** ECC/DEC/ (19)02, ECC Decision of 8 March 2019 on Land mobile systems in the frequency ranges 68-87.5 MHz, 146-174 MHz, 406.1-410 MHz, 410-430 MHz, 440-450 MHz, and 450-470 MHz, 8 March 2019. (<https://docdb.cept.org/document/9680>)
- 3.11.2** ECC/DEC/ (16)02, ECC Decision of 17 June 2016 on harmonised technical conditions and frequency bands for the implementation of Broadband Public Protection and Disaster Relief (BB-PPDR) systems. Amended on 8 March 2019. (<https://docdb.cept.org/document/941>)
- 3.11.3** ECC Report 292, Current Use, Future Opportunities and Guidance to Administrations for the 400 MHz PMR/PAMR frequencies, 8 February 2019. (<https://docdb.cept.org/document/9556>)
- 3.11.4** T/R 25-08, Recommendation T/R of 30 May 2008 on Planning criteria and cross-border coordination of frequencies for land mobile systems in the range 29.7-470 MHz. Latest amended on 28 September 2018. (<https://docdb.cept.org/document/909>)
- 3.11.5** ECC Report 283, Compatibility and sharing studies related to the introduction of broadband and narrowband systems in the bands 410-430 MHz and 450-470 MHz, 14 September 2018. (<https://docdb.cept.org/document/6033>)
- 3.11.6** ECC Report 276, Thresholds for the coordination of CDMA and LTE broadband systems in the 400 MHz band, 27 April 2018. (<https://docdb.cept.org/document/2014>)
- 3.11.7** Decision (EU) 2017/1483, Commission Implementing Decision (EU) 2017/1483 of 8 August 2017 amending Decision 2006/771/EC on harmonisation of the radio spectrum for use by short-range devices and repealing Decision 2006/804/EC, 8 August 2017. (<https://docdb.cept.org/document/1004>)
- 3.11.8** ECC Report 218, Harmonised conditions and spectrum bands for the implementation of future European Broadband Public Protection and Disaster Relief (BB-PPDR) systems, 2 October 2015. (<https://docdb.cept.org/document/325>)
- 3.11.9** ECC Report 240, Compatibility studies regarding Broadband PPDR and other radio applications in 410-430 and 450-470 MHz and adjacent bands, 30 September 2015. (<https://docdb.cept.org/document/346>)
- 3.11.10** ECC Report 199, User requirements and spectrum needs for future European broadband PPDR systems (Wide Area Networks), 30 May 2013. (<https://docdb.cept.org/document/306>)
- 3.11.11** ECC Report 108, Border Code Coordination between CDMA-PAMR Systems, 16 October 2007. (<https://docdb.cept.org/document/216>)
- 3.11.12** ECC Report 099, TETRA Enhanced Data Services (TEDS): Impact on existing PMR/PAMR and Air Ground Air (AGA) systems in the 400 MHz band, 20 September 2007. (<https://docdb.cept.org/document/207>)
- 3.11.13** ECC Report 097, Cross Border Interference for Land Mobile Technologies, 20 February 2007. (<https://docdb.cept.org/document/205>)

- 3.11.14** ECC Report 102, Public protection and disaster relief spectrum requirements, 6 February 2007. (<https://docdb.cept.org/document/210>)
- 3.11.15** CEPT Report 011, Report from CEPT to the European Commission in response to the Mandate on: EFIS (ECO Frequency Information System), 27 September 2006. (<https://docdb.cept.org/document/11>)
- 3.11.16** ECC Report 039, The technical impact of introducing CDMA-PAMR on 12.5 / 25 kHz PMR/PAMR technologies in the 410-430 and 450-470 MHz bands, 23 February 2004. (<https://docdb.cept.org/document/149>)
- 3.11.17** ECC Report 042, Spectrum efficiency of CDMA-PAMR and other wideband systems for PMR/PAMR, 20 February 2004. (<https://docdb.cept.org/document/152>)
- 3.11.18** ECC Report 025, Strategies for the European use of frequency spectrum for PMR/PAMR applications, 12 June 2003. (<https://docdb.cept.org/document/135>)
- 3.11.19** ECC Report 022, The technical impact of introducing TAPS on 12.5 / 25 kHz PMR/PAMR technologies in the 380-400, 410-430 and 450-470 MHz bands, 22 May 2003. (<https://docdb.cept.org/document/132>)
- 3.11.20** ERC Report 104, Adjacent band compatibility of 400 MHz TETRA and analogue FM PMR - an analysis completed using a Monte Carlo based simulation tool, 1 June 2000. (<https://docdb.cept.org/document/671>)

4 Channelling Plan

- 4.1** The frequency band 410 MHz – 430 MHz provides a total bandwidth of 20 MHz.
- 4.2** Tables with current channel plans for the band 410 – 430 MHz are available in subsection 1.7 of Appendix G (i.e., on pages 171/293 – 178/293) in the Final Radio Frequency Migration Plan 2019¹¹. The tables cover the following applications:
 - 1) SAPS (193 x 12.5 kHz channels, SAPS):**
BTX 417.5875 – 419.9875 MHz (in terms of the centres of the channels), paired with
MTX 407.5875 – 409.9875 MHz
 - 2) DIGITAL TRUNKING (200 x 25 kHz channels, TETRA):**
BTX 420 – 424.975 MHz, paired with
MTX 410 – 414.975 MHz
 - 3) MOBILE DATA (61 X 12.5 kHz channels, WBS):**
BTX 423 – 423.75 MHz, paired with
MTX 413 – 413.75 MHz.
- 4.3** The channel arrangements for the band are based on Appendix A and shown in Figure 2 and Figure 3

¹¹ Final Radio Frequency Migration Plan 2019, Government Gazette No 42337, 29 March 2019 (<https://www.icasa.org.za/uploads/files/final-radio-frequency-migration-plan-2019.pdf>).

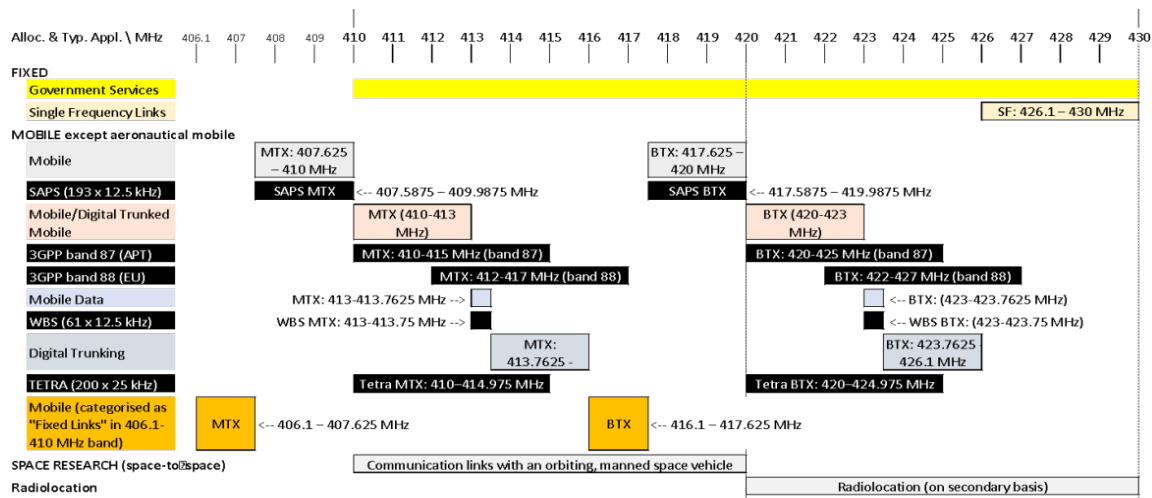


Figure 2: Current Frequency arrangements in 410 MHz – 430 MHz band in South Africa (information from Appendix A is shown with black font, and information from the 2021 Implementation document¹² is shown with white font on black background). Except for SF Links, the other bands are paired.

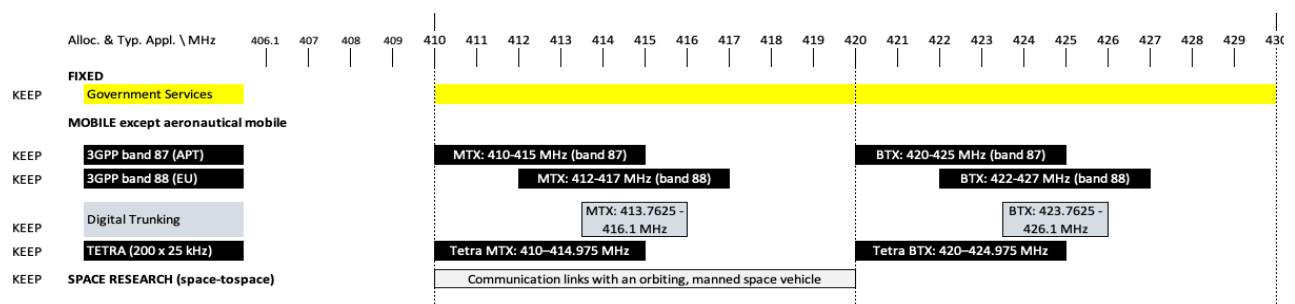


Figure 3: Proposed Frequency arrangements in 410 MHz – 430 MHz band in South Africa

4.4 Channelling for non-3GPP analogue and digital land mobile systems

4.4.1 Channelling for analogue and digital land mobile systems with channel spacing of up to 25 kHz, of 50 kHz, 100 kHz, or 150 kHz, abiding by T/R 25-08¹³.

The channel centre frequencies (hereinafter called *centre frequencies*) use the following *preferred formula*. This preferred formula should be used whenever possible, but at least in new and re-farmed bands:

¹² https://www.gov.za/sites/default/files/gcis_document/202112/45690gen739.pdf

¹³ Recommendation T/R 25-08, Planning criteria and cross-border coordination of frequencies for land mobile systems in the range 29.7-470 MHz, Approved 15 January 1990. Amended 28 September 2018. (<https://docdb.cept.org/document/909>, <https://docdb.cept.org/download/2544>)

$$F_{CH} = \text{Band Edge} - (\text{Channel Spacing}/2) + n \times \text{Channel Spacing}$$

Where:

F_{CH} = channel centre frequency

$n = 1, 2, 3, \dots$ - channel number;

Band Edge is the lower edge of the allocated frequency band, i.e., 410 MHz.

For systems using a channel spacing of 200 kHz, the centre frequencies should be selected according to the preferred formula with an option to offset these centre frequencies by 100 kHz.

4.4.2 Duplex or two-frequency simplex channel separation, location of sub-bands and guard bands ¹⁴:

A sub-band can be simplex or duplex. The lower and upper parts of a duplex sub-band should be in the same allocated band.

The frequencies of emissions of base or repeater stations should be placed in the upper band and those of mobile stations in the lower band. The same positions of upper and lower bands should be selected for bordering/adjacent countries.

The channel centre frequency of a digital land mobile system using a channel spacing greater than 25 kHz may be selected in a way that the channel pertaining to the centre frequency with its nominal channel spacing falls entirely into a sub-band and does not overlap the guard band necessary around the edges of simplex sub-bands and the edges of the lower parts and upper parts of duplex sub-bands.

4.5 Non-exhaustive spectrum arrangement options for the band 410-430 MHz

ECC Report 292 ¹⁵, “based on the overall considerations,” recommends three options for broadband technologies in the band, illustrated in Figure 4.

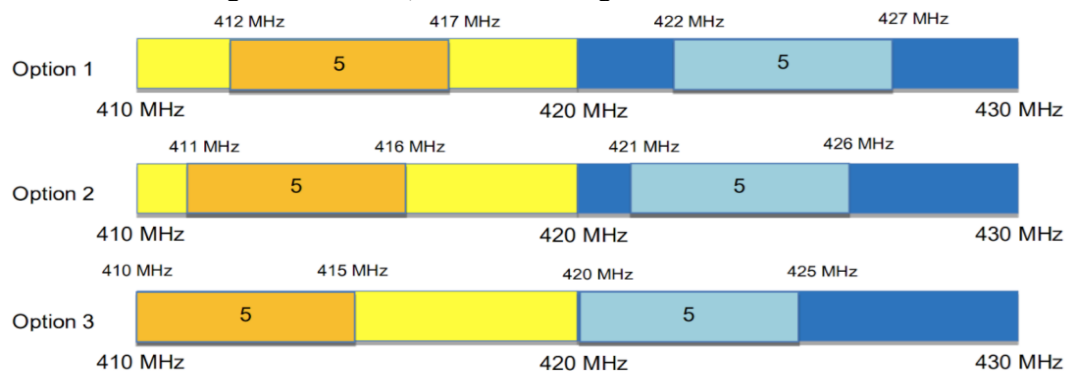


Figure 4: Non-exhaustive spectrum arrangement options for the band 410-430 MHz ¹¹²

¹⁴ ECC Recommendation T/R 25-08, Planning criteria and coordination of frequencies for land mobile systems in the range 29.7-470 MHz. <http://spectrum.welter.fr/international/cept/erc-recommendations/erc-recommendation-25-08-public-land-mobile-29-MHz-470-MHz.pdf>

¹⁵ ECC Report 292, Current Use, Future Opportunities and Guidance to Administrations for the 400 MHz PMR/PAMR frequencies, 8 February 2019. (<https://docdb.cept.org/document/9556>)

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



Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

Vol. 689

25

November
November 2022

No. 47559

PART 2 OF 3

N.B. The Government Printing Works will not be held responsible for the quality of "Hard Copies" or "Electronic Files" submitted for publication purposes

ISSN 1682-5845



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4.6 Channelling for land mobile systems with channel bandwidths of 1.25 MHz, 1.4 MHz, 3 MHz, and 5 MHz

ECC/DEC/ (19)02¹⁶, supported by ECC Report 283¹⁷, advises on the technical requirements for land mobile systems with the channel bandwidth of 1.25 MHz, 1.4 MHz, 3 MHz, and 5 MHz (for 410-430 MHz)

4.6.1 1.4 MHz, 3 MHz and 5 MHz LTE FDD channelling arrangements could be implemented in the paired frequency arrangements in 410.0 - 415.0 MHz / 420.0 - 425.0 MHz, 411.0 - 416.0 MHz / 421.0 - 426.0 MHz, and 412.0 - 417.0 MHz / 422.0 - 427.0 MHz.

4.7 Technical conditions for land mobile systems based on NB-IoT and LPWAN technologies in the 410-430 MHz frequency range, based on ECC/DEC/ (19)02¹⁸:

The following technical conditions shall be applied as an essential component necessary to ensure coexistence between neighbouring networks. Operators may agree, on a bilateral or multilateral basis, different technical parameters providing that they continue to comply with the technical conditions applicable for the protection of other services, applications, or networks and with their cross-border obligations.

The technical requirements are derived from ECC Report 283¹⁹.

4.7.1 LTE NB-IOT (STANDALONE)

ECC/DEC/ (19)02²⁰ advises on the channel bandwidth and frequency offset for NB-IoT standalone operation for a standalone NB-IoT, as summarised in Table 1 and Table 2.

NB-IoT	Standalone
Channel bandwidth (BW)	200 kHz
UE maximum EIRP	23 dBm

¹⁶ ECC/DEC/ (19)02, ECC Decision of 8 March 2019 on Land mobile systems in the frequency ranges 68-87.5 MHz, 146-174 MHz, 406.1-410 MHz, 410-430 MHz, 440-450 MHz, and 450-470 MHz, 8 March 2019. (<https://docdb.cept.org/document/9680>)

¹⁷ ECC Report 283, Compatibility and sharing studies related to the introduction of broadband and narrowband systems in the bands 410-430 MHz and 450-470 MHz, 14 September 2018. (<https://docdb.cept.org/document/6033>)

¹⁸ *Ibid.*

¹⁹ ECC Report 283, Compatibility and sharing studies related to the introduction of broadband and narrowband systems in the bands 410-430 MHz and 450-470 MHz, 14 September 2018. (<https://docdb.cept.org/document/6033>)

²⁰ ECC/DEC/ (19)02, ECC Decision of 8 March 2019 on Land mobile systems in the frequency ranges 68-87.5 MHz, 146-174 MHz, 406.1-410 MHz, 410-430 MHz, 440-450 MHz, and 450-470 MHz, 8 March 2019. (<https://docdb.cept.org/document/9680>)

Table 1. Transmission parameters

Lowest or Highest Carrier	F _{offset}
Standalone NB-IoT	200 kHz

Table 2. Frequency offset for NB-IoT standalone operation**4.7.2 LPWAN**

ECC/DEC/ (19)02]²¹ advises on the baseline channel bandwidth of 125 kHz to 250 kHz.

4.8 BB-PPDR Channelling**4.8.1 Introduction**

The 410-420 MHz / 420-430 MHz frequency range does not allow for enough available spectrum to provide for a stand-alone solution requiring 2 x 10 MHz for BB-PPDR as calculated in ECC Report 199¹⁰⁷.

The range can offer national flexibility, e.g., in the context of additional spectrum beside the 700 MHz range. The 1.4 MHz, 3 MHz and 5 MHz LTE FDD channelling arrangements could be implemented in the paired frequency arrangements in 410.0-415.0 MHz / 420.0-425.0 MHz, 411.0-416.0 MHz / 421.0-426.0 MHz and 412.0-417.0 MHz / 422.0-427.0 MHz.

The least restrictive technical conditions (LRTC) set out in this document are derived from ECC Report 283²².

4.8.2 BB-PPDR channel bandwidths considered by ECC/DEC/ (16)02²³: 1.4 MHz, 3 MHz, and 5 MHz.**5 Requirements for usage of radio frequency spectrum**

- 5.1** This section covers the minimum key characteristics considered necessary to make the best use of the available frequencies.
- 5.2** The use of the band is limited to potential emerging applications such as broadband PPDR and IoT, in addition to digital public trunking services.
- 5.3** In some cases, a radio system conforming to the requirements of this RFSAP may require modifications if harmful interference is caused to other radio stations or systems.

²¹ *Ibid*

²² ECC Report 283, Compatibility and sharing studies related to the introduction of broadband and narrowband systems in the bands 410-430 MHz and 450-470 MHz, 14 September 2018. (<https://docdb.cept.org/document/6033>)

²³ ECC/DEC/ (16)02, ECC Decision of 17 June 2016 on harmonised technical conditions and frequency bands for the implementation of Broadband Public Protection and Disaster Relief (BB-PPDR) systems. Amended on 8 March 2019. (<https://docdb.cept.org/document/941>)

- 5.4** The allocation of spectrum and shared services within these bands are found in the NRFP. An extract of the NRFP is shown in Appendix A.
- 5.5** The technical conditions listed in Sections 35.6 - 35.8 shall be applied as an essential component necessary to ensure coexistence between neighbouring networks. Operators may agree, on a bilateral or multilateral basis, different technical parameters providing that they continue to comply with the technical conditions applicable for the protection of other services, applications, or networks and with their cross-border obligations.
- 5.6** Non-3GPP Land mobile systems with channel bandwidths of 6.25 kHz, 12.5 kHz and 25 kHz, 50 kHz, 100 kHz, 150 kHz, and 200 kHz
- 5.7** The land mobile systems with channel bandwidths of 6.25 kHz, 12.5 kHz and 25 kHz, 50 kHz, 100 kHz, 150 kHz, and 200 kHz (the same requirements apply for channel bandwidth between 6.25 kHz and 200 kHz) should comply with requirements listed in ECC/DEC/ (19)02²⁴
- 5.8** Transmitter Masks, Unwanted Emissions and Receiver Requirements for land mobile systems with channel bandwidth of 1.25 MHz, 1.4 MHz, 3 MHz, and 5 MHz
- ECC/DEC/ (19)02²⁵, supported by ECC Report 283²⁶, advises on the technical requirements for land mobile systems with channel bandwidth of 1.25 MHz, 1.4 MHz, 3 MHz, and 5 MHz (for 410 – 430 MHz):

5.8.1 Transmitter Masks

A) Base station (BS) transmitter mask

Parameter	Value (dBm/cell)
Maximum in-block EIRP	56

Table 4. BS in-block EIRP (dBm/cell, 1.4 MHz, 3 MHz, and 5 MHz channel width)

Channel width	Delta F _c (MHz) from centre frequency	Out-of-band emissions (transmitter output power)	Measurement bandwidth
1.4 MHz	0.7 to 2.1	-1 dBm -10/1.4 * (Delta F _c – 0.7) dB	100 kHz
	2.1 to 3.5	-11 dBm	100 kHz
	3.5 to 9.95	-16 dBm	100 kHz
3 MHz	1.5 to 4.5	-5 dBm -10/3* (Delta F _c – 1.5) dB	100 kHz

²⁴ ECC/DEC/ (19)02, ECC Decision of 8 March 2019 on Land mobile systems in the frequency ranges 68-87.5 MHz, 146-174 MHz, 406.1-410 MHz, 410-430 MHz, 440-450 MHz, and 450-470 MHz, 8 March 2019. (<https://docdb.cept.org/document/9680>)

²⁵ ECC/DEC/ (19)02, ECC Decision of 8 March 2019 on Land mobile systems in the frequency ranges 68-87.5 MHz, 146-174 MHz, 406.1-410 MHz, 410-430 MHz, 440-450 MHz, and 450-470 MHz, 8 March 2019. (<https://docdb.cept.org/document/9680>)

^{1.1.1} ²⁶ ECC Report 283, Compatibility and sharing studies related to the introduction of broadband and narrowband systems in the bands 410-430 MHz and 450-470 MHz, 14 September 2018. (<https://docdb.cept.org/document/6033>)

Channel width	Delta F_c (MHz) from centre frequency	Out-of-band emissions (transmitter output power)	Measurement bandwidth
5 MHz	4.5 to 7.5	-15 dBm	100 kHz
	7.5 to 9.995	-16 dBm	100 kHz
	2.5 to 7.5	-7 dBm -7/5* (Delta $F_c - 2.5$) dB	100 kHz
	7.5 to 9.95	-14 dBm	100 kHz
Note 1: for the maximum mean out-of-block EIRP, the antenna gain and cable losses of the land mobile system have to be considered.			
Note 2: additional out-of-band emission reduction may be necessary for the protection of other land mobile systems in the adjacent bands (see ECC Report 283). For the protection of the uplink frequencies of land mobile systems within 410-420 MHz, a maximum mean out-of-block EIRP, of -43 dBm/100 kHz may be needed.			
Note 3: additional 40 dB of out-of-block emission reduction may be needed for the protection of radiolocation services)			

Table 5. BS frequency range of out-of-block emissions (OOBE) (1.4 MHz, 3 MHz, and 5 MHz channel width)

Frequency offset from centre frequency (MHz)	Channel width 1.25 MHz	Measurement bandwidth
± 0.885 -1.98	-17 dBm	30 kHz
± 1.98 -4	-22 dBm	30 kHz

Table 6. BS frequency range of out-of-block emissions (1.25 MHz channel width)

B) User Equipment (UE)

Parameter	Value
Channel bandwidth	1.25, 1.4, 3 or 5 MHz
Maximum mean in-block power	23 dBm (Note)
Note: administrations may use higher UE maximum mean in-block power up to 31 dBm for special deployment scenarios provided that protection of other services, networks and applications is not compromised. Vice-versa, the maximum mean in-block power of UE for the protection of other services may be limited on a cell-by-cell basis.	

Table 7. UE transmitter characteristics

Frequency offset from channel edge (MHz)	Channel width			Measurement bandwidth
	1.4 MHz	3 MHz	5 MHz	
± 0 -1	-10 dBm	-13 dBm	-15 dBm	30 kHz
± 1 -2.5	-10 dBm	-10 dBm	-10 dBm	1 MHz
± 2.5 -2.8	-25 dBm	-10 dBm	-10 dBm	1 MHz
± 2.8 -5		-10 dBm	-10 dBm	1 MHz
± 5 -6		-25 dBm	-13 dBm	1 MHz
± 6 -10			-25 dBm	1 MHz

Table 8. UE maximum unwanted emission levels (1.4 MHz, 3 MHz, and 5 MHz channel width)

Frequency offset from centre frequency (MHz)	Channel width 1.25 MHz	Measurement bandwidth
$\pm 0.885-1.98$	-24 dBm	30 kHz
$\pm 1.98-4$	-44 dBm	30 kHz

Table 9. UE maximum unwanted emission levels (1.25 MHz channel bandwidth)

5.8.2 Unwanted Emissions

5.8.2.1 Unwanted emissions in the spurious Domain

The unwanted emissions within the spurious domain during operation shall not exceed -36 dBm for frequencies up to 1 GHz and shall not exceed -30 dBm for frequencies above 1 GHz. In standby mode, the unwanted emissions shall not exceed -57 dBm for frequencies up to 1 GHz and shall not exceed -47 dBm for frequencies above 1 GHz.

5.8.2.2 Intermodulation Attenuation

This requirement applies only to transmitters to be used in base stations or repeaters.

Intermodulation attenuation is a measure of the capability of a transmitter to inhibit the generation of signals in its non-linear elements caused by the presence of the transmitter power and an interfering signal entering the transmitter via its antenna.

In general, the intermodulation attenuation ratio shall be at least 40 dB for any intermodulation component.

Note that national administrations may require a more stringent intermodulation attenuation requirement for base station equipment to be used in special service conditions, e.g., at sites where more than one transmitter will be in service, this is recommended to be at least 70 dB for any intermodulation component.

5.8.2.3 Adjacent channel transient power

Transient power is the power falling into adjacent spectrum due to switching the transmitter on and off. The transient power in the adjacent channels (e.g., caused by push-to-talk functionality) shall not exceed -60 dBc in the adjacent channels, or -50 dBc for equipment, without the need to be below -36 dBm.

5.8.3 Receiver requirements

The baseline performance for receiver blocking for 1.25 MHz systems is:

- a) BS: -43 dBm at 900 kHz offset from the centre frequency;
- b) UE: -44.5 dBm at 900 kHz offset from the centre frequency.

The baseline performance for receiver selectivity and blocking performance for 1.4 MHz, 3 MHz, and 5 MHz systems applicable for the 410-430 MHz is identical to those specification set out in ETSI TS 136 104 for the BS and ETSI TS 136 101 for UE for the 3GPP band 31 and 72.

5.9 NB-IoT and LPWAN: Technical conditions for land mobile systems based on NB-IoT and LPWAN technologies

Annex 4 of ECC/DEC/ (19)02²⁷, supported by ECC Report 283²⁸, provides a description and technical conditions for land mobile systems based on NB-IoT and LPWAN technologies in the 410 - 430 MHz band, incl.:

5.9.1 LTE NB-IoT (Inband)

In an inband deployment, the NB-IoT technology will use some of the resources of an existing wideband carrier. This corresponds to a change of transmission mode on some subcarriers of a wideband carrier. This is very similar to what happens when a specific modulation is selected by the BS to serve a specific terminal.

Embedding an NB-IoT in an LTE carrier does not change the power or the spectrum emission mask, either on the BS (base station) or the UE (user equipment) side. In particular, it is not possible to go closer to block edge than a current LTE UE could go.

5.9.2 LTE NB-IoT (Guard band)

A guard band NB-IoT deployment corresponds to the case where a narrowband transmission is added on the side of an existing wideband carrier. This is made possible by the fact that wideband transmission technologies typically transmit a signal narrower than the channel bandwidth, i.e., they implement implicit guard bands within their transmission channel. The IoT can leverage these implicit guard bands as operating spectrum. The limits in the Tables in section 35.8.3 apply for operation of a NB-IoT carrier adjacent to the BS radio frequency bandwidth edge.

5.9.3 LTE NB-IoT (Standalone)

In a standalone deployment, the IoT carrier is deployed independently, in its own narrow band spectrum. This is exactly the same deployment mode as GSM.

ECC/DEC/ (19)02 advises on the UE maximum EIRP, out-of-band emissions and other parameters, provided below.

NB-IoT	Standalone
Channel bandwidth (BW)	200 kHz
UE maximum EIRP	23 dBm

Table 10. Transmission parameters for NB-IoT

²⁷ ECC/DEC/ (19)02, ECC Decision of 8 March 2019 on Land mobile systems in the frequency ranges 68-87.5 MHz, 146-174 MHz, 406.1-410 MHz, 410-430 MHz, 440-450 MHz, and 450-470 MHz, 8 March 2019. (<https://docdb.cept.org/document/9680>)

²⁸ ECC Report 283, Compatibility and sharing studies related to the introduction of broadband and narrowband systems in the bands 410-430 MHz and 450-470 MHz, 14 September 2018. (<https://docdb.cept.org/document/6033>)

Lowest or Highest Carrier	F_{offset}
Standalone NB-IoT	200 kHz

Table 11. Frequency offset for NB-IoT standalone operation

Frequency offset of measurement filter -3 dB point, Δf	Frequency offset of measurement filter centre frequency, f_{offset}	Minimum requirement (Notes 1 and 2) NB-IoT BS unwanted emission (transmitter output power)	Measurement bandwidth
$0 \text{ MHz} \leq \Delta f < 0.05 \text{ MHz}$	$0.015 \text{ MHz} \leq f_{\text{offset}} < 0.065 \text{ MHz}$	$\text{Max}(5\text{dBm} - 60 \cdot \left(\frac{f_{\text{offset}}}{\text{MHz}} - 0.015 \right) \text{dB} + X\text{dB}, -14\text{dBm})$	30 kHz
$0.05 \text{ MHz} \leq \Delta f < 0.15 \text{ MHz}$	$0.065 \text{ MHz} \leq f_{\text{offset}} < 0.165 \text{ MHz}$	$\text{Max}(2\text{dBm} - 160 \cdot \left(\frac{f_{\text{offset}}}{\text{MHz}} - 0.065 \right) \text{dB} + X\text{dB}, -14\text{dBm})$	30 kHz
$0.15 \text{ MHz} \leq \Delta f < 0.2 \text{ MHz}$	$0.165 \text{ MHz} \leq f_{\text{offset}} < 0.215 \text{ MHz}$	-14 dBm	30 kHz
$0.2 \text{ MHz} \leq \Delta f < 1 \text{ MHz}$	$0.215 \text{ MHz} \leq f_{\text{offset}} < 1.015 \text{ MHz}$	$-14\text{dBm} - 15 \cdot \left(\frac{f_{\text{offset}}}{\text{MHz}} - 0.215 \right) \text{dB}$	30 kHz
Note 1: In case the carrier adjacent to the radio frequency bandwidth edge is a NB-IoT carrier, the value of $X = P_{\text{NB-IoT carrier}} - 43$, where $P_{\text{NB-IoT carrier}}$ is the power level of the NB-IoT carrier adjacent to the RF bandwidth edge. In other cases, $X = 0$. Note 2: For the maximum mean out-of-block EIRP, the antenna gain and cable losses of the land mobile system have to be considered. Additional out-of-band emission reduction may be necessary for the protection of other land mobile systems in the adjacent bands (see ECC Report 283).			

Table 12. Standalone NB-IoT BS out-of-band emissions (OOBE)

Band 31 and Band 72 have been specified in ETSI TS 136 104 and ETSI TS 136 101 also for use with NB-IoT carriers. The same technical baseline as well as receiver parameters can be assumed for operations inside the 410-430 MHz band.

ECC Report 283 assumed for the in-band BS emissions a maximum of 54 dBm/200 kHz EIRP.

5.9.4 LPWAN

ECC/DEC/ (19)02²⁹ advises on the UE and BS maximum EIRP, out-of-band emissions and other parameters, provided below.

²⁹ ECC/DEC/ (19)02, ECC Decision of 8 March 2019 on Land mobile systems in the frequency ranges 68-87.5 MHz, 146-174 MHz, 406.1-410 MHz, 410-430 MHz, 440-450 MHz, and 450-470 MHz, 8 March 2019. (<https://docdb.cept.org/document/9680>)

LPWAN parameters	Baseline value
Channel bandwidth	125 kHz to 250 kHz
BS maximum EIRP.	33.6 dBm
UE maximum EIRP.	23 dBm

Table 13. LPWAN system parameters

LPWAN BS frequency offset from centre frequency	BS unwanted emissions (EIRP)
at LPWAN channel edge	-55.4 dBm/1 kHz
at channel edge +/- 125 kHz	-65.4 dBm/1 kHz
at channel edge +/- 250 kHz	-62.4 dBm/100 kHz

Table 14. LPWAN BS unwanted emissions (EIRP)

LPWAN UE frequency offset from centre frequency	UE unwanted emissions (EIRP)
at LPWAN channel edge	-31 dBm/1 kHz
at channel edge +/- 125 kHz	-41 dBm/1 kHz
at channel edge +/- 250 kHz	-36 dBm/100 kHz

Table 15. LPWAN UE unwanted emissions (EIRP)

LPWAN Receiver parameter	Baseline
Receiver selectivity	The adjacent channel rejection at 200 kHz offset from centre frequency is -75 dBm, at 400 kHz is -62 dBm. If LTE is used in the adjacent spectrum, the BS receiver adjacent channel rejection is to be improved by 30 dB.
Receiver blocking	-55 dBm at 1 MHz offset from centre frequency -45 dBm at 2 MHz offset from centre frequency

Table 16. LPWAN Receiver considerations

Note: the precise parameters may depend on the spreading factor used in an LPWAN system.

5.9.5 Common technical conditions on Unwanted Emissions for land mobile systems based on NB-IoT and LPWAN technologies

5.9.5.1 Unwanted emissions in the spurious Domain

The unwanted emissions within the spurious domain during operation shall not exceed -36 dBm for frequencies up to 1 GHz and shall not exceed -30 dBm for frequencies above 1 GHz. In standby mode, the unwanted emissions shall not exceed -57 dBm for frequencies up to 1 GHz and shall not exceed -47 dBm for frequencies above 1 GHz.

5.9.5.2 Intermodulation Attenuation

This requirement applies only to transmitters to be used in base stations or repeaters.

Intermodulation attenuation is a measure of the capability of a transmitter to inhibit the generation of signals in its non-linear elements caused by the

presence of the transmitter power and an interfering signal entering the transmitter via its antenna.

In general, the intermodulation attenuation ratio shall be at least 40 dB for any intermodulation component.

Note that national administrations may require a more stringent intermodulation attenuation requirement for base station equipment to be used in special service conditions, e.g., at sites where more than one transmitter will be in service, this is recommended to be at least 70 dB for any intermodulation component.

5.9.5.3 Adjacent channel transient power

Transient power is the power falling into adjacent spectrum due to switching the transmitter on and off. The transient power in the adjacent channels shall not exceed -60 dBc in the adjacent channels, or -50 dBc for equipment, without the need to be below -36 dBm.

5.10 BB-PPDR

Least restrictive technical conditions (LRTC) for BB-PPDR in the paired frequency arrangement 410-420 MHz / 420-430 MHz, based on ECC/DEC/ (16)02³⁰, are shown in the tables in BB-PPDR user equipment and base station sections, respectively.

5.10.1 BB-PPDR User Equipment (UE)

Parameter	Value
Channel bandwidth	1.4, 3 or 5 MHz
Maximum mean in-block power	23 dBm (see Note)
Note: Administrations may use higher UE maximum mean in-block power up to 31 dBm for special deployment scenarios, provided that protection of other services, networks and applications is not compromised. Vice-versa, the maximum mean in-block power of PPDR-UE for the protection of other services may be limited on a cell-by-cell basis.	

Table 17. BB-PPDR UE transmitter characteristics

Frequency offset from channel edge (MHz)	Channel width			Measurement bandwidth
	1.4 MHz	3 MHz	5 MHz	
± 0-1	-10 dBm	-13 dBm	-15 dBm	30 kHz
± 1-2.5	-10 dBm	-10 dBm	-10 dBm	1 MHz
± 2.5-2.8	-25 dBm	-10 dBm	-10 dBm	1 MHz
± 2.8-5		-10 dBm	-10 dBm	1 MHz
± 5-6		-25 dBm	-13 dBm	1 MHz
± 6-10			-25 dBm	1 MHz

Table 18. BB-PPDR UE maximum unwanted emission levels

³⁰ ECC/DEC/ (16)02, ECC Decision of 17 June 2016 on harmonised technical conditions and frequency bands for the implementation of Broadband Public Protection and Disaster Relief (BB-PPDR) systems. Amended on 8 March 2019. (<https://docdb.cept.org/document/941>)

5.10.2 BB-PPDR Base Station (BS)

Channel width	Delta F_c (MHz) from centre frequency	Out-of-band emissions (transmitter output power)	Measurement bandwidth
1.4 MHz	0.7 to 2.1	-1 dBm -10/1.4 * (Delta F_c - 0.7) dB	100 kHz
	2.1 to 3.5	-11 dBm	100 kHz
	3.5 to 9.95	-16 dBm	100 kHz
3 MHz	1.5 to 4.5	-5 dBm -10/3* (Delta F_c - 1.5) dB	100 kHz
	4.5 to 7.5	-15 dBm	100 kHz
	7.5 to 9.995	-16 dBm	100 kHz
5 MHz	2.5 to 7.5	-7 dBm -7/5* (Delta F_c - 2.5) dB	100 kHz
	7.5 to 9.95	-14 dBm	100 kHz
Note 1: for the maximum mean out-of-block EIRP, the antenna gain and cable losses of the land mobile system have to be considered. Note 2: additional out-of-band emission reduction may be necessary for the protection of other land mobile systems in the adjacent bands (see ECC Report 283). For the protection of the uplink frequencies of land mobile systems within 410-420 MHz, a maximum mean out-of-block EIRP, of -43 dBm/100 kHz may be needed. Note 3: additional 40 dB of out-of-block emission reduction may be needed for the protection of radiolocation services.			

Table 19. PPDR BS unwanted emission levels**5.11 Space research**

5.11.1 As per ITU Radio Regulations footnote 5.268, "Use of the frequency band 410 – 420 MHz by the space research service is limited to space-to-space communication links with an orbiting, manned space vehicle. The power flux-density at the surface of the Earth produced by emissions from transmitting stations of the space research service (space-to-space) in the frequency band 410 – 420 MHz shall not exceed -153 dB(W/m²) for $0^\circ \leq \delta \leq 5^\circ$, $-153 + 0.077(d - 5)$ dB(W/m²) for $5^\circ \leq \delta \leq 70^\circ$ and -148 dB(W/m²) for $70^\circ \leq \delta \leq 90^\circ$, where δ is the angle of arrival of the radio-frequency wave and the reference bandwidth is 4 kHz. In this frequency band, stations of the space research service (space-to-space) shall not claim protection from, nor constrain the use and development of, stations of the fixed and mobile services. No. 4.10 does not apply. (WRC-15)³¹"

5.12 On a case-by-case basis, higher EIRP may be permitted if acceptable technical justification is provided;

5.13 ICNIRP Guideline compliance is required, where applicable; and

5.14 Criteria and guidelines for interference mitigation are described in Appendix D.

³¹ [R15-WRC15-C-2015!!MSW-E \(itu.int\)](#)

- 5.15** The mobile network operators are encouraged to share the spectrum, e.g., using the Dynamic Spectrum Sharing (DSS) technologies available in LTE and 5G/NR.

6 Implementation

- 6.1** This RFSAP shall be effective on the date of issue.
- 6.2** No new assignments in the band 410 MHz to 430 MHz will be approved unless they comply with this RFSAP.

7 Coordination Requirements

- 7.1** Coordination is performed by the Authority during the process of assignment.
- 7.2** As per section 11.4 of Annex 11 of “Implementation of the Radio Frequency Migration Plan and the International Mobile Telecommunications (IMT) Roadmap”³², radiolocation systems in the frequency range 420 – 430 MHz which are deployed and protected, may require protection zones, if the frequency range 410 – 430 MHz is used by broadband land mobile systems.
- 7.3** Planning characteristics in border areas:
- The location, the power, and the antenna heights of all stations in the network should be selected in such a way that their range is confined, as far as possible, to the zone to be covered by the intended service.
- Excessive antenna heights and transmitter outputs should be avoided, by using several locations of reduced height wherever possible. In border areas, directional antennas should be used to minimise the interference potential.
- The effective radiated power and the height of the antenna should be as low as possible in relation to the area to be served.
- 7.4** In the event of any interference, the affected parties may refer the matter to the Authority for a resolution.
- 7.5** In the event of any interference, the Authority will require affected parties to carry out coordination. If the interference continues to be unresolved after 24 hours, the affected parties may refer the matter to the Authority for a resolution.
- 7.6** The Authority will decide the necessary modifications and schedule of modifications to resolve the dispute.
- 7.7** The Authority will be guided by the interference resolution process as shown in Appendix B.
- 7.8** Assignment holders shall take full advantage of interference mitigation techniques such as antenna discrimination, tilt, polarisation, frequency discrimination, shielding/blocking (introduce diffraction loss), site selection, and/or power control to facilitate the coordination of systems.
- 7.9** Indicative coordination thresholds for analogue or digital land mobile systems, as per T/R 25-08³³

³² Implementation of the Radio Frequency Migration Plan and the International Mobile Telecommunications (IMT) Roadmap for public consultation, Government Gazette No 45690, 24 December 2021.

³³ T/R 25-08, Recommendation T/R of 30 May 2008 on Planning criteria and cross-border coordination of frequencies for land mobile systems in the range 29.7 470 MHz. Latest amended on 28 September 2018. (<https://docdb.cept.org/document/909>)

7.9.1 The aim of coordination thresholds is to avoid harmful interference between stations located in neighbouring countries. To achieve this, indicative coordination thresholds are established which should not be exceeded without coordination between neighbouring countries.

7.9.2 Indicative coordination thresholds for land mobile systems (co-channel, 50% locations, 10% time ³⁴, 10 m receiving antenna height, within a reference bandwidth of 25 kHz, at the border-line) is 20 dB(μV/m).

7.9.3 For systems using a channel spacing greater than 25 kHz, the following bandwidth conversion formula can be used provided that the spectral power distribution within this channel spacing is uniform within the channel.

$$BC = 10 \times \log_{10} (\text{channel spacing} / 25 \text{ kHz}), \text{ dB}$$

The value **BC** resulting from the formula should be added to the indicative coordination threshold as listed above.

7.9.4 For all other spectral power distributions, indicative coordination threshold levels should be applied within every 25 kHz bandwidth within the channel spacing.

7.10 Field strength levels for cross-border coordination between FDD land mobile systems using preferential channels up to 25 kHz and systems using a channel greater than 1 MHz within the 410-430 MHz and 450-470 MHz frequency bands

T/R 25-08 ³⁵ considers the coordination between preferential channels of land mobile systems up to 25 kHz on one side and land mobile systems with a channel greater than 1 MHz on the other side of the border, for operation within the 400 MHz frequency bands.

³⁴ In certain situations, the 1%-time curves should be used for digital systems, e.g., to better protect analogue systems.

³⁵ T/R 25-08, Recommendation T/R of 30 May 2008 on Planning criteria and cross-border coordination of frequencies for land mobile systems in the range 29.7 470 MHz. Latest amended on 28 September 2018. (<https://docdb.cept.org/document/909>)

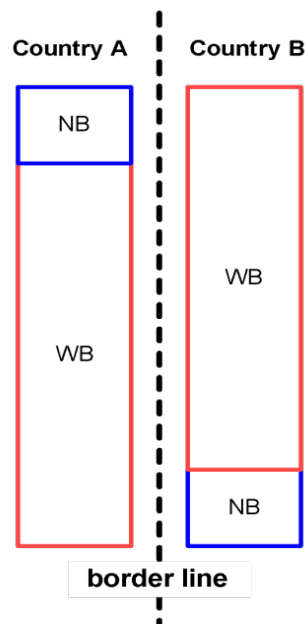


Figure 5: Overlapping narrower channel and wider channel land mobile systems across the border

The following should be considered:

- ECC Report 276³⁶ provides a technical background for cross-border coordination of systems with a channel greater than 1 MHz in the 400 MHz band (410 – 430 MHz and 450 – 470 MHz) and proposes a method which can be applied in bilateral or multilateral agreements that allow for higher cross-border coordination thresholds for wideband systems in the 400 MHz band in situations where no or some overlap of narrowband and wideband allocations across the border occurs. In consequence, it means that land mobile systems up to 25 kHz keep their existing preferential rights and may extend them to all non-preferential channels in the overlapping range, if preferential rights of other administrations involved are not affected;
- The overlap is typically as small as a few hundred kilohertz. ECC Report 276 does not cover the case of full overlap between land mobile systems up to 25 kHz on one side and land mobile systems with a channel greater than 1 MHz on the other side of the border;
- In the situation where land mobile systems up to 25 kHz use preferential rights not to the full extent, i.e., they do not generate the maximum allowed field strength at a distance of 40 or 50 km in the territory of the neighbouring administration, solutions should be found between administrations or operators. One possible solution would be to increase the radiated power of the preferential system to the extent possible under preferential rights conditions. If not possible, a reduction of the radiated power of the system with a channel bandwidth > 1 MHz within the preferential frequency of the system with channel bandwidth up to 25 kHz may be considered;
- The two (2) most common preferential regimes for narrowband systems were considered, both defined as the field strength threshold of 20 dB μ V/m at 10 m height in 25 kHz at a distance inside the neighbouring country: Preferential Regime a) at 40 km distance and Preferential

³⁶ ECC Report 276, Thresholds for the coordination of CDMA and LTE broadband systems in the 400 MHz band, 27 April 2018. (<https://docdb.cept.org/document/2014>)

Regime b) at 50 km distance. The proposed coordination thresholds for a partial overlap of land mobile systems up to 25 kHz on one side and land mobile systems with a channel greater than 1 MHz on the other side of the border are given in Table 20:

	Field strength at 10 m height	
	Regime a)	Regime b)
System up to 25 kHz using preferential frequency	20 dB μ V/m/25 kHz @ 40 km beyond the borderline	20 dB μ V/m/25 kHz @ 50 km beyond the borderline
System up to 25 kHz using NON-preferential frequency	20 dB μ V/m/25 kHz @ 0 km (on the borderline)	20 dB μ V/m/25 kHz @ 0 km (on the borderline)
System with a channel greater than 1 MHz	41 dB μ V/m/25 kHz @ 0 km (on the borderline)	48 dB μ V/m/25 kHz @ 0 km (on the borderline)
Note 1: Predictions for calculations: 50% location probability, 10%-time probability Note 2: If a channel bandwidth other than 25 kHz is used, then a bandwidth conversion factor of $10 \times \log_{10}(\text{channel bandwidth}/25 \text{ kHz})$ should be added to the field strength values. Note 3: For narrowband land mobile systems using preferential frequencies and bandwidth greater than 25 kHz (e.g., 50 kHz, 100 kHz, 150 kHz, or 200 kHz), indicative coordination threshold levels should be applied within every 25 kHz bandwidth within the channel spacing.		

Table 20: Trigger values for partial overlap between narrowband system and wideband systems at a height of 10 m above ground

Note: @ stands for “at a distance inside the neighbouring country.”

For practical purposes, an antenna height correction factor of 10 dB from 10 m to 3 m height may be used. Other examples are the Okumura-Hatta model³⁷ that provides 15.6 dB, the ITU-R Recommendation P.1546³⁸ that provides 10.3 dB or HCM that provides 9 dB.

7.11 Field strength levels for cross-border coordination between FDD land mobile systems with channels greater than 1 MHz

T/R 25-08³ considers the coordination between land mobile systems with channel bandwidths greater than 1 MHz on both sides of the border, for operation within the 400 MHz ranges. ECC

³⁷ ERC Report 68 – Monte-Carlo Radio Simulation Methodology for the use in sharing and compatibility studies between different radio services or systems, February 2000, revised May 2001, and June 2002.

³⁸ ITU-R Recommendation P.1546: Method for point-to-area predictions for terrestrial services in the frequency range 30 MHz to 3 000 MHz.

Report 276⁴ provides technical background information. The deployment mode considered is FDD in the frequency bands 410-420 MHz (duplex with 420-430 MHz) and 450-460 MHz (duplex with 460-470 MHz).

7.11.1 Field strength trigger values for LTE vs LTE and CDMA vs. CDMA systems

Case A

Base stations using the same technologies on both sides of the border line with centre frequencies not aligned, or using preferential PCIs or PN (Pseudo-Noise) codes given in Appendix C with centre frequencies aligned may be used without coordination between neighbouring countries if the mean field strength produced by the cell (all transmitters within the sector) does not exceed the value of 55 dB μ V/m/5 MHz at a height of 3 m above ground at the border line between neighbouring countries and does not exceed a value of 37 dB μ V/m/5 MHz at a height of 3 m above ground at a distance of 10 km inside the neighbouring country.

Case B

Base stations using the same technologies on both sides of the border line with centre frequencies aligned and using non-preferential PN codes or PCIs given in Appendix C may be used without coordination between neighbouring countries if the mean field strength produced by the cell (all transmitters within the sector) does not exceed the value of 37 dB μ V/m/5 MHz at a height of 3 m above ground at the border line between neighbouring countries.

7.11.2 Field strength trigger values between LTE and CDMA

Case A

In the case of different technologies used on either side of the border line, with centre frequencies aligned or not aligned, base stations may be used without coordination with a neighbouring country if the mean field strength produced by the cell (all transmitters within the sector) does not exceed the value of 55 dB μ V/m/5 MHz at a height of 3 m above ground at the borderline between neighbouring countries and does not exceed a value of 37 dB μ V/m/5 MHz at a height of 3 m above ground at a distance of 10 km inside the neighbouring country.

7.11.3 Overview of the trigger values

For land mobile systems with channel bandwidth greater than 1 MHz, an overview of the trigger values of the field strength and the relevant paragraphs of this RFSAP is given in Table 21.

	Non-Preferential frequency usage		
	Centre frequencies aligned		Centre frequencies not aligned
	Preferential codes	Non-preferential codes	All codes

	Non-Preferential frequency usage		
LTE vs. LTE or CDMA vs. CDMA	55 dBμV/m/5 MHz @ 0 km and 37 dBμV/m/5 MH z@ 10 km Case A	37 dBμV/m/5 MHz @ 0km Case B	55 dBμV/m/5 MHz @ 0 km and 37 dBμV/m/5 MHz @ 10 km Case A
LTE vs. CDMA	55 dBμV/m/5 MHz @ 0 km and 37 dBμV/m/5 MHz @ 10 km Case A		
Note 1: Predictions for calculations: 50% location probability, 10% time probability Note 2: If a channel bandwidth other than 5 MHz is used, then a bandwidth conversion factor applies: 10 x log ₁₀ (channel bandwidth / 5 MHz)			

Table 21: Field strength triggers for FDD LTE/CDMA systems at a height of 3 m above ground

Note: @ stands for “at a distance inside the neighbouring country.”

7.11.4 Preferential frequencies for LTE/CDMA

Administrations may agree in bilateral or multilateral agreements/arrangements on preferential usage of frequencies, while ensuring fair treatment of different operators.

7.12 ECC Report 276 “Thresholds for the coordination of CDMA and LTE broadband systems in the 400 MHz band”³⁹ considers a possible improvement of the spectrum utilisation in border areas and proposes coordination levels for broadband technologies addressing the following two cases:

7.12.1 Mutual coordination of wideband systems using the same frequency band;

7.12.2 A Preferential Regime used for systems with channels up to 25 kHz bandwidth on the one side of the border and wideband systems on the other side of the border.

7.13 Compatibility between different systems (as per ECC Report 283⁴⁰, ECC Report 292 112, ECC Report 99⁴¹, and ECC Report 97⁴²)

³⁹ ECC Report 276, Thresholds for the coordination of CDMA and LTE broadband systems in the 400 MHz band, 27 April 2018. (<https://docdb.cept.org/document/2014>)

⁴⁰ ECC Report 283, Compatibility and sharing studies related to the introduction of broadband and narrowband systems in the bands 410-430 MHz and 450-470 MHz, 14 September 2018. (<https://docdb.cept.org/document/6033>)

⁴¹ <https://docdb.cept.org/download/432>

⁴² <https://docdb.cept.org/download/428>

7.13.1 Information is available on the following combinations of the systems

- LTE impact on PMR/PAMR systems with channel bandwidth up to 25 kHz (including paging and analogue PMR)
- LTE impact on narrowband fixed links
- LTE impact on radiolocation systems
- LTE impact on the radio astronomy service
- LTE impact on PMR links in audio-visual production
- LPWAN compatibility with TETRA
- LPWAN compatibility with the radiolocation service
- LPWAN compatibility with RAS (Radioastronomy)
- LPWAN compatibility with LTE
- LPWAN BS impact on LTE BS
- LTE BS impact on LPWAN BS
- LTE BS Impact on LPWAN End Device (ED)
- TEDS impact on PMR (Analogue FM, TETRA, TETRAPOL, CDMA-PAMR)
- PMR impact on TEDS
- Interference from and into Narrowband FM, TETRA, CDMA-PAMR, Flash OFDM

For example:

- 7.13.2** LPWAN and Radar: “For the co-channel cases in the 410-430 MHz frequency range, there is no possibility for compatibility between LPWAN system and airborne radar or LPWAN system and ground radar.”
- 7.13.3** TETRA Base Station and LPWAN: “A guard band of 200 kHz is necessary between the TETRA base station (BS) and the LPWAN end device (ED). In the case of co-channel situation between TETRA and LPWAN systems, the minimum separation distance between base stations is more than 100 km.”
- 7.13.4** LTE and Radioastronomy “Given the limited number of radio astronomy, it is expected a need of coordination for the deployment of LTE stations at distances lower than 250 km from a RAS station located in a neighbouring country”.

8 Assignment**8.1** Standard Approach

8.1.1 The assignment of frequency will take place according to the Standard Application Procedures in the Radio Frequency Spectrum Regulations 2015⁴³.

9 Revocation

9.1 The Authority will revoke licences issued to all other services apart from digital public trunking services and other intended services listed in Section 3.5 above.

10 Radio Frequency Migration.

10.1 The Authority will migrate all other services apart from digital public trunking services out of the band.

⁴³ Radio Frequency Spectrum Regulations 2015, Government Gazette No. 38641, 30 March 2015. Available online at <https://www.icasa.org.za/uploads/files/Radio-Frequency-Spectrum-Regulations-2015.pdf>.

Appendix A National Radio Frequency Plan.

Table 22 shows an extract from the National Frequency Plan for South Africa.

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
410-420 MHz FIXED MOBILE except aeronautical mobile SPACE RESEARCH (space-to-space) 5.268	410-420 MHz FIXED MOBILE except aeronautical mobile SPACE RESEARCH (space-to-space) 5.268	Government Services Mobile MTX (410 – 413 MHz) Mobile Data MTX (413-413.7625 MHz) Digital Trunking MTX (413.7625 – 416.1 MHz) Mobile BTX (416.1 – 417.625 MHz) PMR and/or PAMR PPDR Communication links with an orbiting, manned space vehicle	Paired with BTX (420 – 423 MHz) (Government Services) Paired with BTX (423-423.7625 MHz) Paired with 423.7625 – 426.1 MHz Paired with MTX (406.1 – 407.625 MHz) The use of this band for PPDR to be studied. Final Frequency Migration Plan 2019 (GG No. 42337 Notice 36 of 2019)
420-430 MHz FIXED MOBILE except aeronautical mobile Radiolocation	420-430 MHz FIXED MOBILE except aeronautical mobile Radiolocation	Single Frequency Links (426.1 – 430 MHz) Digital Trunked Mobile BTX (420 – 423 MHz) Mobile Data BTX (423 – 423.7625 MHz) Digital Trunking BTX (423.7625 – 426.1 MHz) PMR and/or PAMR PPDR	Frequencies will only be assigned for SF links where migration above 1 GHz would be impractical Paired with 410 - 413 MHz (Government use) Paired with MTX (413 – 413.7625 MHz) Paired with MTX (413.7626 – 416.1 MHz) The use of this band for PPDR to be studied. Final Frequency Migration Plan 2019 (GG No. 42337 Notice 36 of 2019)

5.269 5.270 5.271			
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Table 22: National Radio Frequency Plan for South Africa for 410 - 430 MHz band⁴⁴

⁴⁴ National Radio Frequency Plan 2021, (NRFP-21) 8.3 kHz – 3000 GHz, Independent Communications Authority of South Africa, Government Gazette No 46088, 25 March 2022 (<https://www.icasa.org.za/uploads/files/National-Radio-Frequency-Plan-2021.pdf>)

Appendix B Interference Resolution Process

Technical procedures related to bilateral and multilateral cross-border frequency coordination agreements for the 4 geographical sub-regions are defined by the African Union, which includes the Southern African sub-region of 10 countries. Cross-Border Frequency Coordination and interference resolution should follow the Harmonized Calculation Method for Africa (HCM4A)⁴⁵.

When requesting coordination, the relevant characteristics of the base station and the code or PCI group number should be forwarded to the Administration affected. All of the following characteristics should be included:

- a) carrier frequency [MHz];
- b) name of transmitter station;
- c) country of location of transmitter station;
- d) geographical coordinates [latitude, longitude];
- e) effective antenna height [m];
- f) antenna polarisation;
- g) antenna azimuth [degrees];
- h) antenna gain [dBi];
- i) effective radiated power [dBW];
- j) expected coverage zone or radius [km];
- k) date of entry into service [month, year];
- l) code group number used; and
- m) antenna tilt [degrees]

The Administration affected will evaluate the request for coordination and will, within thirty (30) days, notify the Administration requesting coordination the result of the evaluation. If, in the course of the coordination procedure, the Administration affected requires additional information, it may request such information.

If no reply is received by the Administration requesting coordination within (30) days, it may send a reminder to the Administration affected. Where the Administration fails to respond within thirty (30) days following communication of the reminder will be deemed to have given its consent, and the code coordination may be put into use with the characteristics given in the request for coordination.

The above-mentioned periods are subject to extension by common consent.

⁴⁵ Cross-Border Frequency Coordination: Harmonized Calculation Method for Africa (HCM4A)
https://www.itu.int/en/ITU-D/Projects/ITU-EC-ACP/HIPSSA/Documents/FINAL%20DOCUMENTS/FINAL%20DOCS%20ENGLISH/hcm4a_agreement.pdf.pdf

Appendix C Coordination for LTE- and CDMA- Systems

PREFERENTIAL PHYSICAL-LAYER CELL IDENTITIES (PCI) FOR LTE⁴⁶ AND CODES FOR CDMA

The following is extracted from ECC/REC (11)05 and T/R 25-08 as an operational example and can be adapted for the SADC countries for LTE. A respective extract from ECC/REC (15)01 may be considered for expanding the same onto NR.

1. PCI coordination for LTE

PCI coordination is only needed when channel centre frequencies are aligned independently of the channel bandwidth.

3GPP TS 36.211⁴⁷ defines 168 “unique physical-layer cell-identity groups” in §6.11, numbered 0...167, hereafter called “PCI groups” for LTE. Within each PCI group, there are three separate PCIs giving 504 PCIs in total.

Administrations should agree on a repartition of these 504 PCIs on an equitable basis when channel centre frequencies are aligned, as shown in the table below. It has to be noted that dividing the PCI groups or PCIs is equivalent. Each country should only use their own preferential PCIs close to the border and can use all PCIs away from the border. This transition distance between “close to the border” and “away from the border” should be agreed between neighbouring countries.

Administrations may wish to define different field strength levels (than those provided in the main text referring to this Appendix) for non-preferential PCIs.

As shown in the table below, the PCIs should be divided into 6 sub-sets containing each one sixth of the available PCIs. Each country is allocated three sets (half of the PCIs) in a bilateral case and two sets (one third of the PCIs) in a trilateral case.

Four types of countries are defined in a way such that no country will use the same code set as any one of its neighbours. The following lists describe a sample distribution for African countries:

Country type 1: Botswana, Cameroon, Comoros, Democratic Republic of the Congo, Ghana, Guinea-Bissau, Kenya, Liberia, Malawi, Mauritius, Niger, Republic of the Sudan, Swaziland;

Country type 2: Algeria, Angola, Benin, Cape Verde, Chad, Cote d'Ivoire, Egypt, Ethiopia, Madagascar, Senegal, United Republic of Tanzania, Zimbabwe;

Country type 3: Burkina Faso, Congo, Djibouti, Equatorial Guinea, Guinea, Mauritania, Nigeria, Rwanda, Sao Tome and Principe, Seychelles, South Africa, South Sudan, Tunisia, Zambia;

⁴⁶ ECC/REC (11)05

⁴⁷ 3GPP TS 36.211 “Evolved Universal Terrestrial Radio Access (E-UTRA); Physical channels and modulation”. (<https://portal.3gpp.org/desktopmodules/Specifications/SpecificationDetails.aspx?specificationId=2425>, also provided in ETSI TS 136 211). In comparison, 3GPP 38.211 (and ETSI TS 138 211) define NR Physical channels and modulation, in NR 2-step identification using PSS/SSS detection of the Physical Cell ID (same as LTE), the number of different cell IDs has been increased from 504 in LTE to 1008 for NR. Thus, for the deployment of LTE systems only the PCIs between 0 to 503 should be used and for NR systems PCIs between 0 to 1007 may be used.

Country type 4: Burundi, Central African Republic, Eritrea, Gabon, Gambia, Lesotho, Libyan Arab Jamahiriya, Mali, Morocco, Mozambique, Namibia, Sierra Leone, Somalia, Togo, Uganda.

(Note: A sample country type map can be found in the figure below).

For each type of country, the following tables and figure describe the sharing of the PCIs with its neighbouring countries, with the following conventions of writing:

	Preferential PCI
	Non-preferential PCI

The 504 physical-layer cell-identities should be divided into the following 6 sub-sets when the carrier frequencies are aligned in border areas:

								PCI	Set A	Set B	Set C	Set D	Set E	Set F
Country 1	0..83	84..167	168..251	252..335	336..419	420..503		Country 2	0..83	84..167	168..251	252..335	336..419	420..503
Border 1-2								Border 2-1						
Zone 1-2-3								Zone 2-3-1						
Border 1-3								Border 2-3						
Zone 1-2-4								Zone 2-1-4						
Border 1-4								Border 2-4						
Zone 1-3-4								Zone 2-3-4						
PCI	Set A	Set B	Set C	Set D	Set E	Set F		PCI	Set A	Set B	Set C	Set D	Set E	Set F
Country 3	0..83	84..167	168..251	252..335	336..419	420..503		Country 4	0..83	84..167	168..251	252..335	336..419	420..503

Border 3-2							Border 4-1								
Zone 3-1-2							Zone 4-1-2								
Border 3-1							Border 4-2								
Zone 3-1-4							Zone 4-2-3								
Border 3-4							Border 4-3								
Zone 3-2-4							Zone 4-3-1								

Table 23: Sharing of PCIs between Countries**Notes**

- 1) All PCIs are available in areas away from the border.
- 2) In certain specific cases (e.g., if Angola and Botswana happened to have the same Country type/PCI code) where the distance between two countries of the same type number is very small (below a few tens of kilometres), it may be necessary to address the situation in bilateral /multilateral coordination agreements as necessary and may include further subdivision of the allocated codes in certain areas.
- 3) The country type map is given in section 3.

2. Code coordination for CDMA

For code coordination each base station shall use a unique time offset of the pilot pseudo-noise (PN) sequence to identify a Forward CDMA Channel. Time offsets may be reused within a CDMA cellular system. Distinct pilot channels shall be identified by an offset index (0 through 511 inclusive). This offset index specifies the offset time from the zero-offset pilot PN sequence in multiples of 64 chips. The same pilot PN sequence offset shall be used on all CDMA frequency assignments for a given base station. To distinct signals with PN sequence offsets all base stations should be time synchronised, but such synchronisation is mandatory requirement for CDMA2000 standard.

Administrations should agree on a repartition of these offset indexes on an equitable basis. Each country should only use its own codes close to the border.

In border areas, codes will be divided into 6 "index sets" containing each one sixth of the available offset indexes. Each country is allocated three index sets (half of the indexes) in a bilateral case, and two index sets (one third of the indexes) in a trilateral case.

Four types of countries are defined in such a way that no country will use the same index set as any one of its neighbours. The following lists describe a sample distribution for African countries:

Country type 1: Botswana, Cameroon, Comoros, Democratic Republic of the Congo, Ghana, Guinea-Bissau, Kenya, Liberia, Malawi, Mauritius, Niger, Republic of the Sudan, Swaziland;

Country type 2: Algeria, Angola, Benin, Cape Verde, Chad, Cote d'Ivoire, Egypt, Ethiopia, Madagascar, Senegal, United Republic of Tanzania, Zimbabwe;

Country type 3: Burkina Faso, Congo, Djibouti, Equatorial Guinea, Guinea, Mauritania, Nigeria, Rwanda, Sao Tome and Principe, Seychelles, South Africa, South Sudan, Tunisia, Zambia;

Country type 4: Burundi, Central African Republic, Eritrea, Gabon, Gambia, Lesotho, Libyan Arab Jamahiriya, Mali, Morocco, Mozambique, Namibia, Sierra Leone, Somalia, Togo, Uganda.

For each type of country, the following tables and figure describe the sharing of the indexes with its neighbouring countries, with the following conventions of writing:

		Preferential index
		non-preferential index

	Set A	Set B	Set C	Set D	Set E	Set F			Set A	Set B	Set C	Set D	Set E	Set F
Country 1	2..8 3	88.. 168	173.. .253	258.. .338	343.. .423	428.. .509		Country 2	2..83 168	88.. 168	173.. .253	258.. .338	343.. .423	428.. .509
Border 1-2								Border 2-1						
Zone 1-2-3								Zone 2-3-1						
Border 1-3								Border 2-3						
Zone 1-2-4								Zone 2-1-4						
Border 1-4								Border 2-4						
Zone 1-3-4								Zone 2-3-4						
	Set A	Set B	Set C	Set D	Set E	Set F			Set A	Set B	Set C	Set D	Set E	Set F
Country 3	2..8 3	88.. 168	173.. .253	258.. .338	343.. .423	428.. .509		Country 4	2..83 168	88.. 168	173.. .253	258.. .338	343.. .423	428.. .509
Border 3-2								Border 4-1						
Zone 3-1-2								Zone 4-1-2						
Border 3-1								Border 4-2						

Zone 3-1-4						Zone 4-2-3					
Border 3-4						Border 4-3					
Zone 3-2-4						Zone 4-3-1					

Because of the time shifting mechanism for code generation, the situation can appear that propagation delay may lead to the synchronisation of two different base stations signals occurring in some parts of the service area. The average diameter of such correlation areas could be up to 245 meters (one chip duration multiplied on light speed). To prevent such situations in border areas it is recommended not to use some codes and to introduce 4 exclusion codes between neighbouring index sets what gives 78.125 km propagation path before a possible correlation area appears. This precludes any real synchronisation and will not affect network planning, causing a reduction of code space less than on 5% only in border areas.

Code sharing between two countries should be applied or used by base stations that exceed the relevant trigger level of only one neighbouring country. Code sharing between three countries should be applied or used by base stations that exceed the relevant trigger level of two neighbouring countries.

Notes

- 1) In certain specific cases (e.g., Angola / Botswana) where the distance between two countries of the same type number is very small (below few tens km), it may be necessary to address the situation in bilateral or multilateral coordination agreements as necessary and may include further subdivision of the allocated codes in certain areas.
- 2) The country type map is given in section 3.

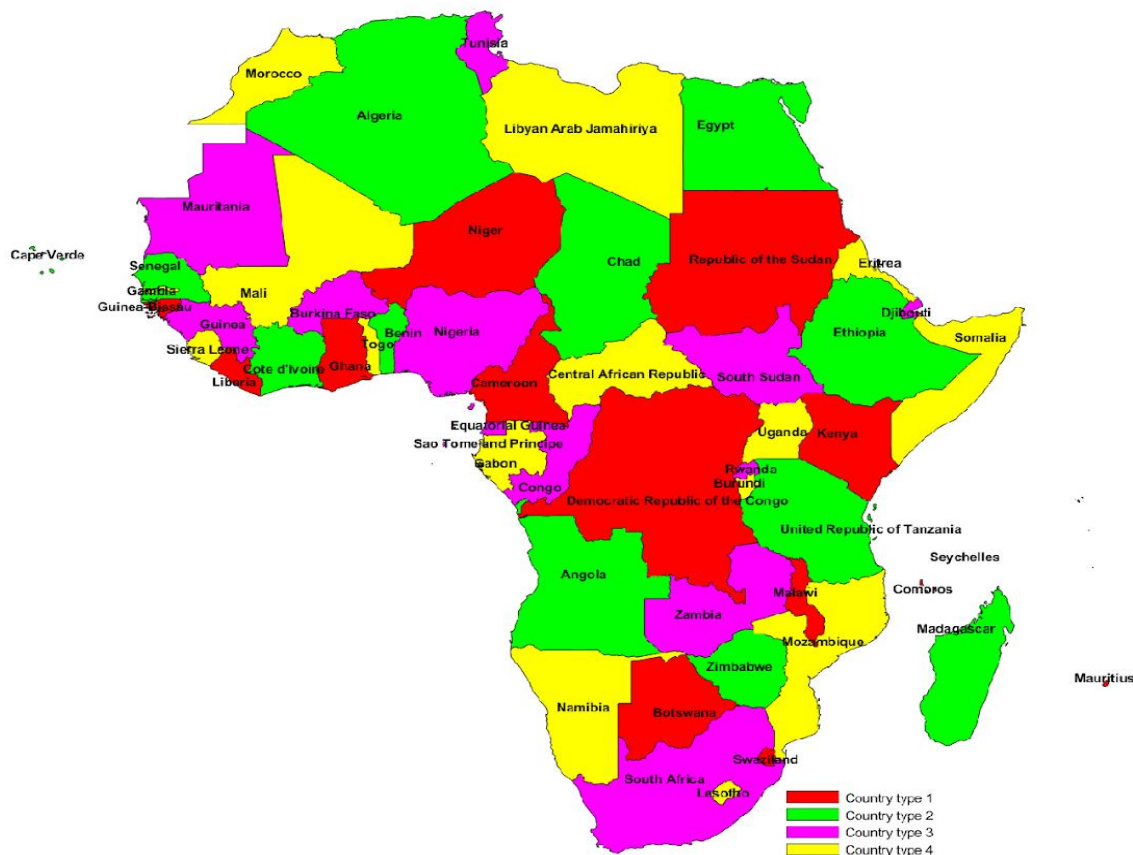


Figure 6: Country type map/PCI distribution map

4. GUIDANCE ON THE CONSIDERATION OF LTE RADIO PARAMETERS FOR USE IN BILATERAL AND MULTI LATERAL AGREEMENTS

4.1 This section is provided for guidance purposes for use in bi-lateral and multilateral discussions. For LTE, it may be beneficial to coordinate other radio parameters besides PCI in order to minimise deteriorating effects of uplink interference.

4.2 The parameters described in this section are usually optimised during LTE radio network planning of an operator's network. The idea of optimisation is to plan the parameters taking into account specific correlation properties of the uplink control signals, which enable more stable and predictable operation of the network. In the cross-border scenario the optimisation of parameters among neighbouring operators could provide better control of uplink interference. However, because of the difference between intra-network and inter-network interference and due to limited experience in the LTE cross-border deployment, it is difficult to assess the benefits of such optimisation. The following guidance provides the basis for operators to consider in border areas in case of high levels of uplink interference.

4.3 Demodulation Reference Signal (DM RS) coordination

- 4.3.1** Demodulation reference signals (DM RS) are transmitted in the uplink and used for channel estimation. There is a risk of intercell interference between neighbouring cells even in case of no frame synchronisation. That is why special measures for DM RS allocation between networks in neighbouring countries occupying the same channel may need to be applied.
- 4.3.2** The case of partial channel overlap has not been studied but due to DM RS occupying resource blocks of separate users, there is a risk of DM RS collisions between neighbouring networks when the subcarriers' positions coincide (the frequency offset between central carriers of neighbouring networks is multiple of 300 kHz). Some minor benefits from DM RS coordination in these particular cases could be expected.
- 4.3.3** There are a number of possible approaches to the coordination of DM RS:
- In the basic planning procedure, only 30 DM RS sequence groups with favourable correlation characteristics are available: {0...29}. In this case, each cell could be assigned one of the 30 DM RS sequence groups providing a cluster size of 30.
 - It is possible to extend each DM RS sequence group to generate up to 12-time shifted sequence groups by applying the cyclic shift parameter stated in 3GPP TS 36.211 for LTE. For example, each tri-sector site could be assigned one DM RS sequence group with each co-sited cell having its own cyclic shift of $2\pi/3$, which provides cluster size 30 only with 10 DM RS sequence groups. The latter case corresponds well to the case of DM RS sequence groups repartition between neighbouring countries when only limited number of groups is available for network planning. The drawback of DM RS sequence group cyclic shift is a loss of orthogonality of DM RS due to fading channels which has been found during first trials of LTE and caused throughput loss as well as time alignment problems.
 - Another approach for DM RS coordination is to implement dynamic DM RS sequence group allocation, also called pseudo-random group hopping. In this method, nearby cells are grouped into clusters up to 30 cells, and within each cell cluster, the same hopping-pattern is used. At the border of two clusters, inter-cell interference is averaged since two different hopping patterns are utilised. There are 17 defined hopping patterns, numbered {0...16}, which leads to some minor unfairness in case of apportioning these patterns between neighbouring countries. Even in a trilateral case each operator will have at least 5 hopping patterns available near the border, which should be enough for planning purposes. It should be noted the pseudo-random group hopping option could be absent in the first generations of LTE equipment.

The decision of which of these methods to use in cross-border coordination should be agreed upon by the interested parties. Specific DM RS sequence groups or hopping patterns repartition is not provided in this text but could be deduced in a similar manner to the PCI repartition.

5. Physical Random Access Channel (PRACH) coordination

Another radio network parameter that is considered during radio network planning is PRACH configuration which is needed to distinguish random access requests addressed to different cells. PRACH resources are allocated by specifying the PRACH Resource Blocks time positions within the uplink frame, their frequency position within the LTE channel bandwidth and by apportioning cell-

specific root sequences. During radio network planning, these parameters are usually used in the following way:

- time positions for PRACH resource allocations are usually used to create time collision of PRACH resources of co-sited/frame synchronised cells because PRACH-to-PRACH interference is usually less severe than PUSCH-to-PRACH interference;
- frequency positions within the LTE channel bandwidth are usually the same for all cells, again because PRACH-to-PRACH interference case is a more favourable one.
- cell-specific root sequences are used to distinguish between PRACH requests addressed to different cells.

For cross-border coordination, it is proposed to use frequency position offsets to exclude the possibility of so-called “ghost” PRACH requests caused by neighbouring networks. The PRACH is configured in LTE to use only 6 Resource Blocks or 1.08 MHz of the LTE channel bandwidth except in regions used by PUCCH. In case of overlapping or partially overlapping channel bandwidths of neighbouring networks, it is enough to establish non-overlapping PRACH frequency blocks to perform coordination. Because it is difficult to establish an implementation dependent procedure for such allocation, it will be the responsibility of operators to manage such frequency separation during coordination discussions.

In an early implementation, it is possible that a very limited number of frequency positions could be supported by LTE equipment which will not be enough to coordinate in the trilateral case. In such cases, root-sequence repartition could be used. There are 838 root sequences in total to be distributed between cells, numbered {0..837}. There are two numbering schemes for PRACH root sequences (physical and logical) and that only logical root sequences numbering needs to be used for coordination. Unfortunately, the process of root sequences planning doesn't involve direct mapping of root sequences between cells because the number of root sequences needed for one cell is dependent on the cell range. The table showing such interdependency is presented below:

PRACH Configuration	Number of root seq. per cell	Cell Range (km)
1	1	0.7
2	2	1
3	2	1.4
4	2	2
5	2	2.5
6	3	3.4
7	3	4.3
8	4	5.4
9	5	7.3
10	6	9.7
11	8	12.1
12	10	15.8
13	13	22.7
14	22	38.7
15	32	58.7
0	64	118.8

Table 25: PRACH – Range Interdependency

Thus, in the case of root sequence repartition, it will be the responsibility of radio network planners to assign the correct number of root sequences in order to not overlap with the root sequence ranges of other operators. It also should be noted that different root sequences have different cubic metrics and correlation properties, which affect PRACH coverage performance and planning of so-called high-speed cells. For simplicity of cross-border coordination, it is proposed to ignore these properties.

In summary, it should be stipulated that frequency separation of PRACH resources should be used as the main coordination method. PRACH root sequences repartition should be avoided and used only in exceptional cases. Specific PRACH root sequences repartition is not provided in this text but could be deduced in a similar manner to the PCI repartition.

Additional guidance for cross-border coordination of synchronised and unsynchronised LTE and 5G/NR TDD systems may be found in ECC/REC/ (15)01 ^[48] and ECC Report 296 ^[49].

Additional guidance on border code coordination between CDMA systems and additional information on coordination thresholds may be found in ECC Report 108 ⁵⁰.

⁴⁸ ECC Recommendation (15)01 "Cross-border coordination for Mobile/Fixed Communications Networks (MFCN) in the frequency bands: 694-790 MHz, 1427-1518 MHz, and 3400-3800 MHz". Amended on 14 February 2020.

⁴⁹ ECC Report 296: "National synchronisation regulatory framework options in 3400-3800 MHz: a toolbox for coexistence of MFCNs in synchronised, unsynchronised, and semi-synchronised operation in 3400-3800 MHz", March 2019.

⁵⁰ <https://docdb.cept.org/download/457>

Appendix D - Guidelines To Ensure Co-Existence Between Land Mobile, non-3GPP Land Mobile, NB-IoT, and LPWAN

This section is based on ECC/DEC/ (19)02.

The technical requirements set out in sections 3 and 5 alone may not guarantee interference-free adjacent spectrum use in all cases.

The impact of LTE-based systems in the 400 MHz frequency ranges on narrowband PMR, DTT above 470 MHz, on radars, on the radio astronomy, on the fixed service, on PMR links in audio-visual production, on paging and SRD systems is described in ECC Report 283⁵¹. In this Report, the interference probability calculations have been performed for downlink capacity/traffic limited systems; results may differ for uplink capacity/traffic limited systems, which may tolerate a noise rise in UE receivers up to a level of the DL/UL imbalance.

One interference effect to be considered is the potential impact of Intermodulation Distortion in PMR receivers caused by neighbouring broadband signals. This is dependent on frequency offset of the LTE carrier from the victim PMR receiver, the received power, and the intermodulation performance of the victim PMR receiver at that frequency offset. No conclusion on the intermodulation effect from broadband interferers into narrow band victims could be reached in ECC Report 283 and additional investigations will be conducted within ECC.

ECC Report 283 considers that compatibility between LTE systems in the 410-430 MHz band and the Radio astronomy service below 410 MHz is possible provided that minimum frequency separation and separation distances are implemented.

LPWAN:

ECC Report 283⁵² considered a guard-band of 200 kHz between the TETRA base station (BS) and the LPWAN end device. This guard band is needed to minimise the interference from TETRA BS transmitter to LPWAN end device receiver.

ECC Report 283 considered the compatibility between a LPWAN system and airborne radars in the 410-430 MHz range is possible with a minimum guard band of 0.5 MHz from operating frequency edges.

ECC Report 283 considers the compatibility between LPWAN system in the band 410-430 MHz and the radio astronomy service below 410 MHz is possible under the condition of minimum frequency separation and separation distances are implemented.

LPWAN gateways (base stations) can operate with duty cycle limitations, if needed for compatibility reasons with adjacent services.

ECC Report 283 identified, based on measurements that compatibility with adjacent LTE is ensured with an improvement of the LPWAN receiver adjacent channel selectivity by 30 dB.

⁵¹ ECC Report 283, Compatibility and sharing studies related to the introduction of broadband and narrowband systems in the bands 410-430 MHz and 450-470 MHz, 14 September 2018. (<https://docdb.cept.org/document/6033>)

⁵² *Ibid.*

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

NO. 2785

25 November 2022

**HEREBY ISSUES A NOTICE REGARDING DRAFT RADIO FREQUENCY ASSIGNMENT PLANS FOR THE FREQUENCY BAND 138 TO 144 MHz IN TERMS OF REGULATION 3 OF THE RADIO FREQUENCY SPECTRUM REGULATIONS, 2015**

1. The Independent Communications Authority of South Africa ("the Authority"), hereby publishes the **Draft Radio Frequency Spectrum Assignment Plan for the frequency band 1518 MHz to 1525 MHz for public consultation** in terms of regulation 3 of the Radio Frequency Spectrum Regulations 2015 and the Radio Frequency Migration Plan of 2013 and 2019.
2. The Radio Frequency Migration Regulations 2013 provide that upon completion of this Radio Frequency Spectrum Assignment Plan the Authority will issue a notice to users to be migrated (regulation 6(1) of the Radio Frequency Migration Regulations).
3. Interested persons are hereby invited to submit written representations of their views on this RFSAP, in both MS Word and.pdf format.
4. Submission must be made no later than 16h00 on Friday 13 January 2023.
5. Persons making representations are further invited to indicate whether they require an opportunity to make oral representations.
6. Written representations or enquiries may be directed by email to:

Attention:

Mr Manyapelo Richard Makgotlho

e-mail: rmakgotlho@icasa.org.za

cc: jdikgale@icasa.org.za

7. All written representations submitted to the Authority pursuant to this notice will be made available for inspection by interested persons from 17 January 2023 at the ICASA Library. Electronic copies of such representations are obtainable on request and documents will be obtainable on payment of a fee.
8. The draft plans and non-confidential representations will be uploaded to the ICASA website under this link: <https://www.icasa.org.za/legislation-and-regulations/radio-frequency-spectrum-plans/draft-radio-frequency-spectrum-plans>

1518 - 1525 MHz

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9. In terms of section 4D of the ICASA Act, any person may request that any part of the pre-registration notice be treated as confidential. Confidential documents must be clearly marked as such and submitted together with the original written representation. Requests for Confidentiality must be submitted in line with the Guidelines for Confidentiality Request published in Government Gazette No 41839 dated 17 August 2018.
10. Where an Applicant has requested confidentiality on sections of its written representations, the written representations must be accompanied by one (1) non-confidential copy with sections that are redacted. The non-confidential version of the written representations will be published for public comment if the request for confidentiality is granted. Requests for confidentiality will be considered within fourteen (14) working days of receiving the request. The Authority will communicate its decision to the respective Applicant.
11. In the event that the request for confidentiality is refused, the Applicant may choose to withdraw the information on which confidentiality is requested.



DR CHARLES LEWIS
ACTING CHAIRPERSON



Radio Frequency Spectrum Assignment Plan

Rules for Services operating in the Frequency Band
1518 MHz to 1525 MHz

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1 Glossary

In this Radio Frequency Spectrum Assignment Plan, terms used shall have the same meaning as in the Electronic Communications Act 2005 (no. 36 of 2005); unless the context indicates otherwise:

“Act”	means the Electronic Communications Act, 2005 (Act No. 36 of 2005) as amended
“Administration”	means any governmental department or service responsible for discharging the obligations undertaken in the Constitution of the International Telecommunication Union, in the Convention of the International Telecommunication Union and in the Administrative Regulations (CS 1002).
“CEPT”	means European Conference of Postal and Telecommunications Administrations
“DF”	means Dual Frequency
“DM RS”	means Demodulation Reference Signal
“GSO”	means Geostationary Orbit (for satellites)
“IMT”	means International Mobile Telecommunications
“ITU”	means the International Telecommunication Union;
“ITU-R”	means the International Telecommunication Union Radiocommunication Sector
“MSS”	means Mobile-Satellite Service (or Mobile-Satellite radiocommunication Service), defined in Article 1.25 of the ITU Radio Regulations
“NRFP”	means the National Radio Frequency Plan 2021 for South Africa
“RFSAP”	means the Radio Frequency Spectrum Assignment Plan
“SF”	means Single Frequency
“STL”	means Studio Transmitter Link
“WRC-03”	means the World Radio Conference held in Geneva in 2003
“WRC-07”	means the World Radio Conference held in Geneva in 2007
“WRC-12”	means the world Radio Conference held in Geneva in 2012
“WRC-15”	means the World Radio Conference held in Geneva in 2015
“WRC-19”	means the World Radio Conference held in Sharm el-Sheikh in 2019

2 Purpose

- 2.1** The Radio Frequency Spectrum Assignment Plan (RFSAP) provides information of the requirements attached to the use of a frequency band in line with the allocation and other information in the National Radio Frequency Plan (NRFP). This information includes technical

characteristics of radio systems, frequency channelling, coordination, and details on the required migration of existing users of the band and the expected method of assignment.

This RFSAP states the requirements for the utilization of the frequency band between 1518 MHz and 1525 MHz for Fixed, Mobile, and Mobile-Satellite services.

- 2.2** This follows the feasibility study concerning the 1518 - 1525 MHz band¹, as mandated by the Frequency Band Migration Regulation and Plan contained in the IMT Roadmap 2014² and IMT Roadmap 2019³.
- 2.3** This Authority decision is consistent with the ITU allocations for the 1518 - 1525 MHz band, as shown in Table 1. The whole band is allocated for Mobile, Fixed and Mobile-Satellite services on a primary basis within Region 1.
- 2.4** Table 3 (Appendix A) shows the National Frequency Plan for South Africa for the 1518 - 1525 MHz band. In the table, it is clearly stipulated that the band 1518 - 1559 MHz is identified for the satellite component of IMT, i.e., Resolution 225⁴ applies, for the IMT Satellite component and Single Frequency Links (1517 – 1525 MHz). The 2019 RFSAP⁵ also stated “the requirements for the utilisation of the frequency band between 1518 MHz and 1525 MHz for the IMT Satellite component and Single Frequency Links (1517 – 1525 MHz)”. The single frequency links are typically used in private and communal radio repeaters which boost and retransmit weak radio signals across a wider area. The satellite component of IMT provides users with quality telecommunication services primarily on a global coverage basis and is most economic outside those areas covered by the terrestrial component.
- 2.5** The 2019 RFSAP further stated, “the RFSAP seeks to ensure that there is no harmful interference to IMT Satellite Systems and to assign for single frequency links where there is no harmful interference to IMT Satellite services”. The 2019 RFSAP also stated that “this Radio Frequency Spectrum Assignment Plan supersedes any previous spectrum assignment arrangements for the same spectrum location”, and that a feasibility study needs to be conducted in order to implement the requirements of the existing RFSAP 2019.
- 2.6** The Authority has concluded on encouraging a mixed use of the band for Fixed, Mobile, and Mobile-Satellite services. The intention of this RFSAP is ensure both Fixed and Mobile usage of the band, whilst ensuring that there is no harmful interference to any future IMT Satellite Systems – and to assign for single frequency links (Fixed links) where there is no harmful interference to IMT Satellite services.

3 General

- 3.1** Technical characteristics of the equipment used in Single Frequency Links (Fixed Services), Mobile Services and IMT Satellite shall conform to all applicable South African standards, international standards, International Telecommunication Union (ITU) and its radio regulations as agreed and adopted by South Africa
- 3.2** All installations must comply with safety rules as specified in applicable standards.

¹ Implementation of the Radio Frequency Migration Plan and the International Mobile Telecommunications (IMT) Roadmap for public consultation, Government Gazette No. 45690, 24 December 2021.

² Final (Draft) IMT Roadmap 2014, Government Gazette Vol. 593 Pretoria, 14 November 2014 No. 38213

³ Final (Draft) IMT Roadmap 2019, Government Gazette Vol. 645, 29 March 2019 No. 42361

⁴ https://www.itu.int/dms_pub/itu-r/oth/0c/0a/R0C0A00000C0034PDFE.pdf

⁵ Radio Frequency Spectrum Assignment Plan, Rules for Services operating in the Frequency Band 1518 MHz to 1525 MHz Government Gazette No. 42337 435, 29 March 2019

- 3.3** The equipment used shall be certified under South African law and regulations.
- 3.4** The allocation of this frequency band and the information in this Radio Frequency Spectrum Assignment Plan (RFSAP) are subject to review.
- 3.5** Frequency bands assigned for the IMT Satellite component include bands 1518 – 1525 MHz.
- 3.6** Frequency bands assigned for Single Frequency Links include bands 1517 – 1525 MHz.
- 3.7** WRC-03 and WRC-07 allocated this additional spectrum to the mobile satellite service to complement existing L-band allocations used by numerous satellite operators. Therefore, the band 1518 – 1525 MHz is sometimes called “Extended L band” for MSS, referring to satellite user terminals operating in the band 1518 to 1525 MHz (space to Earth), with the terminals transmitting to the satellite in the band 1670 MHz to 1675 MHz (Earth to space). In general, the wider band 1518 - 1559 MHz band is used by several GSO MSS operators, including Inmarsat, to provide vital communication services to ships, aircraft, and land mobile users.
- 3.8** This Satellite component of IMT is applicable for the provision of the satellite service. The typical technical and operational characteristics identified as appropriate by the ITU are described in the following documents
- This band is identified as being available for the satellite component of IMT, and some of the services offered by MSS operators form part of the “satellite component for IMT-2000”, as defined by Recommendation ITU-R M. 1850-2 (<https://www.itu.int/rec/R-REC-M.1850>);
 - ITU-R Recommendation M.1391: Methodology for the calculation of IMT-2000 satellite spectrum requirements (<https://www.itu.int/rec/R-REC-M.1391/en>);
 - ITU-R Recommendation M.1167: Framework for the satellite component of International Mobile Telecommunications-2000 (IMT-2000) (<https://www.itu.int/rec/R-REC-M.1167>); and
 - ITU-R Recommendation M.818 - Satellite operation within International Mobile Telecommunications-2000 (IMT-2000) (<https://www.itu.int/rec/R-REC-M.818/en>)
- 3.9** Single Frequency Links (in the Fixed Service) are applicable for the provision of the system and service. The typical technical and operational characteristics identified as appropriate by the ITU are described in the following documents
- CEPT Recommendation T/R 13-01 E (Preferred channel arrangements for fixed service systems operating in the frequency range 1 - 2.3 GHz (<https://docdb.cept.org/download/2499>))
 - ITU-R Recommendation F.1242: Radio-frequency channel arrangements for digital radio systems operating in the range 1 350 MHz to 1 530 MHz (<https://www.itu.int/rec/R-REC-F.1242/en>)
- 3.10** The following reports provide the details of co-existence studies between Mobile and MSS services in this band.
- ECC Report 263 ⁶ (Mar 2017) addressed the compatibility studies between IMT base stations operating below 1518 MHz and MSS land terminals operating above 1518 MHz.

⁶ ECC Report 263, Adjacent band compatibility studies between IMT operating in band 1492-1518 MHz and the MSS operating in 1518-1525 MHz, 3 March 2017 (<https://docdb.cept.org/document/967>)

- This led to the following balanced approach published in ECC decision (17)06⁷ and EC decision 2018/661/EU⁸.
- ECC/DEC/ (04)09 amended 26 June 2009: ECC Decision of 12 November 2004 on the designation of the bands 1518 - 1525 MHz and 1670 - 1675 MHz for the Mobile-Satellite Service⁹.

3.11 The use of the band 1518 - 1525 MHz by the mobile-satellite service is subject to coordination. According to the Radio Regulations, the mobile-satellite service operating in the band 1518-1525 MHz stations shall not claim protection from the stations in the fixed service¹⁰.

3.12 The following documents may also be useful when considering the 1518-1525 MHz band:

- 3.12.1** ITU-R Recommendation M.1167 (10/95): Framework for the satellite component of International Mobile Telecommunications-2000 (IMT-2000) (<https://www.itu.int/rec/R-REC-M.1167>)
- 3.12.2** ITU-R Recommendation F.1242-0 (05/97): Radio-frequency channel arrangements for digital radio systems operating in the range 1 350 MHz to 1 530 MHz (<https://www.itu.int/rec/R-REC-F.1242/en>)
- 3.12.3** Recommendation ITU-R M.1480 -0 (05/2000): Essential technical requirements of mobile earth stations of geostationary mobile-satellite systems that are implementing the Global mobile personal communications by satellite (GMPCS) – Memorandum of understanding arrangements in parts of the frequency band 1-3 GHz (https://www.itu.int/dms_pubrec/itu-r/rec/m/R-REC-M.1480-0-200005-I!!PDF-E.pdf)
- 3.12.4** ITU-R Recommendation M.818 -2 (06/2003): Satellite operation within International Mobile Telecommunications-2000 (IMT-2000) (<https://www.itu.int/rec/R-REC-M.818/en>)
- 3.12.5** Recommendation ITU-R M.1343 -1 (06/05): Essential technical requirements of mobile earth stations for global non-geostationary mobile-satellite service systems in the bands 1-3 GHz (<https://www.itu.int/rec/R-REC-M.1343/en>)
- 3.12.6** ECC/DEC/ (04)09, ECC Decision of 12 November 2004 on the designation of the bands 1518 - 1525 MHz and 1670 - 1675 MHz for the Mobile-Satellite Service, Amended 26 June 2009 (<https://docdb.cept.org/document/382>)
- 3.12.7** ITU RESOLUTION 225 (REV.WRC-12) Use of additional frequency bands for the satellite component of IMT (https://www.itu.int/dms_pub/itu-r/oth/0C/0A/R0C0A00000F0075PDFE.pdf)

⁷ ECC/DEC/ (17)06, ECC Decision of 17 November 2017 on the harmonised use of the frequency bands 1427-1452 MHz and 1492-1518 MHz for Mobile/Fixed Communications Networks Supplemental Downlink (MFCN SDL), Approved 17 November 2017, Corrected 2 March 2018 (<https://docdb.cept.org/document/1016>)

⁸ EC decision 2018/661/EU: Commission Implementing Decision (EU) 2018/661 of 26 April 2018 amending Implementing Decision (EU) 2015/750 on the harmonisation of the 1 452-1 492 MHz frequency band for terrestrial systems capable of providing electronic communications services in the Union as regards its extension in the harmonised 1 427-1 452 MHz and 1 492-1 517 MHz frequency bands (<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32018D0661&rid=1>)

⁹ <https://docdb.cept.org/document/382>

¹⁰ ITU Radio Regulations Footnote 5.348 under No. 9.11A

- 3.12.8** Recommendation ITU-R M. 1850 -2 (09/2014) Detailed specifications of the radio interfaces for the satellite component of International Mobile Telecommunications-2000 (IMT-2000) (<https://www.itu.int/rec/R-REC-M.1850>)
 - 3.12.9** ETSI EN 301 444 V2.2.1 (2021-04) Satellite Earth Stations and Systems (SES); Land Mobile Earth Stations (LMES) and Maritime Mobile Earth Stations (MMES) providing voice and/or data communications, operating in the 1,5 GHz and 1,6 GHz frequency bands; Harmonised Standard for access to radio spectrum. (https://www.etsi.org/deliver/etsi_en/301400_301499/301444/02.02.01_60/en_301444v020201p.pdf)
 - 3.12.10** ITU-R M.1184-3 (01/2018): Technical characteristics of mobile satellite systems in the frequency bands below 3 GHz for use in developing criteria for sharing between the mobile-satellite service (MSS) and other services (<https://www.itu.int/rec/R-REC-M.1184/en>)
 - 3.12.11** ECC Report 280 Satellite Solutions for 5G, 18 May 2018 (<https://docdb.cept.org/document/2989>)
 - 3.12.12** CEPT Report 069 Report from CEPT to the European Commission in response to the Mandate “Ultra-Wideband technology in view of a potential update of Commission Decision 2007/131/EC”. Report approved on 26 October 2018 (<https://docdb.cept.org/document/7244>), if such ultra-wideband technology would be used in South Africa;
- 3.13** Documents considering various aspects of the coordination are mentioned in the section “Co-ordination Requirements”.

4 Channelling Plan

- 4.1** The channelling plan for Single Frequency Links is as per ITU-R recommendation F.1242.

The Final Frequency Migration Plan 2019 ¹¹, recommended a possible channelling scheme shown in the Table 2¹².

¹¹ Final Frequency Migration Plan 2019 (Government Gazette Number 42337 Notice 166 of 2019), 29 March 2019 (<https://www.icasa.org.za/uploads/files/final-radio-frequency-migration-plan-2019.pdf>)

¹² Minor changes have been made to that table, e.g., IMT channels were renamed, and thus the number of 500 kHz wide channels was reduced and the channel numbering inside the band changed.

Single (or simplex) frequency channel (shared) [intended for migration of links < 1 GHz]									
	ITU / CEPT	Based on REC ITU-R F.1242							
	Band	1.5 GHz (F.S) Simplex							
	Ctr.Freq								
	Ch.Width	7 x500 kHz	& 140 x 25 kHz						
	Separ.								
	Ch.Spac.	7 x 500 kHz & 140 x 25 kHz							
	Ctr.Gap								
Ch.	Centre, MHz	Ch.	Centre, MHz	Ch.	Centre, MHz	Ch.	Centre, MHz	Ch.	Centre, MHz
1 (IMT)	1517.75	37	1521.7375	73	1522.638	109	1523.5375	145	1524.4375
2 (IMT)	1518.25	38	1521.7625	74	1522.663	110	1523.5625	146	1524.4625
3	1518.75	39	1521.7875	75	1522.688	111	1523.5875	147	1524.4875
4	1519.25	40	1521.8125	76	1522.713	112	1523.6125		
5	1519.75	41	1521.8375	77	1522.738	113	1523.6375		
6	1520.25	42	1521.8625	78	1522.763	114	1523.6625		
7	1520.75	43	1521.8875	79	1522.788	115	1523.6875		
8	1521.0125	44	1521.9125	80	1522.813	116	1523.7125		
9	1521.0375	45	1521.9375	81	1522.838	117	1523.7375		
10	1521.0625	46	1521.9625	82	1522.863	118	1523.7625		
11	1521.0875	47	1521.9875	83	1522.888	119	1523.7875		
12	1521.1125	48	1522.0125	84	1522.913	120	1523.8125		
13	1521.1375	49	1522.0375	85	1522.938	121	1523.8375		
14	1521.1625	50	1522.0625	86	1522.963	122	1523.8625		
15	1521.1875	51	1522.0875	87	1522.988	123	1523.8875		
16	1521.2125	52	1522.1125	88	1523.013	124	1523.9125		
17	1521.2375	53	1522.1375	89	1523.038	125	1523.9375		
18	1521.2625	54	1522.1625	90	1523.063	126	1523.9625		
19	1521.2875	55	1522.1875	91	1523.088	127	1523.9875		
20	1521.3125	56	1522.2125	92	1523.113	128	1524.0125		
21	1521.3375	57	1522.2375	93	1523.138	129	1524.0375		
22	1521.3625	58	1522.2625	94	1523.163	130	1524.0625		
23	1521.3875	59	1522.2875	95	1523.188	131	1524.0875		
24	1521.4125	60	1522.3125	96	1523.213	132	1524.1125		
25	1521.4375	61	1522.3375	97	1523.238	133	1524.1375		
26	1521.4625	62	1522.3625	98	1523.263	134	1524.1625		
27	1521.4875	63	1522.3875	99	1523.288	135	1524.1875		
28	1521.5125	64	1522.4125	100	1523.313	136	1524.2125		
29	1521.5375	65	1522.4375	101	1523.338	137	1524.2375		
30	1521.5625	66	1522.4625	102	1523.363	138	1524.2625		
31	1521.5875	67	1522.4875	103	1523.388	139	1524.2875		
32	1521.6125	68	1522.5125	104	1523.413	140	1524.3125		
33	1521.6375	69	1522.5375	105	1523.438	141	1524.3375		
34	1521.6625	70	1522.5625	106	1523.463	142	1524.3625		
35	1521.6875	71	1522.5875	107	1523.488	143	1524.3875		
36	1521.7125	72	1522.6125	108	1523.513	144	1524.4125		

Table 1: Simplex Channels as per section "1.12.1.3 Simplex Channels" of Appendix G of the Final Frequency Migration Plan 2019 (Page 204/293).

This table may also be illustrated with the diagram provided in Figure 1:

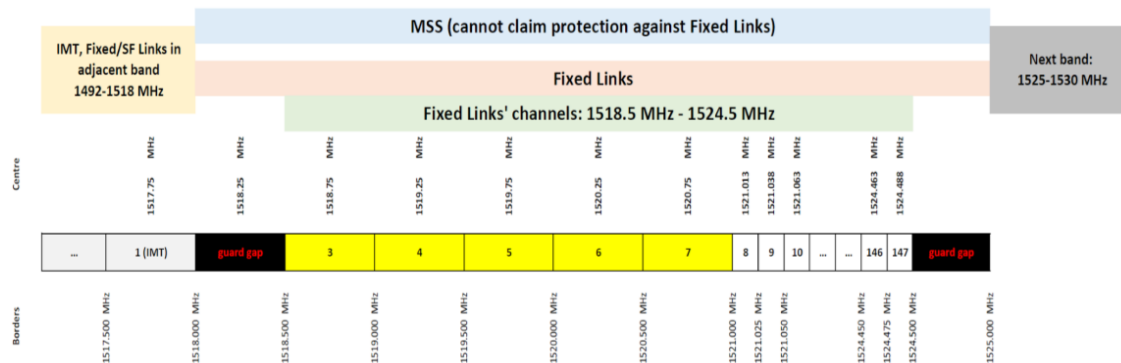


Figure 1: Illustration for the channel plan for fixed links for 1518-1525 MHz band, based on Table 2 (not to scale).

5 Requirements for usage of radio frequency spectrum

- 5.1** This chapter covers the minimum key characteristics considered necessary in order to make the best use of the available frequencies.
- 5.2** The use of the band is limited to Fixed, Mobile, and Mobile-Satellite services. They include Single frequency (SF) links and IMT satellite services.
- 5.3** Only systems using digital technologies that promote spectral efficiency will be issued with an assignment. Capacity enhancing digital techniques are being rapidly developed, and such techniques that promote efficient use of spectrum without reducing quality of service are encouraged.
- 5.4** In some cases, a radio system conforming to the requirements of this RFSAP may require modifications if harmful interference is caused to other radio stations or systems.
- 5.5** The allocation of spectrum and shared services within these bands are found in the National Radio Frequency Plan (NRFP), and an extract of the NRFP is shown in Appendix A.
- 5.6** Maximum radiated power is specified through the type approval process for the equipment used.
- 5.7** In some cases, a radio system conforming to the requirements of this RFSAP may require modifications if major interference is caused to other radio stations or systems.
- 5.8** ICNIRP Guideline compliance is required, where applicable;
- 5.9** Criteria and guidelines for interference mitigation are described in Appendix D; and
- 5.10** Whenever possible, the operators / spectrum users are encouraged to share the spectrum.

6 Implementation

- 6.1** This RFSAP shall be effective on the date of issue.
- 6.2** No new assignment for the band 1518 – 1525 MHz shall be approved unless they comply with the RFSAP.

7 Co-ordination Requirements

7.1 Coordination is performed by the Authority during the process of assignment.

7.2 The following documents may include information useful for coordination:

7.2.1 ECC Report 263¹³, CEPT Report 269¹⁴, CEPT Report 65¹⁵, and Decision (EU) 2018/661¹⁶ regarding compatibility with services operating in the bands 1492 - 1518 MHz, 1427 - 1518 MHz, 1492 - 1517 MHz, and 1452 - 1492 MHz, respectively. Also, Decision (EU) 2018/661¹⁶, ECC/DEC/ (17)06¹⁷, ECC Report 299¹⁸, Recommendation ITU-R M.1036¹⁹. For instance:

- ECC Report 263 addressed the compatibility studies between IMT base stations operating below 1518 MHz and MSS land terminals operating above 1518 MHz and states

“Based on the final results of its compatibility studies, it is concluded that:

- The minimum in-band blocking characteristic for land mobile earth stations receivers from a 5 MHz broadband signal interferer (LTE) operating below 1518 MHz shall be –30 dBm above 1520 MHz;
- The base station unwanted emission limits EIRP for a broadband signal interferer (LTE) operating below 1518 MHz shall be –30 dBm/MHz above 1520 MHz. This figure is 10 dB more stringent than ECC Decision (13)03 due to a different service in the adjacent band.

It is noted that the IMT block ends at 1517 MHz.

- With 1 MHz frequency separation, the required separation distances range from 435 – 6,100 m for land MESs; from 8,800 – 13,600 m for sea MESs; and from 7,700 – 16,500 m for aircraft MESs.
- With 3 MHz frequency separation, the required separation distances range from 10 – 1,550 m for land MESs; from 400 – 3,400 m for sea MESs; and from 400 – 4,585 m for aircraft MESs.

¹³ ECC Report 263 Adjacent band compatibility studies between IMT operating in band 1492-1518 MHz and the MSS operating in 1518-1525 MHz. Approved 03 March 2017 (<https://docdb.cept.org/document/967>)

¹⁴ CEPT Report 269 Least restrictive technical conditions for Mobile/Fixed Communications Networks in 1427-1518 MHz. Approved 17 November 2017. Corrected 2 March 2018 (<https://docdb.cept.org/document/1017>)

¹⁵ CEPT Report 65. Report from CEPT to the European Commission in response to the Mandate “to develop harmonised technical conditions in additional frequency bands in the 1.5 GHz range for their use for terrestrial wireless broadband electronic communications services in the Union”. Report approved on 17 November 2017 by the ECC. Corrected 2 March 2018 (<https://docdb.cept.org/document/1018>)

¹⁶ Decision (EU) 2018/661, Commission Implementing Decision (EU) 2018/661 of 26 April 2018 amending Implementing Decision (EU) 2015/750 on the harmonisation of the 1452-1492 MHz frequency band for terrestrial systems capable of providing electronic communications services in the Union as regards its extension in the harmonised 1427-1452 MHz and 1492-1517 MHz frequency bands (<https://docdb.cept.org/document/8820>)

¹⁷ ECC/DEC/ (17)06, ECC Decision of 17 November 2017 on the harmonised use of the frequency bands 1427-1452 MHz and 1492-1518 MHz for Mobile/Fixed Communications Networks Supplemental Downlink (MFCN SDL), Approved 17 November 2017, Corrected 2 March 2018 (<https://docdb.cept.org/document/1016>)

¹⁸ ECC Report 299 Measures to address potential blocking of MES operating in bands adjacent to 1518 MHz (including 1525-1559 MHz) at sea ports and airports (<https://docdb.cept.org/document/9066>)

¹⁹ Recommendation ITU-R M.1036 -6 (10/2019): Frequency arrangements for implementation of the terrestrial component of International Mobile Telecommunications (IMT) in the bands identified for IMT in the Radio Regulations (RR) (<https://www.itu.int/rec/R-REC-M.1036>)

- With 6 MHz frequency separation, the required separation distances range from 10 – 1,100 m for land MESSs; from 300 – 1300 m for sea MESSs; and from 300 – 2,000 m for aircraft MESSs.”
- The Report 263 also advises on the base station unwanted emission limits per cell above 1,518 MHz, maximum out-of-block EIRP limits for emissions within the band 1,427 – 1,517 MHz per antennas, base station unwanted emission limits per cell above 1,518 MHz for base stations operating in 1,492 - 1517 MHz.
- CEPT Report 269 states
 - “Base station power in 1,512 - 1,517 MHz should not exceed 58 dBm/5 MHz EIRP;
 - Base station unwanted emissions within 1,427 - 1,517 MHz are defined by the BEM in ECC/DEC/ (13)03; 16.3 dBm/5 MHz EIRP for the first adjacent 5 MHz block, 11 dBm/5 MHz EIRP for the second and 9 dBm/5 MHz EIRP for the third and beyond. It is proposed that this should apply also to emissions from blocks in the frequency band 1,452 – 1,492 MHz for emissions that fall into 1,427 – 1,452 MHz or 1,492 – 1,517 MHz when these are used for MFCN;
 - Base station unwanted emissions into the frequency band 1,400 – 1,427 MHz should not exceed -72 dBW/27 MHz;
 - Base station unwanted emissions in 1,520 – 1,559 MHz should not exceed -30 dBm/MHz EIRP;
 - Base station unwanted emissions in 1,518 – 1,520 MHz should not exceed -0.8 dBm/MHz EIRP “

7.2.2 See ECC Report 198 ²⁰ for fixed links;

7.2.3 CEPT Recommendation T/R 13-01 E regarding coordination between mobile and fixed services ²¹; For example, it mentions that “According ERC Report 65 a separation distance of 2 km and a carrier separation of 8.3 MHz is required between FS and MS stations operating in adjacent bands. Therefore, a careful deployment and coordination between MS and FS with channel spacing below 14 MHz is needed.”

7.2.4 ERC/REC 70-03 ²² regarding the use of Short Range Devices (SRD), should such be introduced in the 1,518 – 1,525 MHz band in the future;

²⁰ ECC Report 198 Adaptive modulation and ATPC operations in fixed point-to-point systems - Guideline on coordination procedures, 16 May 2013 (<https://docdb.cept.org/document/305>)

²¹ CEPT Recommendation T/R 13-01 E (Recommendation T/R of 1993 on “Preferred channel arrangements for fixed service systems operating in the frequency range 1-2.3 GHz”. 1993. Revised on 5 February 2010) (<https://docdb.cept.org/document/868>)

²² ERC/REC 70-03 ERC Recommendation of 6 October 1997 on relating to the use of Short Range Devices (SRD). Editorial update on 11 February 2022 (<https://docdb.cept.org/document/845>)

- 7.2.5** ECC Report 121²³, ECC Report 147²⁴, and ECC Report 253²⁵ regarding compatibility with professional wireless microphone systems (PWMS), should such be introduced in the 1518-1525 MHz band in the future; and;
- 7.2.6** ITU Recommendation ITU-R M.1459 and ECC Report 295²⁶ regarding protection criteria for and coordination between telemetry systems in the aeronautical mobile service and MSS²⁷, should such be introduced in the 1,518 – 1,525 MHz band in the future.
- 7.3** In the event of any interference, the Authority will require affected parties to carry out coordination. In the event that the interference continues to be unresolved after 24 hours, the affected parties may refer the matter to the Authority for a resolution. The Authority will decide the necessary modifications and schedule of modifications to resolve the dispute. The Authority will be guided by the interference resolution process as shown in Appendix B.
- 7.4** Assignment holders shall take full advantage of interference mitigation techniques such as antenna discrimination, tilt, polarization, frequency discrimination, shielding/blocking (introduce diffraction loss), site selection, and/or power control to facilitate the coordination of systems.
- 7.5** Whenever possible, Cross Border Frequency Coordination will abide by the Harmonised Calculation Method for Africa (HCM4A) Agreement. This follows the 3rd CRASA AGM that agreed that CRASA should implement the Cross Border Frequency Coordination Harmonised Calculation Method for Africa (HCM4A) Agreement.
- 7.6** The ECC had noted the need for greater understanding of the concept and need for harmonisation in the signing of the HCM4A Agreement by the SADC Member States if the implementation of the Agreement was to be effective. The ECC, therefore, agreed to convene a workshop on HCM4A and requested CRASA Members to consider signing the agreement. These activities were part of the Frequency Planning Sub Committee (FPSC) Operations Plan 2015/16.
- 7.7** At the 5th CRASA AGM, Swakopmund, Namibia – 07-08 April 2016 [5], the subject of Cross Border Frequency Coordination using the Harmonised Calculation Method for Africa (HCM4A) was discussed in detail, following similar efforts in Europe. The Resolution CRASA/AGM/15.16/07 stipulates, “The AGM urged CRASA Members to prioritise the motivation to their administrations who are yet to indicate their interest to sign the Harmonised Calculation Method for Africa (HCM4A), to do so as soon as possible”.

²³ ECC Report 121 Compatibility studies between Professional Wireless Microphone Systems (PWMS) and other services/systems in the bands 1452-1492 MHz, 1492-1530 MHz, 1533-1559 MHz also considering the services/systems in the adjacent bands (below 1452 MHz and above 1559 MHz). 22 September 2008 (<https://docdb.cept.org/document/229>)

²⁴ ECC Report 147 Additional compatibility studies relating to PWMS in the 1518.1559 MHz excluding the band 1543.45-1543.95 MHz and 1544-1545 MHz, Tromsø, May 2010 (<https://docdb.cept.org/document/256>).

²⁵ ECC Report 253 Compatibility studies for audio PMSE at 1492-1518 MHz and 1518-1525 MHz, 30 September 2016 (<https://docdb.cept.org/document/957>)

²⁶ ECC Report 295 Guidance on Cross-border coordination between MFCN and Aeronautical Telemetry Systems in the 1429-1518 MHz band. Approved 8 March 2019 (<https://docdb.cept.org/document/9070>)

²⁷ Recommendation ITU-R M.1459-0 (05/2000): "Protection criteria for telemetry systems in the aeronautical mobile service and mitigation techniques to facilitate sharing with geostationary broadcasting-satellite and mobile-satellite services in the frequency bands 1 452-1 525 MHz and 2 310-2 360 MHz" (<https://www.itu.int/rec/R-REC-M.1459-0-200005-l/en>)

- 7.7.1** Therefore, coordination would follow the HCM4A as detailed in Sub-Saharan Africa Assessment Report on Harmonization of ICT Policies in Sub-Saharan Africa²⁸ (HIPSSA)
- 7.8** A harmonized calculation method (HCM4A) brings these benefits
- 7.8.1** Based on HCM Agreement used in Europe
 - 7.8.2** Optimise spectrum usage;
 - 7.8.3** Prevent harmful interferences;
 - 7.8.4** Confer an adequate protection for stations;
 - 7.8.5** Define technical provisions and administrative procedures;
 - 7.8.6** Quick assignment of preferential frequencies; Transparent decisions through agreed assessment procedures; Quick assessment of interference through data exchange
- 7.9** HCM4A involves all 4 sub regions of Africa. This means the HCM4A projects include performing a survey and a comparative analysis of existing administrative and technical procedures related to bilateral and multilateral cross-border frequency coordination agreements across the 4 geographical sub-regions as defined by the African Union (AU), namely,
- 7.9.1** Central Africa: [Burundi, Central African Republic, Chad, Congo, Democratic Republic of Congo, Equatorial Guinea, Gabon, Sao Tome, and Principe];
 - 7.9.2** East Africa: [Comoros, Djibouti, Eritrea, Ethiopia, Kenya, Madagascar, Mauritius, Rwanda, Seychelles, Somalia, Sudan, Tanzania, Uganda];
 - 7.9.3** Southern Africa: [Angola, Botswana, Lesotho, Malawi, Mozambique, Namibia, South Africa, Swaziland, Zambia, Zimbabwe]; and
 - 7.9.4** West Africa: [Benin, Burkina-Faso, Cape Verde, Côte d'Ivoire, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Niger, Nigeria, Sierra Leone, Senegal, Togo].
- 7.10** HCM4A also comes with a software tool for Sub-Saharan Africa^{29, 30}
- 7.10.1** Optimise spectrum usage by accurate interference field strength calculations;
 - 7.10.2** Establish general parameters, improvement and supplementation of technical provisions, and individual restrictions;
 - 7.10.3** Establish models for computer-aided interference range calculations; and
 - 7.10.4** Harmonise parameters: objectively predictable towards transparent decisions.

²⁸ https://www.itu.int/en/ITU-D/Projects/ITU-EC-ACP/HIPSSA/Documents/FINAL%20DOCUMENTS/FINAL%20DOCS%20ENGLISH/hcm4a_agreement.pdf.pdf

²⁹ Cross-Border Frequency Coordination: Harmonized Calculation Method for Africa (HCM4A)
https://www.itu.int/en/ITU-D/Projects/ITU-EC-ACP/HIPSSA/Documents/FINAL%20DOCUMENTS/FINAL%20DOCS%20ENGLISH/hcm4a_agreement.pdf.pdf

³⁰ [PowerPoint Presentation \(itu.int\) https://www.itu.int/en/ITU-D/Regional-Presence/AsiaPacific/Documents/Events/2017/May%20BKK/Presentations/HCM%20and%20HCM4A%20BKK%2020170504%20IB.pdf](https://www.itu.int/en/ITU-D/Regional-Presence/AsiaPacific/Documents/Events/2017/May%20BKK/Presentations/HCM%20and%20HCM4A%20BKK%2020170504%20IB.pdf)

8 Assignment**8.1 Standard Approach**

The assignment of frequency will take place according to the Standard Application Procedures in the Radio Frequency Spectrum Regulations 2015.

9 Revocation**9.1** Not applicable.**10 Frequency Migration****10.1 Specific Procedure**

Studio transmission links may be migrated into this band under Fixed Services and are subject to coordination with the existing co-primary users.

Appendix A National Radio Frequency Plan

Table 2 shows an extract from the National Frequency Plan for South Africa.

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
1 518-1 525 MHz FIXED MOBILE except aeronautical mobile MOBILE-SATELLITE (space-to-Earth) 5.348 5.348A 5.348B 5.351A 5.341 5.342	1 518-1 525 MHz FIXED MOBILE except aeronautical mobile MOBILE-SATELLITE (space-to-Earth) 5.348 5.348A 5.351A 5.341	IMT Satellite component	The band 1518-1559 MHz is identified for satellite component of IMT; Res. 225 applies. Radio Frequency Spectrum Assignment Plan GG 42286 Notice 125 of 2019 Final Frequency Migration Plan 2019 (GG No. 42337 Notice 36 of 2019)

Table 2: National Radio Frequency Plan for South Africa for 1518 to 1525 MHz band³¹

³¹ National Radio Frequency Plan 2021, (NRFP-21) 8.3 kHz – 3000 GHz Independent Communications Authority of South Africa, Government Gazette No 46088, 25 March 2022 (<https://www.icasa.org.za/uploads/files/National-Radio-Frequency-Plan-2021.pdf>)

Appendix B Interference Resolution Process

Many technical procedures related to bilateral and multilateral cross-border frequency coordination agreements for the four (4) geographical sub-regions are defined by the African Union which includes the Southern African sub-region of ten (10) countries. Whenever possible, cross-Border Frequency Coordination and interference resolution should follow the Harmonized Calculation Method for Africa (HCM4A)³².

When requesting coordination, the relevant characteristics of the base station and the code or PCI group number should be forwarded to the Administration affected. All of the following characteristics should be included:

- a) carrier frequency [MHz]
- b) name of transmitter station
- c) country of location of transmitter station
- d) geographical coordinates [latitude, longitude]
- e) effective antenna height [m]
- f) antenna polarisation
- g) antenna azimuth [degrees]
- h) antenna gain [dBi]
- i) effective radiated power [dBW]
- j) expected coverage zone or radius [km]
- k) date of entry into service [month, year].
- l) code group number used
- m) antenna tilt [degrees]

The Administration affected will evaluate the request for coordination and will, within thirty (30) days, notify the Administration requesting coordination the result of the evaluation. If, in the course of the coordination procedure, the Administration affected requires additional information, it may request such information.

If no reply is received by the Administration requesting coordination within (30) days, it may send a reminder to the Administration affected. Where the Administration fails to respond within thirty (30) days following communication of the reminder will be deemed to have given its consent, and the code coordination may be put into use with the characteristics given in the request for coordination.

The above-mentioned periods are subject to extension by common consent.

³² Cross-Border Frequency Coordination: Harmonized Calculation Method for Africa (HCM4A)
https://www.itu.int/en/ITU-D/Projects/ITU-EC-ACP/HIPSSA/Documents/FINAL%20DOCUMENTS/FINAL%20DOCS%20ENGLISH/hcm4a_agreement.pdf.pdf

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

NO. 2786

25 November 2022

**HEREBY ISSUES A NOTICE REGARDING DRAFT RADIO FREQUENCY ASSIGNMENT PLANS FOR THE FREQUENCY BAND 138 TO 144 MHZ IN TERMS OF REGULATION 3 OF THE RADIO FREQUENCY SPECTRUM REGULATIONS, 2015**

1. The Independent Communications Authority of South Africa ("the Authority"), hereby publishes the **Draft Radio Frequency Spectrum Assignment Plan for the frequency band 440 MHz to 450 MHz for public consultation** in terms of regulation 3 of the Radio Frequency Spectrum Regulations 2015 and the Radio Frequency Migration Plan of 2013 and 2019.
2. The Radio Frequency Migration Regulations 2013 provide that upon completion of this Radio Frequency Spectrum Assignment Plan the Authority will issue a notice to users to be migrated (Regulation 6(1) of the Radio Frequency Migration Regulations of 2013)
3. Interested persons are hereby invited to submit written representations of their views on the RFSAPs, in both MS Word and .pdf format.

Submission must be made no later than 16h00 on Friday 13 January 2023.

4. Persons making representations are further invited to indicate whether they require an opportunity to make oral representations.
5. Written representations or enquiries may be directed by email to:

Attention:

Mr Manyapelo Richard Makgotlho

e-mail: rmakgotlho@icasa.org.za

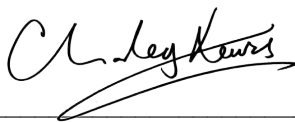
cc: jdikgale@icasa.org.za

6. All written representations submitted to the Authority pursuant to this notice will be made available for inspection by interested persons from 17 January 2023 at the ICASA Library. Electronic copies of such representations are obtainable on request and documents will be obtainable on payment of a fee.

440 - 450 MHz

Page 1

7. The draft plans and non-confidential representations will be uploaded to the ICASA website under this link: <https://www.icasa.org.za/legislation-and-regulations/radio-frequency-spectrum-plans/draft-radio-frequency-spectrum-plans>
8. In terms of section 4D of the ICASA Act, any person may request that any part of the pre-registration notice be treated as confidential. Confidential documents must be clearly marked as such and submitted together with the original written representation. Requests for Confidentiality must be submitted in line with the Guidelines for Confidentiality Request published in Government Gazette No 41839 (Notice No. 849) dated 17 August 2018.
9. Where an Applicant has requested confidentiality on sections of its written representations, the written representations must be accompanied by one (1) non-confidential copy with sections that are redacted. The non-confidential version of the written representations will be published for public comment if the request for confidentiality is granted. Requests for confidentiality will be considered within fourteen (14) working days of receiving the request. The Authority will communicate its decision to the respective Applicant.
10. In the event that the request for confidentiality is refused, the Applicant may choose to withdraw the information on which confidentiality is requested.



DR CHARLES LEWIS
ACTING CHAIRPERSON



Radio Frequency Spectrum Assignment Plan

Rules for Services operating in the Frequency Band
440 MHz to 450 MHz

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1 Glossary

In this Radio Frequency Spectrum Assignment Plan, terms used shall have the same meaning as in the Electronic Communications Act 2005 (no. 36 of 2005); unless the context indicates otherwise:

“Act”	means the Electronic Communications Act, 2005 (Act No. 36 of 2005) as amended
“Administration”	means any governmental department or service responsible for discharging the obligations undertaken in the Constitution of the International Telecommunication Union, in the Convention of the International Telecommunication Union and in the Administrative Regulations (CS 1002).
“DF”	means Dual Frequency
“DMR”	means Digital Mobile Radio
“EIRP”	means Effective Isotropic Radiated Power
“ERP”	means Effective Radiated Power
“FAP”	means Frequency Allocation Plan
“ITU”	means the International Telecommunication Union
“ITU-R”	means the International Telecommunication Union Radiocommunication Sector
“NRFP”	means the National Radio Frequency Plan 2021 for South Africa
“PAMR”	means Private Access Mobile Radio
“PMR”	means Public Mobile Radio
“PPDR”	means Public Protection and Disaster Recovery
“RFSAP”	means Radio Frequency Spectrum Assignment Plan
“SADC”	means Southern African Development Community

2 Purpose

- 2.1** The Radio Frequency Spectrum Assignment Plan (RFSAP) provides information on the requirements attached to the use of a frequency band in line with the allocation and other information in the National Radio Frequency Plan (NRFP). This information includes technical characteristics of radio systems, frequency channelling, coordination, and details on required migration of existing users of the band and the expected method of assignment.

- 2.2** This RFSAP states the requirements for the utilization of the frequency band 440 MHz - 450 MHz. The latest National Radio Frequency Plan 2021 aligns the allocation of this frequency band with the International Telecommunication Union (ITU) table with primary allocations to Fixed and Mobile. In this latest plan, too, there is an additional primary allocation for SPACE OPERATION (Earth-to-space) and SPACE RESEARCH (Earth-to-space) in South Africa.
- 2.3** The Authority resolved the following in the Radio Frequency Migration Plan 2019¹
- 2.3.1** A feasibility study into the possibility to use the band 440 MHz – 450 MHz for Public Protection and Disaster Recovery (PPDR) is to be performed.
- 2.3.2** A Radio Frequency Assignment Plan is to be developed.
- 2.3.3** The proposed allocations for this band are Short Range Business Radio and Public Mobile Radio (PMR²) services *only*. The band should be cleared of all other users. Communal repeaters can be allocated in this band
- 2.4** Therefore, a feasibility study was carried out concerning the 440-450 MHz band³ as mandated by the 2019⁴ Radio Frequency migration plan.
- 2.5** However, at the conclusion of the feasibility study into this band⁵, the Authority has concluded the following:
- 2.5.1** The Authority concludes that its thinking on this band at this stage is that there is a high risk of leading to more inefficient use of this spectrum band if it proceeds with a PPDR allocation and subsequent PPDR-based RFSAP. This is because the Authority has seen little to no evidence of a PPDR ecosystem emerging in this band as for other bands like 410-430 MHz and 450-470 MHz as was envisaged five years to a decade ago, and there is a strong case for largely maintaining the status quo and taking a longer-term outlook watching brief (i.e., > 3 years) for the band.
- 2.5.2** The Authority will also closely watch the activities happening in 446-446.2 MHz on Analogue and Digital PMR⁶ to make any further decisions given developments in Europe.
- 2.6** So, the intention of this RFSAP is to largely leave the band as it is today. The most recent ITU and Southern African Development Community (SADC) allocations are shown in Tables 1 and 2 for completeness.

¹ ICASA. 2019. Radio Frequency Migration Plan 2019. Government Gazette No 42337, 29 March 2019.

² Some key technical parameters for 446-446.1 MHz band short range devices (SRD) are listed in: Regulations in Respect of Licence Exemptions, Government Gazette No 31290 (Notice 926 of 2008), 29 July 2008.

³ Implementation of the Radio Frequency Migration Plan and the International Mobile Telecommunications (IMT) Roadmap for public consultation, Government Gazette No. 45690, 24 December 2021.

⁴ ICASA. 2019. Radio Frequency Migration Plan 2019. Government Gazette No 42337, 29 March 2019.

⁵ Implementation of the Radio Frequency Migration Plan and the International Mobile Telecommunications (IMT) Roadmap for public consultation, Government Gazette No. 45690, 24 December 2021.

⁶ EN 303 405 Analogue and Digital PMR446 Equipment.

Region 1	Region 2	Region 3
440-450	FIXED MOBILE except aeronautical mobile Radiolocation 5.269 5.270 5.271 5.284 5.285 5.286	

Table 1: ITU frequency allocations for the 440-450 MHz band.

440-450 MHz FIXED MOBILE except aeronautical mobile Radiolocation 5.269 5.270 5.271 5.284 5.285 5.286	440-450 MHz FIXED MOBILE except aeronautical mobile 5.286	PMR and/or PAMR PPDR PMR446 (446-446.1 MHz) FIXED (telemetry, dual frequency alarm systems)	The use of this band for PPDR to be studied. PMR446-ERC/DEC/(98)25
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Table 2: SADC Radio Frequency Spectrum Allocation Plan⁷ for the 440-450 MHz band

3 General

- 3.1** Technical characteristics of the equipment used for Fixed, Mobile, SPACE OPERATION (Earth-to-space) and SPACE RESEARCH (Earth-to-space) shall conform to all applicable South African standards, international standards, ITU and its radio regulations as agreed and adopted by South Africa
- 3.2** All installations must comply with safety rules as specified in applicable standards.
- 3.3** The equipment used shall be certified under South African law and regulations.
- 3.4** The allocation of this frequency band and the information in this RFSAP are subject to review.
- 3.5** Frequency band's sub-allocations will be as per South Africa's National Radio Frequency Plan for the 440-450 MHz band, as shown in Appendix A (Table 4).
- 3.6** The following documents may also be useful when considering the 440-450 MHz band:
- Decision (EU) 2019/1345, Commission Implementing Decision (EU) 2019/1345 of 2 August 2019 amending Decision 2006/771/EC updating harmonised technical conditions in the area of radio spectrum use for short-range devices (notified under document C (2019) 5660) (Text with EEA relevance.), 2 August 2019. (<https://docdb.cept.org/document/12983>)
 - ECC/DEC/(19)02, ECC Decision of 8 March 2019 on Land mobile systems in the frequency ranges 68-87.5 MHz, 146-174 MHz, 406.1-410 MHz, 410-430 MHz, 440-450 MHz, and 450-470 MHz, 8 March 2019. (<https://docdb.cept.org/document/9680>)
 - T/R 25-08, Recommendation T/R of 30 May 2008 on Planning criteria and cross-border coordination of frequencies for land mobile systems in the range 29.7-470 MHz. Latest amended on 28 September 2018.

⁷ SADC Radio Frequency Spectrum Allocation Plan (SADC RFSAP) 8.3 kHz – 3000 GHz, Edition 2021, https://assets.website-files.com/5fb8ce4adbd6ad2ccc1423e7/612fe72be15121775ae6a121_2021%20SADC%20RADIO%20FREQUENCY%20SPECTRUM%20ALLOCATION%20PLAN.%20docx%5B1%5D.pdf

- ECC/DEC/ (15)05, ECC Decision of 3 July 2015 on the harmonised frequency range 446.0-446.2 MHz, technical characteristics, exemption from individual licensing and free carriage and use of analogue and digital PMR 446 applications. Amended on 2 March 2018.
- Decision (EU) 2017/1483, Commission Implementing Decision (EU) 2017/1483 of 8 August 2017 amending Decision 2006/771/EC on harmonisation of the radio spectrum for use by short-range devices and repealing Decision 2006/804/EC, 8 August 2017.
- CEPT Report 059, Annual update of the technical annex of the Commission Decision on the technical harmonisation of radio spectrum for use by short range device Addendum to the report is also to be found here, 17 June 2016.
- ECC Report 199, User requirements and spectrum needs for future European broadband PPDR systems (Wide Area Networks), 30 May 2013.
- ECC Report 099, TETRA Enhanced Data Services (TEDS): Impact on existing PMR/PAMR and Air Ground Air (AGA) systems in the 400 MHz band, 20 September 2007.
- ECC Report 097, Cross Border Interference for Land Mobile Technologies, 20 February 2007.
- ECC Report 102, Public protection and disaster relief spectrum requirements, 6 February 2007.
- CEPT Report 011, Report from CEPT to the European Commission in response to the Mandate on: EFIS (ECO Frequency Information System), 27 September 2006.
- ERC Report 075, Narrowband return path two way paging compatibility studies in the 406.1 - 410 MHz, 440 - 470 MHz and 862 - 871 MHz bands, 1999-05-01
- ETSI EN 303 405 V1.1.1 (2017-05) Land Mobile Service; Analogue and Digital PMR446 Equipment; Harmonised Standard covering the essential requirements of article 3.2 of Directive 2014/53/EU⁸.

4 Channelling Plan

4.1 The frequency band 440 - 450 MHz will be assigned according to Figure 1.

⁸ https://www.etsi.org/deliver/etsi_en/303400_303499/303405/01.01.01_60/en_303405v010101p.pdf

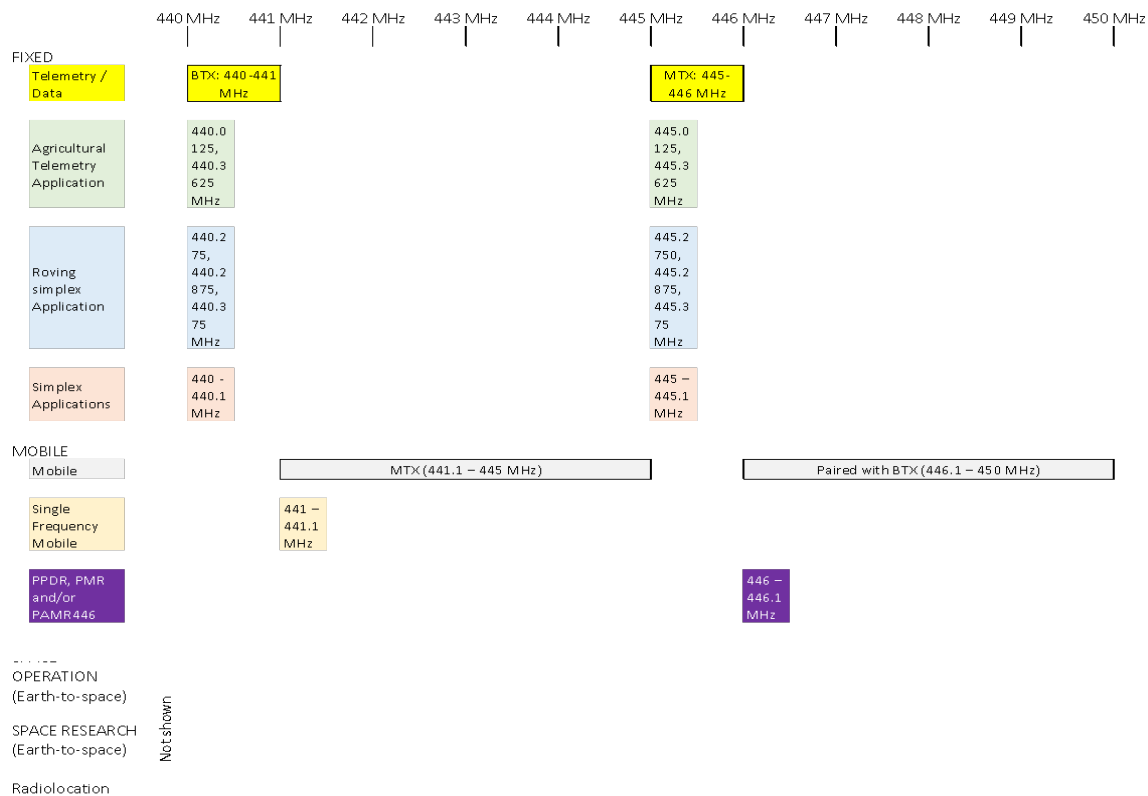


Figure 3. Band allocation, as per National Table of Frequency Allocations (see Appendix A). The allocations are shown as ranges or centre frequencies of the channels (separated by commas).

More details follow.

- 4.2** Channelling arrangements for analogue and digital land mobile systems with channel spacing of up to 25 kHz, of 50 kHz, 100 kHz, or 150 kHz, as guided by T/R 25-08⁹, is recommended to follow the following approach.

The channel centre frequencies (hereinafter called *centre frequencies*) use the following *preferred formula*. This preferred formula should be used whenever possible, but at least in new and re-farmed bands:

$$F_{CH} = \text{Band Edge} - (\text{Channel Spacing}/2) + n \times \text{Channel Spacing},$$

Where:

$$F_{CH} = \text{channel centre frequency}$$

$$n = 1, 2, 3, \dots - \text{channel number};$$

⁹ Recommendation T/R 25-08, Planning criteria and cross-border coordination of frequencies for land mobile systems in the range 29.7-470 MHz, Approved 15 January 1990. Amended 28 September 2018. (<https://docdb.cept.org/document/909>, <https://docdb.cept.org/download/2544>)

Band Edge is the lower edge of allocated frequency band, i.e., 440 MHz.

For systems using a channel spacing of 200 kHz the centre frequencies should be selected according to the preferred formula with an option to offset these centre frequencies by 100 kHz.

- 4.2.1** Duplex or two-frequency simplex channel separation, location of sub-bands and guard bands ¹⁰
- 4.2.2** A sub-band can be simplex or duplex. The lower and upper part of a duplex sub-band should be in the same allocated band.
- 4.2.3** The frequencies of emissions of base or repeater stations should be placed in the upper band and those of mobile stations in the lower band. The same positions of upper and lower bands should be selected for bordering/adjacent countries.
- 4.2.4** The channel centre frequency of a digital land mobile system using a channel spacing greater than 25 kHz may be selected in a way that the channel pertaining to the centre frequency with its nominal channel spacing falls entirely into a sub-band and does not overlap the guard band necessary around the edges of simplex sub-bands and the edges of the lower parts and upper parts of duplex sub-bands.
- 4.2.5** For Analogue and Digital Public Mobile Radio (PMR) in the band 446-446.2 MHz, the requirements are listed in Government Gazette No 45690 dated 24 December 2021¹⁵ (replacing the channelisation scheme provided in Government Gazette 38641 dated 30 March 2015 which was compliant to 34.4) and refer to ETSI EN 303 405 ¹¹ and CEPT/ERC/REC 70-03 ¹².
- 4.2.6** The sub-band 440 - 441 MHz, follows Figure 3 above instead:
For low-power wide area networks (LPWAN) using the band 440 – 441 MHz, Government Gazette No 42230 ¹³ provides the following channel arrangements:
 - 1. The 440 MHz to 441 MHz frequency band is split into a total of five 125 kHz bandwidth channels.
 - 2. These channels have a guard-band between them and are spaced 200 kHz apart as shown in Figure 4 and Table 3.

¹⁰ECC Recommendation T/R 25-08, Planning criteria and coordination of frequencies for land mobile systems in the range 29.7-470 MHz. <http://spectrum.welter.fr/international/cept/erc-recommendations/erc-recommendation-25-08-public-land-mobile-29-MHz-470-MHz.pdf>

¹¹ ETSI EN 303 405 V1.1.1 (2017-05) Land Mobile Service; Analogue and Digital PMR446 Equipment; Harmonised Standard covering the essential requirements of article 3.2 of Directive 2014/53/EU. (https://www.etsi.org/deliver/etsi_en/303400_303499/303405/01.01.01_60/en_303405v010101p.pdf)

¹² ERC Recommendation 70-03, Relating to the use of Short Range Devices (SRD), Tromsø 1997, Subsequent amendments 12 February 2021 (<https://docdb.cept.org/download/25c41779-cd6e/Rec7003e.pdf>).

¹³ Radio Frequency Spectrum Assignment Plan: Rules for Services operating in the Frequency Band 440 to 441 MHz, Government Gazette No 42230, 15 February 2019, pages 212 - 222. (<https://archive.opengazettes.org.za/archive/ZA/2019/government-gazette-ZA-vol-644-no-42230-dated-2019-02-15.pdf>)

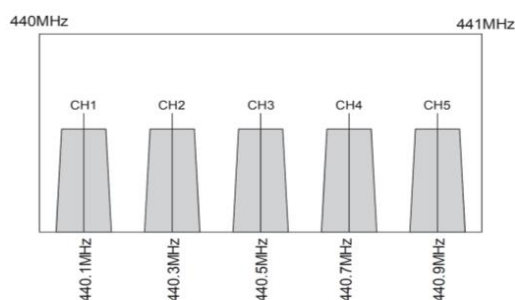


Figure 4. LPWAN channels in 440-441 MHz visualised

CHANNEL	CENTER FREQ	BANDWIDTH (kHz)
1	440.100MHz	125kHz
2	440.300MHz	125kHz
3	440.500MHz	125kHz
4	440.700MHz	125kHz
5	440.900MHz	125kHz

Table 3: LPWAN channels in 440-441 MHz

3. The frequency band 440 – 441 MHz provides a total bandwidth of 1 MHz for burglar alarms and related security telemetry services.

4.2.7 For PMR446 associated with the band 446.0 – 446.2 MHz, the guidance on channelisation is provided in ETSI EN 303 405 6 and ECC/DEC/(15)05¹⁴.

5 Requirements for usage of radio frequency spectrum

5.1 This chapter covers the minimum key characteristics considered necessary in order to make the best use of the available frequencies.

5.2 The use of the band is limited to Fixed, Mobile and SPACE OPERATION (Earth-to-space) and SPACE RESEARCH (Earth-to-space) on Primary basis.

5.3 In some cases, a radio system conforming to the requirements of this RFSAP may require modifications if harmful interference is caused to other radio stations or systems.

5.4 The allocation of spectrum and shared services within these bands are found in the National Radio Frequency Plan (NRFP), and an extract of NRFP is shown in Appendix A.

5.5 Maximum radiated power is specified through the Type Approval process for the equipment used.

5.6 In addition to §5.5 above, the land mobile systems with channel bandwidths of 6.25 kHz, 12.5 kHz and 25 kHz, 50 kHz, 100 kHz, 150 kHz and 200 kHz (the same requirements apply for channel bandwidth **between** 6.25 kHz and 200 kHz) should comply with requirements listed in ECC/DEC/(19)02¹⁵, including

5.6.1 Within the wanted channel at the carrier frequency, the effective radiated power used shall comply with the authorisation conditions. Normal effective radiated power

¹⁴ ECC Decision (15)05, The harmonised frequency range 446.0-446.2 MHz, technical characteristics, exemption from individual licensing and free carriage and use of analogue and digital PMR 446 applications. Approved 3 July 2015. Amended 2 March 2018. (<https://docdb.cept.org/download/1491>)

¹⁵ ECC Decision (19)02, Land mobile systems in the frequency ranges 68-87.5 MHz, 146-174 MHz, 406.1-410 MHz, 410-430 MHz, 440-450 MHz and 450-470 MHz. Approved 8 March 2019 (<https://docdb.cept.org/download/1455>)

emissions within the wanted channel do normally not exceed 40 dBm for user equipment and 53 dBm for base station equipment.

- 5.6.2 Transmitter Adjacent and Alternate Adjacent Channel Power:** The power in the first two lower and upper adjacent channels, shall not exceed a value of 60 dBc below the transmitter output power without the need to be below -36 dBm ERP. These limits are valid for all base stations, user equipment and repeaters.
- 5.6.3 Transmitter Unwanted Emissions in The Spurious Domain:** The unwanted emissions within the spurious domain during operation shall not exceed -36 dBm for frequencies up to 1 GHz and shall not exceed -30 dBm for frequencies above 1 GHz. In standby mode, the unwanted emissions shall not exceed -57 dBm for frequencies up to 1 GHz and shall not exceed -47 dBm for frequencies above 1 GHz.
- 5.6.4 Transmitter Intermodulation Attenuation:** This requirement applies only to transmitters to be used in base stations or repeaters. Intermodulation attenuation is a measure of the capability of a transmitter to inhibit the generation of signals in its non-linear elements caused by the presence of the transmitter power and an interfering signal entering the transmitter via its antenna. In general, the intermodulation attenuation ratio shall be at least 40 dB for any intermodulation component. Note that the Administration may require a more stringent intermodulation attenuation requirement for base station equipment to be used in special service conditions, e.g., at sites where more than one transmitter will be in service, this is recommended to be at least 70 dB for any intermodulation component.
- 5.6.5 Transmitter Adjacent Channel Transient Power:** Transient power is the power falling into adjacent spectrum due to switching the transmitter on and off. The transient power in the adjacent channels (e.g., caused by push-to-talk functionality) shall not exceed -60 dBc in the adjacent channels, or -50 dBc for equipment, without the need to be below -36 dBm.
- 5.6.6 Receiver Adjacent Channel Selectivity:** The adjacent channel selectivity is the measure of the capability of the receiver of the land mobile system to receive a wanted modulated signal at the nominal operating frequency without exceeding a given degradation due to the presence of another land mobile system in assumed 25 kHz channels adjacent to the channel bandwidth for which the equipment is intended. E.g., the centre of an adjacent channel relative to the centre of the nominal channel is at +/- 62.5 kHz for a land mobile system operating with a 100 kHz channel bandwidth. The adjacent channel selectivity is described with the following table:

Channel bandwidth	Unwanted signal levels
Up to 200 kHz	-37 dBm

- 5.6.7 Receiver blocking: Blocking** is the measure of the capability of the receiver to receive a wanted modulated signal without exceeding a given degradation due to the presence

of an unwanted input signal at any frequencies outside of the wanted channel and the first two lower and upper adjacent. The blocking level shall not be less than -27 dBm.

5.6.8 The blocking level shall not be less than -27 dBm. It is possible that interference may still occur despite fulfilling the above requirements. If interference, guidance provided in Appendix B will may be followed

5.7 In addition to §5.5 above, for Analogue and Digital Public Mobile Radio (PMR) in the band 446-446.2 MHz, the requirements listed in Government Gazette No 45690 dated 24 December 2021 ¹⁶ (e.g., maximum radiated power 500 mW ERP) must be complied to.

5.8 In addition to 5.5, as per Government Gazette 42230, all transmissions from any low power wide area networks/burglar alarms and security related telemetry operating in 400 – 401 MHz band, should not exceed 100 mW (20 dBm) EIRP.

5.9 On a case-by-case basis, higher EIRP may be permitted. In some cases, a radio system conforming to the requirements of this RFSAP may require modifications if major interference is caused to other radio stations or systems.

6 Implementation

6.1 This RFSAP shall be effective on the date of issue.

6.2 No new assignment for the band 440 – 450 MHz shall be approved unless they comply with this RFSAP.

7 Co-ordination Requirements

7.1 Coordination is performed by the Authority during the process of assignment.

7.2 Planning characteristics in border areas

The location, the power, and the antenna heights of all stations in the network should be selected in such a way that their range is confined, as far as possible, to the zone to be covered by the intended service.

Excessive antenna heights and transmitter outputs should be avoided, by using several locations of reduced height wherever possible. In border areas directional antennas should be used to minimise the interference potential.

The effective radiated power and the height of the antenna should be as low as possible in relation to the area to be served.

7.3 In the event of any interference, the Authority will require affected parties to carry out coordination. If the interference continues to be unresolved after 24 hours, the affected parties may refer the matter to the Authority for a resolution. The Authority will decide the necessary modifications and schedule of modifications to resolve the dispute. The Authority will be guided by the interference resolution process as shown in Appendix B.

7.4 Assignment holders shall take full advantage of interference mitigation techniques such as antenna discrimination, tilt, polarization, frequency discrimination, shielding/blocking (introduce diffraction loss), site selection, and/or power control to facilitate the coordination of systems.

¹⁶ Amendment of the radio frequency spectrum regulations, 2015, Government Gazette No 45690, 24 December 2021 (https://www.gov.za/sites/default/files/gcis_document/202112/45690gen737.pdf).

7.5 Indicative coordination thresholds for analogue or digital land mobile systems, as per T/R 25-08¹⁷

7.5.1 The aim of coordination thresholds is to avoid harmful interference between stations located in neighbouring countries. To achieve this, indicative coordination thresholds are established which should not be exceeded without coordination between neighbouring countries.

7.5.2 Indicative coordination thresholds for land mobile systems (co-channel, 50% locations, 10% time¹⁸, 10 m receiving antenna height, within a reference bandwidth of 25 kHz, at the border-line) is 20 dB(μV/m).

7.5.3 For systems using a channel spacing greater than 25 kHz, the following bandwidth conversion formula can be used provided that the spectral power distribution within this channel spacing is uniform within the channel:

$$BC = 10 \times \log_{10} (\text{channel spacing} / 25 \text{ kHz}), \text{ dB}$$

7.5.4 The value (BC) resulting from the formula should be added to the indicative coordination threshold as listed above.

7.5.5 For all other spectral power distributions, indicative coordination threshold levels should be applied within every 25 kHz bandwidth within the channel spacing.

8 Assignment

8.1 Standard Approach

The assignment of frequency will take place according to the Standard Application Procedures in the Radio Frequency Spectrum Regulations 2015.

9 Revocation

9.1 Not applicable.

10 Frequency Migration

10.1 Specific Procedure

There is no specific technical procedure needed.

¹⁷ Recommendation T/R 25-08: "Planning criteria and cross-border coordination of frequencies for land mobile systems in the range 29.7-470 MHz", Approved 15 January 1990, Amended 28 September 2018, <https://docdb.cept.org/document/909>

¹⁸ In certain situations, the 1% time curves should be used for digital systems, e.g. to better protect analogue systems.

APPENDIX A National Radio Frequency Plan

Table 4 shows an extract from the National Frequency Plan for South Africa.

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
440-450 MHz FIXED	440-450 MHz FIXED	Telemetry / Data BTX (440 – 441 MHz) FIXED (telemetry, dual frequency alarm systems) Agricultural Telemetry Application Roving simplex Application	Paired with MTX (445 – 446 MHz) Channels 440.0125, 440.3625, 445.0125 and 445.3625 MHz are used for Agricultural Telemetry. Channels 440.275 MHz, 440.2875 MHz, 445.2750 MHz, 445.2875 MHz, 440.375 MHz and 445.375 MHz are roving simplex channels. Channels 440 - 440.100 MHz and 445 – 445.1 MHz are used as simplex.
MOBILE except aeronautical mobile	MOBILE except aeronautical mobile	Simplex Applications Mobile MTX (441.1 – 445 MHz) Single Frequency Mobile (441 – 441.1 MHz)	Paired with BTX (446.1 – 450 MHz) 8 channels - PMR446-ERC/DEC/ (98)25
Radiolocation 5.269 5.270 5.271 5.284 5.285 5.286	SPACE OPERATION (Earth-to-space) SPACE RESEARCH (Earth-to-space) Radiolocation 5.269 5.270 5.271 5.284 5.285 5.286	PPDR, PMR and/or PAMR446 (446 – 446.1 MHz)	Radio Frequency Spectrum Assignment Plan GG 42230 Notice 74 of 2019 Radio Frequency Spectrum Regulations (Annex B) (GG. No. 38641, 30 March 2015). Further studies Final Frequency Migration Plan 2019 (GG No .42337 Notice 36 of 2019)

Table 4: National Radio Frequency Plan for South Africa for 440 to 450 MHz band¹⁹

¹⁹ National Radio Frequency Plan 2021, (NRFP-21) 8.3 kHz – 3000 GHz, Independent Communications Authority of South Africa, Government Gazette No 46088 (Notice 911 of 2022), 25 March 2022 (<https://www.icasa.org.za/uploads/files/National-Radio-Frequency-Plan-2021.pdf>)

Appendix B Interference Resolution Process

Technical procedures related to bilateral and multilateral cross-border frequency coordination agreements for four (4) geographical sub-regions are defined by the African Union, which includes the Southern African sub-region of ten (10) countries. Cross-Border Frequency Coordination and interference resolution should follow the Harmonized Calculation Method for Africa (HIPSSA²⁰ and (HCM4A)²¹ or any appropriate method applicable.

When requesting coordination, the relevant characteristics of the base station and the code or PCI group number should be forwarded to the Administration affected. All the following characteristics should be included:

- a) carrier frequency [MHz]
- b) name of transmitter station
- c) country of location of transmitter station
- d) geographical coordinates [latitude, longitude]
- e) effective antenna height [m]
- f) antenna polarisation
- g) antenna azimuth [degrees]
- h) antenna gain [dBi]
- i) effective radiated power [dBW]
- j) expected coverage zone or radius [km]
- k) date of entry into service [month, year].
- l) code group number used
- m) antenna tilt [degrees]

The Administration affected will evaluate the request for coordination and will, within thirty (30) days, notify the Administration requesting coordination the result of the evaluation. If, in the course of the coordination procedure, the Administration affected requires additional information, it may request such information.

If no reply is received by the Administration requesting coordination within (30) days, it may send a reminder to the Administration affected. Where the Administration fails to respond within thirty (30) days following communication of the reminder will be deemed to have given its consent, and the code coordination may be put into use with the characteristics given in the request for coordination.

The above-mentioned periods are subject to extension by common consent.

²⁰ Cross-Border Frequency Coordination: Harmonized Calculation Method for Africa (HCM4A), Agreement. HIPSSA - Harmonization of ICT Policies in Sub-Saharan Africa, ITU, 2013, 54pp. Available online at https://www.itu.int/en/ITU-D/Projects/ITU-EC-ACP/HIPSSA/Documents/FINAL%20DOCUMENTS/FINAL%20DOCS%20ENGLISH/hcm4a_agreement.pdf.pdf

²¹ Cross-Border Frequency Coordination Agreement Harmonized Calculation Method for Africa (HCM4A): On the coordination of frequencies between 29.7 MHz and 43.5 GHz For the fixed service and the land mobile service. Adopted on [01.01.2022]. DRAFT, 25pp. Available online at https://www.itu.int/en/ITU-D/Projects/ITU-EC-ACP/PRIDA/PublishingImages/Pages/default/HCM4A_2022_%20Main%20text_and%20annex%2012%20_EN_v.0.pdf

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

NO. 2787

25 November 2022

**HEREBY ISSUES A NOTICE REGARDING DRAFT RADIO FREQUENCY ASSIGNMENT PLANS FOR THE FREQUENCY BAND 138 TO 144 MHZ IN TERMS OF REGULATION 3 OF THE RADIO FREQUENCY SPECTRUM REGULATIONS, 2015**

1. The Independent Communications Authority of South Africa ("the Authority"), hereby publishes the **Draft Radio Frequency Spectrum Assignment Plan for the frequency band 138 MHz to 144 MHz for public consultation** in terms of regulation 3 of the Radio Frequency Spectrum Regulations, 2015, read with the Radio Frequency Migration Regulation 2013, the 2013 and 2019 Radio Frequency Migration Plans.
2. The Radio Frequency Migration Regulations 2013 provide that, upon completion of this Radio Frequency Spectrum Assignment Plan, the Authority shall issue a notice to users to be migrated (regulation 6 (1) of the Radio Frequency Migration Regulations)
3. Interested persons are hereby invited to submit written representations of their views on this RFSAP, in both MS Word and pdf format.
4. Submission must be made no later than 16h00 on Friday 13 January 2023.
5. Persons making representations are further invited to indicate whether they require an opportunity to make oral representations.
6. Written representations or enquiries may be directed by email to:

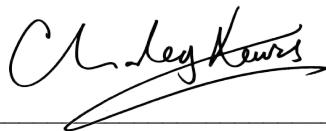
Attention:

Mr Manyapelo Richard Makgotlho

e-mail: rmakgotlho@icasa.org.za

cc: jdikgale@icasa.org.za

7. All written representations submitted to the Authority pursuant to this notice will be made available for inspection by interested persons from 17 January 2023 at the ICASA Library. Electronic copies of such representations are obtainable on request and documents will be obtainable upon payment of the applicable fee.
8. The draft plans and non-confidential representations will be uploaded to the ICASA website under this link: <https://www.icasa.org.za/legislation-and-regulations/radio-frequency-spectrum-plans/draft-radio-frequency-spectrum-plans>.
9. In terms of section 4D of the ICASA Act, any person may request that any part of the pre-registration notice be treated as confidential. Confidential documents must be clearly marked as such and submitted together with the original written representation. Requests for Confidentiality must be submitted in line with the Guidelines for Confidentiality Request published in Government Gazette No. 41839 (Notice No. 849) dated 17 August 2018.
10. Where an Applicant has requested confidentiality on sections of its written representations, the written representations must be accompanied by one (1) non-confidential copy with sections that are redacted. The non-confidential version of the written representations will be published for public comment if the request for confidentiality is granted. Requests for confidentiality will be considered within fourteen (14) working days of receiving the request. The Authority will communicate its decision to the respective Applicant.
11. In the event that the request for confidentiality is refused, the Applicant may choose to withdraw the information on which confidentiality is requested.



DR CHARLES LEWIS
ACTING CHAIRPERSON



Draft
Radio Frequency Spectrum Assignment Plan

Rules for Services operating in the Frequency Band
138 MHz to 144 MHz

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1 Glossary

In this Radio Frequency Spectrum Assignment Plan, terms used will have the same meaning as in the Electronic Communications Act 2005 (no. 36 of 2005); unless the context indicates otherwise:

“Act”	means the Electronic Communications Act, 2005 (Act No. 36 of 2005) as amended
“Administration”	means any governmental department or service responsible for discharging the obligations undertaken in the Constitution of the International Telecommunication Union, in the Convention of the International Telecommunication Union and in the Administrative Regulations (CS 1002).
“BTX”	means Base Transceiver
“DF”	means Dual Frequency
“ECC”	means the Electronic Communications Committee (ECC) within the European Conference of Postal and Telecommunications Administrations (CEPT)
“EIRP”	means the Effective Isotropic Radiated Power
“HCM”	means the Harmonised Calculation Method
“HCM4A”	means the Harmonised Calculation Method for Africa
“HIPSSA”	means the Sub-Saharan Africa Assessment Report on Harmonization of ICT Policies in Sub-Saharan Africa
“ICNIRP”	means International Commission on Non-Ionizing Radiation Protection (ICNIRP)
“IMT”	means International Mobile Communications
“ISM”	means the Industrial, Scientific, and Medical, especially regarding the portions of the radio spectrum reserved internationally for industrial, scientific, and medical (ISM) purposes
“ITU”	means the International Telecommunication Union
“ITU-R”	means the International Telecommunication Union Radiocommunication Sector
“NRFP”	means the National Radio Frequency Plan 2021 for South Africa
“PCI”	means the Physical-Layer Cell Identities
“PAMR”	means the Public Access Mobile Radio
“PMR”	means the Private Mobile Radio
“RFSAP”	means the Radio Frequency Spectrum Assignment Plan
“SF”	means the Single Frequency
“SKA”	means the Square Kilometre Array, a radio telescope, a portion of which is located in the Northern Cape Province of South Africa and requires protection from interference

- “UHF”** means the Ultra High Frequency band, which is 300 MHz to 3 GHz
- “WRC-19”** means the World Radiocommunication Conference 2019 held in Sharm el-Sheikh

2 Purpose

- 2.1 A Radio Frequency Spectrum Assignment Plan (RFSAP) provides information on the requirements attached to the use of a frequency band in line with the allocation and other information in the National Radio Frequency Plan (NRFP). This information includes technical characteristics of radio systems, frequency channelling, coordination, and details on the required migration of existing users of the band and the expected method of assignment.
- 2.2 As per Appendix A and in line with footnote 5.212 in the ITU Radio Regulations from WRC-19, the frequency band 138 - 144 MHz is allocated to the fixed and mobile services on a primary basis.
- 2.3 The feasibility study consultation concerning the 138 - 144 MHz band¹ was carried out, as mandated by the Radio Frequency Migration Regulations and Radio Frequency Migration Plan, published in Gazette Number 36334 (Notice No. 352 of 2013)². The intention of the 2018 RFSAP³ was to:
- 2.3.1 Maintain the Mobile 1 MTX 138 - 140.5 MHz band paired with BTX 141.5 - 144 MHz;
 - 2.3.2 Maintain SF Alarms in the 140.5 - 141 MHz band and allocate 141 - 141.5 MHz to Single Frequency (SF) Alarms;
 - 2.3.3 Migrate out SF Mobile from the 141 - 141.5 MHz band.
- 2.4 Therefore, the Authority, in the 2021 feasibility study⁴, proposed and confirmed the following uses of the 138 MHz – 144 MHz band:
- 2.4.1 *“Single frequency (‘SF’) alarms (such as those that warn people of an event such as intrusion or fire), as explained in the 2018 RFSAP (Government Gazette Number 41512, Notice 146 of 2018⁵) for this band.*
 - 2.4.2 *SF and dual frequency links used in private and communal radio repeaters, which boost and retransmit weak radio signals (explained in the 2018 RFSAP). The 2019 IMT*

¹ Implementation of the Radio Frequency Migration Plan and the International Mobile Telecommunications (IMT) Roadmap for public consultation, Government Gazette No. 45690, 24 December 2021.

³ The Final Radio Frequency Spectrum Assignment Plan published in Government Gazette Number 41512

⁴ *Ibid.*

⁵ The Final Radio Frequency Spectrum Assignment Plan published in Government Gazette Number 41512.

Roadmap (Radio Frequency Migration Plan 2019⁶) documented that these repeaters are used for mining, farming and by other small businesses.

2.4.3 *Remote control industrial apparatus (explained in the 2018 RFSAP⁷)”.*

- 2.5 Only systems using digital technologies which have higher spectral efficiency compared to the analogue systems will be issued with a licence for this band.
- 2.6 UHF repeaters operated by Eskom in the SKA area using 407/417 MHz would move into the 138-144 MHz frequency band.
- 2.7 Stakeholders are requested to provide any further information in this context to the Authority to assist in this matter relating to the migration.
- 2.8 This Frequency Assignment Plan states the requirements for the utilisation of the frequency band between 138 MHz and 144 MHz in South Africa.

3 General

- 3.1 Technical characteristics of the equipment used for Single Frequency Mobile and other single and dual frequency links as well as remote control apparatus shall conform to all applicable South African standards, international standards, International Telecommunication Union (ITU) and its radio regulations as agreed and adopted by South Africa.
- 3.2 All installations must comply with safety rules as specified in applicable standards.
- 3.3 The equipment used shall be certified under South African law and regulations.
- 3.4 The allocation of this frequency band and the information in this Radio Frequency Spectrum Assignment Plan (RFSAP) are subject to review.
- 3.5 Use of this band will be for single frequency alarms and other single frequency and dual frequency links as well as remote control apparatus.
- 3.6 Various types of alarms are catered for by different types of systems and services whose typical technical and operational characteristics are described in the documents listed below

3.6.1 ITU-T L-Series (Rec. L.21⁸); and

3.6.2 International Electrotechnical Commission (IEC) International Standard 60839 (Alarm Systems).

- 3.7 The key characteristics of some of the emitters from the band may be found in Report M.2474-0⁹ and Rec. ITU-R M.1808-1¹⁰.

⁶ Final Radio Frequency Migration Plan 2019, Government Gazette Number. 42337, 29 March 2019.

⁷ “Encourage remote controlled industrial apparatus to migrate out of the 141 - 142 MHz band into a band dedicated for ISM”.

⁸ ITU-T Recommendation L.21 (10/96): Fire detection and alarm systems, detector and sounder devices. Available online at <https://www.itu.int/rec/T-REC-L.21>.

⁹ Report M.2474-0 (09/2019): Conventional digital land mobile radio systems. Available online at <https://www.itu.int/pub/R-REP-M.2474-2019>.

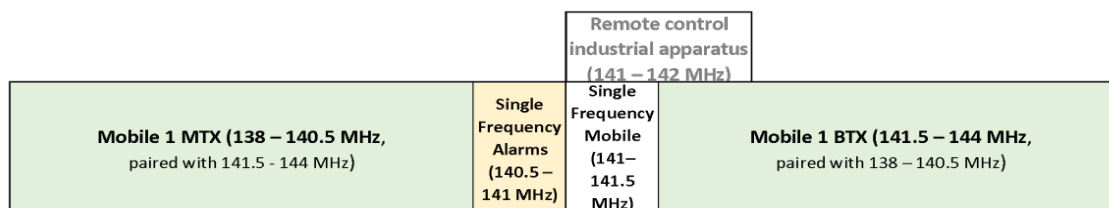
¹⁰ ITU Recommendation M.1808-1 (11/2019): Technical and operational characteristics of conventional and trunked land mobile systems operating in the mobile service allocations below 869 MHz to be used in sharing studies in bands below 960 MHz. Available online at <https://www.itu.int/rec/R-REC-M.1808>.

- 3.8 While not currently applicable in South Africa, the future use may include the current practice from some of the European Union countries, where the band can be used for example for non-specific short-range devices (SRDS) in 138.2-138.45 MHz and ground-and wall- probing radars (GPR/WPR) in 30-230 MHz, as defined by Rep. ITU-R SM.2153-2¹¹, CEPT/ERC/REC 70-03¹², ECC/DEC/ (06)08¹³, and EU 2019/1345¹⁴.

4 Channelling Plan

- 4.1 As shown in Annexure A National Radio Frequency Allocation table, ITU Region 1 spectrum allocation highlights 3 sub bands, i.e. (1) 138 - 143.6 MHz, (2) 143.6 - 143.65 MHz, and (3) 143.65 - 144 MHz. The latter two sub bands are allocated to Aeronautical Mobile and/or Space Research in the ITU Region 1. However, South Africa has Fixed and Mobile only allocation from 138 - 144 MHz i.e., one sub band only.
- 4.2 The frequency band 138 - 144 MHz provides a total bandwidth of 6 MHz for alarms and other single and dual frequency (SF and DF) links.
- 4.3 The previous and new channel arrangements for the band are based on Appendix A and shown in Figure 1.

a) Previous channel arrangement:



b) New channel arrangement:

¹¹ Report ITU-R SM.2153-2 (06/2011) Technical and operating parameters and spectrum use for short-range radiocommunication devices. Available online at https://www.itu.int/dms_pub/itu-r/opb/rep/R-REP-SM.2153-2-2011-PDF-E.pdf.

¹² CEPT/ERC/REC 70-03: ERC Recommendation 70-03 Relating to the use of Short Range Devices (SRD), Tromsø 1997, Subsequent amendments 8 October 2021, available at <https://docdb.cept.org/download/3497>.

¹³ CEPT/ECC/DEC/ (06)08: ECC Decision (06)08 the conditions for use of the radio spectrum by Ground and Wall- Probing Radar (GPR/WPR) imaging systems, Approved 1 December 2006, Updated 26 October 2018, available at <https://docdb.cept.org/download/1602>.

¹⁴ 2019/1345: Commission Implementing Decision (EU) 2019/1345 of 2 August 2019 amending Decision 2006/771/EC updating harmonised technical conditions in the area of radio spectrum use for short-range devices, Official Journal of the European Union, L 212/53, 13.8.2019, available at <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019D1345&from=EN>.

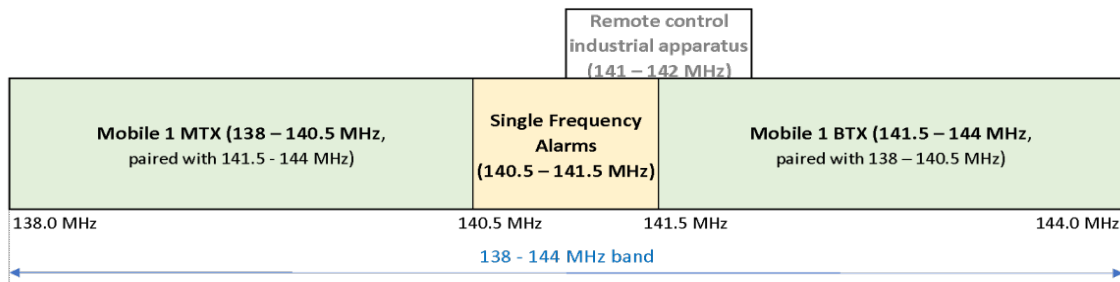


Figure 1: Frequency channel assignments: a) previous channel arrangement, b) new channel arrangement.

5 Requirements for usage of radio frequency spectrum

- 5.1 This chapter covers the minimum key characteristics considered necessary in order to make the best use of the available frequencies.
- 5.2 The use of the 138 - 144 MHz band is for Fixed and Mobile Services and is limited to single frequency alarms and other single frequency and dual frequency links as well as remote control apparatus
- 5.3 Capacity enhancing digital techniques are common and such techniques that promote efficient use of spectrum, without reducing quality of service are encouraged. Only systems using digital technologies that promote spectral efficiency will be issued with an assignment.
- 5.4 In some cases, a radio system conforming to the requirements of this RFSAP may require modifications if harmful interference is caused to other radio stations or systems.
- 5.5 The allocation of spectrum and shared services within these bands are found in the National Radio Frequency Plan (NRFP), and an extract of the NRFP is shown in Appendix A.
- 5.6 Maximum radiated power:
 - 5.6.1 Base Station transmissions should not exceed 44.8 dBm / 5 MHz EIRP.
 - 5.6.2 Mobile Station transmissions should not exceed 38.8 dBm EIRP.
 - 5.6.3 On a case to case basis, higher EIRP may be permitted if acceptable technical justification is provided.
- 5.7 In some cases, a radio system conforming to the requirements of this RFSAP may require modifications if major interference is caused to other radio stations or systems.
- 5.8 ICNIRP¹⁵ Guideline¹⁶ compliance is required, where applicable;
- 5.9 Criteria and guidelines for interference mitigation are described in Appendix B.

6 Implementation

- 6.1 This Radio Frequency Assignment Plan comes into effect on the date of revocation i.e., on the 1st of April 2023.

¹⁵ <https://www.icnirp.org/>

¹⁶ <https://www.icnirp.org/en/publications/article/rf-guidelines-2020.html>

6.2 No new assignment for single frequency alarms and other single frequency and dual frequency links shall be approved unless they comply with the RFSAP.

6.3 SF/DF repeaters are subject to coordination with the authorised licensees.

7 Coordination Requirements

7.1 Co-ordination is performed by the Authority during the process of assignment.

7.2 In the event of any interference, the affected parties may refer the matter to the Authority for a resolution.

7.3 In the event of any interference, the Authority will require affected parties to carry out coordination. In the event that the interference continues to be unresolved after 24 hours, the affected parties may refer the matter to the Authority for a resolution.

7.4 The Authority will decide the necessary modifications and schedule of modifications to resolve the dispute.

7.5 The Authority will be guided by the interference resolution process as shown in Appendix B.

7.6 Assignment holders shall take full advantage of interference mitigation techniques such as antenna discrimination, tilt, polarization, frequency discrimination, shielding/blocking (introduce diffraction loss), site selection, and/or power control to facilitate the coordination of systems.

8 Assignment

8.1 Standard Approach

8.1.1 The assignment of frequency will take place according to the Standard Application Procedures in the Radio Frequency Spectrum Regulations 2015 ¹⁷.

9 Revocation

9.1 The Authority will revoke all SF Mobile licenses in the 141 MHz to 141.5 MHz band from the 1st of April 2023.

10 Radio Frequency Migration

10.1 The Authority will migrate SF Mobile from 141 - 141.5 MHz out of the band.

10.2 Remote control industrial apparatus is encouraged to move to an ISM band if they experience harmful interference.

¹⁷ Radio Frequency Spectrum Regulations 2015, Government Gazette No. 38641, 30 March 2015. Available online at <https://www.icasa.org.za/uploads/files/Radio-Frequency-Spectrum-Regulations-2015.pdf>.

Appendix A**National Radio Frequency Plan**

Table 1 shows an extract from the National Frequency Plan for South Africa.

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
138-143.6 MHz AERONAUTICAL MOBILE (OR) 5.210 5.211 5.212 5.214	138-144 MHz FIXED MOBILE	Single Frequency Alarms (140.5 – 141 MHz) Mobile 1 MTX (138 – 140.5 MHz) Single Frequency Mobile (141 – 141.5 MHz) Mobile 1 BTX (141.5 – 144 MHz) Remote control industrial apparatus (141 – 142 MHz) PMR and / or PAMR	Paired with 141.5 - 144 MHz Paired with 138 – 140.5 MHz Radio Frequency Spectrum Regulations (Annex B) (GG. No. 38641, 30 March 2015).
143.6-143.65 MHz AERONAUTICAL MOBILE (OR) SPACE RESEARCH (space-to-Earth) 5.211 5.212 5.214		Mobile 1 BTX (141.5 – 144 MHz) PMR and / or PAMR	Paired with 138 – 140.5 MHz Allocation includes BTX assignments at 142.8 – 143.275 MHz and 143.325 - 143.975 MHz Radio Frequency Spectrum Assignment Plan GG 41512 Notice 146 of 2018 Final Frequency Migration Plan 2019 (GG No. 42337 Notice 36 of 2019)
143.65-144 MHz AERONAUTICAL MOBILE (OR) 5.210 5.211 5.212 5.214			

Table 1: National Radio Frequency Plan for South Africa for 138 - 144 MHz band¹⁸. In terms of notations, the aeronautical mobile service and the aeronautical mobile-satellite service,

¹⁸ National Radio Frequency Plan 2021, (NRFP-21) 8.3 kHz – 3000 GHz, Independent Communications Authority of South Africa, Government Gazette No 44803, 9 July 2021.

the marking (R) after name of the service means a service on national and international air routes, (OR) outside these air routes.

Appendix B Interference Resolution Process

Technical procedures related to bilateral and multilateral cross-border frequency coordination agreements for four (4) geographical sub-regions are defined by the African Union, which includes the Southern African sub-region of ten (10) countries. Cross-Border Frequency Coordination and interference resolution should follow the HIPSSA¹⁹, and HCM4A,²⁰ or any appropriate methods applicable.

When requesting coordination, the relevant characteristics of the base station and code or PCI group number should be forwarded to the Administration affected. All of the following characteristics should be included:

- a) carrier frequency [MHz];
- b) name of transmitter station;
- c) country of location of transmitter station;
- d) geographical coordinates [latitude, longitude];
- e) effective antenna height [m];
- f) antenna polarisation;
- g) antenna azimuth [degrees];
- h) antenna gain [dBi];
- i) effective radiated power [dBW];
- j) expected coverage zone or radius [km];
- k) date of entry into service [month, year];
- l) code group number used; and
- m) antenna tilt [degrees].

The Administration affected will evaluate the request for coordination and will, within thirty (30) days, notify the Administration requesting coordination the result of the evaluation. If, in the course of the coordination procedure, the Administration affected requires additional information, it may request such information.

If no reply is received by the Administration requesting coordination within (30) days, it may send a reminder to the Administration affected. Where the Administration fails to respond within thirty (30) days following communication of the reminder will be deemed to have given its consent, and the code coordination may be put into use with the characteristics given in the request for coordination.

The above-mentioned periods are subject to extension by common consent.

¹⁹ Cross-Border Frequency Coordination: Harmonized Calculation Method for Africa (HCM4A), Agreement. HIPSSA - Harmonization of ICT Policies in Sub-Saharan Africa, ITU, 2013, 54pp. Available online at https://www.itu.int/en/ITU-D/Projects/ITU-EC-ACP/HIPSSA/Documents/FINAL%20DOCUMENTS/FINAL%20DOCS%20ENGLISH/hcm4a_agreement.pdf.pdf

²⁰ Cross-Border Frequency Coordination Agreement Harmonized Calculation Method for Africa (HCM4A): On the coordination of frequencies between 29.7 MHz and 43.5 GHz For the fixed service and the land mobile service. Adopted on [01.01.2022]. DRAFT, 25pp. Available online at https://www.itu.int/en/ITU-D/Projects/ITU-EC-ACP/PRIDA/PublishingImages/Pages/default/HCM4A_2022_%20Main%20text_and%20annex%2012%20_EN_v.0.pdf

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

NO. 2788

25 November 2022



**HEREBY ISSUES A NOTICE REGARDING DRAFT RADIO FREQUENCY ASSIGNMENT PLANS
FOR THE FREQUENCY BAND 156.8375 TO 174 MHZ IN TERMS OF REGULATION 3 OF THE RADIO
FREQUENCY SPECTRUM REGULATIONS, 2015**

1. The Independent Communications Authority of South Africa ("the Authority"), hereby publishes the **Draft Radio Frequency Spectrum Assignment Plan for the frequency band 156.8375 MHz to 174 MHz for public consultation** in terms of regulation 3 of the Radio Frequency Spectrum Regulations, 2015, read with the Radio Frequency Migration Regulation 2013, the 2013 and 2019 Radio Frequency Migration Plans.
2. The Radio Frequency Migration Regulations 2013 provide that upon completion of this Radio Frequency Spectrum Assignment Plan the Authority will issue a notice to users to be migrated (regulation 6(1) of the Radio Frequency Migration Regulations)
3. Interested persons are hereby invited to submit written representations of their views on the RFSAPs, in both MS Word and .pdf format.
4. Submission must be made no later than 16h00 on Friday 13 January 2023.
5. Persons making representations are further invited to indicate whether they require an opportunity to make oral representations.
6. Written representations or enquiries may be directed by email to:

Attention:

Mr Manyapelo Richard Makgotlho

e-mail: rmakgotlho@icasa.org.za

cc: jdikgale@icasa.org.za

156.8375 -174 MHz

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7. All written representations submitted to the Authority pursuant to this notice will be made available for inspection by interested persons from 17 January 2023 at the ICASA Library. Electronic copies of such representations are obtainable on request and documents will be obtainable upon payment of the applicable fee.
8. The draft plans and non-confidential representations will be uploaded to the ICASA website under this link: <https://www.icasa.org.za/legislation-and-regulations/radio-frequency-spectrum-plans/draft-radio-frequency-spectrum-plans>
9. In terms of section 4D of the ICASA Act, any person may request that any part of the pre-registration notice be treated as confidential. Confidential documents must be clearly marked as such and submitted together with the original written representation. Requests for Confidentiality must be submitted in line with the Guidelines for Confidentiality Request published in Government Gazette No 41839 (Notice No. 849), dated 17 August 2018.
10. Where an Applicant has requested confidentiality on sections of its written representations, the written representations must be accompanied by one (1) non-confidential copy with sections that are redacted. The non-confidential version of the written representations will be published for public comment if the request for confidentiality is granted. Requests for confidentiality will be considered within fourteen (14) working days of receiving the request. The Authority will communicate its decision to the respective Applicant
11. In the event that the request for confidentiality is refused, the Applicant may choose to withdraw the information on which confidentiality is requested.



DR CHARLES LEWIS
ACTING CHAIRPERSON



Radio Frequency Spectrum Assignment Plan

Rules for Services operating in the Frequency Band
156.8375 MHz to 174 MHz

156.8375 -174 MHz

Page 1

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1 Glossary

In this Radio Frequency Spectrum Assignment Plan, terms used shall have the same meaning as in the Electronic Communications Act 2005 (no. 36 of 2005); unless the context indicates otherwise:

“Act”	means the Electronic Communications Act, 2005 (Act No. 36 of 2005) as amended
“Administration”	means any governmental department or service responsible for discharging the obligations undertaken in the Constitution of the International Telecommunication Union, in the Convention of the International Telecommunication Union and in the Administrative Regulations (CS 1002).
“BTX”	means Base Transceiver
“dBc”	means decibels relative to carrier
“DMR”	Digital Mobile Radio
“FAP”	means Frequency Allocation Plan
“FWA”	means Fixed Wireless Access
“GMDSS”	means Global Maritime Distress and Safety System
“IMO”	means International Maritime Organisation
“ITU”	means the International Telecommunication Union;
“ITU-R”	means the International Telecommunication Union Radiocommunication Sector
“MTX”	means Mobile Transceiver
“NRFP”	means the National Radio Frequency Plan 2021 for South Africa
“RFSAP”	means Radio Frequency Spectrum Assignment Plan
“SF”	means Single Frequency
“WRC-12”	means the World Radio Conference held in Geneva in 2012
“WRC-15”	means the World Radio Conference held in Geneva in 2015
“WRC-19”	means the World Radio Conference held in Sharm el-Sheikh in 2019

2 Purpose

- 2.1** The Radio Frequency Spectrum Assignment Plan (RFSAP) provides information on the requirements attached to the use of a frequency band in line with the allocation and other

156.8375 -174 MHz

information in the National Radio Frequency Plan (NRFP). This information includes technical characteristics of radio systems, frequency channelling, coordination, and details on required migration of existing users of the band and the expected method of assignment

- 2.2** The Radio Frequency Spectrum Assignment Plan (RFSAP) provides information on the requirements attached to the use of a frequency band in line with the allocation and other information in the National Radio Frequency Plan (NRFP). This information includes technical characteristics of radio systems, frequency channelling, coordination, and details on required migration of existing users of the band and the expected method of assignment
- 2.3** This Frequency Assignment Plan states the requirements for the utilization of the frequency band between 156.8375-174 MHz for primary Fixed and Mobile (except Aeronautical mobile for all sub bands and Maritime mobile satellite for some sub bands) services. As per Appendix A, some sub bands of this band are allocated to Maritime Mobile Satellite and Mobile-Satellite (Earth to Space) services on a secondary basis.
- 2.4** This follows the feasibility study concerning the 156.8375-174 MHz band¹, as mandated by the 2013² and 2019³ RF migration plans.
- 2.5** Key to the feasibility consultation into this band is the MTX-DF and BTX-DF challenge as shown in Figure 1. As per the Government Gazette 36031, the MTX-DF (165.55-167.5 MHz) and BTX-DF (172.05-174 MHz) were interchanged in this band⁴. The outcome of the consultation in 2012 into this challenge recommended the following [which are all consistent with the 2013⁵ and 2019⁶ RF migration plans]:
- 2.5.1** Step 1: swapping MTX and BTX to optimise the usage of the band through aggregating the MTX mobile frequencies in the centre of the band, leading to minimised interference between the four FDD pairs of frequencies.
- 2.5.2** Step 2: conducting a feasibility study into simplex frequencies (FDMA or TDMA) with different channel spacing, including coexistence of multiple technologies, bandwidths etc. Depending on the outcome, the band would need to be re-planned (year 2 + after studies have been completed).
- 2.5.3** Step 3: Develop RFSAP (realised by this document)
- 2.6** However, at the conclusion of the feasibility study into this band⁷, the Authority has concluded the following:

¹ Implementation of the Radio Frequency Migration Plan and the International Mobile Telecommunications (IMT) Roadmap for public consultation, Government Gazette No. 45690, 24 December 2021.

² Frequency Migration regulation and Radio Frequency Migration Plan March 2013, Government Gazette No 36334, 3 April 2013

³ ICASA. 2019. Radio Frequency Migration Plan 2019. Government Gazette No 42337, 29 March 2019

⁴ https://www.gov.za/sites/default/files/gcis_document/201409/36031gen10641.pdf . Government Gazette No 36031, 24 December 2012?

⁵ Frequency Migration regulation and Radio Frequency Migration Plan March 2013, Government Gazette No 36334, 3 April 2013

⁶ ICASA. 2019. Radio Frequency Migration Plan 2019. Government Gazette No 42337, 29 March 2019

⁷ Implementation of the Radio Frequency Migration Plan and the International Mobile Telecommunications (IMT) Roadmap public consultation, Government Gazette No. 45690, 24 December 2021.

- 2.6.1** The MTX DF and BTX DF swap shown in Figure 1 may be desirable but not very feasible; and that
- 2.6.2** It may be feasible, but it would require significant stakeholder galvanisation on the part of the Authority - particularly the thousands of non-specific SRDs, wireless microphones and assistant listening devices - with a likely low probability of success.
- 2.7** Therefore, the Authority has concluded that proceeding with the MTX-DF/BTX-DF swap would not be optimal – leaving the current arrangement as is (see Figure 1).
- 2.8** So, the intention of this RFSAP is to largely leave the band as it is today, i.e., no swap would happen going forward.

3 General

- 3.1** Technical characteristics of equipment used for Fixed, Mobile, Aeronautical Mobile, Maritime Mobile and Mobile-Satellite (Earth to Space) [across miscellaneous sub-bands of this wider band as seen in Appendix A] shall conform to all applicable South African standards, international standards, International Telecommunication Union (ITU) and its radio regulations as agreed to and adopted by South Africa
- 3.2** All installations must comply with safety rules as specified in applicable standards.
- 3.3** The equipment used shall be certified under South African law and regulations.
- 3.4** The allocation of this frequency band and the information in this Radio Frequency Spectrum Assignment Plan (RFSAP) are subject to review.
- 3.5** Frequency bands sub-allocations will be as per the SADC sub-allocations/utilisations as shown in Appendix A (Tables 2 and 3).
- 3.6** The following documents may also be useful when considering the 156.8375 - 174 MHz band:
- 3.6.1** ERC/REC 70-03, ERC Recommendation of 6 October 1997 on relating to the use of Short-Range Devices (SRD) editorial update on 11 February 2022. <https://docdb.cept.org/document/845> .
- 3.6.2** ECC/DEC/ (05)02, ECC Decision of 18 March 2005 on the use of the frequency band 169.4-169.8125 MHz, Amended 5 July 2019. <https://docdb.cept.org/document/385> .
- 3.6.3** ECC/DEC/ (19)02, ECC Decision of 8 March 2019 on Land mobile systems in the frequency ranges 68-87.5 MHz, 146-174 MHz, 406.1-410 MHz, 410-430 MHz, 440-450 MHz, and 450-470 MHz, 8 March 2019. <https://docdb.cept.org/document/9680> .
- 3.6.4** ECC/DEC/ (19)03, ECC Decision of 8 March 2019 on the harmonised usage of the channels of the Radio Regulations Appendix 18 (transmitting frequencies in the VHF maritime mobile band), 8 March 2019. <https://docdb.cept.org/document/9681> .
- 3.6.5** T/R 25-08, Recommendation T/R of 30 May 2008 on Planning criteria and cross-border coordination of frequencies for land mobile systems in the range 29.7-470 MHz. Latest amended on 28 September 2018. <https://docdb.cept.org/document/909> .
- 3.6.6** CEPT Report 059, Annual update of the technical annex of the Commission Decision on the technical harmonisation of radio spectrum for use by short range device

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Addendum to the report is also to be found here, 17 June 2016.
<https://docdb.cept.org/document/945> .

- 3.6.7** CEPT Report 044, In response to the EC Permanent Mandate on the "Annual update of the technical annex of the Commission Decision on the technical harmonisation of radio spectrum for use by short range devices", 8 March 2013.
<https://docdb.cept.org/document/44> .
- 3.6.8** ECC Report 097 Cross Border Interference for Land Mobile Technologies, 20 February 2007. <https://docdb.cept.org/document/205> .
- 3.6.9** ECC Report 055 Compatibility between existing and proposed SRDs and other radiocommunication applications in the 169.4-169.8 MHz frequency band, 25 Oct 2004. <https://docdb.cept.org/document/165> .
- 3.6.10** Recommendation ITU-R M.2092-1 (02/2022): "Technical characteristics for a VHF data exchange system in the VHF maritime mobile band", <https://www.itu.int/rec/R-REC-M.2092> .
- 3.6.11** Recommendation M.2135 (10/2019): "Technical characteristics of autonomous maritime radio devices operating in the frequency band 156-162.05 MHz", <https://www.itu.int/rec/R-REC-M.2135/en>.
- 3.6.12** Recommendation ITU-R M.1371-5 (02/2014): "Technical characteristics for an automatic identification system using time-division multiple access in the VHF maritime mobile band", <https://www.itu.int/rec/R-REC-M.1371>.
- 3.6.13** Recommendation ITU-R M.1084-5 (03/2012): "Interim solutions for improved efficiency in the use of the band 156-174 MHz by stations in the maritime mobile service", <https://www.itu.int/rec/R-REC-M.1084>.
- 3.6.14** Recommendation ITU-R M.1842-1 (06/2009): "Characteristics of VHF radio systems and equipment for the exchange of data and electronic mail in the maritime mobile service RR Appendix 18 channels", <https://www.itu.int/rec/R-REC-M.1842>.
- 3.6.15** Report M.2010-1 (1997): "Improved efficiency in the use of the band 156-174 MHz by stations in the maritime mobile service", <https://www.itu.int/pub/R-REP-M.2010-1-1997>.
- 3.6.16** Recommendation M.1312-0 (10/97): "A long-term solution for improved efficiency in the use of the band 156-174 MHz by stations in the maritime mobile service", <https://www.itu.int/rec/R-REC-M.1312/en>.
- 3.6.17** Recommendation M.586-1 (07/86): Automated VHF/UHF maritime mobile telephone system, <https://www.itu.int/rec/R-REC-M.586>.
- 3.6.18** A complete list of ITU Maritime related recommendations is available at <https://www.itu.int/en/ITU-R/terrestrial/mars/Pages/References.aspx>.

4 Channelling Plan

- 4.1** The frequency band 156.8375 to 174 MHz will be assigned in line with the frequency allocations (see Appendix A), with Figure 1 (minus the swap) illustrating the assignment. In other words, there is no change.

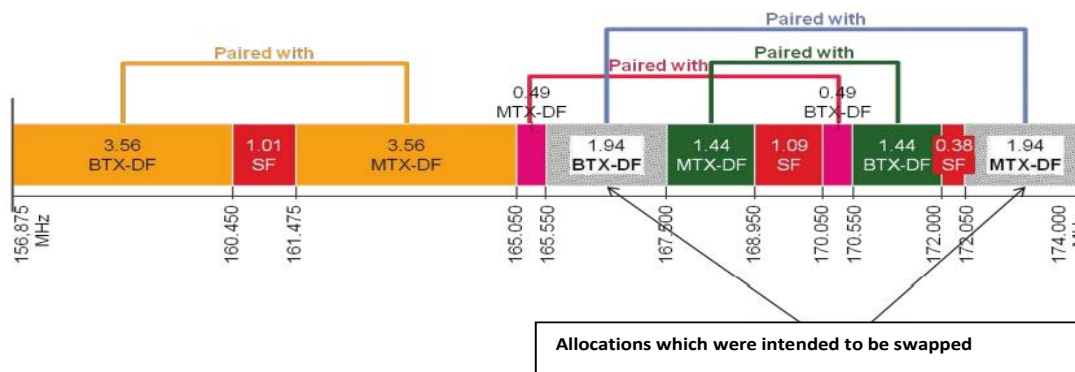


Figure 1: Illustration of channel arrangements for some of the allocations in the 156.8375 – 174 MHz band⁸

Sample detailed channel plans for the frequency allocation are provided on pages 159-161 of the Final Radio Frequency Plan 2019⁹ (pages 539-541 of the Gazette).

5 Requirements for usage of radio frequency spectrum

- 5.1** This chapter covers the minimum key characteristics considered necessary to make the best use of the available frequencies.
- 5.2** The use of the band is limited for Fixed, Mobile, Aeronautical Mobile, Maritime Mobile and Mobile-Satellite (Earth to Space) services [across miscellaneous sub-bands of this wider band as seen in Appendix A].
- 5.3** In some cases, a radio system conforming to the requirements of this RFSAP may require modifications if harmful interference is caused to other radio stations or systems.
- 5.4** The allocation of spectrum and shared services within these bands are found in the National Radio Frequency Plan (NRFP), and an extract of the NRFP is shown in Appendix A.
- 5.5** Maximum radiated powers are specified through the type approval process for the equipment used.
- 5.6** On a case-by-case basis, higher EIRP may be permitted. In some cases, a radio system conforming to the requirements of this RFSAP may require modifications if major interference is caused to other radio stations or systems.
- 5.7** The Technical Requirements for land mobile systems with channel bandwidth of 6.25 kHz, 12.5 kHz and 25 kHz, 50 kHz, 100 kHz, 150 kHz, and 200 kHz, as well as the technical requirements

⁸ ICASA. 2019. Radio Frequency Migration Plan 2019. Government Gazette, No. 42337, 29 March 2019

⁹ Government Gazette No 42337, 29 March 2019. <https://www.icasa.org.za/uploads/files/final-radio-frequency-migration-plan-2019.pdf>

for land mobile systems operating with channel bandwidth between 6.25 kHz and 200 kHz are provided in ECC/DEC/ (19)02¹⁰:

5.7.1 Adjacent and Alternate Channel Power

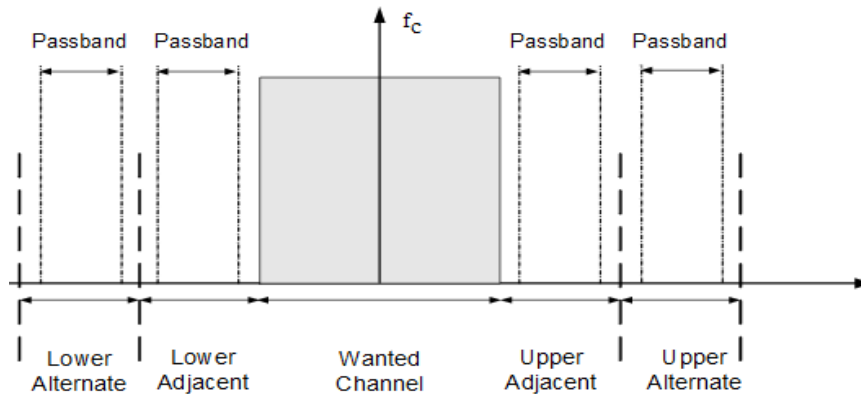


Figure 2: Wanted channel, adjacent and alternate adjacent channels

Within the wanted channel, the effective radiated power used shall comply with the authorisation conditions. Normal effective radiated power emissions within the wanted channel do normally not exceed 40 dBm for user equipment and 53 dBm for base station equipment.

5.7.2 Adjacent and Alternate Adjacent Channel Power

The power in the lower and upper adjacent channels, as well as in the lower and upper alternate adjacent channels, shall not exceed a value of 60 dBc below the transmitter output power without the need to be below -36 dBm ERP.

These limits are valid for all base stations, user equipment and repeaters.

5.7.3 Unwanted Emissions in The Spurious Domain

The unwanted emissions within the spurious domain during operation shall not exceed -36 dBm for frequencies up to 1 GHz and shall not exceed -30 dBm for frequencies above 1 GHz. In standby mode, the unwanted emissions shall not exceed -57 dBm for frequencies up to 1 GHz and shall not exceed -47 dBm for frequencies above 1 GHz.

5.7.4 Intermodulation Attenuation

This requirement applies only to transmitters to be used in base stations or repeaters.

¹⁰ ECC/DEC/ (19)02, ECC Decision of 8 March 2019 on Land mobile systems in the frequency ranges 68-87.5 MHz, 146-174 MHz, 406.1-410 MHz, 410-430 MHz, 440-450 MHz, and 450-470 MHz, 8 March 2019. <https://docdb.cept.org/download/1455>

Intermodulation attenuation is a measure of the capability of a transmitter to inhibit the generation of signals in its non-linear elements caused by the presence of the transmitter power and an interfering signal entering the transmitter via its antenna.

In general, the intermodulation attenuation ratio shall be at least 40 dB for any intermodulation component.

Note that ICASA may require a more stringent intermodulation attenuation requirement for base station equipment to be used in special service conditions, e.g., at sites where more than one transmitter will be in service, this is recommended to be at least 70 dB for any intermodulation component.

5.7.5 Adjacent Channel Transient Power

Transient power is the power falling into adjacent spectrum due to switching the transmitter on and off. The transient power in the adjacent channels (e.g., caused by push-to-talk functionality) shall not exceed -60 dBc in the adjacent channels, or -50 dBc for equipment, without the need to be below -36 dBm.

5.7.6 Receiver Requirements

5.7.6.1 Adjacent channel selectivity

The adjacent channel selectivity is the measure of the capability of the receiver of the land mobile system to receive a wanted modulated signal at the nominal operating frequency without exceeding a given degradation due to the presence of another land mobile system in assumed 25 kHz channels adjacent to the channel bandwidth for which the equipment is intended. E.g., the centre of an adjacent channel relative to the centre of the nominal channel is at +/- 62.5 kHz for a land mobile system operating with a 100 kHz channel bandwidth.

Table 1: Adjacent channel selectivity

Channel bandwidth	Unwanted signal levels
Up to 200 kHz	-37 dBm

5.7.6.2 Receiver blocking

Blocking is the measure of the capability of the receiver to receive a wanted modulated signal without exceeding a given degradation due to the presence of an unwanted input signal at any frequencies outside the wanted channel and the lower and upper adjacent and alternate adjacent channels (see “Adjacent channel selectivity” above).

The blocking level shall not be less than -27 dBm.

6 Implementation

- 6.1** This RFSAP shall be effective on the date of issue.
- 6.2** No new assignment in the band 156.8375 – 174 MHz shall be approved unless they comply with the RFSAP.

7 Co-ordination Requirements

- 7.1** Coordination is performed by the Authority during the process of assignment using HCM or any other appropriate method.
- 7.2** In the event of any interference, the Authority will require affected parties to carry out coordination. In the event that the interference continues to be unresolved after 24 hours, the affected parties may refer the matter to the Authority for a resolution. The Authority will decide the necessary modifications and schedule of modifications to resolve the dispute. The Authority will be guided by the interference resolution process as shown in Appendix B.
- 7.3** Assignment holders shall take full advantage of interference mitigation techniques such as antenna discrimination, tilt, polarisation, frequency discrimination, shielding / blocking (introduce diffraction loss), site selection, and/or power control to facilitate the coordination of systems.
- 7.4** Indicative coordination thresholds for analogue or digital land mobile systems are as follows ¹¹.

The aim of a coordination threshold is to avoid harmful interference between stations located in neighbouring countries. To achieve this, an indicative coordination threshold is established which should not be exceeded without coordination between neighbouring countries.

The indicative coordination threshold for land mobile systems (co-channel, 50% locations, 10% time¹², 10 m receiving antenna height, within a reference bandwidth of 25 kHz, at the borderline) is: 12 dB (µV/m).

For systems using a channel spacing greater than 25 kHz, the following bandwidth conversion formula can be used provided that the spectral power distribution within this channel spacing is uniform within the channel:

$$BC = 10 \times \log_{10} (\text{channel spacing} / 25 \text{ kHz}), \text{ dB}$$

The value (BC) resulting from the formula should be added to the indicative coordination threshold as listed above.

For all other spectral power distributions, indicative coordination threshold levels should be applied within every 25 kHz bandwidth within the channel spacing.

¹¹ Recommendation T/R 25-08: "Planning criteria and cross-border coordination of frequencies for land mobile systems in the range 29.7-470 MHz", Approved 15 January 1990, Amended 28 September 2018, <https://docdb.cept.org/document/909>

¹² In certain situations, the 1%-time curves should be used for digital systems, e.g., to better protect analogue systems.

7.5 Some information on levels of interference and required separation distances from and to several traditional technologies (narrowband FM, TETRA, CDMA-PAMR, and Flash OFDM) may be found in ECC Report 097 ¹³.

7.6 Planning characteristics in border areas.

The location, the power, and the antenna heights of all stations in the network should be selected in such a way that their range is confined, as far as possible, to the zone to be covered by the intended service.

Excessive antenna heights and transmitter outputs should be avoided, by using several locations of reduced height wherever possible. In border areas directional antennas should be used to minimise the interference potential.

The effective radiated power and the height of the antenna should be as low as possible in relation to the area to be served.

8 Assignment

8.1 Standard Approach

The assignment of frequency will take place according to the Standard Application Procedures in the Radio Frequency Spectrum Regulations 2015.

9 Revocation

9.1 Not applicable.

10 Frequency Migration

10.1 Specific Procedure

There is no specific technical procedure needed.

¹³ ECC Report 097, Cross Border Interference for Land Mobile Technologies, 20 February 2007.
<https://docdb.cept.org/document/205>.

Appendix A National Radio Frequency Plan

Table 2 shows an extract from the National Frequency Plan for South Africa.

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
156.8375-157.1875 MHz FIXED MOBILE -except aeronautical mobile 5.226	156.8375-157.1875 MHz FIXED MOBILE -except aeronautical mobile 5.226	Government Services 156.8375-157.45 MHz Maritime mobile communications (ship stations). Land mobile in areas remote from coast.	Paired with 161.5-162.0 MHz and single frequency applications; ITU RR Articles 31 and 52 and Appendix 18 apply
157.1875-157.3375 MHz FIXED MOBILE -except aeronautical mobile Maritime mobile- satellite 5.208A 5.208B 5.228AB 5.228AC 5.226	157.1875-157.3375 MHz FIXED MOBILE -except aeronautical mobile Maritime mobile- satellite (Earth-to- space) (non-GSO) Maritime mobile- satellite (space-to- Earth) (non-GSO) 5.228AB 5.228AC 5.208A 5.208B 5.226	Government Services	Resolution 739 (Rev.WRC-19) apply MSS and Maritime mobile- satellite shall protect RAS in line with 5.208A
157.3375-161.7875 MHz FIXED MOBILE -except aeronautical mobile	157.3375-161.7875 MHz FIXED MOBILE -except aeronautical mobile	Government Services (157.450-160.6 MHz) PMR and/or PAMR (160.600-160.975 MHz) Maritime mobile communications (Coast stations). Land mobile in areas remote from coast (160.975-161.475 MHz)	Single frequency applications Paired with 156.025-156.350 MHz; Paired with 156.9-157.4 MHz;

5.226	5.226	PMR and/or PAMR (161.475-162.050 MHz)	ITU RR Article 31 and Article 52 apply Appendix 18 apply.
161.7875- 161.9375 MHz FIXED MOBILE -except aeronautical mobile Maritime mobile- satellite 5.208A 5.208B 5.228AB 5.228AC 5.226	161.7875-161.9375 MHz FIXED MOBILE -except aeronautical mobile Maritime mobile- satellite (Earth-to- space) (non-GSO) 5.228A 5.228B 5.228AB 5.228AC Maritime mobile- satellite (space-to- Earth) (non-GSO) 5.228A 5.228B 5.228AB 5.228AC 5.226	Government Services (161.475-162.050 MHz) Maritime mobile communications (Coast stations) Land mobile in areas remote from coast Automatic Identification System (AIS) at 161.975 MHz, 162.025 MHz and 162.050-174 MHz PMR and/or PAMR	ITU RR Article 31 and Article 52 Appendix 18 apply.
161.9375 - 161.9625 MHz FIXED MOBILE except aeronautical mobile Maritime mobile- satellite (Earth- to-space) 5.228AA 5.226	161.9375 - 161.9625 MHz FIXED MOBILE except aeronautical mobile NF4 Maritime mobile- satellite (Earth-to- space) 5.228AA 5.226	Sonobuoy (161.875 – 173.875) Transmission of meteorological bulletins and notice to navigators Mobile 1 MTX-DF (161.475 – 165.0375 MHz) Single Frequency Mobile (160.45 – 161.475 MHz) Single Frequency Mobile (156.8375 – 156.875 MHz) Private Maritime MTX (157.45 – 157.95 MHz)	See Section 7 for details Paired with Mobile 1 BTX- DF (156.875 – 160.4375 MHz) Inland areas only Paired with 162.05 – 162.55 MHz

156.8375 -174 MHz

161.9625- 161.9875 MHz FIXED MOBILE except aeronautical mobile Mobile-satellite (Earth-to- space) 5.228F 5.226 5.228A 5.228B	161.9625- 161.9875 MHz FIXED MOBILE except aeronautical mobile NF4 Mobile-satellite (Earth-to-space) 5.228F 5.226 5.228A 5.228B	Search and rescue (air to ground) Mobile 1 MTX-DF (161.475 – 165.0375 MHz) Reception of AIS emissions from stations in the mms	Search and rescue operations and other safety-related communications (air to ground) Paired with Mobile 1 BTX- DF (156.875 – 160.4375 MHz)
161.9875- 162.0125 MHz FIXED MOBILE except aeronautical mobile Maritime mobile- satellite (Earth- to-space) 5.228AA 5.226 5.229	161.9875- 162.0125 MHz FIXED MOBILE except aeronautical mobile NF4 Maritime mobile- satellite (Earth-to- space) 5.228AA 5.226	Transmission of meteorological bulletins and notice to navigators Mobile 1 MTX-DF (161.475 – 165.0375 MHz)	See Section 7 for details Paired with Mobile 1 BTX- DF (156.875 – 160.4375 MHz)
162.0125- 162.0375 MHz FIXED MOBILE except aeronautical mobile Mobile-satellite (Earth-to-space) 5.228F 5.226 5.228A 5.228B 5.229	162.0125- 162.0375 MHz FIXED MOBILE except aeronautical mobile NF4 Mobile-satellite (Earth-to-space) 5.228F 5.226 5.228A 5.228B	Mobile 1 MTX-DF (161.475 – 165.0375 MHz) Reception of AIS emissions from stations in the mms. Search and rescue (air to ground)	Paired with Mobile 1 BTX- DF (156.875 – 160.4375 MHz) Search and rescue operations and other safety-related communications (air to ground)
162.0375-174 MHz	162.0375-174 MHz		

156.8375 -174 MHz

FIXED MOBILE except aeronautical mobile	FIXED MOBILE except aeronautical mobile NF4	Sonobuoy in maritime service Mobile 1 MTX-DF (161.475 – 165.0375 MHz) Mobile 2 MTX-DF (165.05 – 165.5375 MHz) Single Frequency Mobile (168.95 – 170.05 MHz) Mobile 3 MTX-DF (165.55 – 167.4875 MHz) Single Frequency Mobile (172 – 172.0375 MHz) Mobile 4 MTX-DF (167.5 – 168.9375 MHz) Meter Reading (169.4 – 169.475 MHz) Non-specific SRD's – Telecommand only (173.2125 – 173.2375 MHz) Non-specific SRDs (173.2375 – 173.2875 MHz) Wireless microphones and assistive listening devices (173.7 – 175.1 MHz)	Paired with Mobile 1 BTX- DF (156.875 – 160.4375 MHz) Paired with Mobile 2 BTX- DF (170.05 – 170.5375 MHz) Paired with Mobile 3 BTX- DF (172.05 – 173.9875 MHz) Paired with Mobile 4 BTX (170.55 – 171.9875 MHz) Radio Frequency Spectrum Regulations (Annex B) (GG. No. 38641, 30 March 2015). .
5.226 5.229	5.226 NF5		

Table 2: National Radio Frequency Plan for South Africa for 156.8375 to 174 MHz band

Appendix B Process

Technical procedures related to bilateral and multilateral cross-border frequency coordination agreements for four (4) geographical sub-regions are defined by the African Union, which includes the Southern African sub-region of ten (10) countries. Cross-Border Frequency Coordination and interference resolution should follow the HIPSSA¹⁴ and Harmonized Calculation Method for Africa (HCM4A)¹⁵ or any appropriate methods applicable.

When requesting coordination, the relevant characteristics of the base station and the code or PCI group number should be forwarded to the Administration affected. All of the following characteristics should be included:

- a) carrier frequency [MHz];
- b) name of transmitter station;
- c) country of location of transmitter station;
- d) geographical coordinates [latitude, longitude];
- e) effective antenna height [m];
- f) antenna polarisation;
- g) antenna azimuth [degrees];
- h) antenna gain [dBi];
- i) effective radiated power [dBW];
- j) expected coverage zone or radius [km];
- k) date of entry into service [month, year];
- l) code group number used; and
- m) antenna tilt [degrees].

The Administration affected will evaluate the request for coordination and will, within thirty (30) days, notify the Administration requesting coordination the result of the evaluation. If, in the course of the coordination procedure, the Administration affected requires additional information, it may request such information.

If no reply is received by the Administration requesting coordination within (30) days, it may send a reminder to the Administration affected. Where the Administration fails to respond within thirty (30) days following communication of the reminder will be deemed to have given its consent, and the code coordination may be put into use with the characteristics given in the request for coordination.

The above-mentioned periods are subject to extension by common consent.

¹⁴ Cross-Border Frequency Coordination: Harmonized Calculation Method for Africa (HCM4A), Agreement. HIPSSA - Harmonization of ICT Policies in Sub-Saharan Africa, ITU, 2013, 54pp. Available online at https://www.itu.int/en/ITU-D/Projects/ITU-EC-ACP/HIPSSA/Documents/FINAL%20DOCUMENTS/FINAL%20DOCS%20ENGLISH/hcm4a_agreement.pdf.pdf

¹⁵ Cross-Border Frequency Coordination Agreement Harmonized Calculation Method for Africa (HCM4A): On the coordination of frequencies between 29.7 MHz and 43.5 GHz For the fixed service and the land mobile service. Adopted on [01.01.2022]. DRAFT, 25 pp. Available online at https://www.itu.int/en/ITU-D/Projects/ITU-EC-ACP/PRIDA/PublishingImages/Pages/default/HCM4A_2022_%20Main%20text_and%20annex%2012%20_EN_v.0.pdf

NATIONAL TREASURY**NO. 2789****25 November 2022****INCOME TAX ACT, 1962****MULTILATERAL CONVENTION TO IMPLEMENT TAX TREATY RELATED MEASURES TO PREVENT BASE EROSION AND PROFIT SHIFTING**

In terms of section 108(2) of the Income Tax Act, 1962 (Act No.58 of 1962), read in conjunction with section 231(4) of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996), it is hereby notified that the Multilateral Convention to Implement Tax Treaty Related Measures to Prevent Base Erosion and Profit Shifting has been approved by Parliament in terms of section 231(2) of the Constitution of the Republic of South Africa, 1996 and has been ratified subject to notifications and reservations.

It is further notified that the date of entry into force for the Republic of South Africa is 1 January 2023.

MULTILATERAL CONVENTION TO IMPLEMENT
TAX TREATY RELATED MEASURES TO
PREVENT BASE EROSION AND PROFIT
SHIFTING

CONVENTION MULTILATÉRALE POUR LA MISE
EN ŒUVRE DES MESURES RELATIVES AUX
CONVENTIONS FISCALES POUR PRÉVENIR
L'ÉROSION DE LA BASE D'IMPOSITION ET LE
TRANSFERT DE BÉNÉFICES

The Parties to this Convention,

Recognising that governments lose substantial corporate tax revenue because of aggressive international tax planning that has the effect of artificially shifting profits to locations where they are subject to non-taxation or reduced taxation;

Mindful that base erosion and profit shifting (hereinafter referred to as “BEPS”) is a pressing issue not only for industrialised countries but also for emerging economies and developing countries;

Recognising the importance of ensuring that profits are taxed where substantive economic activities generating the profits are carried out and where value is created;

Welcoming the package of measures developed under the OECD/G20 BEPS project (hereinafter referred to as the “OECD/G20 BEPS package”);

Noting that the OECD/G20 BEPS package included tax treaty-related measures to address certain hybrid mismatch arrangements, prevent treaty abuse, address artificial avoidance of permanent establishment status, and improve dispute resolution;

Conscious of the need to ensure swift, co-ordinated and consistent implementation of the treaty-related BEPS measures in a multilateral context;

Noting the need to ensure that existing agreements for the avoidance of double taxation on income are interpreted to eliminate double taxation with respect to the taxes covered by those agreements without creating opportunities for non-taxation or reduced taxation through tax evasion or avoidance (including through treaty-shopping arrangements aimed at obtaining reliefs provided in those agreements for the indirect benefit of residents of third jurisdictions);

Recognising the need for an effective mechanism to implement agreed changes in a synchronised and efficient manner across the network of existing agreements for the avoidance of double taxation on income without the need to bilaterally renegotiate each such agreement;

Have agreed as follows:

Les Parties à la présente Convention,

Reconnaissant que les gouvernements subissent d'importantes pertes de recettes au titre de l'impôt sur les bénéfices des sociétés liées à la mise en place de planifications fiscales agressives ayant pour conséquence de transférer artificiellement des bénéfices vers des destinations où ils ne sont pas imposés ou sont soumis à une imposition réduite ;

Conscientes que les problématiques liées à l'érosion de la base d'imposition et au transfert de bénéfices (ci-après dénommés « BEPS ») revêtent un caractère d'urgence non seulement pour les pays industrialisés, mais également pour les économies émergentes et les pays en développement ;

Reconnaissant qu'il est important de s'assurer que les bénéfices soient imposés là où s'exercent réellement les activités économiques qui génèrent ces bénéfices et là où la valeur est créée ;

Se félicitant de l'ensemble des mesures élaborées dans le cadre du projet BEPS de l'OCDE et du G20 (ci-après dénommé « l'ensemble des rapports BEPS de l'OCDE et du G20 ») ;

Notant que l'ensemble des rapports BEPS de l'OCDE et du G20 comprend des mesures relatives aux conventions fiscales visant à lutter contre certains dispositifs hybrides, à prévenir l'utilisation abusive des conventions fiscales, à lutter contre les mesures destinées à éviter artificiellement le statut d'établissement stable et à améliorer le règlement des différends ;

Conscientes de la nécessité d'assurer une mise en œuvre rapide, coordonnée et cohérente des mesures BEPS relatives aux conventions fiscales dans un contexte multilatéral ;

Notant la nécessité de veiller à ce que les conventions conclues en vue d'éviter la double imposition en matière de revenu soient interprétées dans le but d'éliminer la double imposition à l'égard des impôts visés par ces conventions, sans pour autant créer de possibilités de non-imposition ou d'imposition réduite via des pratiques d'évasion fiscale ou de fraude fiscale/évitement fiscal (résultant notamment de la mise en place de stratégies de chalandage fiscal destinées à obtenir des allègements prévus dans ces conventions au bénéfice indirect de résidents de juridictions tierces) ;

Reconnaissant la nécessité de créer un mécanisme efficace pour mettre en œuvre les modifications adoptées, de façon synchronisée et efficiente, dans l'ensemble du réseau de conventions existantes conclues en vue d'éviter la double imposition en matière de revenu, et ce, sans renégocier chacune de ces conventions au niveau bilatéral ;

Convienient de ce qui suit :

PART I.
SCOPE AND INTERPRETATION OF TERMS

Article 1 – Scope of the Convention

This Convention modifies all Covered Tax Agreements as defined in subparagraph a) of paragraph 1 of Article 2 (Interpretation of Terms).

Article 2 – Interpretation of Terms

1. For the purpose of this Convention, the following definitions apply:
 - a) The term “Covered Tax Agreement” means an agreement for the avoidance of double taxation with respect to taxes on income (whether or not other taxes are also covered):
 - i) that is in force between two or more:
 - A) Parties; and/or
 - B) jurisdictions or territories which are parties to an agreement described above and for whose international relations a Party is responsible; and
 - ii) with respect to which each such Party has made a notification to the Depositary listing the agreement as well as any amending or accompanying instruments thereto (identified by title, names of the parties, date of signature, and, if applicable at the time of the notification, date of entry into force) as an agreement which it wishes to be covered by this Convention.
 - b) The term “Party” means:
 - i) A State for which this Convention is in force pursuant to Article 34 (Entry into Force); or
 - ii) A jurisdiction which has signed this Convention pursuant to subparagraph b) or c) of paragraph 1 of Article 27 (Signature and Ratification, Acceptance or Approval) and for which this Convention is in force pursuant to Article 34 (Entry into Force).
 - c) The term “Contracting Jurisdiction” means a party to a Covered Tax Agreement.
 - d) The term “Signatory” means a State or jurisdiction which has signed this Convention but for which the Convention is not yet in force.
2. As regards the application of this Convention at any time by a Party, any term not defined herein shall, unless the context otherwise requires, have the meaning that it has at that time under the relevant Covered Tax Agreement.

PARTIE I.**CHAMP D'APPLICATION ET INTERPRÉTATION DES TERMES*****Article 1 – Champ d'application de la Convention***

La présente Convention modifie toutes les Conventions fiscales couvertes telles que définies à l'alinéa a) du paragraphe 1 de l'article 2 (Interprétation des termes).

Article 2 – Interprétation des termes

1. Aux fins de la présente Convention, les définitions suivantes s'appliquent :
 - a) L'expression « Convention fiscale couverte » désigne un accord conclu en vue d'éviter la double imposition en matière d'impôts sur le revenu (que cet accord porte ou non sur d'autres impôts) :
 - i) qui est en vigueur entre deux ou plusieurs :
 - A) Parties ; et/ou
 - B) juridictions ou territoires, ayant conclu un accord susmentionné et dont les relations internationales relèvent de la responsabilité d'une Partie ; et
 - ii) pour lequel chacune de ces Parties a formulé une notification au Dépositaire indiquant cet accord ainsi que tous les instruments le modifiant ou l'accompagnant (identifiés par leur titre, les noms des parties, la date de signature et, si applicable au moment de la notification, la date d'entrée en vigueur) comme un accord qu'elle souhaite voir visé par la présente Convention.
 - b) Le terme « Partie » désigne :
 - i) un État pour lequel la présente Convention est en vigueur en vertu de l'article 34 (Entrée en vigueur) ; ou
 - ii) une juridiction qui a signé la présente Convention en vertu des alinéas b) ou c) du paragraphe 1 de l'article 27 (Signature et ratification, acceptation ou approbation) et pour laquelle la présente Convention est en vigueur en vertu de l'article 34 (Entrée en vigueur).
 - c) L'expression « Juridiction contractante » désigne une partie à une Convention fiscale couverte.
 - d) Le terme « Signataire » désigne un État ou une juridiction qui a signé la présente Convention mais pour lequel la Convention n'est pas encore en vigueur.
2. Pour l'application de la présente Convention à un moment donné par une Partie, tout terme ou expression qui n'y est pas défini a, sauf si le contexte exige une interprétation différente, le sens que lui attribue à ce moment la Convention fiscale couverte concernée.

PART II.
HYBRID MISMATCHES

Article 3 – Transparent Entities

1. For the purposes of a Covered Tax Agreement, income derived by or through an entity or arrangement that is treated as wholly or partly fiscally transparent under the tax law of either Contracting Jurisdiction shall be considered to be income of a resident of a Contracting Jurisdiction but only to the extent that the income is treated, for purposes of taxation by that Contracting Jurisdiction, as the income of a resident of that Contracting Jurisdiction.
2. Provisions of a Covered Tax Agreement that require a Contracting Jurisdiction to exempt from income tax or provide a deduction or credit equal to the income tax paid with respect to income derived by a resident of that Contracting Jurisdiction which may be taxed in the other Contracting Jurisdiction according to the provisions of the Covered Tax Agreement shall not apply to the extent that such provisions allow taxation by that other Contracting Jurisdiction solely because the income is also income derived by a resident of that other Contracting Jurisdiction.
3. With respect to Covered Tax Agreements for which one or more Parties has made the reservation described in subparagraph a) of paragraph 3 of Article 11 (Application of Tax Agreements to Restrict a Party's Right to Tax its Own Residents), the following sentence will be added at the end of paragraph 1: "In no case shall the provisions of this paragraph be construed to affect a Contracting Jurisdiction's right to tax the residents of that Contracting Jurisdiction."
4. Paragraph 1 (as it may be modified by paragraph 3) shall apply in place of or in the absence of provisions of a Covered Tax Agreement to the extent that they address whether income derived by or through entities or arrangements that are treated as fiscally transparent under the tax law of either Contracting Jurisdiction (whether through a general rule or by identifying in detail the treatment of specific fact patterns and types of entities or arrangements) shall be treated as income of a resident of a Contracting Jurisdiction.
5. A Party may reserve the right:
 - a) for the entirety of this Article not to apply to its Covered Tax Agreements;
 - b) for paragraph 1 not to apply to its Covered Tax Agreements that already contain a provision described in paragraph 4;
 - c) for paragraph 1 not to apply to its Covered Tax Agreements that already contain a provision described in paragraph 4 which denies treaty benefits in the case of income derived by or through an entity or arrangement established in a third jurisdiction;
 - d) for paragraph 1 not to apply to its Covered Tax Agreements that already contain a provision described in paragraph 4 which identifies in detail the treatment of specific fact patterns and types of entities or arrangements;
 - e) for paragraph 1 not to apply to its Covered Tax Agreements that already contain a provision described in paragraph 4 which identifies in detail the treatment of specific fact patterns and types of entities or arrangements and denies treaty benefits in the case of income derived by or through an entity or arrangement established in a third jurisdiction;

PARTIE II. DISPOSITIFS HYBRIDES

Article 3 – Entités transparentes

1. Au sens d'une Convention fiscale couverte, le revenu perçu par ou via une entité ou un dispositif considéré comme totalement ou partiellement transparent sur le plan fiscal selon la législation fiscale de l'une des Juridictions contractantes est considéré comme étant le revenu d'un résident d'une Juridiction contractante, mais uniquement dans la mesure où ce revenu est traité, aux fins de l'imposition par cette Juridiction contractante, comme le revenu d'un résident de cette Juridiction contractante.
2. Les dispositions d'une Convention fiscale couverte qui imposent à une Juridiction contractante d'exempter de l'impôt sur le revenu ou d'accorder une déduction ou un crédit égal au montant de l'impôt sur le revenu payé au titre d'un revenu perçu par un résident de cette Juridiction contractante qui est imposable dans l'autre Juridiction contractante en vertu des dispositions de la Convention fiscale couverte ne s'appliquent pas dans la mesure où ces dispositions permettent l'imposition par cette autre Juridiction contractante uniquement parce que le revenu est également un revenu perçu par un résident de cette autre Juridiction contractante.
3. S'agissant des Conventions fiscales couvertes pour lesquelles une ou plusieurs Parties ont émis la réserve prévue à l'alinéa a) du paragraphe 3 de l'article 11 (Application des conventions fiscales pour limiter le droit d'une Partie d'imposer ses propres résidents), la phrase suivante est ajoutée à la fin du paragraphe 1 : « En aucun cas les dispositions du présent paragraphe ne doivent être interprétées comme affectant le droit d'une Juridiction contractante d'imposer les résidents de cette Juridiction contractante. »
4. Le paragraphe 1 (tel que susceptible d'être modifié par le paragraphe 3) s'applique à la place ou en l'absence des dispositions d'une Convention fiscale couverte qui stipulent qu'un revenu perçu par ou via une entité ou un dispositif considéré comme fiscalement transparent selon la législation fiscale de l'une des Juridictions contractantes (par l'application d'une règle générale ou de règles détaillant le traitement applicable à des situations de faits spécifiques ou des types d'entités ou de dispositifs) doit être considéré comme le revenu d'un résident d'une Juridiction contractante.
5. Une Partie peut se réserver le droit :
 - a) de ne pas appliquer l'intégralité du présent article à ses Conventions fiscales couvertes ;
 - b) de ne pas appliquer le paragraphe 1 à ses Conventions fiscales couvertes qui contiennent déjà une disposition décrite au paragraphe 4 ;
 - c) de ne pas appliquer le paragraphe 1 à ses Conventions fiscales couvertes qui contiennent déjà une disposition décrite au paragraphe 4 qui refuse l'octroi des avantages prévus par la convention dans le cas où un revenu est perçu par ou via une entité ou un dispositif établi dans une juridiction tierce ;
 - d) de ne pas appliquer le paragraphe 1 à ses Conventions fiscales couvertes qui contiennent déjà une disposition décrite au paragraphe 4 qui détaille le traitement applicable à des situations de faits spécifiques ou des types d'entités ou de dispositifs ;
 - e) de ne pas appliquer le paragraphe 1 à ses Conventions fiscales couvertes qui contiennent déjà une disposition décrite au paragraphe 4 qui détaille le traitement applicable à des situations de faits spécifiques ou des types d'entités ou de dispositifs et qui refuse l'octroi des avantages conventionnels dans le cas où le revenu est perçu par ou via une entité ou un dispositif établi dans une juridiction tierce ;

- f) for paragraph 2 not to apply to its Covered Tax Agreements;
- g) for paragraph 1 to apply only to its Covered Tax Agreements that already contain a provision described in paragraph 4 which identifies in detail the treatment of specific fact patterns and types of entities or arrangements.

6. Each Party that has not made a reservation described in subparagraph a) or b) of paragraph 5 shall notify the Depositary of whether each of its Covered Tax Agreements contains a provision described in paragraph 4 that is not subject to a reservation under subparagraphs c) through e) of paragraph 5, and if so, the article and paragraph number of each such provision. In the case of a Party that has made the reservation described in subparagraph g) of paragraph 5, the notification pursuant to the preceding sentence shall be limited to Covered Tax Agreements that are subject to that reservation. Where all Contracting Jurisdictions have made such a notification with respect to a provision of a Covered Tax Agreement, that provision shall be replaced by the provisions of paragraph 1 (as it may be modified by paragraph 3) to the extent provided in paragraph 4. In other cases, paragraph 1 (as it may be modified by paragraph 3) shall supersede the provisions of the Covered Tax Agreement only to the extent that those provisions are incompatible with paragraph 1 (as it may be modified by paragraph 3).

Article 4 – Dual Resident Entities

1. Where by reason of the provisions of a Covered Tax Agreement a person other than an individual is a resident of more than one Contracting Jurisdiction, the competent authorities of the Contracting Jurisdictions shall endeavour to determine by mutual agreement the Contracting Jurisdiction of which such person shall be deemed to be a resident for the purposes of the Covered Tax Agreement, having regard to its place of effective management, the place where it is incorporated or otherwise constituted and any other relevant factors. In the absence of such agreement, such person shall not be entitled to any relief or exemption from tax provided by the Covered Tax Agreement except to the extent and in such manner as may be agreed upon by the competent authorities of the Contracting Jurisdictions.

2. Paragraph 1 shall apply in place of or in the absence of provisions of a Covered Tax Agreement that provide rules for determining whether a person other than an individual shall be treated as a resident of one of the Contracting Jurisdictions in cases in which that person would otherwise be treated as a resident of more than one Contracting Jurisdiction. Paragraph 1 shall not apply, however, to provisions of a Covered Tax Agreement specifically addressing the residence of companies participating in dual-listed company arrangements.

3. A Party may reserve the right:

- a) for the entirety of this Article not to apply to its Covered Tax Agreements;
- b) for the entirety of this Article not to apply to its Covered Tax Agreements that already address cases where a person other than an individual is a resident of more than one Contracting Jurisdiction by requiring the competent authorities of the Contracting Jurisdictions to endeavour to reach mutual agreement on a single Contracting Jurisdiction of residence;
- c) for the entirety of this Article not to apply to its Covered Tax Agreements that already address cases where a person other than an individual is a resident of more than one Contracting Jurisdiction by denying treaty benefits without requiring the competent authorities of the Contracting Jurisdictions to endeavour to reach mutual agreement on a single Contracting Jurisdiction of residence;

- f) de ne pas appliquer le paragraphe 2 à ses Conventions fiscales couvertes ;
- g) d'appliquer le paragraphe 1 uniquement à ses Conventions fiscales couvertes qui contiennent déjà une disposition décrite au paragraphe 4 qui détaille le traitement de situations de faits spécifiques ou le type d'entités ou de dispositifs.

6. Toute Partie qui n'a pas émis de réserve prévue aux alinéas a) ou b) du paragraphe 5 notifie au Dépositaire les Conventions fiscales couvertes qui contiennent une disposition décrite au paragraphe 4 et qui ne font pas l'objet d'une réserve prévue aux alinéas c) à e) du paragraphe 5, en indiquant les numéros de l'article et du paragraphe de chaque disposition concernée. La notification de la Partie qui a émis la réserve prévue à l'alinéa g) du paragraphe 5 est limitée aux Conventions fiscales couvertes visées par cette réserve. Lorsque toutes les Juridictions contractantes ayant conclu une Convention fiscale couverte ont formulé une telle notification relative à une disposition de cette Convention fiscale couverte, cette disposition est remplacée par le paragraphe 1 (tel que susceptible d'être modifié par le paragraphe 3) dans les conditions prévues au paragraphe 4. Dans les autres cas, le paragraphe 1 (tel que susceptible d'être modifié par le paragraphe 3) prévaut sur les dispositions des Conventions fiscales couvertes seulement dans la mesure où ces dispositions sont incompatibles avec le paragraphe 1 (tel que susceptible d'être modifié par le paragraphe 3).

Article 4 – Entités ayant une double résidence

1. Lorsque, en vertu des dispositions d'une Convention fiscale couverte, une personne autre qu'une personne physique est un résident de plusieurs Juridictions contractantes, les autorités compétentes des Juridictions contractantes s'efforcent de déterminer d'un commun accord la Juridiction contractante de laquelle cette personne est réputée être un résident aux fins de la Convention fiscale couverte, eu égard au lieu où se situe son siège de direction effective, au lieu où elle a été constituée en société ou en toute autre forme juridique, et à tout autre facteur pertinent. En l'absence d'un tel accord entre les Juridictions contractantes, cette personne ne pourra prétendre à aucun des allègements ou exonérations de l'impôt prévus par la Convention fiscale couverte, sauf dans la mesure et selon les modalités convenues par les autorités compétentes des Juridictions contractantes.

2. Le paragraphe 1 s'applique à la place ou en l'absence de dispositions d'une Convention fiscale couverte qui prévoit des règles permettant de déterminer si une personne autre qu'une personne physique est considérée comme un résident de l'une des Juridictions contractantes dans les situations où cette personne serait autrement considérée comme un résident de plus d'une des Juridictions contractantes. Le paragraphe 1 ne s'applique pas aux dispositions de Conventions fiscales couvertes qui traitent de la résidence de sociétés participant à des structures à double cotation.

3. Une Partie peut se réserver le droit :

- a) de ne pas appliquer l'intégralité du présent article à ses Conventions fiscales couvertes ;
- b) de ne pas appliquer l'intégralité du présent article à ses Conventions fiscales couvertes qui règlent déjà les situations dans lesquelles une personne autre qu'une personne physique est un résident de plusieurs Juridictions contractantes en demandant aux autorités compétentes des Juridictions contractantes de s'efforcer de déterminer d'un commun accord la seule Juridiction contractante dont cette personne est réputée être un résident ;
- c) de ne pas appliquer l'intégralité du présent article à ses Conventions fiscales couvertes qui règlent déjà les situations dans lesquelles une personne autre qu'une personne physique est un résident de plusieurs Juridictions contractantes en refusant les avantages conventionnels sans demander aux autorités compétentes des Juridictions contractantes de s'efforcer de déterminer d'un commun accord la seule Juridiction contractante dont cette personne est considérée être un résident ;

- d) for the entirety of this Article not to apply to its Covered Tax Agreements that already address cases where a person other than an individual is a resident of more than one Contracting Jurisdiction by requiring the competent authorities of the Contracting Jurisdictions to endeavour to reach mutual agreement on a single Contracting Jurisdiction of residence, and that set out the treatment of that person under the Covered Tax Agreement where such an agreement cannot be reached;
- e) to replace the last sentence of paragraph 1 with the following text for the purposes of its Covered Tax Agreements: "In the absence of such agreement, such person shall not be entitled to any relief or exemption from tax provided by the Covered Tax Agreement.";
- f) for the entirety of this Article not to apply to its Covered Tax Agreements with Parties that have made the reservation described in subparagraph e).

4. Each Party that has not made a reservation described in subparagraph a) of paragraph 3 shall notify the Depositary of whether each of its Covered Tax Agreements contains a provision described in paragraph 2 that is not subject to a reservation under subparagraphs b) through d) of paragraph 3, and if so, the article and paragraph number of each such provision. Where all Contracting Jurisdictions have made such a notification with respect to a provision of a Covered Tax Agreement, that provision shall be replaced by the provisions of paragraph 1. In other cases, paragraph 1 shall supersede the provisions of the Covered Tax Agreement only to the extent that those provisions are incompatible with paragraph 1.

Article 5 – Application of Methods for Elimination of Double Taxation

1. A Party may choose to apply either paragraphs 2 and 3 (Option A), paragraphs 4 and 5 (Option B), or paragraphs 6 and 7 (Option C), or may choose to apply none of the Options. Where each Contracting Jurisdiction to a Covered Tax Agreement chooses a different Option (or where one Contracting Jurisdiction chooses to apply an Option and the other chooses to apply none of the Options), the Option chosen by each Contracting Jurisdiction shall apply with respect to its own residents.

Option A

2. Provisions of a Covered Tax Agreement that would otherwise exempt income derived or capital owned by a resident of a Contracting Jurisdiction from tax in that Contracting Jurisdiction for the purpose of eliminating double taxation shall not apply where the other Contracting Jurisdiction applies the provisions of the Covered Tax Agreement to exempt such income or capital from tax or to limit the rate at which such income or capital may be taxed. In the latter case, the first-mentioned Contracting Jurisdiction shall allow as a deduction from the tax on the income or capital of that resident an amount equal to the tax paid in that other Contracting Jurisdiction. Such deduction shall not, however, exceed that part of the tax, as computed before the deduction is given, which is attributable to such items of income or capital which may be taxed in that other Contracting Jurisdiction.

3. Paragraph 2 shall apply to a Covered Tax Agreement that would otherwise require a Contracting Jurisdiction to exempt income or capital described in that paragraph.

- d) de ne pas appliquer l'intégralité du présent article à ses Conventions fiscales couvertes qui règlent déjà les situations dans lesquelles une personne autre qu'une personne physique est un résident de plusieurs Juridictions contractantes en demandant aux autorités compétentes des Juridictions contractantes de s'efforcer de déterminer d'un commun accord la seule Juridiction contractante dont cette personne est réputée être un résident, et qui prévoient le traitement de cette personne aux fins de la Convention fiscale couverte lorsqu'un tel accord ne peut être trouvé ;
- e) de remplacer la dernière phrase du paragraphe 1 par la phrase suivante pour l'application de ses Conventions fiscales couvertes : « En l'absence d'un tel accord, cette personne ne pourra prétendre à aucun des allègements ou exonérations de l'impôt prévus par la Convention fiscale couverte. » ;
- f) de ne pas appliquer l'intégralité du présent article à ses Conventions fiscales couvertes conclues avec des Parties qui ont émis la réserve prévue à l'alinéa e).

4. Toute Partie qui n'a pas émis de réserve prévue à l'alinéa a) du paragraphe 3 notifie au Dépositaire les Conventions fiscales couvertes qui contiennent une disposition décrite au paragraphe 2 et qui ne font pas l'objet d'une réserve prévue aux alinéas b) à d) du paragraphe 3, en indiquant les numéros de l'article et du paragraphe de chaque disposition concernée. Lorsque toutes les Juridictions contractantes ont formulé une telle notification relative à une disposition d'une Convention fiscale couverte, cette disposition est remplacée par le paragraphe 1. Dans les autres cas, le paragraphe 1 prévaut sur les dispositions des Conventions fiscales couvertes seulement dans la mesure où ces dispositions sont incompatibles avec le paragraphe 1.

Article 5 – Application des méthodes d'élimination de la double imposition

1. Une Partie peut choisir d'appliquer les paragraphes 2 et 3 (Option A), les paragraphes 4 et 5 (Option B) ou les paragraphes 6 et 7 (Option C), ou peut choisir de n'appliquer aucune de ces options. Lorsque chaque Juridiction contractante ayant conclu une Convention fiscale couverte choisit une option différente (ou lorsqu'une Juridiction contractante choisit d'appliquer une option et l'autre décide de n'en appliquer aucune), l'option choisie par chaque Juridiction contractante s'applique à ses propres résidents.

Option A

2. Les dispositions d'une Convention fiscale couverte qui auraient pour effet d'exempter d'impôt le revenu ou la fortune d'un résident d'une Juridiction contractante dans cette Juridiction contractante aux fins d'éliminer la double imposition, ne s'appliquent pas lorsque l'autre Juridiction contractante applique les dispositions de la Convention fiscale couverte pour exempter d'impôt ce revenu ou cette fortune ou pour limiter le taux auquel ce revenu ou cette fortune est imposé. Dans ce dernier cas, la première Juridiction contractante accorde sur l'impôt qu'elle perçoit sur le revenu ou la fortune de ce résident une déduction d'un montant égal à l'impôt payé dans cette autre Juridiction contractante. Cette déduction ne peut toutefois excéder la fraction de l'impôt, calculé avant déduction, correspondant aux éléments de revenu ou de fortune imposables dans cette autre Juridiction contractante.

3. Le paragraphe 2 s'applique à une Convention fiscale couverte qui exigerait par ailleurs d'une Juridiction contractante qu'elle exempte d'impôt le revenu ou la fortune décrit dans ce paragraphe.

Option B

4. Provisions of a Covered Tax Agreement that would otherwise exempt income derived by a resident of a Contracting Jurisdiction from tax in that Contracting Jurisdiction for the purpose of eliminating double taxation because such income is treated as a dividend by that Contracting Jurisdiction shall not apply where such income gives rise to a deduction for the purpose of determining the taxable profits of a resident of the other Contracting Jurisdiction under the laws of that other Contracting Jurisdiction. In such case, the first-mentioned Contracting Jurisdiction shall allow as a deduction from the tax on the income of that resident an amount equal to the income tax paid in that other Contracting Jurisdiction. Such deduction shall not, however, exceed that part of the income tax, as computed before the deduction is given, which is attributable to such income which may be taxed in that other Contracting Jurisdiction.

5. Paragraph 4 shall apply to a Covered Tax Agreement that would otherwise require a Contracting Jurisdiction to exempt income described in that paragraph.

Option C

6. a) Where a resident of a Contracting Jurisdiction derives income or owns capital which may be taxed in the other Contracting Jurisdiction in accordance with the provisions of a Covered Tax Agreement (except to the extent that these provisions allow taxation by that other Contracting Jurisdiction solely because the income is also income derived by a resident of that other Contracting Jurisdiction), the first-mentioned Contracting Jurisdiction shall allow:

- i) as a deduction from the tax on the income of that resident, an amount equal to the income tax paid in that other Contracting Jurisdiction;
- ii) as a deduction from the tax on the capital of that resident, an amount equal to the capital tax paid in that other Contracting Jurisdiction.

Such deduction shall not, however, exceed that part of the income tax or capital tax, as computed before the deduction is given, which is attributable to the income or the capital which may be taxed in that other Contracting Jurisdiction.

b) Where in accordance with any provision of the Covered Tax Agreement income derived or capital owned by a resident of a Contracting Jurisdiction is exempt from tax in that Contracting Jurisdiction, such Contracting Jurisdiction may nevertheless, in calculating the amount of tax on the remaining income or capital of such resident, take into account the exempted income or capital.

7. Paragraph 6 shall apply in place of provisions of a Covered Tax Agreement that, for purposes of eliminating double taxation, require a Contracting Jurisdiction to exempt from tax in that Contracting Jurisdiction income derived or capital owned by a resident of that Contracting Jurisdiction which, in accordance with the provisions of the Covered Tax Agreement, may be taxed in the other Contracting Jurisdiction.

8. A Party that does not choose to apply an Option under paragraph 1 may reserve the right for the entirety of this Article not to apply with respect to one or more identified Covered Tax Agreements (or with respect to all of its Covered Tax Agreements).

9. A Party that does not choose to apply Option C may reserve the right, with respect to one or more identified Covered Tax Agreements (or with respect to all of its Covered Tax Agreements), not to permit the other Contracting Jurisdiction(s) to apply Option C.

Option B

4. Les dispositions d'une Convention fiscale couverte qui auraient pour effet d'exempter d'impôt dans une Juridiction contractante un revenu d'un résident de cette Juridiction contractante aux fins d'éliminer la double imposition du fait que ce revenu est considéré comme un dividende par cette Juridiction contractante ne s'appliquent pas lorsque ce revenu donne lieu à une déduction pour la détermination des bénéfices imposables d'un résident de l'autre Juridiction contractante en vertu de la législation de cette autre Juridiction contractante. En pareil cas, la première Juridiction contractante accorde sur l'impôt qu'elle perçoit sur le revenu de ce résident une déduction d'un montant égal à l'impôt payé sur le revenu en cause dans cette autre Juridiction contractante. Cette déduction ne peut toutefois excéder la fraction de l'impôt sur le revenu, calculé avant déduction, correspondant à ce revenu imposable dans cette autre Juridiction contractante.

5. Le paragraphe 4 s'applique à une Convention fiscale couverte qui exigerait par ailleurs d'une Juridiction contractante qu'elle exempte d'impôt le revenu décrit dans ce paragraphe.

Option C

6. a) Lorsqu'un résident d'une Juridiction contractante reçoit des revenus ou possède de la fortune qui sont imposables dans l'autre Juridiction contractante conformément aux dispositions d'une Convention fiscale couverte (sauf dans la mesure où ces dispositions permettent l'imposition par cette autre Juridiction contractante uniquement parce que le revenu est également un revenu reçu par un résident de cette autre Juridiction contractante), la première Juridiction contractante accorde :

- i) sur l'impôt qu'elle perçoit sur les revenus de ce résident, une déduction d'un montant égal à l'impôt payé sur le revenu en cause dans cette autre Juridiction contractante ;
- ii) sur l'impôt qu'elle perçoit sur la fortune de ce résident, une déduction d'un montant égal à l'impôt payé sur la fortune en cause dans cette autre Juridiction contractante.

Cette déduction ne peut toutefois excéder la fraction de l'impôt sur le revenu ou de l'impôt sur la fortune, calculé avant déduction, correspondant aux revenus ou à la fortune imposables dans cette autre Juridiction contractante.

- b) Lorsque, conformément à une disposition quelconque d'une Convention fiscale couverte, les revenus qu'un résident d'une Juridiction contractante reçoit ou la fortune qu'il possède sont exempts d'impôt dans cette Juridiction contractante, celle-ci peut néanmoins, pour calculer le montant de l'impôt sur le reste des revenus ou de la fortune de ce résident, tenir compte de ces revenus ou de cette fortune exemptés.

7. Le paragraphe 6 s'applique à la place des dispositions d'une Convention fiscale couverte qui, aux fins d'éliminer la double imposition, prévoient qu'une Juridiction contractante exempte d'impôt le revenu qu'un résident de cette Juridiction contractante reçoit ou la fortune qu'il possède qui, conformément aux dispositions de la Convention fiscale couverte, est imposable dans l'autre Juridiction contractante.

8. Une Partie qui ne choisit pas d'appliquer l'une des options prévues au paragraphe 1 peut se réserver le droit de ne pas appliquer l'intégralité du présent article à l'une ou plusieurs de ses Conventions fiscales couvertes identifiées (ou à toutes ses Conventions fiscales couvertes).

9. Une Partie qui ne choisit pas d'appliquer l'Option C peut se réserver le droit, aux fins d'une ou de plusieurs de ses Conventions fiscales couvertes identifiées (ou aux fins de toutes ses Conventions fiscales couvertes), de ne pas permettre à l'autre ou aux autres Juridictions contractantes d'appliquer l'Option C.

10. Each Party that chooses to apply an Option under paragraph 1 shall notify the Depositary of its choice of Option. Such notification shall also include:

- a) in the case of a Party that chooses to apply Option A, the list of its Covered Tax Agreements which contain a provision described in paragraph 3, as well as the article and paragraph number of each such provision;
- b) in the case of a Party that chooses to apply Option B, the list of its Covered Tax Agreements which contain a provision described in paragraph 5, as well as the article and paragraph number of each such provision;
- c) in the case of a Party that chooses to apply Option C, the list of its Covered Tax Agreements which contain a provision described in paragraph 7, as well as the article and paragraph number of each such provision.

An Option shall apply with respect to a provision of a Covered Tax Agreement only where the Party that has chosen to apply that Option has made such a notification with respect to that provision.

10. Toute Partie qui choisit d'appliquer l'une des options prévues au paragraphe 1 notifie au Dépositaire l'option choisie, ainsi que :

- a) dans le cas où une Partie choisit d'appliquer l'Option A, la liste de ses Conventions fiscales couvertes qui contiennent une disposition décrite au paragraphe 3, en indiquant les numéros de l'article et du paragraphe de chaque disposition concernée ;
- b) dans le cas où une Partie choisit d'appliquer l'Option B, la liste de ses Conventions fiscales couvertes qui contiennent une disposition décrite au paragraphe 5, en indiquant les numéros de l'article et du paragraphe de chaque disposition concernée ;
- c) dans le cas où une Partie choisit d'appliquer l'Option C, la liste de ses Conventions fiscales couvertes qui contiennent une disposition décrite au paragraphe 7, en indiquant les numéros de l'article et du paragraphe de chaque disposition concernée.

Une option s'applique à une disposition d'une Convention fiscale couverte uniquement si la Partie qui choisit d'appliquer cette option a formulé une notification à l'égard de cette disposition.

PART III.
TREATY ABUSE

Article 6 – Purpose of a Covered Tax Agreement

1. A Covered Tax Agreement shall be modified to include the following preamble text:

“Intending to eliminate double taxation with respect to the taxes covered by this agreement without creating opportunities for non-taxation or reduced taxation through tax evasion or avoidance (including through treaty-shopping arrangements aimed at obtaining reliefs provided in this agreement for the indirect benefit of residents of third jurisdictions),”.

2. The text described in paragraph 1 shall be included in a Covered Tax Agreement in place of or in the absence of preamble language of the Covered Tax Agreement referring to an intent to eliminate double taxation, whether or not that language also refers to the intent not to create opportunities for non-taxation or reduced taxation.

3. A Party may also choose to include the following preamble text with respect to its Covered Tax Agreements that do not contain preamble language referring to a desire to develop an economic relationship or to enhance co-operation in tax matters:

“Desiring to further develop their economic relationship and to enhance their co-operation in tax matters,”.

4. A Party may reserve the right for paragraph 1 not to apply to its Covered Tax Agreements that already contain preamble language describing the intent of the Contracting Jurisdictions to eliminate double taxation without creating opportunities for non-taxation or reduced taxation, whether that language is limited to cases of tax evasion or avoidance (including through treaty-shopping arrangements aimed at obtaining reliefs provided in the Covered Tax Agreement for the indirect benefit of residents of third jurisdictions) or applies more broadly.

5. Each Party shall notify the Depositary of whether each of its Covered Tax Agreements, other than those that are within the scope of a reservation under paragraph 4, contains preamble language described in paragraph 2, and if so, the text of the relevant preambular paragraph. Where all Contracting Jurisdictions have made such a notification with respect to that preamble language, such preamble language shall be replaced by the text described in paragraph 1. In other cases, the text described in paragraph 1 shall be included in addition to the existing preamble language.

6. Each Party that chooses to apply paragraph 3 shall notify the Depositary of its choice. Such notification shall also include the list of its Covered Tax Agreements that do not already contain preamble language referring to a desire to develop an economic relationship or to enhance co-operation in tax matters. The text described in paragraph 3 shall be included in a Covered Tax Agreement only where all Contracting Jurisdictions have chosen to apply that paragraph and have made such a notification with respect to the Covered Tax Agreement.

PARTIE III.
UTILISATION ABUSIVE DES CONVENTIONS FISCALES

Article 6 – Objet d’une Convention fiscale couverte

1. Une Convention fiscale couverte est modifiée pour inclure le texte du préambule suivant :
« Entendant éliminer la double imposition à l’égard d’impôts visés par la présente Convention, et ce, sans créer de possibilités de non-imposition ou d’imposition réduite via des pratiques d’évasion ou de fraude fiscale/évitemment fiscal* (résultant notamment de la mise en place de stratégies de chalandage fiscal destinées à obtenir des allègements prévus dans la présente convention au bénéfice indirect de résidents de juridictions tierces), ».
2. Le texte mentionné au paragraphe 1 est inséré dans une Convention fiscale couverte à la place ou en l’absence de texte au préambule de cette Convention faisant référence à l’intention d’éliminer la double imposition, que ce dernier fasse également référence, ou non, à l’intention de ne pas créer de possibilités de non-imposition ou d’imposition réduite.
3. Une Partie peut également choisir d’inclure le texte suivant dans le préambule de ses Conventions fiscales couvertes qui ne font pas référence au souhait des Parties de promouvoir leurs relations économiques ou d’améliorer leur coopération en matière fiscale :
« Soucieux de promouvoir leurs relations économiques et d’améliorer leur coopération en matière fiscale, ».
4. Une Partie peut se réserver le droit de ne pas appliquer le paragraphe 1 à ses Conventions fiscales couvertes qui contiennent déjà un préambule faisant référence à l’intention des Juridictions contractantes d’éliminer la double imposition sans créer de possibilités de non-imposition ou d’imposition réduite, et ce, que ce préambule vise uniquement les pratiques d’évasion ou de fraude fiscale/évitemment fiscal (résultant notamment de la mise en place de stratégies de chalandage fiscal destinées à obtenir des allègements prévus dans la présente convention au bénéfice indirect de résidents de juridictions tierces) ou qu’il s’applique plus largement.
5. Toute Partie notifie au Dépositaire les Conventions fiscales couvertes, autres que celles qui font l’objet d’une réserve prévue au paragraphe 4, qui contiennent un préambule tel que décrit au paragraphe 2, en indiquant le texte des paragraphes concernés. Lorsque toutes les Juridictions contractantes ont formulé cette notification à l’égard d’un préambule d’une Convention fiscale couverte, ce dernier est remplacé par le texte du paragraphe 1. Dans les autres cas, le texte mentionné au paragraphe 1 est ajouté au préambule existant.
6. Toute Partie qui choisit d’appliquer le paragraphe 3 notifie au Dépositaire son choix ainsi que la liste de ses Conventions fiscales couvertes qui ne contiennent pas déjà le texte relatif au développement des relations économiques et à l’amélioration de la coopération en matière fiscale. Le texte mentionné au paragraphe 3 est inséré dans une Convention fiscale couverte uniquement si toutes les Juridictions contractantes d’une Convention fiscale couverte choisissent d’appliquer ce paragraphe et notifient ce choix pour la Convention fiscale couverte.

* Certaines juridictions traduisent le terme anglais « tax avoidance » par « évitement fiscal ».

Article 7 – Prevention of Treaty Abuse

1. Notwithstanding any provisions of a Covered Tax Agreement, a benefit under the Covered Tax Agreement shall not be granted in respect of an item of income or capital if it is reasonable to conclude, having regard to all relevant facts and circumstances, that obtaining that benefit was one of the principal purposes of any arrangement or transaction that resulted directly or indirectly in that benefit, unless it is established that granting that benefit in these circumstances would be in accordance with the object and purpose of the relevant provisions of the Covered Tax Agreement.

2. Paragraph 1 shall apply in place of or in the absence of provisions of a Covered Tax Agreement that deny all or part of the benefits that would otherwise be provided under the Covered Tax Agreement where the principal purpose or one of the principal purposes of any arrangement or transaction, or of any person concerned with an arrangement or transaction, was to obtain those benefits.

3. A Party that has not made the reservation described in subparagraph a) of paragraph 15 may also choose to apply paragraph 4 with respect to its Covered Tax Agreements.

4. Where a benefit under a Covered Tax Agreement is denied to a person under provisions of the Covered Tax Agreement (as it may be modified by this Convention) that deny all or part of the benefits that would otherwise be provided under the Covered Tax Agreement where the principal purpose or one of the principal purposes of any arrangement or transaction, or of any person concerned with an arrangement or transaction, was to obtain those benefits, the competent authority of the Contracting Jurisdiction that would otherwise have granted this benefit shall nevertheless treat that person as being entitled to this benefit, or to different benefits with respect to a specific item of income or capital, if such competent authority, upon request from that person and after consideration of the relevant facts and circumstances, determines that such benefits would have been granted to that person in the absence of the transaction or arrangement. The competent authority of the Contracting Jurisdiction to which a request has been made under this paragraph by a resident of the other Contracting Jurisdiction shall consult with the competent authority of that other Contracting Jurisdiction before rejecting the request.

5. Paragraph 4 shall apply to provisions of a Covered Tax Agreement (as it may be modified by this Convention) that deny all or part of the benefits that would otherwise be provided under the Covered Tax Agreement where the principal purpose or one of the principal purposes of any arrangement or transaction, or of any person concerned with an arrangement or transaction, was to obtain those benefits.

6. A Party may also choose to apply the provisions contained in paragraphs 8 through 13 (hereinafter referred to as the “Simplified Limitation on Benefits Provision”) to its Covered Tax Agreements by making the notification described in subparagraph c) of paragraph 17. The Simplified Limitation on Benefits Provision shall apply with respect to a Covered Tax Agreement only where all Contracting Jurisdictions have chosen to apply it.

7. In cases where some but not all of the Contracting Jurisdictions to a Covered Tax Agreement choose to apply the Simplified Limitation on Benefits Provision pursuant to paragraph 6, then, notwithstanding the provisions of that paragraph, the Simplified Limitation on Benefits Provision shall apply with respect to the granting of benefits under the Covered Tax Agreement:

- a) by all Contracting Jurisdictions, if all of the Contracting Jurisdictions that do not choose pursuant to paragraph 6 to apply the Simplified Limitation on Benefits Provision agree to such application by choosing to apply this subparagraph and notifying the Depository accordingly; or

Article 7 – Prévenir l'utilisation abusive des conventions

1. Nonobstant toute disposition d'une Convention fiscale couverte, un avantage au titre de la Convention fiscale couverte ne sera pas accordé au titre d'un élément de revenu ou de fortune s'il est raisonnable de conclure, compte tenu de l'ensemble des faits et circonstances propres à la situation, que l'octroi de cet avantage était l'un des objets principaux d'un montage ou d'une transaction ayant permis, directement ou indirectement, de l'obtenir, à moins qu'il soit établi que l'octroi de cet avantage dans ces circonstances serait conforme à l'objet et au but des dispositions pertinentes de cette Convention fiscale couverte.

2. Le paragraphe 1 s'applique à la place ou en l'absence de dispositions d'une Convention fiscale couverte qui refusent tout ou partie des avantages qui seraient prévus par la Convention fiscale couverte lorsque l'objet principal ou l'un des objets principaux d'un montage ou d'une transaction, ou de toute personne concernée par un montage ou une transaction, était d'obtenir ces avantages.

3. Une Partie qui n'a pas émis la réserve prévue à l'alinéa a) du paragraphe 15 peut également choisir d'appliquer le paragraphe 4 à ses Conventions fiscales couvertes.

4. Lorsqu'une Juridiction contractante refuse à une personne l'octroi de tout ou partie des avantages prévus par une Convention fiscale couverte, en application des dispositions de cette même convention (telles que susceptibles d'être modifiées par la présente Convention), lorsque l'objet principal ou l'un des objets principaux d'un montage ou d'une transaction, ou de toute personne concernée par un montage ou une transaction, est d'obtenir ces avantages, l'autorité compétente de cette Juridiction contractante qui aurait normalement accordé cet avantage doit néanmoins considérer que cette personne peut prétendre à cet avantage ou à d'autres avantages au titre d'un élément de revenu ou de fortune spécifique si cette autorité compétente, à la demande de cette personne et après examen des faits et circonstances pertinents, conclut que ces avantages auraient été octroyés à cette personne en l'absence de la transaction ou du montage. L'autorité compétente de la Juridiction contractante à laquelle un résident de l'autre Juridiction contractante a adressé une demande, en vertu du présent paragraphe, doit consulter l'autorité compétente de cette autre Juridiction contractante avant de rejeter la demande.

5. Le paragraphe 4 s'applique aux dispositions d'une Convention fiscale couverte (telles que susceptibles d'être modifiées par la présente Convention) qui refusent d'accorder tout ou partie des avantages qui seraient prévus par cette Convention fiscale couverte lorsque l'objet principal ou l'un des objets principaux d'un montage ou d'une transaction, ou de toute personne concernée par un montage ou une transaction, était d'obtenir ces avantages.

6. Une Partie peut également choisir d'appliquer à ses Conventions fiscales couvertes les dispositions prévues aux paragraphes 8 à 13 (ci-après dénommées la « règle simplifiée de limitation des avantages ») en formulant une notification décrite à l'alinéa c) du paragraphe 17. La règle simplifiée de limitation des avantages ne s'applique à l'égard d'une Convention fiscale couverte que si toutes les Juridictions contractantes choisissent de l'appliquer.

7. Dans les cas où seulement certaines Juridictions contractantes qui ont conclu une Convention fiscale couverte choisissent d'appliquer la règle simplifiée de limitation des avantages en vertu du paragraphe 6, alors, nonobstant les dispositions de ce paragraphe, la règle simplifiée de limitation des avantages s'applique à l'octroi des avantages prévus par une Convention fiscale couverte :

- a) par toutes les Juridictions contractantes, si toutes les Juridictions contractantes qui ne choisissent pas d'appliquer la règle simplifiée de limitation des avantages en vertu du paragraphe 6, acceptent cette application en optant pour le présent alinéa et le notifient au Dépositaire ; ou

- b) only by the Contracting Jurisdictions that choose to apply the Simplified Limitation on Benefits Provision, if all of the Contracting Jurisdictions that do not choose pursuant to paragraph 6 to apply the Simplified Limitation on Benefits Provision agree to such application by choosing to apply this subparagraph and notifying the Depository accordingly.

Simplified Limitation on Benefits Provision

8. Except as otherwise provided in the Simplified Limitation on Benefits Provision, a resident of a Contracting Jurisdiction to a Covered Tax Agreement shall not be entitled to a benefit that would otherwise be accorded by the Covered Tax Agreement, other than a benefit under provisions of the Covered Tax Agreement:

- a) which determine the residence of a person other than an individual which is a resident of more than one Contracting Jurisdiction by reason of provisions of the Covered Tax Agreement that define a resident of a Contracting Jurisdiction;
- b) which provide that a Contracting Jurisdiction will grant to an enterprise of that Contracting Jurisdiction a corresponding adjustment following an initial adjustment made by the other Contracting Jurisdiction, in accordance with the Covered Tax Agreement, to the amount of tax charged in the first-mentioned Contracting Jurisdiction on the profits of an associated enterprise; or
- c) which allow residents of a Contracting Jurisdiction to request that the competent authority of that Contracting Jurisdiction consider cases of taxation not in accordance with the Covered Tax Agreement,

unless such resident is a “qualified person”, as defined in paragraph 9 at the time that the benefit would be accorded.

9. A resident of a Contracting Jurisdiction to a Covered Tax Agreement shall be a qualified person at a time when a benefit would otherwise be accorded by the Covered Tax Agreement if, at that time, the resident is:

- a) an individual;
- b) that Contracting Jurisdiction, or a political subdivision or local authority thereof, or an agency or instrumentality of any such Contracting Jurisdiction, political subdivision or local authority;
- c) a company or other entity, if the principal class of its shares is regularly traded on one or more recognised stock exchanges;
- d) a person, other than an individual, that:
 - i) is a non-profit organisation of a type that is agreed to by the Contracting Jurisdictions through an exchange of diplomatic notes; or
 - ii) is an entity or arrangement established in that Contracting Jurisdiction that is treated as a separate person under the taxation laws of that Contracting Jurisdiction and:
 - A) that is established and operated exclusively or almost exclusively to administer or provide retirement benefits and ancillary or incidental benefits to individuals and that is regulated as such by that Contracting Jurisdiction or one of its political subdivisions or local authorities; or
 - B) that is established and operated exclusively or almost exclusively to invest funds for the benefit of entities or arrangements referred to in subdivision A);

- b) par les seules Juridictions contractantes qui choisissent d'appliquer la règle simplifiée de limitation des avantages, à condition que l'ensemble des Juridictions contractantes qui ne choisissent pas d'appliquer la règle simplifiée de limitation des avantages en vertu du paragraphe 6, acceptent cette application en optant pour le présent alinéa et le notifient au Dépositaire.

Règle simplifiée de limitation des avantages

8. Sauf dispositions contraires de la règle simplifiée de limitation des avantages, un résident d'une Juridiction contractante ayant conclu une Convention fiscale couverte ne peut bénéficier d'un avantage qui serait par ailleurs accordé par la Convention fiscale couverte, autre qu'un avantage prévu par les dispositions de la Convention fiscale couverte :

- a) qui déterminent la résidence d'une personne autre qu'une personne physique qui est un résident de plus d'une Juridiction contractante en vertu des dispositions de la Convention fiscale couverte qui définissent un résident d'une Juridiction contractante ;
- b) qui prévoient qu'une Juridiction contractante accorde à une entreprise de cette Juridiction contractante un ajustement corrélatif à la suite d'un ajustement initial auquel a procédé l'autre Juridiction contractante, conformément à la Convention fiscale couverte, du montant de l'impôt perçu dans la première Juridiction contractante sur les bénéfices d'une entreprise associée ; ou
- c) qui permettent aux résidents d'une Juridiction contractante de demander que l'autorité compétente de cette Juridiction contractante examine les cas d'imposition non conformes à la Convention fiscale couverte,

sauf si ce résident est une « personne admissible » telle que définie au paragraphe 9 au moment où l'avantage serait accordé.

9. Un résident d'une Juridiction contractante ayant conclu une Convention fiscale couverte est une personne admissible au moment où un bénéfice serait par ailleurs accordé par cette Convention fiscale couverte si, au moment considéré, le résident est :

- a) une personne physique ;
- b) cette Juridiction contractante, ses subdivisions politiques ou ses collectivités locales, une agence ou une personne morale de droit public de cette Juridiction contractante, de ses subdivisions politiques ou collectivités locales ;
- c) une société ou une autre entité, si la principale catégorie de ses actions fait régulièrement l'objet de transactions sur un ou plusieurs marchés boursiers reconnus ;
- d) une personne, autre qu'une personne physique, qui est :
 - i) un organisme sans but lucratif relevant d'une catégorie agréée par les Juridictions contractantes au moyen d'un échange de notes diplomatiques ; ou
 - ii) une entité ou un dispositif constitué dans cette Juridiction contractante qui est considéré comme une personne distincte au regard de la législation fiscale de cette Juridiction contractante et :
 - A) qui est constitué et géré exclusivement ou presque exclusivement dans le but d'administrer ou de verser des prestations de retraite et des prestations accessoires ou auxiliaires à des personnes physiques et qui est réglementé au sens de la législation de cette Juridiction contractante, une de ses subdivisions politiques ou une de ses collectivités locales ; ou
 - B) qui est constitué et géré exclusivement ou presque exclusivement dans le but d'investir des fonds pour le compte d'entités ou de dispositifs mentionnés au A) ;

- e) a person other than an individual, if, on at least half the days of a twelve-month period that includes the time when the benefit would otherwise be accorded, persons who are residents of that Contracting Jurisdiction and that are entitled to benefits of the Covered Tax Agreement under subparagraphs a) to d) own, directly or indirectly, at least 50 per cent of the shares of the person.
10. a) A resident of a Contracting Jurisdiction to a Covered Tax Agreement will be entitled to benefits of the Covered Tax Agreement with respect to an item of income derived from the other Contracting Jurisdiction, regardless of whether the resident is a qualified person, if the resident is engaged in the active conduct of a business in the first-mentioned Contracting Jurisdiction, and the income derived from the other Contracting Jurisdiction emanates from, or is incidental to, that business. For purposes of the Simplified Limitation on Benefits Provision, the term “active conduct of a business” shall not include the following activities or any combination thereof:
- i) operating as a holding company;
 - ii) providing overall supervision or administration of a group of companies;
 - iii) providing group financing (including cash pooling); or
 - iv) making or managing investments, unless these activities are carried on by a bank, insurance company or registered securities dealer in the ordinary course of its business as such.
- b) If a resident of a Contracting Jurisdiction to a Covered Tax Agreement derives an item of income from a business activity conducted by that resident in the other Contracting Jurisdiction, or derives an item of income arising in the other Contracting Jurisdiction from a connected person, the conditions described in subparagraph a) shall be considered to be satisfied with respect to such item only if the business activity carried on by the resident in the first-mentioned Contracting Jurisdiction to which the item is related is substantial in relation to the same activity or a complementary business activity carried on by the resident or such connected person in the other Contracting Jurisdiction. Whether a business activity is substantial for the purposes of this subparagraph shall be determined based on all the facts and circumstances.
- c) For purposes of applying this paragraph, activities conducted by connected persons with respect to a resident of a Contracting Jurisdiction to a Covered Tax Agreement shall be deemed to be conducted by such resident.
11. A resident of a Contracting Jurisdiction to a Covered Tax Agreement that is not a qualified person shall also be entitled to a benefit that would otherwise be accorded by the Covered Tax Agreement with respect to an item of income if, on at least half of the days of any twelve-month period that includes the time when the benefit would otherwise be accorded, persons that are equivalent beneficiaries own, directly or indirectly, at least 75 per cent of the beneficial interests of the resident.

- e) une personne, autre qu'une personne physique, si pendant au moins la moitié des jours au cours d'une période de douze mois incluant la date à laquelle l'avantage serait par ailleurs accordé, des personnes qui sont résidentes de cette Juridiction contractante et qui ont droit aux avantages de la Convention fiscale couverte en vertu des alinéas a) à d), possèdent, directement ou indirectement, au moins 50 pour cent des actions de cette personne.
10. a) Un résident d'une Juridiction contractante ayant conclu une Convention fiscale couverte aura droit aux avantages prévus par cette Convention fiscale couverte concernant un élément de revenu provenant de l'autre Juridiction contractante, que ce résident soit ou non une personne admissible, s'il est engagé dans l'exercice effectif d'une activité d'entreprise dans la première Juridiction contractante, et si ce revenu émane de cette activité ou s'il en constitue un élément accessoire. Aux fins de la présente règle simplifiée de limitation des avantages, l'expression « l'exercice effectif d'une activité d'entreprise » ne comprend pas les activités suivantes ou l'exercice combiné de telles activités :
- i) société holding ;
 - ii) supervision ou administration générale d'un groupe d'entreprises ;
 - iii) activité de financement de groupe (y compris la gestion centralisée de trésorerie) ;
ou
 - iv) réalisation ou gestion d'investissements, sauf si ces activités sont exercées par une banque, une compagnie d'assurance ou un opérateur sur titres agréé dans le cadre ordinaire de son activité.
- b) Si un résident d'une Juridiction contractante ayant conclu une Convention fiscale couverte tire un élément de revenu d'une activité d'entreprise qu'il exerce dans l'autre Juridiction contractante, ou reçoit d'une personne liée un élément de revenu provenant de cette autre Juridiction contractante, les conditions énoncées à l'alinéa a) sont considérées comme remplies concernant ce revenu seulement si l'activité d'entreprise exercée par le résident dans la première Juridiction contractante, à laquelle le revenu se rapporte, présente un caractère substantiel par rapport aux activités d'entreprise identiques ou complémentaires exercées par le résident ou par cette personne liée dans l'autre Juridiction contractante. Aux fins de l'application du présent alinéa, le caractère substantiel de l'activité d'entreprise est déterminé en tenant compte de l'ensemble des faits et circonstances propres à chaque cas.
- c) Aux fins de l'application du présent paragraphe, les activités exercées par des personnes liées à un résident d'une Juridiction contractante ayant conclu une Convention fiscale couverte sont réputées être exercées par ce résident.
11. Un résident d'une Juridiction contractante ayant conclu une Convention fiscale couverte qui n'est pas une personne admissible peut néanmoins bénéficier d'un avantage qui serait par ailleurs accordé par cette Convention fiscale couverte au titre d'un élément de revenu si, pendant au moins la moitié des jours au cours d'une période de douze mois incluant la date à laquelle l'avantage serait par ailleurs accordé, des personnes qui sont des bénéficiaires équivalents détiennent, directement ou indirectement, au moins 75 pour cent des droits ou participations effectifs dans ce résident.

12. If a resident of a Contracting Jurisdiction to a Covered Tax Agreement is neither a qualified person pursuant to the provisions of paragraph 9, nor entitled to benefits under paragraph 10 or 11, the competent authority of the other Contracting Jurisdiction may, nevertheless, grant the benefits of the Covered Tax Agreement, or benefits with respect to a specific item of income, taking into account the object and purpose of the Covered Tax Agreement, but only if such resident demonstrates to the satisfaction of such competent authority that neither its establishment, acquisition or maintenance, nor the conduct of its operations, had as one of its principal purposes the obtaining of benefits under the Covered Tax Agreement. Before either granting or denying a request made under this paragraph by a resident of a Contracting Jurisdiction, the competent authority of the other Contracting Jurisdiction to which the request has been made shall consult with the competent authority of the first-mentioned Contracting Jurisdiction.

13. For the purposes of the Simplified Limitation on Benefits Provision:

- a) the term “recognised stock exchange” means:
 - i) any stock exchange established and regulated as such under the laws of either Contracting Jurisdiction; and
 - ii) any other stock exchange agreed upon by the competent authorities of the Contracting Jurisdictions;
- b) the term “principal class of shares” means the class or classes of shares of a company which represents the majority of the aggregate vote and value of the company or the class or classes of beneficial interests of an entity which represents in the aggregate a majority of the aggregate vote and value of the entity;
- c) the term “equivalent beneficiary” means any person who would be entitled to benefits with respect to an item of income accorded by a Contracting Jurisdiction to a Covered Tax Agreement under the domestic law of that Contracting Jurisdiction, the Covered Tax Agreement or any other international instrument which are equivalent to, or more favourable than, benefits to be accorded to that item of income under the Covered Tax Agreement; for the purposes of determining whether a person is an equivalent beneficiary with respect to dividends, the person shall be deemed to hold the same capital of the company paying the dividends as such capital the company claiming the benefit with respect to the dividends holds;
- d) with respect to entities that are not companies, the term “shares” means interests that are comparable to shares;
- e) two persons shall be “connected persons” if one owns, directly or indirectly, at least 50 per cent of the beneficial interest in the other (or, in the case of a company, at least 50 per cent of the aggregate vote and value of the company's shares) or another person owns, directly or indirectly, at least 50 per cent of the beneficial interest (or, in the case of a company, at least 50 per cent of the aggregate vote and value of the company's shares) in each person; in any case, a person shall be connected to another if, based on all the relevant facts and circumstances, one has control of the other or both are under the control of the same person or persons.

12. Lorsqu'un résident d'une Juridiction contractante ayant conclu une Convention fiscale couverte ne remplit pas les conditions lui permettant d'être une personne admissible en vertu du paragraphe 9, ou de bénéficier des avantages en vertu du paragraphe 10 ou 11, l'autorité compétente de l'autre Juridiction contractante peut néanmoins accorder les avantages prévus par cette Convention fiscale couverte, ou des avantages au titre d'un élément de revenu spécifique, en tenant compte de l'objet et du but de cette Convention fiscale couverte, mais uniquement si le résident démontre auprès de cette autorité compétente, que ni la création, l'acquisition ou la maintenance, ni l'exercice de ses activités n'avaient comme un de ses principaux objectifs de bénéficier des avantages de la Convention fiscale couverte. Avant d'accepter ou de rejeter une demande présentée par un résident d'une Juridiction contractante en vertu du présent paragraphe, l'autorité compétente de l'autre Juridiction contractante à laquelle la demande a été adressée consulte l'autorité compétente de la première Juridiction contractante.

13. Aux fins de l'application de la règle simplifiée de limitation des avantages :

- a) l'expression « marché boursier reconnu » désigne :
 - i) tout marché boursier établi et réglementé selon la législation de l'une des Juridictions contractantes ; et
 - ii) tout autre marché boursier que les autorités compétentes des Juridictions contractantes conviennent de reconnaître ;
- b) l'expression « principale catégorie d'actions » désigne la catégorie ou les catégories d'actions d'une société qui représentent la majorité du total des droits de vote et de la valeur de la société, ou la catégorie ou les catégories de droits ou participations effectifs dans une entité qui, conjointement, représentent la majorité du total des droits de vote et de la valeur de l'entité ;
- c) l'expression « bénéficiaire équivalent » désigne toute personne qui pourrait prétendre à des avantages équivalents ou plus favorables au titre d'un élément de revenu, octroyé par une Juridiction contractante, ayant conclu une Convention fiscale couverte, en vertu de son droit interne, de cette Convention fiscale couverte ou de tout autre accord international que les avantages accordés à cet élément de revenu par cette Convention fiscale couverte. Pour déterminer si une personne est un bénéficiaire équivalent au titre de dividendes, cette personne est réputée détenir le même capital dans la société qui paie les dividendes que celui détenu par la société qui réclame l'avantage au titre des dividendes ;
- d) s'agissant des entités qui ne sont pas des sociétés, le terme « actions » désigne des droits ou participations comparables à des actions ;
- e) deux personnes sont considérées comme des « personnes liées » si l'une d'elles possède, directement ou indirectement, au moins 50 pour cent des droits ou participations effectifs dans l'autre (ou, dans le cas d'une société, au moins 50 pour cent du total des droits de vote et de la valeur des actions de la société) ou si une autre personne possède, directement ou indirectement, au moins 50 pour cent des droits ou participations effectifs dans chacune d'elles (ou, dans le cas d'une société, au moins 50 pour cent du total des droits de vote et de la valeur des actions de la société). Dans tous les cas, une personne est considérée comme liée à une autre personne si, au vu de l'ensemble des faits et circonstances propres à chaque cas, l'une est sous le contrôle de l'autre ou elles sont toutes deux sous le contrôle d'une même personne ou de plusieurs mêmes personnes.

14. The Simplified Limitation on Benefits Provision shall apply in place of or in the absence of provisions of a Covered Tax Agreement that would limit the benefits of the Covered Tax Agreement (or that would limit benefits other than a benefit under the provisions of the Covered Tax Agreement relating to residence, associated enterprises or non-discrimination or a benefit that is not restricted solely to residents of a Contracting Jurisdiction) only to a resident that qualifies for such benefits by meeting one or more categorical tests.

15. A Party may reserve the right:

- a) for paragraph 1 not to apply to its Covered Tax Agreements on the basis that it intends to adopt a combination of a detailed limitation on benefits provision and either rules to address conduit financing structures or a principal purpose test, thereby meeting the minimum standard for preventing treaty abuse under the OECD/G20 BEPS package; in such cases, the Contracting Jurisdictions shall endeavour to reach a mutually satisfactory solution which meets the minimum standard;
- b) for paragraph 1 (and paragraph 4, in the case of a Party that has chosen to apply that paragraph) not to apply to its Covered Tax Agreements that already contain provisions that deny all of the benefits that would otherwise be provided under the Covered Tax Agreement where the principal purpose or one of the principal purposes of any arrangement or transaction, or of any person concerned with an arrangement or transaction, was to obtain those benefits;
- c) for the Simplified Limitation on Benefits Provision not to apply to its Covered Tax Agreements that already contain the provisions described in paragraph 14.

16. Except where the Simplified Limitation on Benefits Provision applies with respect to the granting of benefits under a Covered Tax Agreement by one or more Parties pursuant to paragraph 7, a Party that chooses pursuant to paragraph 6 to apply the Simplified Limitation on Benefits Provision may reserve the right for the entirety of this Article not to apply with respect to its Covered Tax Agreements for which one or more of the other Contracting Jurisdictions has not chosen to apply the Simplified Limitation on Benefits Provision. In such cases, the Contracting Jurisdictions shall endeavour to reach a mutually satisfactory solution which meets the minimum standard for preventing treaty abuse under the OECD/G20 BEPS package.

17. a) Each Party that has not made the reservation described in subparagraph a) of paragraph 15 shall notify the Depositary of whether each of its Covered Tax Agreements that is not subject to a reservation described in subparagraph b) of paragraph 15 contains a provision described in paragraph 2, and if so, the article and paragraph number of each such provision. Where all Contracting Jurisdictions have made such a notification with respect to a provision of a Covered Tax Agreement, that provision shall be replaced by the provisions of paragraph 1 (and where applicable, paragraph 4). In other cases, paragraph 1 (and where applicable, paragraph 4) shall supersede the provisions of the Covered Tax Agreement only to the extent that those provisions are incompatible with paragraph 1 (and where applicable, paragraph 4). A Party making a notification under this subparagraph may also include a statement that while such Party accepts the application of paragraph 1 alone as an interim measure, it intends where possible to adopt a limitation on benefits provision, in addition to or in replacement of paragraph 1, through bilateral negotiation.

14. La règle simplifiée de limitation des avantages s'applique à la place ou en l'absence de dispositions d'une Convention fiscale couverte qui limiteraient l'octroi des avantages prévus par la Convention fiscale couverte (ou qui limiteraient l'octroi d'avantages autres qu'un avantage prévu par les dispositions d'une Convention fiscale couverte, relatives à la résidence, aux entreprises associées ou à la non-discrimination, ou d'un avantage qui n'est pas réservé qu'aux résidents d'une Juridiction contractante) uniquement à un résident qui remplit un ou plusieurs des critères donnant droit à ces avantages.

15. Une Partie peut se réserver le droit :

- a) de ne pas appliquer le paragraphe 1 à ses Conventions fiscales couvertes si elle a l'intention d'adopter une règle détaillée de limitation des avantages complétée par des mécanismes visant les sociétés-relais ou par une règle du critère des objets principaux et de satisfaire ainsi la norme minimale visant à prévenir l'utilisation abusive des conventions fiscales définie dans le cadre du Projet BEPS de l'OCDE et du G20 ; dans ce cas, les Juridictions contractantes s'efforcent de parvenir à une solution mutuellement satisfaisante qui soit conforme à la norme minimale ;
- b) de ne pas appliquer le paragraphe 1 (et le paragraphe 4, dans le cas d'une Partie qui choisit d'appliquer ce paragraphe) à ses Conventions fiscales couvertes qui contiennent déjà des dispositions qui refusent d'accorder tous les avantages qui seraient par ailleurs accordés par cette Convention fiscale couverte si l'objet principal ou l'un des objets principaux d'un montage ou d'une transaction, ou de toute personne concernée par un montage ou une transaction, était d'obtenir ces avantages ;
- c) de ne pas appliquer la règle simplifiée de limitation des avantages à ses Conventions fiscales couvertes qui contiennent déjà les dispositions décrites au paragraphe 14.

16. Sauf dans les cas où la règle simplifiée de limitation des avantages s'applique, en vertu du paragraphe 7, pour l'octroi d'avantages prévus par une Convention fiscale couverte, par une ou plusieurs Parties, une Partie qui choisit d'appliquer la règle simplifiée de limitation des avantages en vertu du paragraphe 6 peut se réserver le droit de ne pas appliquer l'intégralité du présent article à ses Conventions fiscales couvertes pour lesquels une ou plusieurs autres Juridictions contractantes n'ont pas choisi d'appliquer la règle simplifiée de limitation des avantages. Dans ce cas, les Juridictions contractantes s'efforcent de parvenir à une solution mutuellement satisfaisante qui soit conforme à la norme minimale visant à prévenir l'utilisation abusive des conventions définie dans le cadre du Projet BEPS de l'OCDE et du G20.

17. a) Toute Partie qui n'a pas émis la réserve prévue à l'alinéa a) du paragraphe 15 notifie au Dépositaire les Conventions fiscales couvertes qui contiennent une disposition décrite au paragraphe 2 et qui ne font pas l'objet d'une réserve prévue à l'alinéa b) du paragraphe 15, en indiquant les numéros de l'article et du paragraphe de chaque disposition concernée. Lorsque toutes les Juridictions ont formulé une telle notification à l'égard d'une disposition d'une Convention fiscale couverte, celle-ci est remplacée par les dispositions du paragraphe 1 (et lorsqu'il est applicable, le paragraphe 4). Dans les autres cas, le paragraphe 1 (et lorsqu'il est applicable, le paragraphe 4) prévaut sur les dispositions des Conventions fiscales couvertes seulement dans la mesure où ces dispositions sont incompatibles avec le paragraphe 1 (et lorsqu'il est applicable, le paragraphe 4). Une Partie qui formule une notification à l'égard du présent alinéa peut également inclure une déclaration précisant que, bien que cette Partie accepte l'application du seul paragraphe 1 de manière provisoire, elle a l'intention, si cela est possible, d'adopter une règle de limitation des avantages dans le cadre de négociations bilatérales, en ajout ou en remplacement de ce paragraphe 1.

- b) Each Party that chooses to apply paragraph 4 shall notify the Depositary of its choice. Paragraph 4 shall apply to a Covered Tax Agreement only where all Contracting Jurisdictions have made such a notification.
- c) Each Party that chooses to apply the Simplified Limitation on Benefits Provision pursuant to paragraph 6 shall notify the Depositary of its choice. Unless such Party has made the reservation described in subparagraph c) of paragraph 15, such notification shall also include the list of its Covered Tax Agreements which contain a provision described in paragraph 14, as well as the article and paragraph number of each such provision.
- d) Each Party that does not choose to apply the Simplified Limitation on Benefits Provision pursuant to paragraph 6, but chooses to apply either subparagraph a) or b) of paragraph 7 shall notify the Depositary of its choice of subparagraph. Unless such Party has made the reservation described in subparagraph c) of paragraph 15, such notification shall also include the list of its Covered Tax Agreements which contain a provision described in paragraph 14, as well as the article and paragraph number of each such provision.
- e) Where all Contracting Jurisdictions have made a notification under subparagraph c) or d) with respect to a provision of a Covered Tax Agreement, that provision shall be replaced by the Simplified Limitation on Benefits Provision. In other cases, the Simplified Limitation on Benefits Provision shall supersede the provisions of the Covered Tax Agreement only to the extent that those provisions are incompatible with the Simplified Limitation on Benefits Provision.

Article 8 – Dividend Transfer Transactions

1. Provisions of a Covered Tax Agreement that exempt dividends paid by a company which is a resident of a Contracting Jurisdiction from tax or that limit the rate at which such dividends may be taxed, provided that the beneficial owner or the recipient is a company which is a resident of the other Contracting Jurisdiction and which owns, holds or controls more than a certain amount of the capital, shares, stock, voting power, voting rights or similar ownership interests of the company paying the dividends, shall apply only if the ownership conditions described in those provisions are met throughout a 365 day period that includes the day of the payment of the dividends (for the purpose of computing that period, no account shall be taken of changes of ownership that would directly result from a corporate reorganisation, such as a merger or divisive reorganisation, of the company that holds the shares or that pays the dividends).
2. The minimum holding period provided in paragraph 1 shall apply in place of or in the absence of a minimum holding period in provisions of a Covered Tax Agreement described in paragraph 1.
3. A Party may reserve the right:
 - a) for the entirety of this Article not to apply to its Covered Tax Agreements;
 - b) for the entirety of this Article not to apply to its Covered Tax Agreements to the extent that the provisions described in paragraph 1 already include:
 - i) a minimum holding period;
 - ii) a minimum holding period shorter than a 365 day period; or
 - iii) a minimum holding period longer than a 365 day period.

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



Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

Vol. 689

25

November
November 2022

No. 47559

PART 3 OF 3

N.B. The Government Printing Works will not be held responsible for the quality of "Hard Copies" or "Electronic Files" submitted for publication purposes

ISSN 1682-5845



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- b) Toute Partie qui choisit d'appliquer le paragraphe 4 notifie son choix au Dépositaire. Le paragraphe 4 s'applique à une Convention fiscale couverte seulement si toutes les Juridictions contractantes formulent une notification à cet égard.
- c) Toute Partie qui décide d'appliquer la règle simplifiée de limitation des avantages conformément au paragraphe 6 notifie son choix au Dépositaire. La notification doit inclure la liste des Conventions fiscales couvertes qui contiennent une disposition décrite au paragraphe 14, en indiquant les numéros de l'article et du paragraphe de chaque disposition concernée, sauf si cette Partie a émis la réserve prévue à l'alinéa c) du paragraphe 15.
- d) Toute Partie qui n'opte pas pour l'application de la règle simplifiée de limitation des avantages conformément au paragraphe 6, mais qui choisit d'appliquer les alinéas a) ou b) du paragraphe 7, notifie au Dépositaire l'alinéa choisi. La notification doit inclure la liste des Conventions fiscales couvertes qui contiennent une disposition décrite au paragraphe 14, en indiquant les numéros de l'article et du paragraphe de chaque disposition concernée, sauf si cette Partie a émis la réserve prévue à l'alinéa c) du paragraphe 15.
- e) Lorsque toutes les Juridictions contractantes ont formulé une notification prévue aux alinéas c) ou d) relative à une disposition d'une Convention fiscale couverte, cette disposition est remplacée par la règle simplifiée de limitation des avantages. Dans les autres cas, la règle simplifiée de limitation des avantages prévaut sur les dispositions des Conventions fiscales couvertes seulement dans la mesure où ces dispositions sont incompatibles avec la règle simplifiée de limitation des avantages.

Article 8 – Transactions relatives au transfert de dividendes

1. Les dispositions d'une Convention fiscale couverte qui prévoient une exemption d'impôt sur les dividendes payés par une société qui est un résident d'une Juridiction contractante ou qui limitent le taux d'imposition de ces dividendes, sous réserve que le bénéficiaire effectif ou le destinataire du paiement soit une société qui est un résident de l'autre Juridiction contractante et qui possède, détient ou contrôle, dans la société qui paie les dividendes, plus d'un certain montant du capital, des actions, des titres, des droits de vote ou des droits ou participations similaires, ne s'appliquent que si les conditions de détention énoncées dans ces dispositions sont satisfaites tout au long d'une période de 365 jours incluant le jour du paiement des dividendes (il n'est pas tenu compte, aux fins du calcul de cette période, des changements de détention qui résulteraient directement d'une réorganisation, telle qu'une fusion ou une scission de la société qui détient les actions ou qui paie les dividendes).

2. La période minimale de détention prévue au paragraphe 1 s'applique à la place ou en l'absence d'une période minimale de détention dans les dispositions d'une Convention fiscale couverte décrites au paragraphe 1.

3. Une Partie peut se réserver le droit :

- a) de ne pas appliquer l'intégralité du présent article à ses Conventions fiscales couvertes ;
- b) de ne pas appliquer l'intégralité du présent article à ses Conventions fiscales couvertes dans la mesure où les dispositions mentionnées au paragraphe 1 prévoient déjà :
 - i) une période minimale de détention ;
 - ii) une période minimale de détention inférieure à 365 jours ; ou
 - iii) une période minimale de détention supérieure à 365 jours.

4. Each Party that has not made a reservation described in subparagraph a) of paragraph 3 shall notify the Depositary of whether each of its Covered Tax Agreements contains a provision described in paragraph 1 that is not subject to a reservation described in subparagraph b) of paragraph 3, and if so, the article and paragraph number of each such provision. Paragraph 1 shall apply with respect to a provision of a Covered Tax Agreement only where all Contracting Jurisdictions have made such a notification with respect to that provision.

Article 9 – Capital Gains from Alienation of Shares or Interests of Entities Deriving their Value Principally from Immovable Property

1. Provisions of a Covered Tax Agreement providing that gains derived by a resident of a Contracting Jurisdiction from the alienation of shares or other rights of participation in an entity may be taxed in the other Contracting Jurisdiction provided that these shares or rights derived more than a certain part of their value from immovable property (real property) situated in that other Contracting Jurisdiction (or provided that more than a certain part of the property of the entity consists of such immovable property (real property)):

- a) shall apply if the relevant value threshold is met at any time during the 365 days preceding the alienation; and
- b) shall apply to shares or comparable interests, such as interests in a partnership or trust (to the extent that such shares or interests are not already covered) in addition to any shares or rights already covered by the provisions.

2. The period provided in subparagraph a) of paragraph 1 shall apply in place of or in the absence of a time period for determining whether the relevant value threshold in provisions of a Covered Tax Agreement described in paragraph 1 was met.

3. A Party may also choose to apply paragraph 4 with respect to its Covered Tax Agreements.

4. For purposes of a Covered Tax Agreement, gains derived by a resident of a Contracting Jurisdiction from the alienation of shares or comparable interests, such as interests in a partnership or trust, may be taxed in the other Contracting Jurisdiction if, at any time during the 365 days preceding the alienation, these shares or comparable interests derived more than 50 per cent of their value directly or indirectly from immovable property (real property) situated in that other Contracting Jurisdiction.

5. Paragraph 4 shall apply in place of or in the absence of provisions of a Covered Tax Agreement providing that gains derived by a resident of a Contracting Jurisdiction from the alienation of shares or other rights of participation in an entity may be taxed in the other Contracting Jurisdiction provided that these shares or rights derived more than a certain part of their value from immovable property (real property) situated in that other Contracting Jurisdiction, or provided that more than a certain part of the property of the entity consists of such immovable property (real property).

4. Toute Partie qui n'a pas émis de réserve prévue à l'alinéa a) du paragraphe 3 notifie au Dépositaire les Conventions fiscales couvertes qui contiennent une disposition décrite au paragraphe 1 et qui ne font pas l'objet d'une réserve prévue à l'alinéa b) du paragraphe 3, en indiquant les numéros de l'article et du paragraphe de chaque disposition concernée. Le paragraphe 1 s'applique à une disposition d'une Convention fiscale couverte seulement lorsque toutes les Juridictions contractantes ayant conclu une Convention fiscale couverte ont formulé une telle notification relative à la disposition concernée.

Article 9 – Gains en capital tirés de l'aliénation d'actions, de droits ou de participations dans des entités tirant leur valeur principalement de biens immobiliers

1. Les dispositions d'une Convention fiscale couverte qui prévoient que les gains qu'un résident d'une Juridiction contractante tire de l'aliénation d'actions ou d'autres droits ou participations dans une entité sont imposables dans l'autre Juridiction contractante à condition que ces actions, droits ou participations tirent plus d'une certaine partie de leur valeur de biens immobiliers (immeubles) situés dans cette autre Juridiction (ou qui prévoient que plus d'une certaine partie des biens de l'entité soit constituée de tels biens immobiliers (immeubles)) :

- a) s'appliquent si le seuil de valeur pertinent est atteint à un moment donné au cours des 365 jours qui précèdent l'aliénation ; et
- b) s'appliquent à des actions ou à des droits ou participations similaires, tels que des droits ou participations dans une société de personnes, une fiducie (ou un trust) (dans la mesure où ces actions, droits ou participations ne sont pas déjà couverts), en plus des actions, droits ou participations déjà couverts par les dispositions.

2. La période prévue à l'alinéa a) du paragraphe 1 s'applique à la place ou en l'absence d'une période définie pour déterminer si le seuil de valeur pertinent prévu par les dispositions d'une Convention fiscale couverte mentionnées au paragraphe 1 a été atteint.

3. Une Partie peut également choisir d'appliquer le paragraphe 4 à ses Conventions fiscales couvertes.

4. Pour l'application d'une Convention fiscale couverte, les gains qu'un résident d'une Juridiction contractante tire de l'aliénation d'actions ou de droits ou participations similaires, tels que des droits ou participations dans une société de personnes, une fiducie (ou un trust), sont imposables dans l'autre Juridiction contractante si, à tout moment au cours des 365 jours qui précèdent l'aliénation, ces actions, droits ou participations similaires tirent directement ou indirectement plus de 50 pour cent de leur valeur de biens immobiliers (immeubles) situés dans cette autre Juridiction contractante.

5. Le paragraphe 4 s'applique à la place ou en l'absence de dispositions d'une Convention fiscale couverte qui prévoient que les gains qu'un résident d'une Juridiction contractante tire de l'aliénation d'actions ou d'autres droits ou participations dans une entité sont imposables dans l'autre Juridiction contractante à condition que ces actions, droits ou participations tirent plus d'une certaine partie de leur valeur de biens immobiliers (immeubles) situés dans cette autre Juridiction Contractante, ou que plus d'une certaine partie de la propriété de l'entité soit constituée de tels biens immobiliers (immeubles).

6. A Party may reserve the right:
- a) for paragraph 1 not to apply to its Covered Tax Agreements;
 - b) for subparagraph a) of paragraph 1 not to apply to its Covered Tax Agreements;
 - c) for subparagraph b) of paragraph 1 not to apply to its Covered Tax Agreements;
 - d) for subparagraph a) of paragraph 1 not to apply to its Covered Tax Agreements that already contain a provision of the type described in paragraph 1 that includes a period for determining whether the relevant value threshold was met;
 - e) for subparagraph b) of paragraph 1 not to apply to its Covered Tax Agreements that already contain a provision of the type described in paragraph 1 that applies to the alienation of interests other than shares;
 - f) for paragraph 4 not to apply to its Covered Tax Agreements that already contain the provisions described in paragraph 5.
7. Each Party that has not made the reservation described in subparagraph a) of paragraph 6 shall notify the Depositary of whether each of its Covered Tax Agreements contains a provision described in paragraph 1, and if so, the article and paragraph number of each such provision. Paragraph 1 shall apply with respect to a provision of a Covered Tax Agreement only where all Contracting Jurisdictions have made a notification with respect to that provision.
8. Each Party that chooses to apply paragraph 4 shall notify the Depositary of its choice. Paragraph 4 shall apply to a Covered Tax Agreement only where all Contracting Jurisdictions have made such a notification. In such case, paragraph 1 shall not apply with respect to that Covered Tax Agreement. In the case of a Party that has not made the reservation described in subparagraph f) of paragraph 6 and has made the reservation described in subparagraph a) of paragraph 6, such notification shall also include the list of its Covered Tax Agreements which contain a provision described in paragraph 5, as well as the article and paragraph number of each such provision. Where all Contracting Jurisdictions have made a notification with respect to a provision of a Covered Tax Agreement under this paragraph or paragraph 7, that provision shall be replaced by the provisions of paragraph 4. In other cases, paragraph 4 shall supersede the provisions of the Covered Tax Agreement only to the extent that those provisions are incompatible with paragraph 4.

Article 10 – Anti-abuse Rule for Permanent Establishments Situated in Third Jurisdictions

1. Where:
- a) an enterprise of a Contracting Jurisdiction to a Covered Tax Agreement derives income from the other Contracting Jurisdiction and the first-mentioned Contracting Jurisdiction treats such income as attributable to a permanent establishment of the enterprise situated in a third jurisdiction; and
 - b) the profits attributable to that permanent establishment are exempt from tax in the first-mentioned Contracting Jurisdiction,

the benefits of the Covered Tax Agreement shall not apply to any item of income on which the tax in the third jurisdiction is less than 60 per cent of the tax that would be imposed in the first-mentioned Contracting Jurisdiction on that item of income if that permanent establishment were situated in the first-mentioned Contracting Jurisdiction. In such a case, any income to which the provisions of this paragraph apply shall remain taxable according to the domestic law of the other Contracting Jurisdiction, notwithstanding any other provisions of the Covered Tax Agreement.

6. Une Partie peut se réserver le droit :

- a) de ne pas appliquer le paragraphe 1 à ses Conventions fiscales couvertes ;
- b) de ne pas appliquer l'alinéa a) du paragraphe 1 à ses Conventions fiscales couvertes ;
- c) de ne pas appliquer l'alinéa b) du paragraphe 1 à ses Conventions fiscales couvertes ;
- d) de ne pas appliquer l'alinéa a) du paragraphe 1 à ses Conventions fiscales couvertes qui contiennent déjà une disposition telle que décrite au paragraphe 1 qui prévoit une période visant à déterminer si le seuil de valeur pertinent a été atteint ;
- e) de ne pas appliquer l'alinéa b) du paragraphe 1 à ses Conventions fiscales couvertes qui contiennent déjà une disposition telle que décrite au paragraphe 1 qui s'applique à l'aliénation de droits ou participations autres que des actions ;
- f) de ne pas appliquer le paragraphe 4 à ses Conventions fiscales couvertes qui contiennent déjà les dispositions décrites au paragraphe 5.

7. Toute Partie qui n'a pas émis la réserve prévue à l'alinéa a) du paragraphe 6 notifie au Dépositaire les Conventions fiscales couvertes qui contiennent une disposition décrite au paragraphe 1, en indiquant les numéros de l'article et du paragraphe de chaque disposition concernée. Le paragraphe 1 ne s'applique à l'égard d'une disposition d'une Convention fiscale couverte que lorsque toutes les Juridictions Contractantes ont formulé une notification y afférente.

8. Toute Partie qui choisit d'appliquer le paragraphe 4 du présent article notifie son choix au Dépositaire. Le paragraphe 4 ne s'applique à une Convention fiscale couverte que si l'ensemble des Juridictions contractantes le choisit. Dans ce cas, le paragraphe 1 ne s'applique pas à cette Convention fiscale couverte. Dans le cas d'une Partie qui n'a pas émis la réserve prévue à l'alinéa f) du paragraphe 6 et qui a émis la réserve prévue à l'alinéa a) du paragraphe 6, cette notification inclut également la liste des Conventions fiscales couvertes qui contiennent une disposition décrite au paragraphe 5, en indiquant les numéros de l'article et du paragraphe de chaque disposition concernée. Lorsque toutes les Juridictions contractantes ayant conclu une Convention fiscale couverte ont formulé une notification relative à une disposition de la Convention fiscale couverte conformément au présent paragraphe ou au paragraphe 7, celle-ci est remplacée par les dispositions du paragraphe 4. Dans les autres cas, le paragraphe 4 prévaut sur les dispositions des Conventions fiscales couvertes seulement dans la mesure où ces dispositions sont incompatibles avec le paragraphe 4.

Article 10 – Règle anti-abus visant les établissements stables situés dans des juridictions tierces

1. Lorsque :

- a) une entreprise d'une Juridiction contractante ayant conclu une Convention fiscale couverte tire un revenu de l'autre Juridiction contractante et que la première Juridiction contractante considère ce revenu comme étant attribuable à un établissement stable de cette entreprise situé dans une juridiction tierce ; et que
- b) les bénéfices attribuables à cet établissement stable sont exonérés d'impôt dans la première Juridiction contractante,

les avantages accordés par la Convention fiscale couverte ne s'appliquent pas à tout élément de revenu au titre duquel l'impôt dans la juridiction tierce est inférieur à 60 pour cent de l'impôt qui serait dû dans la première Juridiction contractante sur cet élément de revenu si cet établissement stable était situé dans la première Juridiction contractante. Dans ce cas, tout élément de revenu auquel s'appliquent les dispositions du présent paragraphe reste imposable conformément à la législation de l'autre Juridiction contractante, nonobstant toute autre disposition de la Convention fiscale couverte.

2. Paragraph 1 shall not apply if the income derived from the other Contracting Jurisdiction described in paragraph 1 is derived in connection with or is incidental to the active conduct of a business carried on through the permanent establishment (other than the business of making, managing or simply holding investments for the enterprise's own account, unless these activities are banking, insurance or securities activities carried on by a bank, insurance enterprise or registered securities dealer, respectively).

3. If benefits under a Covered Tax Agreement are denied pursuant to paragraph 1 with respect to an item of income derived by a resident of a Contracting Jurisdiction, the competent authority of the other Contracting Jurisdiction may, nevertheless, grant these benefits with respect to that item of income if, in response to a request by such resident, such competent authority determines that granting such benefits is justified in light of the reasons such resident did not satisfy the requirements of paragraphs 1 and 2. The competent authority of the Contracting Jurisdiction to which a request has been made under the preceding sentence by a resident of the other Contracting Jurisdiction shall consult with the competent authority of that other Contracting Jurisdiction before either granting or denying the request.

4. Paragraphs 1 through 3 shall apply in place of or in the absence of provisions of a Covered Tax Agreement that deny or limit benefits that would otherwise be granted to an enterprise of a Contracting Jurisdiction which derives income from the other Contracting Jurisdiction that is attributable to a permanent establishment of the enterprise situated in a third jurisdiction.

5. A Party may reserve the right:

- a) for the entirety of this Article not to apply to its Covered Tax Agreements;
- b) for the entirety of this Article not to apply to its Covered Tax Agreements that already contain the provisions described in paragraph 4;
- c) for this Article to apply only to its Covered Tax Agreements that already contain the provisions described in paragraph 4.

6. Each Party that has not made the reservation described in subparagraph a) or b) of paragraph 5 shall notify the Depositary of whether each of its Covered Tax Agreements contains a provision described in paragraph 4, and if so, the article and paragraph number of each such provision. Where all Contracting Jurisdictions have made such a notification with respect to a provision of a Covered Tax Agreement, that provision shall be replaced by the provisions of paragraphs 1 through 3. In other cases, paragraphs 1 through 3 shall supersede the provisions of the Covered Tax Agreement only to the extent that those provisions are incompatible with those paragraphs.

Article 11 – Application of Tax Agreements to Restrict a Party's Right to Tax its Own Residents

1. A Covered Tax Agreement shall not affect the taxation by a Contracting Jurisdiction of its residents, except with respect to the benefits granted under provisions of the Covered Tax Agreement:

- a) which require that Contracting Jurisdiction to grant to an enterprise of that Contracting Jurisdiction a correlative or corresponding adjustment following an initial adjustment made by the other Contracting Jurisdiction, in accordance with the Covered Tax Agreement, to the amount of tax charged in the first-mentioned Contracting Jurisdiction on the profits of a permanent establishment of the enterprise or the profits of an associated enterprise;

2. Le paragraphe 1 ne s'applique pas si le revenu tiré de l'autre Juridiction contractante tel qu'il est décrit dans le paragraphe 1 est lié ou constitue un élément annexe ou accessoire à l'exercice effectif d'une activité d'entreprise exercée par l'intermédiaire de l'établissement stable (autre que l'activité consistant à réaliser, gérer ou simplement détenir des placements pour le compte de l'entreprise, à moins qu'il ne s'agisse d'activités bancaires, d'assurance ou d'activités portant sur des valeurs mobilières exercées respectivement par une banque, une compagnie d'assurance ou un opérateur sur titres agréé).

3. Si les avantages prévus par une Convention fiscale couverte sont refusés en vertu du paragraphe 1 pour un élément de revenu tiré par un résident d'une Juridiction contractante, l'autorité compétente de l'autre Juridiction contractante peut néanmoins accorder ces avantages pour cet élément de revenu si, en réponse à une demande de ce résident, cette autorité compétente considère que l'octroi de ces avantages est justifié au regard des motifs pour lesquels ce résident n'a pas satisfait les conditions des paragraphes 1 et 2. L'autorité compétente de la Juridiction contractante à laquelle une demande a été faite en vertu de la phrase précédente par un résident de l'autre Juridiction contractante consulte l'autorité compétente de cette autre Juridiction contractante avant d'accepter ou de rejeter la demande.

4. Les paragraphes 1 à 3 s'appliquent à la place ou en l'absence de dispositions d'une Convention fiscale couverte qui refusent ou limitent les avantages qui seraient octroyés à une entreprise d'une Juridiction contractante qui tire un revenu de l'autre Juridiction contractante qui est attribuable à un établissement stable de cette entreprise situé dans une juridiction tierce.

5. Une Partie peut se réserver le droit :

- a) de ne pas appliquer l'intégralité du présent article à ses Conventions fiscales couvertes ;
- b) de ne pas appliquer l'intégralité du présent article à ses Conventions fiscales couvertes qui contiennent déjà les dispositions mentionnées au paragraphe 4 ;
- c) d'appliquer le présent article uniquement à ses Conventions fiscales couvertes qui contiennent déjà les dispositions mentionnées au paragraphe 4.

6. Toute Partie qui n'a pas émis de réserve prévue aux alinéas a) ou b) du paragraphe 5 notifie au Dépositaire les Conventions fiscales couvertes qui contiennent une disposition décrite au paragraphe 4, en indiquant les numéros de l'article et du paragraphe de chaque disposition concernée. Lorsque toutes les Juridictions contractantes ont formulé une telle notification à l'égard d'une disposition d'une Convention fiscale couverte, cette disposition est remplacée par celles des paragraphes 1 à 3. Dans les autres cas, les paragraphes 1 à 3 prévalent sur les dispositions des Conventions fiscales couvertes seulement dans la mesure où ces dispositions sont incompatibles avec ces paragraphes.

Article 11 – Application des conventions fiscales pour limiter le droit d'une Partie d'imposer ses propres résidents

1. Une Convention fiscale couverte n'affecte pas l'imposition par une Juridiction contractante de ses résidents, sauf en ce qui concerne les avantages accordés en vertu de dispositions de cette Convention fiscale couverte :

- a) qui prévoient qu'une Juridiction contractante accorde à une entreprise de cette Juridiction un ajustement corrélatif après un ajustement initial auquel a procédé l'autre Juridiction contractante, conformément à la Convention fiscale couverte, du montant de l'impôt perçu dans la première Juridiction contractante sur les bénéfices d'un établissement stable de l'entreprise ou sur les bénéfices d'une entreprise associée ;

- b) which may affect how that Contracting Jurisdiction taxes an individual who is a resident of that Contracting Jurisdiction if that individual derives income in respect of services rendered to the other Contracting Jurisdiction or a political subdivision or local authority or other comparable body thereof;
- c) which may affect how that Contracting Jurisdiction taxes an individual who is a resident of that Contracting Jurisdiction if that individual is also a student, business apprentice or trainee, or a teacher, professor, lecturer, instructor, researcher or research scholar who meets the conditions of the Covered Tax Agreement;
- d) which require that Contracting Jurisdiction to provide a tax credit or tax exemption to residents of that Contracting Jurisdiction with respect to the income that the other Contracting Jurisdiction may tax in accordance with the Covered Tax Agreement (including profits that are attributable to a permanent establishment situated in that other Contracting Jurisdiction in accordance with the Covered Tax Agreement);
- e) which protect residents of that Contracting Jurisdiction against certain discriminatory taxation practices by that Contracting Jurisdiction;
- f) which allow residents of that Contracting Jurisdiction to request that the competent authority of that or either Contracting Jurisdiction consider cases of taxation not in accordance with the Covered Tax Agreement;
- g) which may affect how that Contracting Jurisdiction taxes an individual who is a resident of that Contracting Jurisdiction when that individual is a member of a diplomatic mission, government mission or consular post of the other Contracting Jurisdiction;
- h) which provide that pensions or other payments made under the social security legislation of the other Contracting Jurisdiction shall be taxable only in that other Contracting Jurisdiction;
- i) which provide that pensions and similar payments, annuities, alimony payments or other maintenance payments arising in the other Contracting Jurisdiction shall be taxable only in that other Contracting Jurisdiction; or
- j) which otherwise expressly limit a Contracting Jurisdiction's right to tax its own residents or provide expressly that the Contracting Jurisdiction in which an item of income arises has the exclusive right to tax that item of income.

2. Paragraph 1 shall apply in place of or in the absence of provisions of a Covered Tax Agreement stating that the Covered Tax Agreement would not affect the taxation by a Contracting Jurisdiction of its residents.

3. A Party may reserve the right:

- a) for the entirety of this Article not to apply to its Covered Tax Agreements;
- b) for the entirety of this Article not to apply to its Covered Tax Agreements that already contain the provisions described in paragraph 2.

4. Each Party that has not made the reservation described in subparagraph a) or b) of paragraph 3 shall notify the Depositary of whether each of its Covered Tax Agreements contains a provision described in paragraph 2, and if so, the article and paragraph number of each such provision. Where all Contracting Jurisdictions have made such a notification with respect to a provision of a Covered Tax Agreement, that provision shall be replaced by the provisions of paragraph 1. In other cases, paragraph 1 shall supersede the provisions of the Covered Tax Agreement only to the extent that those provisions are incompatible with paragraph 1.

- b) qui peuvent affecter la manière dont cette Juridiction contractante impose une personne physique qui est un résident de cette Juridiction contractante si cette personne tire un revenu au titre de services rendus à l'autre Juridiction contractante ou à l'une de ses subdivisions politiques, collectivités locales ou autres institutions comparables ;
 - c) qui peuvent affecter la manière dont cette Juridiction contractante impose une personne physique qui est un résident de cette Juridiction Contractante si cette personne est également un étudiant, apprenti ou stagiaire, ou un enseignant, professeur, conférencier, instructeur, chercheur ou maître de recherche qui remplit les conditions de la Convention fiscale couverte ;
 - d) qui prévoient que cette Juridiction contractante accorde un crédit d'impôt ou une exemption d'impôt aux résidents de cette Juridiction contractante au titre de revenus que l'autre Juridiction contractante peut imposer conformément à la Convention fiscale couverte (y compris les bénéfices attribuables à un établissement stable situé dans cette autre Juridiction contractante conformément à la Convention fiscale couverte) ;
 - e) qui protègent les résidents de cette Juridiction contractante contre certaines pratiques de discrimination fiscale appliquées par cette Juridiction contractante ;
 - f) qui permettent aux résidents de cette Juridiction contractante de demander que l'autorité compétente de cette Juridiction contractante ou de l'une ou l'autre des Juridictions contractantes, examine les cas d'imposition non conformes à la Convention fiscale couverte ;
 - g) qui peuvent affecter l'imposition par cette Juridiction contractante d'une personne physique qui est un résident de cette Juridiction contractante lorsque cette personne est un membre d'une mission diplomatique, d'une mission gouvernementale ou d'un poste consulaire de l'autre Juridiction contractante ;
 - h) qui prévoient que les pensions ou autres sommes payées en application de la législation de l'autre Juridiction contractante en matière de sécurité sociale ne sont imposables que dans cette autre Juridiction contractante ;
 - i) qui prévoient que les pensions et paiements similaires, rentes, pensions alimentaires ou autres allocations d'entretien provenant de l'autre Juridiction contractante ne sont imposables que dans cette autre Juridiction contractante ; ou
 - j) qui limitent expressément le droit d'une Juridiction contractante d'imposer ses propres résidents ou qui prévoient expressément qu'une Juridiction contractante d'où provient un élément de revenu a le droit exclusif d'imposer cet élément de revenu.
2. Le paragraphe 1 s'applique à la place ou en l'absence de dispositions d'une Convention fiscale couverte prévoyant que la présente Convention n'affecterait pas l'imposition par une Juridiction contractante de ses résidents.
3. Une Partie peut se réserver le droit :
- a) de ne pas appliquer l'intégralité du présent article à ses Conventions fiscales couvertes ;
 - b) de ne pas appliquer l'intégralité du présent article à ses Conventions fiscales couvertes qui contiennent déjà les dispositions décrites au paragraphe 2.
4. Toute Partie qui n'a pas émis de réserve prévue aux alinéas a) ou b) du paragraphe 3 notifie au Dépositaire les Conventions fiscales couvertes qui contiennent des dispositions décrites au paragraphe 2, en indiquant les numéros de l'article et du paragraphe de chaque disposition concernée. Lorsque toutes les Juridictions contractantes d'une Convention fiscale couverte ont formulé une telle notification à l'égard d'une disposition d'une Convention fiscale couverte, cette disposition est remplacée par le paragraphe 1. Dans les autres cas, le paragraphe 1 prévaut sur les dispositions des Conventions fiscales couvertes seulement dans la mesure où ces dispositions sont incompatibles avec le paragraphe 1.

PART IV.**AVOIDANCE OF PERMANENT ESTABLISHMENT STATUS*****Article 12 – Artificial Avoidance of Permanent Establishment Status through Commissionnaire Arrangements and Similar Strategies***

1. Notwithstanding the provisions of a Covered Tax Agreement that define the term “permanent establishment”, but subject to paragraph 2, where a person is acting in a Contracting Jurisdiction to a Covered Tax Agreement on behalf of an enterprise and, in doing so, habitually concludes contracts, or habitually plays the principal role leading to the conclusion of contracts that are routinely concluded without material modification by the enterprise, and these contracts are:

- a) in the name of the enterprise; or
- b) for the transfer of the ownership of, or for the granting of the right to use, property owned by that enterprise or that the enterprise has the right to use; or
- c) for the provision of services by that enterprise,

that enterprise shall be deemed to have a permanent establishment in that Contracting Jurisdiction in respect of any activities which that person undertakes for the enterprise unless these activities, if they were exercised by the enterprise through a fixed place of business of that enterprise situated in that Contracting Jurisdiction, would not cause that fixed place of business to be deemed to constitute a permanent establishment under the definition of permanent establishment included in the Covered Tax Agreement (as it may be modified by this Convention).

2. Paragraph 1 shall not apply where the person acting in a Contracting Jurisdiction to a Covered Tax Agreement on behalf of an enterprise of the other Contracting Jurisdiction carries on business in the first-mentioned Contracting Jurisdiction as an independent agent and acts for the enterprise in the ordinary course of that business. Where, however, a person acts exclusively or almost exclusively on behalf of one or more enterprises to which it is closely related, that person shall not be considered to be an independent agent within the meaning of this paragraph with respect to any such enterprise.

- 3. a) Paragraph 1 shall apply in place of provisions of a Covered Tax Agreement that describe the conditions under which an enterprise shall be deemed to have a permanent establishment in a Contracting Jurisdiction (or a person shall be deemed to be a permanent establishment in a Contracting Jurisdiction) in respect of an activity which a person other than an agent of an independent status undertakes for the enterprise, but only to the extent that such provisions address the situation in which such person has, and habitually exercises, in that Contracting Jurisdiction an authority to conclude contracts in the name of the enterprise.
- b) Paragraph 2 shall apply in place of provisions of a Covered Tax Agreement that provide that an enterprise shall not be deemed to have a permanent establishment in a Contracting Jurisdiction in respect of an activity which an agent of an independent status undertakes for the enterprise.

4. A Party may reserve the right for the entirety of this Article not to apply to its Covered Tax Agreements.

PARTIE IV.**MESURES VISANT À ÉVITER LE STATUT D'ÉTABLISSEMENT STABLE*****Article 12 – Mesures visant à éviter artificiellement le statut d'établissement stable par des accords de commissionnaire et autres stratégies similaires***

1. Nonobstant les dispositions d'une Convention fiscale couverte qui définissent l'expression « établissement stable » mais sous réserve du paragraphe 2, lorsqu'une personne agit dans une Juridiction contractante ayant conclu une Convention fiscale couverte, pour le compte d'une entreprise et, ce faisant, conclut habituellement des contrats ou joue habituellement le rôle principal menant à la conclusion de contrats qui, de façon routinière, sont conclus sans modification importante par l'entreprise, et que ces contrats sont :

- a) au nom de l'entreprise ; ou
- b) pour le transfert de la propriété de biens appartenant à cette entreprise ou pour la concession du droit d'utiliser de tels biens ou des biens que l'entreprise a le droit d'utiliser ; ou
- c) pour la prestation de services par cette entreprise,

cette entreprise est considérée comme ayant un établissement stable dans cette Juridiction contractante pour toutes les activités que cette personne exerce pour l'entreprise, à moins que ces activités, si elles étaient exercées par l'entreprise par l'intermédiaire d'une installation fixe d'affaires de cette entreprise située dans cette Juridiction contractante, ne conduiraient pas à considérer cette installation fixe d'affaires comme un établissement stable, selon la définition d'établissement stable contenue dans la Convention fiscale couverte (telle que susceptible d'être modifiée par la présente Convention).

2. Le paragraphe 1 ne s'applique pas lorsque la personne qui agit dans une Juridiction contractante ayant conclu une Convention fiscale couverte, pour le compte d'une entreprise de l'autre Juridiction contractante exerce dans la première Juridiction contractante une activité d'entreprise comme agent indépendant et agit pour l'entreprise dans le cadre ordinaire de cette activité. Toutefois, lorsqu'une personne agit exclusivement ou presque exclusivement pour le compte d'une ou de plusieurs entreprises auxquelles elle est étroitement liée, cette personne n'est pas considérée comme un agent indépendant au sens du présent paragraphe en ce qui concerne chacune de ces entreprises.

- 3. a) Le paragraphe 1 s'applique à la place des dispositions d'une Convention fiscale couverte qui énoncent les conditions dans lesquelles une entreprise est considérée comme ayant un établissement stable dans une Juridiction contractante (ou qu'une personne est considérée comme étant un établissement stable dans une Juridiction contractante) pour une activité qu'une personne autre qu'un agent jouissant d'un statut indépendant exerce pour l'entreprise, mais uniquement dans la mesure où ces dispositions traitent de la situation dans laquelle cette personne dispose, dans cette Juridiction contractante, de pouvoirs qu'elle y exerce habituellement lui permettant de conclure des contrats au nom de l'entreprise.
- b) Le paragraphe 2 s'applique à la place des dispositions d'une Convention fiscale couverte qui prévoient qu'une entreprise n'est pas considérée comme ayant un établissement stable dans une Juridiction contractante pour une activité qu'un agent jouissant d'un statut indépendant exerce pour l'entreprise.

4. Une Partie peut se réserver le droit de ne pas appliquer l'intégralité du présent article à ses Conventions fiscales couvertes.

5. Each Party that has not made a reservation described in paragraph 4 shall notify the Depositary of whether each of its Covered Tax Agreements contains a provision described in subparagraph a) of paragraph 3, as well as the article and paragraph number of each such provision. Paragraph 1 shall apply with respect to a provision of a Covered Tax Agreement only where all Contracting Jurisdictions have made a notification with respect to that provision.

6. Each Party that has not made a reservation described in paragraph 4 shall notify the Depositary of whether each of its Covered Tax Agreements contains a provision described in subparagraph b) of paragraph 3, as well as the article and paragraph number of each such provision. Paragraph 2 shall apply with respect to a provision of a Covered Tax Agreement only where all Contracting Jurisdictions have made such a notification with respect to that provision.

Article 13 – Artificial Avoidance of Permanent Establishment Status through the Specific Activity Exemptions

1. A Party may choose to apply paragraph 2 (Option A) or paragraph 3 (Option B) or to apply neither Option.

Option A

2. Notwithstanding the provisions of a Covered Tax Agreement that define the term “permanent establishment”, the term “permanent establishment” shall be deemed not to include:

- a) the activities specifically listed in the Covered Tax Agreement (prior to modification by this Convention) as activities deemed not to constitute a permanent establishment, whether or not that exception from permanent establishment status is contingent on the activity being of a preparatory or auxiliary character;
- b) the maintenance of a fixed place of business solely for the purpose of carrying on, for the enterprise, any activity not described in subparagraph a);
- c) the maintenance of a fixed place of business solely for any combination of activities mentioned in subparagraphs a) and b),

provided that such activity or, in the case of subparagraph c), the overall activity of the fixed place of business, is of a preparatory or auxiliary character.

Option B

3. Notwithstanding the provisions of a Covered Tax Agreement that define the term “permanent establishment”, the term “permanent establishment” shall be deemed not to include:

- a) the activities specifically listed in the Covered Tax Agreement (prior to modification by this Convention) as activities deemed not to constitute a permanent establishment, whether or not that exception from permanent establishment status is contingent on the activity being of a preparatory or auxiliary character, except to the extent that the relevant provision of the Covered Tax Agreement provides explicitly that a specific activity shall be deemed not to constitute a permanent establishment provided that the activity is of a preparatory or auxiliary character;
- b) the maintenance of a fixed place of business solely for the purpose of carrying on, for the enterprise, any activity not described in subparagraph a), provided that this activity is of a preparatory or auxiliary character;

5. Toute Partie qui n'a pas émis de réserve prévue au paragraphe 4 notifie au Dépositaire les Conventions fiscales couvertes qui contiennent une disposition décrite à l'alinéa a) du paragraphe 3, en indiquant les numéros de l'article et du paragraphe de chaque disposition concernée. Le paragraphe 1 s'applique à une disposition d'une Convention fiscale couverte lorsque toutes les Juridictions contractantes ayant conclu une Convention fiscale couverte ont formulé une notification relative de cette disposition.

6. Toute Partie qui n'a pas émis de réserve prévue au paragraphe 4 notifie au Dépositaire les Conventions fiscales couvertes qui contiennent une disposition décrite à l'alinéa b) du paragraphe 3, en indiquant les numéros de l'article et du paragraphe de chaque disposition concernée. Le paragraphe 2 s'applique à une disposition d'une Convention fiscale couverte lorsque toutes les Juridictions contractantes ayant conclu une Convention fiscale couverte ont formulé une telle notification relative à cette disposition.

Article 13 – Mesures visant à éviter artificiellement le statut d'établissement stable par le recours aux exceptions applicables à certaines activités spécifiques

1. Une Partie peut choisir d'appliquer le paragraphe 2 (Option A) ou le paragraphe 3 (Option B) ou de n'appliquer aucune de ces options.

Option A

2. Nonobstant les dispositions d'une Convention fiscale couverte qui définissent l'expression « établissement stable », on considère qu'il n'y a pas d'« établissement stable » dans les cas suivants :

- a) les activités spécifiquement énumérées dans la Convention fiscale couverte (avant qu'elle ne soit modifiée par la présente Convention) et considérées comme ne constituant pas un établissement stable, que cette exception relative au statut d'établissement stable soit ou non subordonnée au fait que l'activité revête un caractère préparatoire ou auxiliaire ;
- b) une installation fixe d'affaires utilisée aux seules fins d'exercer, pour l'entreprise, toute activité non visée à l'alinéa a) ;
- c) une installation fixe d'affaires utilisée aux seules fins de l'exercice cumulé d'activités visées aux alinéas a) et b),

à condition que l'activité concernée ou, dans le cas de l'alinéa c), l'activité d'ensemble de l'installation fixe d'affaires, revête un caractère préparatoire ou auxiliaire.

Option B

3. Nonobstant les dispositions d'une Convention fiscale couverte qui définissent l'expression « établissement stable », on considère qu'il n'y a pas d'« établissement stable » dans les cas suivants :

- a) les activités spécifiquement énumérées dans la Convention fiscale couverte (avant qu'elle ne soit modifiée par la présente Convention) et considérées comme ne constituant pas un établissement stable, que cette exception relative au statut d'établissement stable soit ou non subordonnée au fait que l'activité revête un caractère préparatoire ou auxiliaire, sauf dans la mesure où la disposition de la Convention fiscale couverte prévoit expressément qu'une activité spécifique est considérée comme ne constituant pas un établissement stable si cette activité revêt un caractère préparatoire ou auxiliaire ;
- b) une installation fixe d'affaires utilisée aux seules fins d'exercer, pour l'entreprise, toute autre activité non visée à l'alinéa a), à condition qu'elle revête un caractère préparatoire ou auxiliaire ;

- c) the maintenance of a fixed place of business solely for any combination of activities mentioned in subparagraphs a) and b), provided that the overall activity of the fixed place of business resulting from this combination is of a preparatory or auxiliary character.

4. A provision of a Covered Tax Agreement (as it may be modified by paragraph 2 or 3) that lists specific activities deemed not to constitute a permanent establishment shall not apply to a fixed place of business that is used or maintained by an enterprise if the same enterprise or a closely related enterprise carries on business activities at the same place or at another place in the same Contracting Jurisdiction and:

- a) that place or other place constitutes a permanent establishment for the enterprise or the closely related enterprise under the provisions of a Covered Tax Agreement defining a permanent establishment; or
- b) the overall activity resulting from the combination of the activities carried on by the two enterprises at the same place, or by the same enterprise or closely related enterprises at the two places, is not of a preparatory or auxiliary character,

provided that the business activities carried on by the two enterprises at the same place, or by the same enterprise or closely related enterprises at the two places, constitute complementary functions that are part of a cohesive business operation.

- 5.
 - a) Paragraph 2 or 3 shall apply in place of the relevant parts of provisions of a Covered Tax Agreement that list specific activities that are deemed not to constitute a permanent establishment even if the activity is carried on through a fixed place of business (or provisions of a Covered Tax Agreement that operate in a comparable manner).
 - b) Paragraph 4 shall apply to provisions of a Covered Tax Agreement (as they may be modified by paragraph 2 or 3) that list specific activities that are deemed not to constitute a permanent establishment even if the activity is carried on through a fixed place of business (or provisions of a Covered Tax Agreement that operate in a comparable manner).
- 6. A Party may reserve the right:
 - a) for the entirety of this Article not to apply to its Covered Tax Agreements;
 - b) for paragraph 2 not to apply to its Covered Tax Agreements that explicitly state that a list of specific activities shall be deemed not to constitute a permanent establishment only if each of the activities is of a preparatory or auxiliary character;
 - c) for paragraph 4 not to apply to its Covered Tax Agreements.

7. Each Party that chooses to apply an Option under paragraph 1 shall notify the Depositary of its choice of Option. Such notification shall also include the list of its Covered Tax Agreements which contain a provision described in subparagraph a) of paragraph 5, as well as the article and paragraph number of each such provision. An Option shall apply with respect to a provision of a Covered Tax Agreement only where all Contracting Jurisdictions have chosen to apply the same Option and have made such a notification with respect to that provision.

- c) une installation fixe d'affaires utilisée aux seules fins de l'exercice cumulé d'activités visées aux alinéas a) et b) du présent paragraphe ; à condition que l'activité d'ensemble de l'installation fixe d'affaires résultant de ce cumul revête un caractère préparatoire ou auxiliaire.

4. Une disposition d'une Convention fiscale couverte (telle que susceptible d'être modifiée par le paragraphe 2 ou le paragraphe 3) qui énumère des activités spécifiques dont l'exercice est considéré comme ne constituant pas un établissement stable, ne s'applique pas à une installation fixe d'affaires utilisée ou détenue par une entreprise si la même entreprise ou une entreprise étroitement liée exerce des activités d'entreprise dans la même installation ou dans une autre installation dans la même Juridiction contractante et :

- a) lorsque l'une de ces installations constitue un établissement stable pour l'entreprise ou pour l'entreprise étroitement liée en vertu des dispositions de cette Convention fiscale couverte définissant un établissement stable ; ou
- b) lorsque l'activité d'ensemble résultant du cumul des activités exercées par les deux entreprises dans la même installation, ou par la même entreprise ou des entreprises étroitement liées dans les deux installations, ne revêt pas un caractère préparatoire ou auxiliaire,

à condition que les activités d'entreprise exercées par les deux entreprises dans la même installation, ou par la même entreprise ou des entreprises étroitement liées dans les deux installations, constituent des fonctions complémentaires qui s'inscrivent dans un ensemble cohérent d'activités d'entreprise.

- 5. a) Le paragraphe 2 ou le paragraphe 3 s'applique à la place des parties pertinentes des dispositions d'une Convention fiscale couverte qui énumèrent des activités spécifiques dont l'exercice est considéré comme ne constituant pas un établissement stable même si elles sont exercées par l'intermédiaire d'une installation fixe d'affaires (ou des dispositions d'une Convention fiscale couverte qui ont un effet comparable).
 - b) Le paragraphe 4 s'applique aux dispositions d'une Convention fiscale couverte (telles que susceptibles d'être modifiées par les paragraphes 2 ou 3) qui énumèrent des activités spécifiques dont l'exercice est considéré comme ne constituant pas un établissement stable même si elles sont exercées par l'intermédiaire d'une installation fixe d'affaires (ou des dispositions d'une Convention fiscale couverte qui ont un effet comparable).
6. Une Partie peut se réserver le droit :
- a) de ne pas appliquer l'intégralité du présent article à ses Conventions fiscales couvertes ;
 - b) de ne pas appliquer le paragraphe 2 à ses Conventions fiscales couvertes qui prévoient expressément une liste d'activités spécifiques qui doivent être considérées comme ne constituant pas un établissement stable uniquement si chacune de ces activités revêt un caractère préparatoire ou auxiliaire ;
 - c) de ne pas appliquer le paragraphe 4 à ses Conventions fiscales couvertes.

7. Toute Partie qui choisit d'appliquer une option en application du paragraphe 1 notifie au Dépositaire son choix d'option. Cette notification inclut également la liste des Conventions fiscales couvertes qui contiennent une disposition décrite à l'alinéa a) du paragraphe 5, ainsi que les numéros de l'article et du paragraphe de chaque disposition concernée. Une option ne s'applique à une disposition d'une Convention fiscale couverte que si toutes les Juridictions contractantes ont choisi d'appliquer la même option et ont formulé une telle notification relative à cette disposition.

8. Each Party that has not made a reservation described in subparagraph a) or c) of paragraph 6 and does not choose to apply an Option under paragraph 1 shall notify the Depositary of whether each of its Covered Tax Agreements contains a provision described in subparagraph b) of paragraph 5, as well as the article and paragraph number of each such provision. Paragraph 4 shall apply with respect to a provision of a Covered Tax Agreement only where all Contracting Jurisdictions have made a notification with respect to that provision under this paragraph or paragraph 7.

Article 14 – Splitting-up of Contracts

1. For the sole purpose of determining whether the period (or periods) referred to in a provision of a Covered Tax Agreement that stipulates a period (or periods) of time after which specific projects or activities shall constitute a permanent establishment has been exceeded:

- a) where an enterprise of a Contracting Jurisdiction carries on activities in the other Contracting Jurisdiction at a place that constitutes a building site, construction project, installation project or other specific project identified in the relevant provision of the Covered Tax Agreement, or carries on supervisory or consultancy activities in connection with such a place, in the case of a provision of a Covered Tax Agreement that refers to such activities, and these activities are carried on during one or more periods of time that, in the aggregate, exceed 30 days without exceeding the period or periods referred to in the relevant provision of the Covered Tax Agreement; and
- b) where connected activities are carried on in that other Contracting Jurisdiction at (or, where the relevant provision of the Covered Tax Agreement applies to supervisory or consultancy activities, in connection with) the same building site, construction or installation project, or other place identified in the relevant provision of the Covered Tax Agreement during different periods of time, each exceeding 30 days, by one or more enterprises closely related to the first-mentioned enterprise,

these different periods of time shall be added to the aggregate period of time during which the first-mentioned enterprise has carried on activities at that building site, construction or installation project, or other place identified in the relevant provision of the Covered Tax Agreement.

2. Paragraph 1 shall apply in place of or in the absence of provisions of a Covered Tax Agreement to the extent that such provisions address the division of contracts into multiple parts to avoid the application of a time period or periods in relation to the existence of a permanent establishment for specific projects or activities described in paragraph 1.

3. A Party may reserve the right:

- a) for the entirety of this Article not to apply to its Covered Tax Agreements;
- b) for the entirety of this Article not to apply with respect to provisions of its Covered Tax Agreements relating to the exploration for or exploitation of natural resources.

4. Each Party that has not made a reservation described in subparagraph a) of paragraph 3 shall notify the Depositary of whether each of its Covered Tax Agreements contains a provision described in paragraph 2 that is not subject to a reservation under subparagraph b) of paragraph 3, and if so, the article and paragraph number of each such provision. Where all Contracting Jurisdictions have made such a notification with respect to a provision of a Covered Tax Agreement, that provision shall be replaced by the provisions of paragraph 1 to the extent provided in paragraph 2. In other cases, paragraph 1 shall supersede the provisions of the Covered Tax Agreement only to the extent that those provisions are incompatible with paragraph 1.

8. Toute Partie qui n'a pas émis de réserve prévue aux alinéas a) ou c) du paragraphe 6 et qui n'a pas choisi d'option en application du paragraphe 1 notifie au Dépositaire les Conventions fiscales couvertes qui contiennent une disposition décrite à l'alinéa b) du paragraphe 5, en indiquant les numéros de l'article et du paragraphe de chaque disposition concernée. Le paragraphe 4 ne s'applique à une disposition d'une Convention fiscale couverte que si toutes les Juridictions contractantes ont formulé une notification relative à cette disposition en vertu du présent paragraphe ou du paragraphe 7.

Article 14 – Fractionnement de contrats

1. À seule fin de déterminer si la période (ou les périodes) visée(s) dans une disposition d'une Convention fiscale couverte qui prévoit une période (ou des périodes) au-delà de laquelle (ou desquelles) des projets ou des activités spécifiques constituent un établissement stable a (ont) été dépassé(es) :

- a) lorsqu'une entreprise d'une Juridiction contractante exerce des activités dans l'autre Juridiction contractante à un endroit qui constitue un chantier de construction ou de montage, ou tout autre projet spécifique mentionné dans la disposition pertinente de la Convention fiscale couverte, ou exerce des activités de surveillance ou de conseil qui sont liées à cet endroit, dans le cas d'une disposition d'une Convention fiscale couverte qui mentionne de telles activités, et que ces activités sont exercées pendant une ou des périodes qui, au total, dépassent 30 jours mais ne dépassent pas la période ou les périodes indiquées dans la disposition pertinente de la Convention fiscale couverte ; et
- b) lorsque des activités connexes sont exercées dans cette autre Juridiction contractante (ou lorsque la disposition pertinente de la Convention fiscale couverte s'applique à des activités de surveillance ou de conseil, en lien avec cet endroit) sur le même chantier de construction ou de montage ou à tout autre endroit identifié dans la disposition pertinente de la Convention fiscale couverte pendant différentes périodes de plus de 30 jours chacune, par une ou plusieurs entreprises étroitement liées à la première entreprise,

ces différentes périodes sont ajoutées à la période totale pendant laquelle la première entreprise a exercé des activités sur ce chantier de construction ou de montage ou à tout autre endroit identifié dans la disposition pertinente de la Convention fiscale couverte.

2. Le paragraphe 1 s'applique à la place ou en l'absence des dispositions d'une Convention fiscale couverte dans la mesure où ces dispositions portent sur le fractionnement de contrats en plusieurs parties pour éviter de dépasser une période ou des périodes relatives à l'existence d'un établissement stable pour des projets ou des activités spécifiques décrites au paragraphe 1.

3. Une Partie peut se réserver le droit :

- a) de ne pas appliquer l'intégralité du présent article à ses Conventions fiscales couvertes ;
- b) de ne pas appliquer l'intégralité du présent article aux dispositions de ses Conventions fiscales couvertes relatives à l'exploration ou l'exploitation de ressources naturelles.

4. Toute Partie qui n'a pas émis de réserve prévue à l'alinéa a) du paragraphe 3 notifie au Dépositaire les Conventions fiscales couvertes qui contiennent une disposition décrite au paragraphe 2 et qui ne font pas l'objet d'une réserve prévue à l'alinéa b) du paragraphe 3, en indiquant les numéros de l'article et du paragraphe de chaque disposition concernée. Lorsque toutes les Juridictions contractantes ayant conclu une Convention fiscale couverte ont formulé une telle notification relative à une disposition de la Convention fiscale couverte, cette disposition est remplacée par le paragraphe 1 dans les conditions prévues au paragraphe 2. Dans les autres cas, le paragraphe 1 prévaut sur les dispositions de la Convention fiscale couverte seulement dans la mesure où ces dispositions sont incompatibles avec le paragraphe 1.

Article 15 – Definition of a Person Closely Related to an Enterprise

1. For the purposes of the provisions of a Covered Tax Agreement that are modified by paragraph 2 of Article 12 (Artificial Avoidance of Permanent Establishment Status through Commissionnaire Arrangements and Similar Strategies), paragraph 4 of Article 13 (Artificial Avoidance of Permanent Establishment Status through the Specific Activity Exemptions), or paragraph 1 of Article 14 (Splitting-up of Contracts), a person is closely related to an enterprise if, based on all the relevant facts and circumstances, one has control of the other or both are under the control of the same persons or enterprises. In any case, a person shall be considered to be closely related to an enterprise if one possesses directly or indirectly more than 50 per cent of the beneficial interest in the other (or, in the case of a company, more than 50 per cent of the aggregate vote and value of the company's shares or of the beneficial equity interest in the company) or if another person possesses directly or indirectly more than 50 per cent of the beneficial interest (or, in the case of a company, more than 50 per cent of the aggregate vote and value of the company's shares or of the beneficial equity interest in the company) in the person and the enterprise.

2. A Party that has made the reservations described in paragraph 4 of Article 12 (Artificial Avoidance of Permanent Establishment Status through Commissionnaire Arrangements and Similar Strategies), subparagraph a) or c) of paragraph 6 of Article 13 (Artificial Avoidance of Permanent Establishment Status through the Specific Activity Exemptions), and subparagraph a) of paragraph 3 of Article 14 (Splitting-up of Contracts) may reserve the right for the entirety of this Article not to apply to the Covered Tax Agreements to which those reservations apply.

Article 15 – Définition d'une personne étroitement liée à une entreprise

1. Aux fins des dispositions d'une Convention fiscale couverte modifiées par le paragraphe 2 de l'article 12 (Mesures visant à éviter artificiellement le statut d'établissement stable par des accords de commissionnaire et autres stratégies similaires), le paragraphe 4 de l'article 13 (Mesures visant à éviter artificiellement le statut d'établissement stable par le recours aux exceptions applicables à certaines activités spécifiques), ou le paragraphe 1 de l'article 14 (Fractionnement de contrats), une personne est étroitement liée à une entreprise si, compte tenu de l'ensemble des faits et circonstances pertinents, l'une est sous le contrôle de l'autre ou toutes deux sont sous le contrôle des mêmes personnes ou entreprises. Dans tous les cas, une personne est considérée comme étroitement liée à une entreprise si l'une détient directement ou indirectement plus de 50 pour cent des droits ou participations effectifs dans l'autre (ou, dans le cas d'une société, plus de 50 pour cent du total des droits de vote et de la valeur des actions de la société ou des droits ou participations effectifs dans les capitaux propres de la société), ou si une autre personne détient directement ou indirectement plus de 50 pour cent des droits ou participations effectifs (ou, dans le cas d'une société, plus de 50 pour cent du total des droits de vote et de la valeur des actions de la société ou des droits ou participations effectifs dans les capitaux propres de la société) dans la personne et l'entreprise.

2. Une Partie qui a émis les réserves prévues au paragraphe 4 de l'article 12 (Mesures visant à éviter artificiellement le statut d'établissement stable par des accords de commissionnaire et autres stratégies similaires), aux alinéas a) ou c) du paragraphe 6 de l'article 13 (Mesures visant à éviter artificiellement le statut d'établissement stable par le recours aux exceptions applicables à certaines activités spécifiques) et à l'alinéa a) du paragraphe 3 de l'article 14 (Fractionnement de contrats) peut se réserver le droit de ne pas appliquer l'intégralité du présent article aux Conventions fiscales couvertes auxquelles ces réserves s'appliquent.

PART V.
IMPROVING DISPUTE RESOLUTION

Article 16 – Mutual Agreement Procedure

1. Where a person considers that the actions of one or both of the Contracting Jurisdictions result or will result for that person in taxation not in accordance with the provisions of the Covered Tax Agreement, that person may, irrespective of the remedies provided by the domestic law of those Contracting Jurisdictions, present the case to the competent authority of either Contracting Jurisdiction. The case must be presented within three years from the first notification of the action resulting in taxation not in accordance with the provisions of the Covered Tax Agreement.
2. The competent authority shall endeavour, if the objection appears to it to be justified and if it is not itself able to arrive at a satisfactory solution, to resolve the case by mutual agreement with the competent authority of the other Contracting Jurisdiction, with a view to the avoidance of taxation which is not in accordance with the Covered Tax Agreement. Any agreement reached shall be implemented notwithstanding any time limits in the domestic law of the Contracting Jurisdictions.
3. The competent authorities of the Contracting Jurisdictions shall endeavour to resolve by mutual agreement any difficulties or doubts arising as to the interpretation or application of the Covered Tax Agreement. They may also consult together for the elimination of double taxation in cases not provided for in the Covered Tax Agreement.
4.
 - a)
 - i) The first sentence of paragraph 1 shall apply in place of or in the absence of provisions of a Covered Tax Agreement (or parts thereof) that provide that where a person considers that the actions of one or both of the Contracting Jurisdiction result or will result for that person in taxation not in accordance with the provisions of the Covered Tax Agreement, that person may, irrespective of the remedies provided by the domestic law of those Contracting Jurisdictions, present the case to the competent authority of the Contracting Jurisdiction of which that person is a resident including provisions under which, if the case presented by that person comes under the provisions of a Covered Tax Agreement relating to non-discrimination based on nationality, the case may be presented to the competent authority of the Contracting Jurisdiction of which that person is a national.
 - ii) The second sentence of paragraph 1 shall apply in place of provisions of a Covered Tax Agreement that provide that a case referred to in the first sentence of paragraph 1 must be presented within a specific time period that is shorter than three years from the first notification of the action resulting in taxation not in accordance with the provisions of the Covered Tax Agreement, or in the absence of a provision of a Covered Tax Agreement describing the time period within which such a case must be presented.
 - b)
 - i) The first sentence of paragraph 2 shall apply in the absence of provisions of a Covered Tax Agreement that provide that the competent authority that is presented with the case by the person referred to in paragraph 1 shall endeavour, if the objection appears to it to be justified and if it is not itself able to arrive at a satisfactory solution, to resolve the case by mutual agreement with the competent authority of the other Contracting Jurisdiction, with a view to the avoidance of taxation which is not in accordance with the Covered Tax Agreement.
 - ii) The second sentence of paragraph 2 shall apply in the absence of provisions of a Covered Tax Agreement providing that any agreement reached shall be implemented notwithstanding any time limits in the domestic law of the Contracting Jurisdictions.

PARTIE V.
AMÉLIORER LE RÈGLEMENT DES DIFFÉRENDS

Article 16 – Procédure amiable

1. Lorsqu'une personne estime que les mesures prises par une Juridiction contractante ou par les deux Juridictions contractantes entraînent ou entraîneront pour elle une imposition non conforme aux dispositions de la Convention fiscale couverte, elle peut, indépendamment des recours prévus par le droit interne de ces Juridictions contractantes, soumettre son cas à l'autorité compétente de l'une ou l'autre des Juridictions contractantes. Le cas doit être soumis dans les trois ans qui suivent la première notification de la mesure qui entraîne une imposition non conforme aux dispositions de la Convention fiscale couverte.

2. L'autorité compétente s'efforce, si cette réclamation lui paraît fondée et si elle n'est pas elle-même en mesure d'y apporter une solution satisfaisante, de résoudre le cas par voie d'accord amiable avec l'autorité compétente de l'autre Juridiction contractante, en vue d'éviter une imposition non conforme à la Convention fiscale couverte. L'accord est appliqué quels que soient les délais prévus par le droit interne des Juridictions contractantes.

3. Les autorités compétentes des Juridictions contractantes s'efforcent, par voie d'accord amiable, de résoudre les difficultés ou de dissiper les doutes auxquels peuvent donner lieu l'interprétation ou l'application de la Convention fiscale couverte. Elles peuvent également se concerter en vue d'éliminer la double imposition dans les cas non prévus par la Convention fiscale couverte.

4. a) i) La première phrase du paragraphe 1 s'applique à la place ou en l'absence des dispositions (ou parties de dispositions) d'une Convention fiscale couverte qui prévoient que, lorsqu'une personne estime que les mesures prises par l'une ou l'autre des Juridictions contractantes ou par les deux entraînent ou entraîneront pour elle une imposition non conforme aux dispositions de la Convention fiscale couverte, cette personne peut, indépendamment des recours prévus par le droit interne de ces Juridictions contractantes, soumettre son cas à l'autorité compétente de la Juridiction contractante dont elle est un résident, y compris les dispositions en vertu desquelles, si le cas qu'elle soumet relève des dispositions relatives à la non-discrimination fondée sur la nationalité d'une Convention fiscale couverte, le cas peut être soumis à l'autorité compétente de la Juridiction contractante dont elle possède la nationalité.
- ii) La deuxième phrase du paragraphe 1 s'applique à la place des dispositions d'une Convention fiscale couverte qui prévoient qu'un cas mentionné dans la première phrase du paragraphe 1 doit être soumis dans un délai spécifique inférieur à trois ans à compter de la première notification de la mesure qui entraîne une imposition non conforme aux dispositions de la Convention fiscale couverte, ou en l'absence de disposition d'une Convention fiscale couverte établissant un délai pour la présentation d'un tel cas.
- b) i) La première phrase du paragraphe 2 s'applique en l'absence de dispositions d'une Convention fiscale couverte qui prévoient que l'autorité compétente à laquelle la personne mentionnée au paragraphe 1 soumet son cas s'efforce, si la réclamation lui paraît fondée et si elle n'est pas elle-même en mesure d'y apporter une solution satisfaisante, de résoudre le cas par voie d'accord amiable avec l'autorité compétente de l'autre Juridiction contractante, en vue d'éviter une imposition non conforme à la Convention fiscale couverte.
- ii) La deuxième phrase du paragraphe 2 s'applique en l'absence de dispositions d'une Convention fiscale couverte qui prévoient que l'accord est appliqué quels que soient les délais prévus par le droit interne des Juridictions contractantes.

- c)
 - i) The first sentence of paragraph 3 shall apply in the absence of provisions of a Covered Tax Agreement that provide that the competent authorities of the Contracting Jurisdictions shall endeavour to resolve by mutual agreement any difficulties or doubts arising as to the interpretation or application of the Covered Tax Agreement.
 - ii) The second sentence of paragraph 3 shall apply in the absence of provisions of a Covered Tax Agreement that provide that the competent authorities of the Contracting Jurisdictions may also consult together for the elimination of double taxation in cases not provided for in the Covered Tax Agreement.
- 5. A Party may reserve the right:
 - a) for the first sentence of paragraph 1 not to apply to its Covered Tax Agreements on the basis that it intends to meet the minimum standard for improving dispute resolution under the OECD/G20 BEPS Package by ensuring that under each of its Covered Tax Agreements (other than a Covered Tax Agreement that permits a person to present a case to the competent authority of either Contracting Jurisdiction), where a person considers that the actions of one or both of the Contracting Jurisdictions result or will result for that person in taxation not in accordance with the provisions of the Covered Tax Agreement, irrespective of the remedies provided by the domestic law of those Contracting Jurisdictions, that person may present the case to the competent authority of the Contracting Jurisdiction of which the person is a resident or, if the case presented by that person comes under a provision of a Covered Tax Agreement relating to non-discrimination based on nationality, to that of the Contracting Jurisdiction of which that person is a national; and the competent authority of that Contracting Jurisdiction will implement a bilateral notification or consultation process with the competent authority of the other Contracting Jurisdiction for cases in which the competent authority to which the mutual agreement procedure case was presented does not consider the taxpayer's objection to be justified;
 - b) for the second sentence of paragraph 1 not to apply to its Covered Tax Agreements that do not provide that the case referred to in the first sentence of paragraph 1 must be presented within a specific time period on the basis that it intends to meet the minimum standard for improving dispute resolution under the OECD/G20 BEPS package by ensuring that for the purposes of all such Covered Tax Agreements the taxpayer referred to in paragraph 1 is allowed to present the case within a period of at least three years from the first notification of the action resulting in taxation not in accordance with the provisions of the Covered Tax Agreement;
 - c) for the second sentence of paragraph 2 not to apply to its Covered Tax Agreements on the basis that for the purposes of all of its Covered Tax Agreements:
 - i) any agreement reached via the mutual agreement procedure shall be implemented notwithstanding any time limits in the domestic laws of the Contracting Jurisdictions; or
 - ii) it intends to meet the minimum standard for improving dispute resolution under the OECD/G20 BEPS package by accepting, in its bilateral treaty negotiations, a treaty provision providing that:

- c)
 - i) La première phrase du paragraphe 3 s'applique en l'absence de dispositions d'une Convention fiscale couverte qui prévoient que les autorités compétentes des Juridictions contractantes s'efforcent, par voie d'accord amiable, de résoudre les difficultés ou de dissiper les doutes auxquels peuvent donner lieu l'interprétation ou l'application de la Convention fiscale couverte.
 - ii) La deuxième phrase du paragraphe 3 s'applique en l'absence de dispositions d'une Convention fiscale couverte qui prévoient que les autorités compétentes des Juridictions contractantes peuvent également se concerter en vue d'éliminer la double imposition dans les cas non prévus par la Convention fiscale couverte.
- 5. Une Partie peut se réserver le droit :
 - a) de ne pas appliquer la première phrase du paragraphe 1 à ses Conventions fiscales couvertes, au motif qu'elle a l'intention de satisfaire la norme minimale relative à l'amélioration du règlement des différends définie dans le cadre du Projet BEPS de l'OCDE et du G20 en garantissant qu'aux fins de chacune de ses Conventions fiscales couvertes (autre qu'une Convention fiscale couverte qui permet à une personne de soumettre son cas à l'autorité compétente de l'une ou l'autre des Juridictions contractantes), lorsqu'une personne estime que les mesures prises par une Juridiction contractante ou par les deux Juridictions contractantes entraînent ou entraîneront pour elle une imposition non conforme aux dispositions de la Convention fiscale couverte, cette personne peut, indépendamment des recours prévus par le droit interne de ces Juridictions contractantes, soumettre son cas à l'autorité compétente de la Juridiction contractante dont la personne est un résident ou, si le cas relève de la disposition d'une Convention fiscale couverte relative à la non-discrimination fondée sur la nationalité, à la Juridiction contractante dont elle possède la nationalité ; et l'autorité compétente de cette Juridiction contractante engage un processus bilatéral de notification ou de consultation avec l'autorité compétente de l'autre Juridiction contractante pour les cas où l'autorité compétente saisie d'un cas de procédure amiable considère que la réclamation du contribuable n'est pas fondée ;
 - b) de ne pas appliquer la deuxième phrase du paragraphe 1 à ses Conventions fiscales couvertes qui ne prévoient pas que le cas mentionné dans la première phrase du paragraphe 1 doit être soumis dans un délai spécifique, au motif qu'elle a l'intention de satisfaire la norme minimale relative à l'amélioration du règlement des différends définie dans le cadre du Projet BEPS de l'OCDE et du G20 en garantissant qu'aux fins de toutes ses Conventions fiscales couvertes, la personne mentionnée au paragraphe 1 est autorisée à soumettre son cas dans un délai d'au moins trois ans à compter de la première notification de la mesure qui entraîne une imposition non conforme aux dispositions de la Convention fiscale couverte ;
 - c) de ne pas appliquer la deuxième phrase du paragraphe 2 à ses Conventions fiscales couvertes, au motif qu'aux fins de toutes ses Conventions fiscales couvertes :
 - i) l'accord obtenu par voie d'accord amiable est appliqué quels que soient les délais prévus par le droit interne des Juridictions contractantes ; ou
 - ii) elle a l'intention de satisfaire à la norme minimale relative à l'amélioration du règlement des différends définie dans le cadre du Projet BEPS de l'OCDE et du G20 en acceptant, lors des négociations de ses conventions bilatérales, une disposition prévoyant que :

- A) the Contracting Jurisdictions shall make no adjustment to the profits that are attributable to a permanent establishment of an enterprise of one of the Contracting Jurisdictions after a period that is mutually agreed between both Contracting Jurisdictions from the end of the taxable year in which the profits would have been attributable to the permanent establishment (this provision shall not apply in the case of fraud, gross negligence or wilful default); and
 - B) the Contracting Jurisdictions shall not include in the profits of an enterprise, and tax accordingly, profits that would have accrued to the enterprise but that by reason of the conditions referred to in a provision in the Covered Tax Agreement relating to associated enterprises have not so accrued, after a period that is mutually agreed between both Contracting Jurisdictions from the end of the taxable year in which the profits would have accrued to the enterprise (this provision shall not apply in the case of fraud, gross negligence or wilful default).
- 6.
 - a) Each Party that has not made a reservation described in subparagraph a) of paragraph 5 shall notify the Depositary of whether each of its Covered Tax Agreements contains a provision described in clause i) of subparagraph a) of paragraph 4, and if so, the article and paragraph number of each such provision. Where all Contracting Jurisdictions have made a notification with respect to a provision of a Covered Tax Agreement, that provision shall be replaced by the first sentence of paragraph 1. In other cases, the first sentence of paragraph 1 shall supersede the provisions of the Covered Tax Agreement only to the extent that those provisions are incompatible with that sentence.
 - b) Each Party that has not made the reservation described in subparagraph b) of paragraph 5 shall notify the Depositary of:
 - i) the list of its Covered Tax Agreements which contain a provision that provides that a case referred to in the first sentence of paragraph 1 must be presented within a specific time period that is shorter than three years from the first notification of the action resulting in taxation not in accordance with the provisions of the Covered Tax Agreement, as well as the article and paragraph number of each such provision; a provision of a Covered Tax Agreement shall be replaced by the second sentence of paragraph 1 where all Contracting Jurisdictions have made such a notification with respect to that provision; in other cases, subject to clause ii), the second sentence of paragraph 1 shall supersede the provisions of the Covered Tax Agreement only to the extent that those provisions are incompatible with the second sentence of paragraph 1;
 - ii) the list of its Covered Tax Agreements which contain a provision that provides that a case referred to in the first sentence of paragraph 1 must be presented within a specific time period that is at least three years from the first notification of the action resulting in taxation not in accordance with the provisions of the Covered Tax Agreement, as well as the article and paragraph number of each such provision; the second sentence of paragraph 1 shall not apply to a Covered Tax Agreement where any Contracting Jurisdiction has made such a notification with respect to that Covered Tax Agreement.

- A) les Juridictions contractantes ne procèdent à aucun ajustement des bénéfices qui sont attribuables à un établissement stable d'une entreprise de l'une des Juridictions contractantes au-delà d'un délai convenu par les deux Juridictions contractantes, qui commence à compter de la fin de la période imposable au cours de laquelle les bénéfices auraient dû être attribués à l'établissement stable (la présente disposition ne s'applique pas en cas de fraude, négligence grave ou manquement délibéré) ; et
 - B) les Juridictions contractantes s'abstiennent d'inclure dans les bénéfices d'une entreprise, et d'imposer en conséquence, des bénéfices qui aurait dû être réalisés par cette entreprise, mais qui ne l'ont pas été en raison des conditions mentionnées dans une disposition de la Convention fiscale couverte relative aux entreprises associées, au-delà d'un délai convenu par les deux Juridictions contractantes, qui commence à compter de la fin de la période imposable au cours duquel ces bénéfices auraient dû être réalisés par l'entreprise (la présente disposition ne s'applique pas en cas de fraude, négligence grave ou manquement délibéré).
- 6. a) Toute Partie qui n'a pas émis la réserve prévue à l'alinéa a) du paragraphe 5 notifie au Dépositaire les Conventions fiscales couvertes qui contiennent une disposition décrite au point i) de l'alinéa a) du paragraphe 4, en indiquant les numéros de l'article et du paragraphe de chaque disposition concernée. Lorsque toutes les Juridictions contractantes ayant conclu une Convention fiscale couverte ont formulé une notification relative à une disposition de la Convention fiscale couverte, cette disposition est remplacée par la première phrase du paragraphe 1. Dans les autres cas, la première phrase du paragraphe 1 prévaut sur les dispositions des Conventions fiscales couvertes seulement dans la mesure où ces dispositions sont incompatibles avec cette phrase.
- b) Toute Partie qui n'a pas émis la réserve prévue à l'alinéa b) du paragraphe 5 notifie au Dépositaire :
 - i) la liste de ses Conventions fiscales couvertes qui contiennent une disposition qui prévoit que le cas mentionné à la première phrase du paragraphe 1 doit être soumis dans un délai spécifique, inférieur à trois ans, à compter de la première notification de la mesure qui entraîne une imposition non conforme aux dispositions de la Convention fiscale couverte, en indiquant les numéros de l'article et du paragraphe de chaque disposition concernée ; lorsque toutes les Juridictions contractantes ayant conclu une Convention fiscale couverte ont formulé une telle notification relative à une disposition de la Convention fiscale couverte, cette disposition est remplacée par la deuxième phrase du paragraphe 1 ; dans les autres cas, sous réserve du point ii), la deuxième phrase du paragraphe 1 prévaut sur les dispositions des Conventions fiscales couvertes seulement dans la mesure où ces dispositions sont incompatibles avec la deuxième phrase du paragraphe 1 ;
 - ii) la liste de ses Conventions fiscales couvertes qui contiennent une disposition qui prévoit que le cas mentionné à la première phrase du paragraphe 1 doit être soumis dans un délai spécifique, d'au moins trois ans, à compter de la première notification de la mesure qui a entraîné une imposition non conforme aux dispositions de la Convention fiscale couverte, en indiquant les numéros de l'article et du paragraphe de chaque disposition concernée ; la deuxième phrase du paragraphe 1 ne s'applique pas à une Convention fiscale couverte dès lors qu'une Juridiction contractante a formulé une telle notification relative à cette Convention fiscale couverte.

- c) Each Party shall notify the Depositary of:
 - i) the list of its Covered Tax Agreements which do not contain a provision described in clause i) of subparagraph b) of paragraph 4; the first sentence of paragraph 2 shall apply to a Covered Tax Agreement only where all Contracting Jurisdictions have made such a notification with respect to that Covered Tax Agreement;
 - ii) in the case of a Party that has not made the reservation described in subparagraph c) of paragraph 5, the list of its Covered Tax Agreements which do not contain a provision described in clause ii) of subparagraph b) of paragraph 4; the second sentence of paragraph 2 shall apply to a Covered Tax Agreement only where all Contracting Jurisdictions have made such a notification with respect to that Covered Tax Agreement.
- d) Each Party shall notify the Depositary of:
 - i) the list of its Covered Tax Agreements which do not contain a provision described in clause i) of subparagraph c) of paragraph 4; the first sentence of paragraph 3 shall apply to a Covered Tax Agreement only where all Contracting Jurisdictions have made such a notification with respect to that Covered Tax Agreement;
 - ii) the list of its Covered Tax Agreements which do not contain a provision described in clause ii) of subparagraph c) of paragraph 4; the second sentence of paragraph 3 shall apply to a Covered Tax Agreement only where all Contracting Jurisdictions have made such a notification with respect to that Covered Tax Agreement.

Article 17 – Corresponding Adjustments

1. Where a Contracting Jurisdiction includes in the profits of an enterprise of that Contracting Jurisdiction — and taxes accordingly — profits on which an enterprise of the other Contracting Jurisdiction has been charged to tax in that other Contracting Jurisdiction and the profits so included are profits which would have accrued to the enterprise of the first-mentioned Contracting Jurisdiction if the conditions made between the two enterprises had been those which would have been made between independent enterprises, then that other Contracting Jurisdiction shall make an appropriate adjustment to the amount of the tax charged therein on those profits. In determining such adjustment, due regard shall be had to the other provisions of the Covered Tax Agreement and the competent authorities of the Contracting Jurisdictions shall if necessary consult each other.

2. Paragraph 1 shall apply in place of or in the absence of a provision that requires a Contracting Jurisdiction to make an appropriate adjustment to the amount of the tax charged therein on the profits of an enterprise of that Contracting Jurisdiction where the other Contracting Jurisdiction includes those profits in the profits of an enterprise of that other Contracting Jurisdiction and taxes those profits accordingly, and the profits so included are profits which would have accrued to the enterprise of that other Contracting Jurisdiction if the conditions made between the two enterprises had been those which would have been made between independent enterprises.

3. A Party may reserve the right:

- a) for the entirety of this Article not to apply to its Covered Tax Agreements that already contain a provision described in paragraph 2;

- c) Toute Partie notifie au Dépositaire :
 - i) la liste de ses Conventions fiscales couvertes qui ne contiennent pas une disposition décrite au point i) de l'alinéa b) du paragraphe 4 ; la première phrase du paragraphe 2 s'applique à une Convention fiscale couverte dès lors que toutes les Juridictions contractantes ont formulé une telle notification relative à cette Convention fiscale couverte ;
 - ii) pour les cas où une Partie n'a pas émis la réserve prévue à l'alinéa c) du paragraphe 5, la liste de ses Conventions fiscales couvertes qui ne contiennent pas une disposition décrite au point ii) de l'alinéa b) du paragraphe 4 ; la deuxième phrase du paragraphe 2 s'applique à une Convention fiscale couverte dès lors que toutes les Juridictions contractantes ont formulé une telle notification relative à cette Convention fiscale couverte.
- d) Toute Partie notifie au Dépositaire :
 - i) la liste de ses Conventions fiscales couvertes qui ne contiennent pas une disposition décrite au point i) de l'alinéa c) du paragraphe 4 ; la première phrase du paragraphe 3 s'applique à une Convention fiscale couverte dès lors que toutes les Juridictions contractantes ont formulé une telle notification relative à cette Convention fiscale couverte ;
 - ii) la liste de ses Conventions fiscales couvertes qui ne contiennent pas une disposition décrite au point ii) de l'alinéa c) du paragraphe 4 ; la deuxième phrase du paragraphe 3 s'applique à une Convention fiscale couverte dès lors que toutes les Juridictions contractantes ont formulé une telle notification relative à cette Convention fiscale couverte.

Article 17 – Ajustements corrélatifs

1. Lorsqu'une Juridiction contractante inclut dans les bénéfices d'une entreprise de cette Juridiction contractante — et impose en conséquence — des bénéfices sur lesquels une entreprise de l'autre Juridiction contractante a été imposée dans cette autre Juridiction contractante, et que les bénéfices ainsi inclus sont des bénéfices qui auraient été réalisés par l'entreprise de la première Juridiction contractante si les conditions convenues entre les deux entreprises avaient été celles qui auraient été convenues entre des entreprises indépendantes, l'autre Juridiction contractante procède à un ajustement approprié du montant de l'impôt qui y a été perçu sur ces bénéfices. Pour déterminer cet ajustement, il est tenu compte des autres dispositions de la Convention fiscale couverte et, si nécessaire, les autorités compétentes des Juridictions contractantes se consultent.

2. Le paragraphe 1 s'applique à la place ou en l'absence d'une disposition qui impose à une Juridiction contractante de procéder à un ajustement approprié du montant de l'impôt qui y a été perçu sur les bénéfices d'une entreprise de cette Juridiction contractante lorsque l'autre Juridiction contractante inclut ces bénéfices dans les bénéfices d'une entreprise de cette autre Juridiction contractante, et les impose en conséquence, et que les bénéfices ainsi inclus sont des bénéfices qui auraient été réalisés par l'entreprise de cette autre Juridiction contractante si les conditions convenues entre les deux entreprises avaient été celles qui auraient été convenues entre des entreprises indépendantes.

3. Une Partie peut se réserver le droit :

- a) de ne pas appliquer l'intégralité du présent article à ses Conventions fiscales couvertes qui contiennent déjà une disposition mentionnée au paragraphe 2 ;

- b) for the entirety of this Article not to apply to its Covered Tax Agreements on the basis that in the absence of a provision referred to in paragraph 2 in its Covered Tax Agreement:
 - i) it shall make the appropriate adjustment referred to in paragraph 1; or
 - ii) its competent authority shall endeavour to resolve the case under the provisions of a Covered Tax Agreement relating to mutual agreement procedure;
- c) in the case of a Party that has made a reservation under clause ii) of subparagraph c) of paragraph 5 of Article 16 (Mutual Agreement Procedure), for the entirety of this Article not to apply to its Covered Tax Agreements on the basis that in its bilateral treaty negotiations it shall accept a treaty provision of the type contained in paragraph 1, provided that the Contracting Jurisdictions were able to reach agreement on that provision and on the provisions described in clause ii) of subparagraph c) of paragraph 5 of Article 16 (Mutual Agreement Procedure).

4. Each Party that has not made a reservation described in paragraph 3 shall notify the Depositary of whether each of its Covered Tax Agreements contains a provision described in paragraph 2, and if so, the article and paragraph number of each such provision. Where all Contracting Jurisdictions have made such a notification with respect to a provision of a Covered Tax Agreement, that provision shall be replaced by the provisions of paragraph 1. In other cases, paragraph 1 shall supersede the provisions of the Covered Tax Agreement only to the extent that those provisions are incompatible with paragraph 1.

- b) de ne pas appliquer l'intégralité du présent article à ses Conventions fiscales couvertes au motif qu'en l'absence de dispositions décrites au paragraphe 2 à ses Conventions fiscales couvertes :
 - i) elle procède à l'ajustement corrélatif approprié tel que mentionné au paragraphe 1 ; ou
 - ii) son autorité compétente s'efforce de régler le différend conformément aux dispositions d'une Convention fiscale couverte relative à la procédure amiable ;
- c) de ne pas appliquer l'intégralité du présent article à ses Conventions fiscales couvertes lorsqu'elle a émis la réserve prévue au point ii) de l'alinéa c) du paragraphe 5 de l'article 16 (Procédure amiable), au motif qu'elle prévoit d'adopter, par le biais de négociations bilatérales, une disposition conventionnelle s'inspirant du paragraphe 1 et que les Juridictions contractantes parviennent à un accord sur cette disposition et celle du point ii) de l'alinéa c) du paragraphe 5 de l'article 16 (Procédure amiable).

4. Toute Partie qui n'a pas émis de réserve prévue au paragraphe 3 notifie au Dépositaire chacune de ses Conventions fiscales couvertes qui contiennent une disposition décrite au paragraphe 2, en indiquant les numéros de l'article et du paragraphe de chaque disposition concernée. Lorsque toutes les Juridictions contractantes ont formulé une telle notification relative à une disposition d'une Convention fiscale couverte, cette disposition est remplacée par le paragraphe 1. Dans les autres cas, le paragraphe 1 prévaut sur les dispositions des Conventions fiscales couvertes seulement dans la mesure où ces dispositions sont incompatibles avec le paragraphe 1.

PART VI.
ARBITRATION

Article 18 – Choice to Apply Part VI

A Party may choose to apply this Part with respect to its Covered Tax Agreements and shall notify the Depositary accordingly. This Part shall apply in relation to two Contracting Jurisdictions with respect to a Covered Tax Agreement only where both Contracting Jurisdictions have made such a notification.

Article 19 – Mandatory Binding Arbitration

1. Where:

- a) under a provision of a Covered Tax Agreement (as it may be modified by paragraph 1 of Article 16 (Mutual Agreement Procedure)) that provides that a person may present a case to a competent authority of a Contracting Jurisdiction where that person considers that the actions of one or both of the Contracting Jurisdictions result or will result for that person in taxation not in accordance with the provisions of the Covered Tax Agreement (as it may be modified by the Convention), a person has presented a case to the competent authority of a Contracting Jurisdiction on the basis that the actions of one or both of the Contracting Jurisdictions have resulted for that person in taxation not in accordance with the provisions of the Covered Tax Agreement (as it may be modified by the Convention); and
- b) the competent authorities are unable to reach an agreement to resolve that case pursuant to a provision of a Covered Tax Agreement (as it may be modified by paragraph 2 of Article 16 (Mutual Agreement Procedure)) that provides that the competent authority shall endeavour to resolve the case by mutual agreement with the competent authority of the other Contracting Jurisdiction, within a period of two years beginning on the start date referred to in paragraph 8 or 9, as the case may be (unless, prior to the expiration of that period the competent authorities of the Contracting Jurisdictions have agreed to a different time period with respect to that case and have notified the person who presented the case of such agreement),

any unresolved issues arising from the case shall, if the person so requests in writing, be submitted to arbitration in the manner described in this Part, according to any rules or procedures agreed upon by the competent authorities of the Contracting Jurisdictions pursuant to the provisions of paragraph 10.

2. Where a competent authority has suspended the mutual agreement procedure referred to in paragraph 1 because a case with respect to one or more of the same issues is pending before court or administrative tribunal, the period provided in subparagraph b) of paragraph 1 will stop running until either a final decision has been rendered by the court or administrative tribunal or the case has been suspended or withdrawn. In addition, where a person who presented a case and a competent authority have agreed to suspend the mutual agreement procedure, the period provided in subparagraph b) of paragraph 1 will stop running until the suspension has been lifted.

3. Where both competent authorities agree that a person directly affected by the case has failed to provide in a timely manner any additional material information requested by either competent authority after the start of the period provided in subparagraph b) of paragraph 1, the period provided in subparagraph b) of paragraph 1 shall be extended for an amount of time equal to the period beginning on the date by which the information was requested and ending on the date on which that information was provided.

PARTIE VI. ARBITRAGE

Article 18 – Choix d'appliquer la partie VI

Une Partie peut choisir d'appliquer la présente partie à ses Conventions fiscales couvertes et le notifie au Dépositaire. Cette partie s'applique entre deux Juridictions contractantes à l'égard d'une Convention fiscale couverte uniquement lorsque les deux Juridictions contractantes ont formulé une telle notification.

Article 19 – Arbitrage obligatoire et contraignant

1. Lorsque :

- a) en application d'une disposition d'une Convention fiscale couverte (telle que susceptible d'être modifiée par le paragraphe 1 de l'article 16 (Procédure amiable)) qui dispose qu'une personne peut soumettre son cas à une autorité compétente d'une Juridiction contractante dès lors que cette personne estime que les mesures prises par une Juridiction contractante ou par les deux Juridictions contractantes entraînent ou entraîneront pour elle une imposition non conforme aux dispositions de la Convention fiscale couverte (telle que susceptible d'être modifiée par la présente Convention), une personne a soumis son cas à l'autorité compétente d'une Juridiction contractante au motif que les mesures prises par une Juridiction contractante ou par les deux Juridictions contractantes ont entraîné pour elle une imposition non conforme aux dispositions de la Convention fiscale couverte (telle que susceptible d'être modifiée par la présente Convention) ; et que
- b) les autorités compétentes ne parviennent pas à un accord permettant de résoudre le cas conformément à une disposition d'une Convention fiscale couverte (telle que susceptible d'être modifiée par le paragraphe 2 de l'article 16 (Procédure amiable)) qui dispose que l'autorité compétente s'efforce de résoudre le cas avec l'autorité compétente de l'autre Juridiction contractante, dans un délai de deux ans à compter de la date de début mentionnée au paragraphe 8 ou 9, selon le cas (sauf si, avant l'expiration de ce délai, les autorités compétentes des Juridictions contractantes sont convenues d'un délai différent pour ce cas et en ont informé la personne qui a soumis le cas),

les questions non résolues soulevées par ce cas doivent, si la personne en fait la demande par écrit, être soumises à l'arbitrage selon les modalités énoncées dans la présente partie, conformément aux règles ou aux procédures convenues par les autorités compétentes des Juridictions contractantes en application des dispositions du paragraphe 10.

2. Lorsqu'une autorité compétente a suspendu la procédure amiable mentionnée au paragraphe 1 parce qu'un cas portant sur une ou plusieurs questions identiques est en instance devant un tribunal judiciaire ou administratif, le délai prévu à l'alinéa b) du paragraphe 1 cesse de courir jusqu'à ce que ce tribunal judiciaire ou administratif rende une décision définitive ou que le cas soit suspendu ou retiré. De plus, lorsque la personne qui soumet le cas et une autorité compétente ont convenu de suspendre la procédure amiable, le délai prévu à l'alinéa b) du paragraphe 1 cesse de courir jusqu'à la levée de cette suspension.

3. Lorsque les deux autorités compétentes conviennent qu'une personne directement concernée par le cas n'a pas communiqué en temps opportun les informations pertinentes complémentaires requises par l'une ou l'autre des autorités compétentes après le début du délai prévu à l'alinéa b) du paragraphe 1, le délai prévu à l'alinéa b) du paragraphe 1 est prolongé d'une durée égale à celle séparant la date à laquelle ces informations ont été demandées et la date à laquelle elles ont été communiquées.

4.
 - a) The arbitration decision with respect to the issues submitted to arbitration shall be implemented through the mutual agreement concerning the case referred to in paragraph 1. The arbitration decision shall be final.
 - b) The arbitration decision shall be binding on both Contracting Jurisdictions except in the following cases:
 - i) if a person directly affected by the case does not accept the mutual agreement that implements the arbitration decision. In such a case, the case shall not be eligible for any further consideration by the competent authorities. The mutual agreement that implements the arbitration decision on the case shall be considered not to be accepted by a person directly affected by the case if any person directly affected by the case does not, within 60 days after the date on which notification of the mutual agreement is sent to the person, withdraw all issues resolved in the mutual agreement implementing the arbitration decision from consideration by any court or administrative tribunal or otherwise terminate any pending court or administrative proceedings with respect to such issues in a manner consistent with that mutual agreement.
 - ii) if a final decision of the courts of one of the Contracting Jurisdictions holds that the arbitration decision is invalid. In such a case, the request for arbitration under paragraph 1 shall be considered not to have been made, and the arbitration process shall be considered not to have taken place (except for the purposes of Articles 21 (Confidentiality of Arbitration Proceedings) and 25 (Costs of Arbitration Proceedings)). In such a case, a new request for arbitration may be made unless the competent authorities agree that such a new request should not be permitted.
 - iii) if a person directly affected by the case pursues litigation on the issues which were resolved in the mutual agreement implementing the arbitration decision in any court or administrative tribunal.
5. The competent authority that received the initial request for a mutual agreement procedure as described in subparagraph a) of paragraph 1 shall, within two calendar months of receiving the request:
 - a) send a notification to the person who presented the case that it has received the request; and
 - b) send a notification of that request, along with a copy of the request, to the competent authority of the other Contracting Jurisdiction.
6. Within three calendar months after a competent authority receives the request for a mutual agreement procedure (or a copy thereof from the competent authority of the other Contracting Jurisdiction) it shall either:
 - a) notify the person who has presented the case and the other competent authority that it has received the information necessary to undertake substantive consideration of the case; or
 - b) request additional information from that person for that purpose.

4.
 - a) La décision de la commission d'arbitrage concernant les questions soumises à l'arbitrage est mise en œuvre par le biais de l'accord amiable concernant le cas mentionné au paragraphe 1. La décision de la commission d'arbitrage est définitive.
 - b) La décision de la commission d'arbitrage est contraignante pour les deux Juridictions contractantes sauf dans les situations suivantes :
 - i) une personne directement concernée par le cas n'accepte pas l'accord amiable qui met en œuvre la décision de la commission d'arbitrage. Dans un tel cas, le cas ne peut faire l'objet d'un examen complémentaire par les autorités compétentes. L'accord mettant en œuvre la décision de la commission d'arbitrage concernant le cas est considéré comme n'étant pas accepté par une personne directement concernée par le cas lorsque dans les 60 jours suivant la notification de l'accord amiable à la personne directement concernée par le cas, cette personne ne retire pas ou ne met pas un terme définitif à toute action devant un tribunal judiciaire ou administratif ou à toute autre procédure administrative ou juridictionnelle en cours et relative à l'une des questions soumises à l'arbitrage et résolues par l'accord amiable, d'une manière conforme à cet accord amiable.
 - ii) une décision définitive des tribunaux de l'une des Juridictions contractantes déclare que la décision de la commission d'arbitrage est invalide. En pareil cas, la demande d'arbitrage couverte au paragraphe 1 est considérée comme n'ayant pas été formulée et la procédure d'arbitrage est considérée comme n'ayant pas eu lieu (sauf aux fins de l'article 21 (Confidentialité de la procédure d'arbitrage) et de l'article 25 (Coûts de la procédure d'arbitrage)). Dans ce cas, une nouvelle demande d'arbitrage peut être soumise, à moins que les autorités compétentes conviennent que cette nouvelle demande n'est pas permise.
 - iii) une personne directement concernée par le cas intente une action contentieuse au sujet d'une des questions résolues par l'accord amiable mettant en œuvre la décision de la commission d'arbitrage.
5. L'autorité compétente qui reçoit la demande initiale de procédure amiable telle que mentionnée à l'alinéa a) du paragraphe 1 doit, dans un délai de deux mois calendaires à compter de la réception de cette demande :
 - a) envoyer une notification à la personne qui a soumis le cas confirmant la réception de la demande ; et
 - b) envoyer une notification de la demande, accompagnée d'une copie de cette demande, à l'autorité compétente de l'autre Juridiction contractante.
6. Dans un délai de trois mois calendaires suivant la réception par une autorité compétente de la demande de procédure amiable (ou de la copie de la demande de celle-ci provenant de l'autorité compétente de l'autre Juridiction contractante), cette autorité compétente :
 - a) notifie à la personne qui a soumis le cas et à l'autre autorité compétente qu'elle a reçu les informations nécessaires pour procéder à un examen approfondi du cas ; ou
 - b) demande à cette personne des informations complémentaires à cet effet.

7. Where pursuant to subparagraph b) of paragraph 6, one or both of the competent authorities have requested from the person who presented the case additional information necessary to undertake substantive consideration of the case, the competent authority that requested the additional information shall, within three calendar months of receiving the additional information from that person, notify that person and the other competent authority either:

- a) that it has received the requested information; or
- b) that some of the requested information is still missing.

8. Where neither competent authority has requested additional information pursuant to subparagraph b) of paragraph 6, the start date referred to in paragraph 1 shall be the earlier of:

- a) the date on which both competent authorities have notified the person who presented the case pursuant to subparagraph a) of paragraph 6; and
- b) the date that is three calendar months after the notification to the competent authority of the other Contracting Jurisdiction pursuant to subparagraph b) of paragraph 5.

9. Where additional information has been requested pursuant to subparagraph b) of paragraph 6, the start date referred to in paragraph 1 shall be the earlier of:

- a) the latest date on which the competent authorities that requested additional information have notified the person who presented the case and the other competent authority pursuant to subparagraph a) of paragraph 7; and
- b) the date that is three calendar months after both competent authorities have received all information requested by either competent authority from the person who presented the case.

If, however, one or both of the competent authorities send the notification referred to in subparagraph b) of paragraph 7, such notification shall be treated as a request for additional information under subparagraph b) of paragraph 6.

10. The competent authorities of the Contracting Jurisdictions shall by mutual agreement (pursuant to the article of the relevant Covered Tax Agreement regarding procedures for mutual agreement) settle the mode of application of the provisions contained in this Part, including the minimum information necessary for each competent authority to undertake substantive consideration of the case. Such an agreement shall be concluded before the date on which unresolved issues in a case are first eligible to be submitted to arbitration and may be modified from time to time thereafter.

11. For purposes of applying this Article to its Covered Tax Agreements, a Party may reserve the right to replace the two-year period set forth in subparagraph b) of paragraph 1 with a three-year period.

12. A Party may reserve the right for the following rules to apply with respect to its Covered Tax Agreements notwithstanding the other provisions of this Article:

- a) any unresolved issue arising from a mutual agreement procedure case otherwise within the scope of the arbitration process provided for by this Convention shall not be submitted to arbitration, if a decision on this issue has already been rendered by a court or administrative tribunal of either Contracting Jurisdiction;
- b) if, at any time after a request for arbitration has been made and before the arbitration panel has delivered its decision to the competent authorities of the Contracting Jurisdictions, a decision concerning the issue is rendered by a court or administrative tribunal of one of the Contracting Jurisdictions, the arbitration process shall terminate.

7. Lorsque, en application de l'alinéa b) du paragraphe 6, l'une des autorités compétentes, ou les deux, ont demandé à la personne qui a soumis le cas des informations complémentaires nécessaires pour procéder à un examen approfondi, l'autorité compétente qui a demandé ces informations complémentaires doit, dans un délai de trois mois calendaires suivant la réception de ces informations complémentaires de cette personne, informer cette personne et l'autre autorité compétente :

- a) qu'elle a reçu les informations demandées ; ou
- b) que certaines des informations demandées sont toujours manquantes.

8. Lorsqu'aucune des autorités compétentes n'a demandé d'information complémentaire conformément à l'alinéa b) du paragraphe 6, la date de début indiquée au paragraphe 1 est la première des deux dates suivantes :

- a) la date à laquelle les deux autorités compétentes ont informé la personne qui a soumis le cas conformément à l'alinéa a) du paragraphe 6 ; et
- b) la date qui suit de trois mois calendaires la date à laquelle la notification a été envoyée à l'autorité compétente de l'autre Juridiction contractante conformément à l'alinéa b) du paragraphe 5.

9. Lorsque des informations complémentaires ont été demandées conformément à l'alinéa b) du paragraphe 6, la date de début mentionnée au paragraphe 1 est la première des deux dates suivantes :

- a) la dernière des dates à laquelle les autorités compétentes qui ont demandé des informations complémentaires ont informé la personne qui a soumis le cas ainsi que l'autre autorité compétente conformément à l'alinéa a) du paragraphe 7 ; et
- b) la date qui suit de trois mois calendaires la date à laquelle les deux autorités compétentes ont reçu l'ensemble des informations demandées par l'une ou l'autre des autorités compétentes de la personne qui a soumis le cas.

Toutefois, si l'une des autorités compétentes, ou les deux, transmettent la notification couverte à l'alinéa b) du paragraphe 7, cette notification doit être considérée comme une demande d'informations complémentaires au sens de l'alinéa b) du paragraphe 6.

10. Les autorités compétentes des Juridictions contractantes doivent, par accord amiable (en vertu de l'article de la Convention fiscale couverte concernée relatif à la procédure amiable), s'entendre sur les modalités d'application des dispositions de la présente partie, y compris sur le minimum d'informations requis pour que chaque autorité compétente puisse procéder à un examen approfondi du cas. Cet accord doit être conclu avant la date à laquelle les questions non résolues d'un cas sont susceptibles d'être soumises à l'arbitrage et pourra être modifié par la suite.

11. Aux fins de l'application du présent article à ses Conventions fiscales couvertes, une Partie peut se réserver le droit de remplacer le délai de deux ans mentionné à l'alinéa b) du paragraphe 1 par un délai de trois ans.

12. Nonobstant les autres dispositions du présent article, une Partie peut se réserver le droit d'appliquer les règles suivantes à ses Conventions fiscales couvertes :

- a) toute question non résolue et soulevée par un cas examiné en procédure amiable qui entre dans le champ d'application de la procédure d'arbitrage prévue par la présente Convention ne doit pas être soumise à l'arbitrage si un tribunal judiciaire ou administratif de l'une ou l'autre des Juridictions contractantes a déjà rendu une décision sur cette question ;
- b) si, à tout moment après qu'une demande d'arbitrage a été formulée et avant que la commission d'arbitrage ait communiqué sa décision aux autorités compétentes des Juridictions contractantes, un tribunal judiciaire ou administratif de l'une ou l'autre des Juridictions contractantes rend une décision concernant cette question soumise à l'arbitrage, la procédure d'arbitrage prend fin.

Article 20 – Appointment of Arbitrators

1. Except to the extent that the competent authorities of the Contracting Jurisdictions mutually agree on different rules, paragraphs 2 through 4 shall apply for the purposes of this Part.
2. The following rules shall govern the appointment of the members of an arbitration panel:
 - a) The arbitration panel shall consist of three individual members with expertise or experience in international tax matters.
 - b) Each competent authority shall appoint one panel member within 60 days of the date of the request for arbitration under paragraph 1 of Article 19 (Mandatory Binding Arbitration). The two panel members so appointed shall, within 60 days of the latter of their appointments, appoint a third member who shall serve as Chair of the arbitration panel. The Chair shall not be a national or resident of either Contracting Jurisdiction.
 - c) Each member appointed to the arbitration panel must be impartial and independent of the competent authorities, tax administrations, and ministries of finance of the Contracting Jurisdictions and of all persons directly affected by the case (as well as their advisors) at the time of accepting an appointment, maintain his or her impartiality and independence throughout the proceedings, and avoid any conduct for a reasonable period of time thereafter which may damage the appearance of impartiality and independence of the arbitrators with respect to the proceedings.
3. In the event that the competent authority of a Contracting Jurisdiction fails to appoint a member of the arbitration panel in the manner and within the time periods specified in paragraph 2 or agreed to by the competent authorities of the Contracting Jurisdictions, a member shall be appointed on behalf of that competent authority by the highest ranking official of the Centre for Tax Policy and Administration of the Organisation for Economic Co-operation and Development that is not a national of either Contracting Jurisdiction.
4. If the two initial members of the arbitration panel fail to appoint the Chair in the manner and within the time periods specified in paragraph 2 or agreed to by the competent authorities of the Contracting Jurisdictions, the Chair shall be appointed by the highest ranking official of the Centre for Tax Policy and Administration of the Organisation for Economic Co-operation and Development that is not a national of either Contracting Jurisdiction.

Article 21 – Confidentiality of Arbitration Proceedings

1. Solely for the purposes of the application of the provisions of this Part and of the provisions of the relevant Covered Tax Agreement and of the domestic laws of the Contracting Jurisdictions related to the exchange of information, confidentiality, and administrative assistance, members of the arbitration panel and a maximum of three staff per member (and prospective arbitrators solely to the extent necessary to verify their ability to fulfil the requirements of arbitrators) shall be considered to be persons or authorities to whom information may be disclosed. Information received by the arbitration panel or prospective arbitrators and information that the competent authorities receive from the arbitration panel shall be considered information that is exchanged under the provisions of the Covered Tax Agreement related to the exchange of information and administrative assistance.

Article 20 – Désignation des arbitres

1. À moins que les autorités compétentes des Juridictions contractantes conviennent de règles différentes, les paragraphes 2 à 4 s'appliquent à la procédure d'arbitrage prévue par la présente partie.
2. Les règles ci-après régissent la désignation des membres de la commission d'arbitrage :
 - a) La commission d'arbitrage se compose de trois personnes physiques possédant une expertise ou une expérience en matière de fiscalité internationale.
 - b) Chaque autorité compétente doit désigner un membre de la commission d'arbitrage dans les 60 jours suivant la demande d'arbitrage formulée en application du paragraphe 1 de l'article 19 (Arbitrage obligatoire et contraignant). Les deux membres de la commission d'arbitrage ainsi désignés nomment, dans les 60 jours suivant la désignation du dernier d'entre eux, un troisième membre de la commission d'arbitrage qui assume la fonction de président de la commission d'arbitrage. Le président ne doit pas être un ressortissant ou un résident de l'une ou l'autre des Juridictions contractantes.
 - c) Chaque membre de la commission d'arbitrage doit être impartial et indépendant des autorités compétentes, des administrations fiscales et des ministères des Finances des Juridictions contractantes et de toutes les personnes directement concernées par la demande (ainsi que de leurs conseils) au moment où il accepte la désignation, demeurer impartial et indépendant tout au long de la procédure, et éviter ensuite, pendant une durée raisonnable, toute conduite pouvant entacher l'apparence de son impartialité et de son indépendance.
3. Si l'autorité compétente d'une Juridiction contractante omet de désigner un membre de la commission d'arbitrage selon les règles et dans les délais prévus au paragraphe 2 ou convenus par les autorités compétentes des Juridictions contractantes, ce membre est désigné pour le compte de cette autorité compétente par le responsable ayant le rang le plus élevé au sein du Centre de politique et d'administration fiscales de l'Organisation de coopération et de développement économiques et qui n'est ressortissant d'aucune des Juridictions contractantes.
4. Si les deux membres de la commission d'arbitrage initialement désignés omettent de nommer le président selon les modalités et dans les délais prévus au paragraphe 2 ou convenus par les autorités compétentes des Juridictions contractantes, le président est désigné par le responsable ayant le rang le plus élevé au sein du Centre de politique et d'administration fiscales de l'Organisation de coopération et de développement économiques qui n'est ressortissant d'aucune des Juridictions contractantes.

Article 21 – Confidentialité de la procédure d'arbitrage

1. Aux seules fins de l'application des dispositions de la présente partie et des dispositions de la Convention fiscale couverte applicables et du droit interne des Juridictions contractantes relatives à l'échange de renseignements, à la confidentialité et à l'assistance administrative, les membres de la commission d'arbitrage ainsi qu'un maximum de trois de leurs collaborateurs (et les membres pressentis de la commission d'arbitrage seulement dans la mesure où cela est nécessaire pour apprécier leur capacité à exercer la fonction d'arbitre) doivent être considérés comme des personnes ou des autorités à qui des renseignements peuvent être communiqués. Les renseignements reçus par la commission d'arbitrage et par les membres pressentis de la commission d'arbitrage, et ceux que les autorités compétentes reçoivent de la commission d'arbitrage sont considérés comme des renseignements échangés en vertu des dispositions de la Convention fiscale couverte relatives à l'échange de renseignements et à l'assistance administrative.

2. The competent authorities of the Contracting Jurisdictions shall ensure that members of the arbitration panel and their staff agree in writing, prior to their acting in an arbitration proceeding, to treat any information relating to the arbitration proceeding consistently with the confidentiality and nondisclosure obligations described in the provisions of the Covered Tax Agreement related to exchange of information and administrative assistance and under the applicable laws of the Contracting Jurisdictions.

Article 22 – Resolution of a Case Prior to the Conclusion of the Arbitration

For the purposes of this Part and the provisions of the relevant Covered Tax Agreement that provide for resolution of cases through mutual agreement, the mutual agreement procedure, as well as the arbitration proceeding, with respect to a case shall terminate if, at any time after a request for arbitration has been made and before the arbitration panel has delivered its decision to the competent authorities of the Contracting Jurisdictions:

- a) the competent authorities of the Contracting Jurisdictions reach a mutual agreement to resolve the case; or
- b) the person who presented the case withdraws the request for arbitration or the request for a mutual agreement procedure.

Article 23 – Type of Arbitration Process

1. Except to the extent that the competent authorities of the Contracting Jurisdictions mutually agree on different rules, the following rules shall apply with respect to an arbitration proceeding pursuant to this Part:

- a) After a case is submitted to arbitration, the competent authority of each Contracting Jurisdiction shall submit to the arbitration panel, by a date set by agreement, a proposed resolution which addresses all unresolved issue(s) in the case (taking into account all agreements previously reached in that case between the competent authorities of the Contracting Jurisdictions). The proposed resolution shall be limited to a disposition of specific monetary amounts (for example, of income or expense) or, where specified, the maximum rate of tax charged pursuant to the Covered Tax Agreement, for each adjustment or similar issue in the case. In a case in which the competent authorities of the Contracting Jurisdictions have been unable to reach agreement on an issue regarding the conditions for application of a provision of the relevant Covered Tax Agreement (hereinafter referred to as a “threshold question”), such as whether an individual is a resident or whether a permanent establishment exists, the competent authorities may submit alternative proposed resolutions with respect to issues the determination of which is contingent on resolution of such threshold questions.
- b) The competent authority of each Contracting Jurisdiction may also submit a supporting position paper for consideration by the arbitration panel. Each competent authority that submits a proposed resolution or supporting position paper shall provide a copy to the other competent authority by the date on which the proposed resolution and supporting position paper were due. Each competent authority may also submit to the arbitration panel, by a date set by agreement, a reply submission with respect to the proposed resolution and supporting position paper submitted by the other competent authority. A copy of any reply submission shall be provided to the other competent authority by the date on which the reply submission was due.

2. Les autorités compétentes des Juridictions contractantes veillent à ce que les membres de la commission d'arbitrage et leurs collaborateurs s'engagent par écrit, avant de participer à la procédure d'arbitrage, à traiter tout renseignement en lien avec la procédure d'arbitrage conformément aux obligations de confidentialité et de non-divulgaration prévues dans les dispositions de la Convention fiscale couverte relatives à l'échange de renseignements et à l'assistance administrative et à celles résultant du droit applicable des Juridictions contractantes.

Article 22 – Règlement d'un cas avant la conclusion de l'arbitrage

Au sens de la présente partie et des dispositions de la Convention fiscale couverte qui régissent la résolution des cas dans le cadre de la procédure amiable, la procédure amiable ainsi que la procédure d'arbitrage portant sur le cas prennent fin si, à tout moment après qu'une demande d'arbitrage a été formulée et avant que la commission d'arbitrage ait communiqué sa décision aux autorités compétentes des Juridictions contractantes :

- a) les autorités compétentes des Juridictions contractantes parviennent à un accord amiable permettant de résoudre le cas ; ou
- b) la personne qui a soumis le cas retire sa demande d'arbitrage ou de procédure amiable.

Article 23 – Méthode d'arbitrage

1. À moins que les autorités compétentes des Juridictions contractantes conviennent de règles différentes, les règles ci-après s'appliquent à une procédure d'arbitrage engagée conformément à la présente partie :

- a) lorsqu'un cas est soumis à l'arbitrage, l'autorité compétente de chaque Juridiction contractante doit soumettre à la commission d'arbitrage, au plus tard à la date fixée d'un commun accord, une proposition de résolution qui porte sur toutes les questions non résolues de ce cas (en tenant compte de tous les accords précédemment conclus entre les autorités compétentes des Juridictions contractantes concernant ce cas). La proposition de résolution doit se limiter à la mention de montants spécifiques exprimés en unités monétaires (de revenu ou de charges, par exemple) ou, le cas échéant, à la mention d'un taux d'imposition maximal applicable conformément à la Convention fiscale couverte, et ce, pour chaque ajustement ou chaque question similaire soulevée par le cas. Dans les cas où les autorités compétentes des Juridictions contractantes n'ont pas pu se mettre d'accord sur une question relative aux conditions d'application d'une disposition d'une Convention fiscale couverte (ci-après dénommée une « question de seuil »), par exemple, la question de savoir si une personne physique est un résident ou s'il existe un établissement stable, les autorités compétentes peuvent soumettre des propositions de résolution alternatives portant sur toute question dont la résolution dépend du règlement de cette question de seuil.
- b) l'autorité compétente de chacune des Juridictions contractantes peut également soumettre à la commission d'arbitrage un exposé de position à l'appui de sa proposition de résolution. Chaque autorité compétente qui soumet une proposition de résolution ou un exposé de position doit en présenter une copie à l'autre autorité compétente au plus tard à la date à laquelle la proposition de résolution ou l'exposé de position doit être soumis. Chaque autorité compétente peut également, au plus tard à la date fixée d'un commun accord, soumettre à la commission d'arbitrage un mémoire en réponse à la proposition de résolution et à l'exposé de position soumis par l'autre autorité compétente. Une copie de tout mémoire en réponse à la proposition de résolution doit être présentée à l'autre autorité compétente au plus tard à la date à laquelle cette réponse doit être soumise à la commission d'arbitrage.

- c) The arbitration panel shall select as its decision one of the proposed resolutions for the case submitted by the competent authorities with respect to each issue and any threshold questions, and shall not include a rationale or any other explanation of the decision. The arbitration decision will be adopted by a simple majority of the panel members. The arbitration panel shall deliver its decision in writing to the competent authorities of the Contracting Jurisdictions. The arbitration decision shall have no precedential value.
- 2. For the purpose of applying this Article with respect to its Covered Tax Agreements, a Party may reserve the right for paragraph 1 not to apply to its Covered Tax Agreements. In such a case, except to the extent that the competent authorities of the Contracting Jurisdictions mutually agree on different rules, the following rules shall apply with respect to an arbitration proceeding:
 - a) After a case is submitted to arbitration, the competent authority of each Contracting Jurisdiction shall provide any information that may be necessary for the arbitration decision to all panel members without undue delay. Unless the competent authorities of the Contracting Jurisdictions agree otherwise, any information that was not available to both competent authorities before the request for arbitration was received by both of them shall not be taken into account for purposes of the decision.
 - b) The arbitration panel shall decide the issues submitted to arbitration in accordance with the applicable provisions of the Covered Tax Agreement and, subject to these provisions, of those of the domestic laws of the Contracting Jurisdictions. The panel members shall also consider any other sources which the competent authorities of the Contracting Jurisdictions may by mutual agreement expressly identify.
 - c) The arbitration decision shall be delivered to the competent authorities of the Contracting Jurisdictions in writing and shall indicate the sources of law relied upon and the reasoning which led to its result. The arbitration decision shall be adopted by a simple majority of the panel members. The arbitration decision shall have no precedential value.
- 3. A Party that has not made the reservation described in paragraph 2 may reserve the right for the preceding paragraphs of this Article not to apply with respect to its Covered Tax Agreements with Parties that have made such a reservation. In such a case, the competent authorities of the Contracting Jurisdictions of each such Covered Tax Agreement shall endeavour to reach agreement on the type of arbitration process that shall apply with respect to that Covered Tax Agreement. Until such an agreement is reached, Article 19 (Mandatory Binding Arbitration) shall not apply with respect to such a Covered Tax Agreement.
- 4. A Party may also choose to apply paragraph 5 with respect to its Covered Tax Agreements and shall notify the Depositary accordingly. Paragraph 5 shall apply in relation to two Contracting Jurisdictions with respect to a Covered Tax Agreement where either of the Contracting Jurisdictions has made such a notification.
- 5. Prior to the beginning of arbitration proceedings, the competent authorities of the Contracting Jurisdictions to a Covered Tax Agreement shall ensure that each person that presented the case and their advisors agree in writing not to disclose to any other person any information received during the course of the arbitration proceedings from either competent authority or the arbitration panel. The mutual agreement procedure under the Covered Tax Agreement, as well as the arbitration proceeding under this Part, with respect to the case shall terminate if, at any time after a request for arbitration has been made and before the arbitration panel has delivered its decision to the competent authorities of the Contracting Jurisdictions, a person that presented the case or one of that person's advisors materially breaches that agreement.

- c) la commission d'arbitrage choisit l'une des propositions de résolution du cas soumis par les autorités compétentes pour chacun des points et questions soulevés, et n'est pas tenue de motiver ou d'expliquer sa décision. La décision d'arbitrage est adoptée à la majorité simple des membres de la commission d'arbitrage. La commission d'arbitrage remet sa décision par écrit aux autorités compétentes des Juridictions contractantes. La décision de la commission d'arbitrage n'a aucune valeur de précédent.

2. Pour l'application du présent article à ses Conventions fiscales couvertes, une Partie peut se réserver le droit de ne pas appliquer le paragraphe 1 à ses Conventions fiscales couvertes. Dans ce cas, sauf dans la mesure où les autorités compétentes des Juridictions contractantes ayant conclu une Convention fiscale couverte conviennent de règles différentes, les règles ci-après s'appliquent à la procédure d'arbitrage :

- a) lorsqu'un cas est soumis à l'arbitrage, l'autorité compétente de chacune des Juridictions contractantes doit communiquer sans délai aux membres de la commission d'arbitrage les informations qui peuvent être nécessaires pour rendre la décision d'arbitrage. À moins que les autorités compétentes des Juridictions contractantes conviennent de règles différentes, toute information qui n'a pas été portée à la connaissance des deux autorités compétentes avant la réception de la demande d'arbitrage par les deux autorités compétentes n'est pas prise en compte par la commission d'arbitrage pour rendre sa décision.
- b) la commission d'arbitrage se prononce sur les questions soumises à l'arbitrage conformément aux dispositions applicables de la Convention fiscale couverte et, sous réserve de ces dispositions, à celles du droit interne des Juridictions contractantes. Les membres de la commission d'arbitrage doivent également prendre en considération toutes autres sources de droit que les autorités compétentes des Juridictions contractantes peuvent avoir expressément identifiées d'un commun accord.
- c) La décision de la commission d'arbitrage est communiquée par écrit aux autorités compétentes des Juridictions contractantes et indique les sources de droit sur lesquelles elle se fonde ainsi que le raisonnement qui la sous-tend. La décision d'arbitrage doit être prise à la majorité simple des membres de la commission d'arbitrage. La décision de la commission d'arbitrage n'a aucune valeur de précédent.

3. Une Partie qui n'a pas émis la réserve prévue au paragraphe 2 peut se réserver le droit de ne pas appliquer les paragraphes précédents du présent article à ses Conventions fiscales couvertes conclues avec des Parties qui ont émis la réserve du paragraphe 2. Dans ce cas, les autorités compétentes des Juridictions contractantes à une telle Convention fiscale couverte s'efforcent de parvenir à un accord relatif à la méthode d'arbitrage applicable à cette Convention fiscale couverte. L'article 19 (Arbitrage obligatoire et contraignant) ne s'applique pas au titre d'une Convention fiscale couverte tant qu'un tel accord n'est pas conclu.

4. Une Partie peut choisir d'appliquer le paragraphe 5 à ses Conventions fiscales couvertes et le notifie au Dépositaire. Le paragraphe 5 s'applique entre deux Juridictions contractantes au titre d'une Convention fiscale couverte si l'une des Juridictions contractantes choisit de l'appliquer et le notifie au Dépositaire.

5. Avant le début de la procédure d'arbitrage, les autorités compétentes des Juridictions contractantes ayant conclu une Convention fiscale couverte veillent à ce que chacune des personnes qui a soumis le cas, ainsi que leurs conseils, s'engagent, par écrit, de ne pas divulguer, à toute autre personne, toute information reçue dans le cadre de la procédure d'arbitrage, des autorités compétentes et de la commission d'arbitrage. La procédure amiable ouverte en application de la Convention fiscale couverte, ainsi que la procédure d'arbitrage ouverte en application de la présente partie de la Convention, prennent fin dès lors que, à tout moment entre le moment où la demande d'arbitrage est formulée et le moment où la commission d'arbitrage communique sa décision aux autorités compétentes des Juridictions contractantes, la personne qui a soumis le cas, ou un conseil de la personne qui a soumis la demande, a enfreint cet engagement de manière importante.

6. Notwithstanding paragraph 4, a Party that does not choose to apply paragraph 5 may reserve the right for paragraph 5 not to apply with respect to one or more identified Covered Tax Agreements or with respect to all of its Covered Tax Agreements.

7. A Party that chooses to apply paragraph 5 may reserve the right for this Part not to apply with respect to all Covered Tax Agreements for which the other Contracting Jurisdiction makes a reservation pursuant to paragraph 6.

Article 24 – Agreement on a Different Resolution

1. For purposes of applying this Part with respect to its Covered Tax Agreements, a Party may choose to apply paragraph 2 and shall notify the Depositary accordingly. Paragraph 2 shall apply in relation to two Contracting Jurisdictions with respect to a Covered Tax Agreement only where both Contracting Jurisdictions have made such a notification.

2. Notwithstanding paragraph 4 of Article 19 (Mandatory Binding Arbitration), an arbitration decision pursuant to this Part shall not be binding on the Contracting Jurisdictions to a Covered Tax Agreement and shall not be implemented if the competent authorities of the Contracting Jurisdictions agree on a different resolution of all unresolved issues within three calendar months after the arbitration decision has been delivered to them.

3. A Party that chooses to apply paragraph 2 may reserve the right for paragraph 2 to apply only with respect to its Covered Tax Agreements for which paragraph 2 of Article 23 (Type of Arbitration Process) applies.

Article 25 – Costs of Arbitration Proceedings

In an arbitration proceeding under this Part, the fees and expenses of the members of the arbitration panel, as well as any costs incurred in connection with the arbitration proceedings by the Contracting Jurisdictions, shall be borne by the Contracting Jurisdictions in a manner to be settled by mutual agreement between the competent authorities of the Contracting Jurisdictions. In the absence of such agreement, each Contracting Jurisdiction shall bear its own expenses and those of its appointed panel member. The cost of the chair of the arbitration panel and other expenses associated with the conduct of the arbitration proceedings shall be borne by the Contracting Jurisdictions in equal shares.

Article 26 – Compatibility

1. Subject to Article 18 (Choice to Apply Part VI), the provisions of this Part shall apply in place of or in the absence of provisions of a Covered Tax Agreement that provide for arbitration of unresolved issues arising from a mutual agreement procedure case. Each Party that chooses to apply this Part shall notify the Depositary of whether each of its Covered Tax Agreements, other than those that are within the scope of a reservation under paragraph 4, contains such a provision, and if so, the article and paragraph number of each such provision. Where two Contracting Jurisdictions have made a notification with respect to a provision of a Covered Tax Agreement, that provision shall be replaced by the provisions of this Part as between those Contracting Jurisdictions.

6. Nonobstant le paragraphe 4, une Partie qui ne choisit pas d'appliquer le paragraphe 5 peut se réserver le droit de ne pas appliquer le paragraphe 5 à l'une ou plusieurs de ses Conventions fiscales couvertes identifiées ou à toutes ses Conventions fiscales couvertes.

7. Une Partie qui choisit d'appliquer le paragraphe 5 peut se réserver le droit de ne pas appliquer la présente partie au titre des Conventions fiscales couvertes pour lesquelles l'autre Juridiction contractante émet une réserve prévue au paragraphe 6.

Article 24 – Accord sur une solution différente

1. Pour l'application des dispositions de la présente partie à ses Conventions fiscales couvertes, une Partie peut choisir d'appliquer le paragraphe 2 et le notifie au Dépositaire. Le paragraphe 2 s'applique entre deux Juridictions contractantes à l'égard d'une Convention fiscale couverte seulement si les deux Juridictions contractantes ont fait une telle notification.

2. Nonobstant le paragraphe 4 de l'article 19 (Arbitrage obligatoire et contraignant), une décision d'arbitrage rendue en vertu de la présente partie n'est pas contraignante à l'égard des Juridictions contractantes ayant conclu une Convention fiscale couverte et ne doit pas être appliquée si les autorités compétentes des Juridictions contractantes conviennent d'une autre solution portant sur l'ensemble des questions non résolues dans un délai de trois mois calendaires suivant la date à laquelle la décision leur a été communiquée.

3. Une Partie qui choisit d'appliquer le paragraphe 2 peut se réserver le droit de n'appliquer le paragraphe 2 qu'à l'égard de ses Conventions fiscales couvertes pour lesquelles le paragraphe 2 de l'article 23 (Méthode d'arbitrage) s'applique.

Article 25 – Coûts de la procédure d'arbitrage

Dans une procédure d'arbitrage ouverte en application de la présente partie, les rémunérations et les dépenses des membres de la commission d'arbitrage, ainsi que les coûts liés à la procédure d'arbitrage supportés par les Juridictions contractantes, sont pris en charge par les Juridictions contractantes selon des modalités déterminées d'un commun accord par les autorités compétentes. En l'absence d'un tel accord, chaque Juridiction contractante supporte ses propres dépenses et celles du membre de la commission d'arbitrage qu'elle a désigné. Les coûts afférents au président de la commission d'arbitrage et les autres dépenses liées à la conduite de la procédure d'arbitrage sont supportés par les Juridictions contractantes à parts égales.

Article 26 – Compatibilité

1. Sous réserve de l'article 18 (Choix d'appliquer la partie VI), les dispositions de la présente partie s'appliquent à la place ou en l'absence de dispositions d'une Convention fiscale couverte qui prévoient le règlement par voie d'arbitrage des questions non résolues soulevées par un cas examiné en procédure amiable. Chaque Partie qui choisit d'appliquer la présente partie notifie au Dépositaire chacune de ses Conventions fiscales couvertes qui contiennent une telle disposition autres que celles qui font l'objet d'une réserve prévue au paragraphe 4, en indiquant les numéros de l'article et du paragraphe de chaque disposition concernée. Lorsque deux Juridictions contractantes ont formulé une notification à l'égard d'une disposition d'une Convention fiscale couverte, cette disposition est remplacée par les dispositions de la présente partie aux fins de la relation de ces deux Juridictions contractantes.

2. Any unresolved issue arising from a mutual agreement procedure case otherwise within the scope of the arbitration process provided for in this Part shall not be submitted to arbitration if the issue falls within the scope of a case with respect to which an arbitration panel or similar body has previously been set up in accordance with a bilateral or multilateral convention that provides for mandatory binding arbitration of unresolved issues arising from a mutual agreement procedure case.
3. Subject to paragraph 1, nothing in this Part shall affect the fulfilment of wider obligations with respect to the arbitration of unresolved issues arising in the context of a mutual agreement procedure resulting from other conventions to which the Contracting Jurisdictions are or will become parties.
4. A Party may reserve the right for this Part not to apply with respect to one or more identified Covered Tax Agreements (or to all of its Covered Tax Agreements) that already provide for mandatory binding arbitration of unresolved issues arising from a mutual agreement procedure case.

2. Toute question non résolue soulevée par un cas examiné en procédure amiable qui entre dans le champ de la procédure d'arbitrage prévue par la présente partie ne doit pas être soumise à l'arbitrage si une commission d'arbitrage ou un organe similaire a déjà été constitué pour ce cas en application d'une convention bilatérale ou multilatérale qui prévoit un mécanisme d'arbitrage obligatoire et contraignant pour le règlement des questions non résolues soulevées en procédure amiable.
3. Sous réserve du paragraphe 1, aucune disposition de la présente partie ne porte atteinte au respect d'obligations plus larges afférentes au règlement par voie d'arbitrage de questions non résolues en procédure amiable qui peuvent résulter d'autres conventions auxquelles les Juridictions contractantes sont ou seront parties.
4. Une Partie peut se réserver le droit de ne pas appliquer la présente partie à l'une ou plusieurs de ses Conventions fiscales couvertes identifiées (ou à toutes ses Conventions fiscales couvertes) qui prévoient déjà une procédure d'arbitrage obligatoire et contraignant pour le règlement de questions non résolues soulevées par un cas examiné en procédure amiable.

PART VII.
FINAL PROVISIONS

Article 27 – Signature and Ratification, Acceptance or Approval

1. As of 31 December 2016, this Convention shall be open for signature by:
 - a) all States;
 - b) Guernsey (the United Kingdom of Great Britain and Northern Ireland); Isle of Man (the United Kingdom of Great Britain and Northern Ireland); Jersey (the United Kingdom of Great Britain and Northern Ireland); and
 - c) any other jurisdiction authorised to become a Party by means of a decision by consensus of the Parties and Signatories.
2. This Convention is subject to ratification, acceptance or approval.

Article 28 – Reservations

1. Subject to paragraph 2, no reservations may be made to this Convention except those expressly permitted by:
 - a) Paragraph 5 of Article 3 (Transparent Entities);
 - b) Paragraph 3 of Article 4 (Dual Resident Entities);
 - c) Paragraphs 8 and 9 of Article 5 (Application of Methods for Elimination of Double Taxation);
 - d) Paragraph 4 of Article 6 (Purpose of a Covered Tax Agreement);
 - e) Paragraphs 15 and 16 of Article 7 (Prevention of Treaty Abuse);
 - f) Paragraph 3 of Article 8 (Dividend Transfer Transactions);
 - g) Paragraph 6 of Article 9 (Capital Gains from Alienation of Shares or Interests of Entities Deriving their Value Principally from Immovable Property);
 - h) Paragraph 5 of Article 10 (Anti-abuse Rule for Permanent Establishments Situated in Third Jurisdictions);
 - i) Paragraph 3 of Article 11 (Application of Tax Agreements to Restrict a Party's Right to Tax its Own Residents);
 - j) Paragraph 4 of Article 12 (Artificial Avoidance of Permanent Establishment Status through Commissionnaire Arrangements and Similar Strategies);
 - k) Paragraph 6 of Article 13 (Artificial Avoidance of Permanent Establishment Status through the Specific Activity Exemptions);

PARTIE VII.
DISPOSITIONS FINALES

Article 27 – Signature et ratification, acceptation ou approbation

1. Au 31 décembre 2016, la présente Convention est ouverte à la signature de :
 - a) tous les États ;
 - b) Guernesey (le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord) ; l'Île de Man (le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord) ; Jersey (le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord) ; et
 - c) toute autre juridiction autorisée à devenir une Partie au moyen d'une décision prise par consensus des Parties et des Signataires.
2. La présente Convention est soumise à ratification, acceptation ou approbation.

Article 28 – Réserves

1. Sous réserve du paragraphe 2, aucune réserve n'est admise à l'égard de la présente Convention, hormis celles qui sont expressément autorisées par :
 - a) le paragraphe 5 de l'article 3 (Entités transparentes) ;
 - b) le paragraphe 3 de l'article 4 (Entités ayant une double résidence) ;
 - c) les paragraphes 8 et 9 de l'article 5 (Application des méthodes d'élimination de la double imposition) ;
 - d) le paragraphe 4 de l'article 6 (Objet d'une Convention fiscale couverte) ;
 - e) les paragraphes 15 et 16 de l'article 7 (Prévenir l'utilisation abusive des conventions) ;
 - f) le paragraphe 3 de l'article 8 (Transactions relatives au transfert de dividendes) ;
 - g) le paragraphe 6 de l'article 9 (Gains en capital tirés de l'aliénation d'actions, de droits ou de participations dans des entités tirant leur valeur principalement de biens immobiliers) ;
 - h) le paragraphe 5 de l'article 10 (Règle anti-abus visant les établissements stables situés dans des juridictions tierces) ;
 - i) le paragraphe 3 de l'article 11 (Application des conventions fiscales pour limiter le droit d'une Partie d'imposer ses propres résidents) ;
 - j) le paragraphe 4 de l'article 12 (Mesures visant à éviter artificiellement le statut d'établissement stable par des accords de commissionnaire et autres stratégies similaires) ;
 - k) le paragraphe 6 de l'article 13 (Mesures visant à éviter artificiellement le statut d'établissement stable par le recours aux exceptions applicables à certaines activités spécifiques) ;

- l) Paragraph 3 of Article 14 (Splitting-up of Contracts);
 - m) Paragraph 2 of Article 15 (Definition of a Person Closely Related to an Enterprise);
 - n) Paragraph 5 of Article 16 (Mutual Agreement Procedure);
 - o) Paragraph 3 of Article 17 (Corresponding Adjustments);
 - p) Paragraphs 11 and 12 of Article 19 (Mandatory Binding Arbitration);
 - q) Paragraphs 2, 3, 6, and 7 of Article 23 (Type of Arbitration Process);
 - r) Paragraph 3 of Article 24 (Agreement on a Different Resolution);
 - s) Paragraph 4 of Article 26 (Compatibility);
 - t) Paragraphs 6 and 7 of Article 35 (Entry into Effect); and
 - u) Paragraph 2 of Article 36 (Entry into Effect of Part VI).
2. a) Notwithstanding paragraph 1, a Party that chooses under Article 18 (Choice to Apply Part VI) to apply Part VI (Arbitration) may formulate one or more reservations with respect to the scope of cases that shall be eligible for arbitration under the provisions of Part VI (Arbitration). For a Party which chooses under Article 18 (Choice to Apply Part VI) to apply Part VI (Arbitration) after it has become a Party to this Convention, reservations pursuant to this subparagraph shall be made at the same time as that Party's notification to the Depositary pursuant to Article 18 (Choice to Apply Part VI).
- b) Reservations made under subparagraph a) are subject to acceptance. A reservation made under subparagraph a) shall be considered to have been accepted by a Party if it has not notified the Depositary that it objects to the reservation by the end of a period of twelve calendar months beginning on the date of notification of the reservation by the Depositary or by the date on which it deposits its instrument of ratification, acceptance, or approval, whichever is later. For a Party which chooses under Article 18 (Choice to Apply Part VI) to apply Part VI (Arbitration) after it has become a Party to this Convention, objections to prior reservations made by other Parties pursuant to subparagraph a) can be made at the time of the first-mentioned Party's notification to the Depositary pursuant to Article 18 (Choice to Apply Part VI). Where a Party raises an objection to a reservation made under subparagraph a), the entirety of Part VI (Arbitration) shall not apply as between the objecting Party and the reserving Party.
3. Unless explicitly provided otherwise in the relevant provisions of this Convention, a reservation made in accordance with paragraph 1 or 2 shall:
- a) modify for the reserving Party in its relations with another Party the provisions of this Convention to which the reservation relates to the extent of the reservation; and
 - b) modify those provisions to the same extent for the other Party in its relations with the reserving Party.
4. Reservations applicable to Covered Tax Agreements entered into by or on behalf of a jurisdiction or territory for whose international relations a Party is responsible, where that jurisdiction or territory is not a Party to the Convention pursuant to subparagraph b) or c) of paragraph 1 of Article 27 (Signature and Ratification, Acceptance or Approval), shall be made by the responsible Party and can be different from the reservations made by that Party for its own Covered Tax Agreements.

- l) le paragraphe 3 de l'article 14 (Fractionnement de contrats) ;
 - m) le paragraphe 2 de l'article 15 (Définition d'une personne étroitement liée à une entreprise) ;
 - n) le paragraphe 5 de l'article 16 (Procédure amiable) ;
 - o) le paragraphe 3 de l'article 17 (Ajustements corrélatifs) ;
 - p) les paragraphes 11 et 12 de l'article 19 (Arbitrage obligatoire et contraignant) ;
 - q) les paragraphes 2, 3, 6 et 7 de l'article 23 (Méthode d'arbitrage) ;
 - r) le paragraphe 3 de l'article 24 (Accord sur une solution différente) ;
 - s) le paragraphe 4 de l'article 26 (Compatibilité) ;
 - t) les paragraphes 6 et 7 de l'article 35 (Prise d'effet) ; et
 - u) le paragraphe 2 de l'article 36 (Prise d'effet de la partie VI).
2. a) Nonobstant les dispositions du paragraphe 1, une Partie qui choisit d'appliquer la partie VI (Arbitrage) en vertu de l'article 18 (Choix d'appliquer la partie VI) peut émettre une ou plusieurs réserves concernant le type de cas pouvant être soumis à l'arbitrage en vertu des dispositions de la partie VI (Arbitrage). La Partie qui choisit d'appliquer la partie VI (Arbitrage) en vertu de l'article 18 (Choix d'appliquer la partie VI) après qu'elle est devenue une Partie à la présente Convention doit émettre les réserves prévues au présent alinéa au moment où elle formule la notification prévue à l'article 18 (Choix d'appliquer la partie VI) au Dépositaire.
- b) Les réserves prévues à l'alinéa a) sont soumises à acceptation. Une réserve prévue à l'alinéa a) considérée comme acceptée par une Partie si cette dernière n'a pas notifié au Dépositaire une objection à cette réserve au plus tard dans les douze mois calendaires à compter de la date de notification de la réserve par le Dépositaire ou à la date du dépôt de son instrument de ratification, d'acceptation ou d'approbation, selon la dernière de ces dates. Une Partie qui choisit d'appliquer la partie VI (Arbitrage) en vertu de l'article 18 (Choix d'appliquer la partie VI) après être devenue une Partie à la présente Convention peut faire une objection à toute réserve précédemment émise par les autres Parties et prévue à l'alinéa a) en la notifiant au moment où elle formule la notification prévue à l'article 18 (Choix d'appliquer la partie VI) au Dépositaire. Lorsqu'une Partie formule une objection à une réserve prévue à l'alinéa a), l'intégralité de la partie VI (Arbitrage) ne s'applique pas entre la Partie qui a formulé l'objection et la Partie auteur de la réserve.
3. Sauf mention contraire expresse dans les dispositions pertinentes de la présente Convention, une réserve émise conformément aux paragraphes 1 ou 2 :
- a) modifie pour la Partie auteur de la réserve dans ses relations avec une autre Partie, les dispositions de la présente Convention sur lesquelles porte la réserve, dans la mesure prévue par cette réserve ; et
 - b) modifie ces dispositions dans la même mesure pour l'autre Partie dans ses relations avec la Partie auteur de la réserve.
4. Les réserves applicables aux Conventions fiscales couvertes conclues par ou pour le compte d'une juridiction ou d'un territoire dont les relations internationales relèvent de la responsabilité d'une Partie, lorsque cette juridiction ou ce territoire n'est pas une Partie à la présente Convention en vertu des alinéas b) ou c) du paragraphe 1 de l'article 27 (Signature et ratification, acceptation ou approbation) sont émises par ladite Partie et peuvent différer des réserves émises par cette Partie aux fins de ses propres Conventions fiscales couvertes.

5. Reservations shall be made at the time of signature or when depositing the instrument of ratification, acceptance or approval, subject to the provisions of paragraphs 2, 6 and 9 of this Article, and paragraph 5 of Article 29 (Notifications). However, for a Party which chooses under Article 18 (Choice to Apply Part VI) to apply Part VI (Arbitration) after it has become a Party to this Convention, reservations described in subparagraphs p), q), r) and s) of paragraph 1 of this Article shall be made at the same time as that Party's notification to the Depositary pursuant to Article 18 (Choice to Apply Part VI).

6. If reservations are made at the time of signature, they shall be confirmed upon deposit of the instrument of ratification, acceptance or approval, unless the document containing the reservations explicitly specifies that it is to be considered definitive, subject to the provisions of paragraphs 2, 5 and 9 of this Article, and paragraph 5 of Article 29 (Notifications).

7. If reservations are not made at the time of signature, a provisional list of expected reservations shall be provided to the Depositary at that time.

8. For reservations made pursuant to each of the following provisions, a list of agreements notified pursuant to clause ii) of subparagraph a) of paragraph 1 of Article 2 (Interpretation of Terms) that are within the scope of the reservation as defined in the relevant provision (and, in the case of a reservation under any of the following provisions other than those listed in subparagraphs c), d) and n), the article and paragraph number of each relevant provision) must be provided when such reservations are made:

- a) Subparagraphs b), c), d), e) and g) of paragraph 5 of Article 3 (Transparent Entities);
- b) Subparagraphs b), c) and d) of paragraph 3 of Article 4 (Dual Resident Entities);
- c) Paragraphs 8 and 9 of Article 5 (Application of Methods for Elimination of Double Taxation);
- d) Paragraph 4 of Article 6 (Purpose of a Covered Tax Agreement);
- e) Subparagraphs b) and c) of paragraph 15 of Article 7 (Prevention of Treaty Abuse);
- f) Clauses i), ii), and iii) of subparagraph b) of paragraph 3 of Article 8 (Dividend Transfer Transactions);
- g) Subparagraphs d), e) and f) of paragraph 6 of Article 9 (Capital Gains from Alienation of Shares or Interests of Entities Deriving their Value Principally from Immovable Property);
- h) Subparagraphs b) and c) of paragraph 5 of Article 10 (Anti-abuse Rule for Permanent Establishments Situated in Third Jurisdictions);
- i) Subparagraph b) of paragraph 3 of Article 11 (Application of Tax Agreements to Restrict a Party's Right to Tax its Own Residents);
- j) Subparagraph b) of paragraph 6 of Article 13 (Artificial Avoidance of Permanent Establishment Status through the Specific Activity Exemptions);
- k) Subparagraph b) of paragraph 3 of Article 14 (Splitting-up of Contracts);
- l) Subparagraph b) of paragraph 5 of Article 16 (Mutual Agreement Procedure);
- m) Subparagraph a) of paragraph 3 of Article 17 (Corresponding Adjustments);

5. Les réserves sont émises au moment de la signature ou du dépôt de l'instrument de ratification, d'acceptation ou d'approbation, sous réserve des dispositions des paragraphes 2, 6 et 9 du présent article et du paragraphe 5 de l'article 29 (Notifications). Toutefois, une Partie qui choisit d'appliquer la partie VI (Arbitrage) en vertu de l'article 18 (Choix d'appliquer la partie VI) après être devenue une Partie à la présente Convention doit émettre les réserves prévues aux alinéas p), q, r) et s) du paragraphe 1 du présent article au moment où elle formule la notification prévue à l'article 18 (Choix d'appliquer la partie VI) au Dépositaire.

6. Si des réserves sont émises au moment de la signature, elles doivent être confirmées lors du dépôt de l'instrument de ratification, d'acceptation ou d'approbation, à moins que le document qui énonce ces réserves n'indique expressément qu'il doit être considéré comme définitif, sous réserve des paragraphes 2, 5 et 9 du présent article et du paragraphe 5 de l'article 29 (Notifications).

7. Si aucune réserve n'est émise au moment de la signature, une liste provisoire de réserves prévues doit être remise au Dépositaire à ce moment.

8. S'agissant des réserves émises conformément à chacune des dispositions suivantes, une liste des Conventions fiscales couvertes notifiées en vertu du point ii) de l'alinéa a) du paragraphe 1 de l'article 2 (Interprétation des termes) qui relèvent du champ d'application d'une réserve, tel que défini aux dispositions pertinentes (et, s'agissant d'une réserve émise conformément à chacune des dispositions suivantes, à l'exception de celles listées aux alinéas c), d) et n), les numéros de l'article et du paragraphe de chacune des dispositions pertinentes) doit être fournie lorsque ces réserves sont émises :

- a) aux alinéas b), c), d), e) et g) du paragraphe 5 de l'article 3 (Entités transparentes) ;
- b) aux alinéas b), c) et d) du paragraphe 3 de l'article 4 (Entités ayant une double résidence) ;
- c) aux paragraphes 8 et 9 de l'article 5 (Application des méthodes d'élimination de la double imposition) ;
- d) au paragraphe 4 de l'article 6 (Objet d'une Convention fiscale couverte) ;
- e) aux alinéas b) et c) du paragraphe 15 de l'article 7 (Prévenir l'utilisation abusive des conventions) ;
- f) aux points i), ii) et iii) de l'alinéa b) du paragraphe 3 de l'article 8 (Transactions relatives au transfert de dividendes) ;
- g) aux alinéas d), e) et f) du paragraphe 6 de l'article 9 (Gains en capital tirés de l'aliénation d'actions, de droits ou de participations dans des entités tirant leur valeur principalement de biens immobiliers) ;
- h) aux alinéas b) et c) du paragraphe 5 de l'article 10 (Règle anti-abus visant les établissements stables situés dans des juridictions tierces) ;
- i) à l'alinéa b) du paragraphe 3 de l'article 11 (Application des conventions fiscales pour limiter le droit d'une Partie d'imposer ses propres résidents) ;
- j) à l'alinéa b) du paragraphe 6 de l'article 13 (Mesures visant à éviter artificiellement le statut d'établissement stable par le recours aux exceptions applicables à certaines activités spécifiques) ;
- k) à l'alinéa b) du paragraphe 3 de l'article 14 (Fractionnement de contrats) ;
- l) à l'alinéa b) du paragraphe 5 de l'article 16 (Procédure amiable) ;
- m) à l'alinéa a) du paragraphe 3 de l'article 17 (Ajustements corrélatifs) ;

- n) Paragraph 6 of Article 23 (Type of Arbitration Process); and
- o) Paragraph 4 of Article 26 (Compatibility).

The reservations described in subparagraphs a) through o) above shall not apply to any Covered Tax Agreement that is not included on the list described in this paragraph.

9. Any Party which has made a reservation in accordance with paragraph 1 or 2 may at any time withdraw it or replace it with a more limited reservation by means of a notification addressed to the Depositary. Such Party shall make any additional notifications pursuant to paragraph 6 of Article 29 (Notifications) which may be required as a result of the withdrawal or replacement of the reservation. Subject to paragraph 7 of Article 35 (Entry into Effect), the withdrawal or replacement shall take effect:

- a) with respect to a Covered Tax Agreement solely with States or jurisdictions that are Parties to the Convention when the notification of withdrawal or replacement of the reservation is received by the Depositary:
 - i) for reservations in respect of provisions relating to taxes withheld at source, where the event giving rise to such taxes occurs on or after 1 January of the year next following the expiration of a period of six calendar months beginning on the date of the communication by the Depositary of the notification of withdrawal or replacement of the reservation; and
 - ii) for reservations in respect of all other provisions, for taxes levied with respect to taxable periods beginning on or after 1 January of the year next following the expiration of a period of six calendar months beginning on the date of the communication by the Depositary of the notification of withdrawal or replacement of the reservation; and
- b) with respect to a Covered Tax Agreement for which one or more Contracting Jurisdictions becomes a Party to this Convention after the date of receipt by the Depositary of the notification of withdrawal or replacement: on the latest of the dates on which the Convention enters into force for those Contracting Jurisdictions.

Article 29 – Notifications

1. Subject to paragraphs 5 and 6 of this Article, and paragraph 7 of Article 35 (Entry into Effect), notifications pursuant to the following provisions shall be made at the time of signature or when depositing the instrument of ratification, acceptance or approval:

- a) Clause ii) of subparagraph a) of paragraph 1 of Article 2 (Interpretation of Terms);
- b) Paragraph 6 of Article 3 (Transparent Entities);
- c) Paragraph 4 of Article 4 (Dual Resident Entities);
- d) Paragraph 10 of Article 5 (Application of Methods for Elimination of Double Taxation);
- e) Paragraphs 5 and 6 of Article 6 (Purpose of a Covered Tax Agreement);
- f) Paragraph 17 of Article 7 (Prevention of Treaty Abuse);
- g) Paragraph 4 of Article 8 (Dividend Transfer Transactions);
- h) Paragraphs 7 and 8 of Article 9 (Capital Gains from Alienation of Shares or Interests of Entities Deriving their Value Principally from Immovable Property);

- n) au paragraphe 6 de l'article 23 (Méthode d'arbitrage) ; et
- o) au paragraphe 4 de l'article 26 (Compatibilité).

Les réserves mentionnées aux alinéas a) à o) ci-dessus ne s'appliquent pas à une Convention fiscale couverte ne figurant pas sur la liste mentionnée au présent paragraphe.

9. Toute Partie qui a émis une réserve conformément aux paragraphes 1 ou 2 peut à tout moment la retirer ou la remplacer par une réserve de portée plus limitée, en adressant une notification au Dépositaire. Cette Partie formule toute notification complémentaire requise à la suite de ce retrait ou de ce remplacement conformément au paragraphe 6 de l'article 29 (Notifications). Sous réserve du paragraphe 7 de l'article 35 (Prise d'effet), le retrait ou le remplacement prend effet :

- a) s'agissant d'une Convention fiscale couverte conclue uniquement avec des États ou des juridictions qui sont Parties à la présente Convention lorsque la notification du retrait ou du remplacement de la réserve est reçue par le Dépositaire :
 - i) pour les réserves portant sur des dispositions relatives aux impôts prélevés à la source, si le fait générateur de ces impôts intervient à compter du 1er janvier de l'année qui suit l'expiration d'une période de six mois calendaires commençant à la date de communication par le Dépositaire de la notification du retrait ou du remplacement de la réserve ; et
 - ii) pour les réserves portant sur toutes les autres dispositions, pour les impôts perçus au titre de périodes d'imposition qui débutent à compter du 1er janvier de l'année qui suit l'expiration d'une période de six mois calendaires commençant à la date de communication par le Dépositaire de la notification du retrait ou du remplacement de la réserve ; et
- b) s'agissant d'une Convention fiscale couverte conclue avec une ou plusieurs Juridictions contractantes qui deviennent Parties à la présente Convention après la date de réception par le Dépositaire de la notification du retrait ou du remplacement : à la dernière des dates à laquelle la présente Convention entre en vigueur pour ces Juridictions contractantes.

Article 29 – Notifications

1. Sous réserve des paragraphes 5 et 6 du présent article et du paragraphe 7 de l'article 35 (Prise d'effet), les notifications formulées conformément aux dispositions suivantes doivent être émises au moment de la signature de la Convention ou du dépôt de l'instrument de ratification, d'acceptation ou d'approbation :

- a) le point ii) de l'alinéa a) du paragraphe 1 de l'article 2 (Interprétation des termes) ;
- b) le paragraphe 6 de l'article 3 (Entités transparentes) ;
- c) le paragraphe 4 de l'article 4 (Entités ayant une double résidence) ;
- d) le paragraphe 10 de l'article 5 (Application des méthodes d'élimination de la double imposition) ;
- e) les paragraphes 5 et 6 de l'article 6 (Objet d'une Convention fiscale couverte) ;
- f) le paragraphe 17 de l'article 7 (Prévenir l'utilisation abusive des conventions) ;
- g) le paragraphe 4 de l'article 8 (Transactions relatives au transfert de dividendes) ;
- h) les paragraphes 7 et 8 de l'article 9 (Gains en capital tirés de l'aliénation d'actions, de droits ou de participations dans des entités tirant leur valeur principalement de biens immobiliers) ;

- i) Paragraph 6 of Article 10 (Anti-abuse Rule for Permanent Establishments Situated in Third Jurisdictions);
- j) Paragraph 4 of Article 11 (Application of Tax Agreements to Restrict a Party's Right to Tax its Own Residents);
- k) Paragraphs 5 and 6 of Article 12 (Artificial Avoidance of Permanent Establishment Status through Commissionnaire Arrangements and Similar Strategies);
- l) Paragraphs 7 and 8 of Article 13 (Artificial Avoidance of Permanent Establishment Status through the Specific Activity Exemptions);
- m) Paragraph 4 of Article 14 (Splitting-up of Contracts);
- n) Paragraph 6 of Article 16 (Mutual Agreement Procedure);
- o) Paragraph 4 of Article 17 (Corresponding Adjustments);
- p) Article 18 (Choice to Apply Part VI);
- q) Paragraph 4 of Article 23 (Type of Arbitration Process);
- r) Paragraph 1 of Article 24 (Agreement on a Different Resolution);
- s) Paragraph 1 of Article 26 (Compatibility); and
- t) Paragraphs 1, 2, 3, 5 and 7 of Article 35 (Entry into Effect).

2. Notifications in respect of Covered Tax Agreements entered into by or on behalf of a jurisdiction or territory for whose international relations a Party is responsible, where that jurisdiction or territory is not a Party to the Convention pursuant to subparagraph b) or c) of paragraph 1 of Article 27 (Signature and Ratification, Acceptance or Approval), shall be made by the responsible Party and can be different from the notifications made by that Party for its own Covered Tax Agreements.

3. If notifications are made at the time of signature, they shall be confirmed upon deposit of the instrument of ratification, acceptance or approval, unless the document containing the notifications explicitly specifies that it is to be considered definitive, subject to the provisions of paragraphs 5 and 6 of this Article, and paragraph 7 of Article 35 (Entry into Effect).

4. If notifications are not made at the time of signature, a provisional list of expected notifications shall be provided at that time.

5. A Party may extend at any time the list of agreements notified under clause ii) of subparagraph a) of paragraph 1 of Article 2 (Interpretation of Terms) by means of a notification addressed to the Depositary. The Party shall specify in this notification whether the agreement falls within the scope of any of the reservations made by the Party which are listed in paragraph 8 of Article 28 (Reservations). The Party may also make a new reservation described in paragraph 8 of Article 28 (Reservations) if the additional agreement would be the first to fall within the scope of such a reservation. The Party shall also specify any additional notifications that may be required under subparagraphs b) through s) of paragraph 1 to reflect the inclusion of the additional agreements. In addition, if the extension results for the first time in the inclusion of a tax agreement entered into by or on behalf of a jurisdiction or territory for whose international relations a Party is responsible, the Party shall specify any reservations (pursuant to paragraph 4 of Article 28 (Reservations)) or notifications (pursuant to paragraph 2 of this Article) applicable to Covered Tax Agreements entered into by or on behalf of that jurisdiction or territory. On the date on which the added agreement(s) notified under clause ii) of subparagraph a) of paragraph 1 of Article 2 (Interpretation of Terms) become Covered Tax Agreements, the provisions of Article 35 (Entry into Effect) shall govern the date on which the modifications to the Covered Tax Agreement shall have effect.

- i) le paragraphe 6 de l'article 10 (Règle anti-abus visant les établissements stables situés dans des juridictions tierces) ;
- j) le paragraphe 4 de l'article 11 (Application des conventions fiscales pour limiter le droit d'une Partie d'imposer ses propres résidents) ;
- k) les paragraphes 5 et 6 de l'article 12 (Mesures visant à éviter artificiellement le statut d'établissement stable par des accords de commissionnaire et autres stratégies similaires) ;
- l) les paragraphes 7 et 8 de l'article 13 (Mesures visant à éviter artificiellement le statut d'établissement stable par le recours aux exceptions applicables à certaines activités spécifiques) ;
- m) le paragraphe 4 de l'article 14 (Fractionnement de contrats) ;
- n) le paragraphe 6 de l'article 16 (Procédure amiable) ;
- o) le paragraphe 4 de l'article 17 (Ajustements corrélatifs) ;
- p) l'article 18 (Choix d'appliquer la partie VI) ;
- q) le paragraphe 4 de l'article 23 (Méthode d'arbitrage) ;
- r) le paragraphe 1 de l'article 24 (Accord sur une solution différente) ;
- s) le paragraphe 1 de l'article 26 (Compatibilité) ; et
- t) les paragraphes 1, 2, 3, 5 et 7 de l'article 35 (Prise d'effet).

2. Les notifications des Conventions fiscales couvertes conclues par ou pour le compte d'une juridiction ou d'un territoire dont les relations internationales relèvent de la responsabilité d'une Partie, lorsque cette juridiction ou ce territoire n'est pas une Partie à la présente Convention en vertu des alinéas b) ou c) du paragraphe 1 de l'article 27 (Signature et ratification, acceptation ou approbation), sont formulées par ladite Partie et peuvent différer des notifications effectuées par cette Partie aux fins de ses propres Conventions fiscales couvertes.

3. Si des notifications sont formulées au moment de la signature, elles doivent être confirmées lors du dépôt de l'instrument de ratification, d'acceptation ou d'approbation, à moins que le document qui énonce les notifications n'indique expressément qu'il doit être considéré comme définitif, sous réserve des paragraphes 5 et 6 du présent article et du paragraphe 7 de l'article 35 (Prise d'effet).

4. Si aucune notification n'est formulée au moment de la signature, une liste provisoire de notifications prévues doit être remise à ce moment.

5. Une Partie peut à tout moment compléter la liste de ses conventions notifiées prévue au point ii) de l'alinéa a) du paragraphe 1 de l'article 2 (Interprétation des termes) en formulant une notification à cet effet au Dépositaire. La Partie précise dans cette notification si la convention ajoutée fait l'objet de réserves listées au paragraphe 8 de l'article 28 (Réserves). La Partie peut également émettre une nouvelle réserve prévue au paragraphe 8 de l'article 28 (Réserves) dans le cas où la convention ajoutée à la liste serait la première convention à laquelle s'appliquerait cette réserve. La Partie doit également préciser toute notification complémentaire potentiellement requise aux alinéas b) à s) du paragraphe 1 pour tenir compte de l'ajout de nouvelles conventions. En outre, si l'ajout a pour effet pour la première fois d'inclure une convention fiscale conclue par ou pour le compte d'une juridiction ou d'un territoire dont les relations internationales relèvent de la responsabilité de la Partie, la Partie doit indiquer les réserves (prévues au paragraphe 4 de l'article 28 (Réserves)) et les notifications (prévues au paragraphe 2 du présent article) applicables aux Conventions fiscales couvertes conclues par ou pour le compte de la juridiction ou du territoire. À compter de la date à laquelle la ou les conventions ajoutées deviennent des Conventions fiscales couvertes en vertu du point ii) de l'alinéa a) du paragraphe 1 de l'article 2 (Interprétation des termes), les modifications apportées à la Convention fiscale couverte prennent effet à la date prévue par les dispositions de l'article 35 (Prise d'effet).

6. A Party may make additional notifications pursuant to subparagraphs b) through s) of paragraph 1 by means of a notification addressed to the Depositary. These notifications shall take effect:

- a) with respect to Covered Tax Agreements solely with States or jurisdictions that are Parties to the Convention when the additional notification is received by the Depositary:
 - i) for notifications in respect of provisions relating to taxes withheld at source, where the event giving rise to such taxes occurs on or after 1 January of the year next following the expiration of a period of six calendar months beginning on the date of the communication by the Depositary of the additional notification; and
 - ii) for notifications in respect of all other provisions, for taxes levied with respect to taxable periods beginning on or after 1 January of the year next following the expiration of a period of six calendar months beginning on the date of the communication by the Depositary of the additional notification; and
- b) with respect to a Covered Tax Agreement for which one or more Contracting Jurisdictions becomes a Party to this Convention after the date of receipt by the Depositary of the additional notification: on the latest of the dates on which the Convention enters into force for those Contracting Jurisdictions.

Article 30 – Subsequent Modifications of Covered Tax Agreements

The provisions in this Convention are without prejudice to subsequent modifications to a Covered Tax Agreement which may be agreed between the Contracting Jurisdictions of the Covered Tax Agreement.

Article 31 – Conference of the Parties

1. The Parties may convene a Conference of the Parties for the purposes of taking any decisions or exercising any functions as may be required or appropriate under the provisions of this Convention.
2. The Conference of the Parties shall be served by the Depositary.
3. Any Party may request a Conference of the Parties by communicating a request to the Depositary. The Depositary shall inform all Parties of any request. Thereafter, the Depositary shall convene a Conference of the Parties, provided that the request is supported by one-third of the Parties within six calendar months of the communication by the Depositary of the request.

Article 32 – Interpretation and Implementation

1. Any question arising as to the interpretation or implementation of provisions of a Covered Tax Agreement as they are modified by this Convention shall be determined in accordance with the provision(s) of the Covered Tax Agreement relating to the resolution by mutual agreement of questions of interpretation or application of the Covered Tax Agreement (as those provisions may be modified by this Convention).
2. Any question arising as to the interpretation or implementation of this Convention may be addressed by a Conference of the Parties convened in accordance with paragraph 3 of Article 31 (Conference of the Parties).

6. Une Partie peut formuler des notifications complémentaires prévues aux alinéas b) à s) du paragraphe 1, au moyen d'une notification adressée au Dépositaire. Ces notifications prennent effet :

- a) s'agissant des Conventions fiscales couvertes conclues uniquement avec des États ou des juridictions qui sont Parties à la présente Convention lorsque la notification complémentaire est reçue par le Dépositaire :
 - i) pour les notifications portant sur des dispositions relatives aux impôts prélevés à la source, si le fait générateur de ces impôts intervient à compter du 1er janvier de l'année qui suit l'expiration d'une période de six mois calendaires commençant à la date de communication par le Dépositaire de la notification complémentaire ; et
 - ii) pour les notifications portant sur toutes les autres dispositions, pour les impôts perçus au titre de périodes d'imposition qui débutent à compter du 1er janvier de l'année qui suit l'expiration d'une période de six mois calendaires commençant à la date de communication par le Dépositaire de la notification complémentaire ; et
- b) s'agissant d'une Convention fiscale couverte conclue avec une ou plusieurs Juridictions contractantes qui deviennent Parties à la présente Convention après la date de réception par le Dépositaire de la notification complémentaire: à la dernière des dates à laquelle la présente Convention entre en vigueur pour cette Juridiction contractante.

Article 30 – Modifications ultérieures des Conventions fiscales couvertes

Les dispositions de la présente Convention ne préjugent pas des modifications ultérieures d'une Convention fiscale couverte susceptibles d'être convenues entre les Juridictions contractantes de la Convention fiscale couverte.

Article 31 – Conférence des Parties

1. Les Parties peuvent convoquer une Conférence des Parties afin de prendre toute décision ou d'exercer toute fonction qui pourrait être requise ou appropriée en vertu des dispositions de la présente Convention.
2. La Conférence des Parties est assistée par le Dépositaire.
3. Toute Partie peut demander la tenue d'une Conférence des Parties en adressant une demande au Dépositaire. Le Dépositaire informe toutes les Parties de toute demande. Le Dépositaire convoque ensuite une Conférence des Parties, à condition que la demande soit soutenue par un tiers des Parties, dans un délai de six mois à compter de la communication de la demande par le Dépositaire.

Article 32 – Interprétation et mise en œuvre

1. Toute question relative à l'interprétation ou à la mise en œuvre des dispositions d'une Convention fiscale couverte telles que modifiées par la présente Convention doit être réglée conformément aux dispositions de la Convention fiscale couverte relatives au règlement par accord amiable des questions d'interprétation ou d'application de la Convention fiscale couverte (ces dispositions pouvant être modifiées par la présente Convention).
2. Toute question relative à l'interprétation ou à la mise en œuvre de la présente Convention peut être traitée par une Conférence des Parties convoquée conformément au paragraphe 3 de l'article 31 (Conférence des Parties).

Article 33 – Amendment

1. Any Party may propose an amendment to this Convention by submitting the proposed amendment to the Depositary.
2. A Conference of the Parties may be convened to consider the proposed amendment in accordance with paragraph 3 of Article 31 (Conference of the Parties).

Article 34 – Entry into Force

1. This Convention shall enter into force on the first day of the month following the expiration of a period of three calendar months beginning on the date of deposit of the fifth instrument of ratification, acceptance or approval.
2. For each Signatory ratifying, accepting, or approving this Convention after the deposit of the fifth instrument of ratification, acceptance or approval, the Convention shall enter into force on the first day of the month following the expiration of a period of three calendar months beginning on the date of the deposit by such Signatory of its instrument of ratification, acceptance or approval.

Article 35 – Entry into Effect

1. The provisions of this Convention shall have effect in each Contracting Jurisdiction with respect to a Covered Tax Agreement:
 - a) with respect to taxes withheld at source on amounts paid or credited to non-residents, where the event giving rise to such taxes occurs on or after the first day of the next calendar year that begins on or after the latest of the dates on which this Convention enters into force for each of the Contracting Jurisdictions to the Covered Tax Agreement; and
 - b) with respect to all other taxes levied by that Contracting Jurisdiction, for taxes levied with respect to taxable periods beginning on or after the expiration of a period of six calendar months (or a shorter period, if all Contracting Jurisdictions notify the Depositary that they intend to apply such shorter period) from the latest of the dates on which this Convention enters into force for each of the Contracting Jurisdictions to the Covered Tax Agreement.
2. Solely for the purpose of its own application of subparagraph a) of paragraph 1 and subparagraph a) of paragraph 5, a Party may choose to substitute “taxable period” for “calendar year”, and shall notify the Depositary accordingly.
3. Solely for the purpose of its own application of subparagraph b) of paragraph 1 and subparagraph b) of paragraph 5, a Party may choose to replace the reference to “taxable periods beginning on or after the expiration of a period” with a reference to “taxable periods beginning on or after 1 January of the next year beginning on or after the expiration of a period”, and shall notify the Depositary accordingly.
4. Notwithstanding the preceding provisions of this Article, Article 16 (Mutual Agreement Procedure) shall have effect with respect to a Covered Tax Agreement for a case presented to the competent authority of a Contracting Jurisdiction on or after the latest of the dates on which this Convention enters into force for each of the Contracting Jurisdictions to the Covered Tax Agreement, except for cases that were not eligible to be presented as of that date under the Covered Tax Agreement prior to its modification by the Convention, without regard to the taxable period to which the case relates.

Article 33 – Modifications

1. Toute Partie peut proposer une modification de la présente Convention en soumettant une proposition de modification au Dépositaire.
2. Une Conférence des Parties peut être convoquée afin d'examiner la proposition de modification conformément au paragraphe 3 de l'article 31 (Conférence des Parties).

Article 34 – Entrée en vigueur

1. La présente Convention entre en vigueur le premier jour du mois qui suit l'expiration d'une période de trois mois calendaires à compter de la date du dépôt du cinquième instrument de ratification, d'acceptation ou d'approbation.
2. Pour chaque Signataire qui ratifie, accepte ou approuve la présente Convention après le dépôt du cinquième instrument de ratification, d'acceptation ou d'approbation, la Convention entre en vigueur le premier jour du mois qui suit l'expiration d'une période de trois mois calendaires à compter de la date de dépôt par ce Signataire de son instrument de ratification, d'acceptation ou d'approbation.

Article 35 – Prise d'effet

1. Les dispositions de la présente Convention prennent effet dans chaque Juridiction contractante à l'égard d'une Convention fiscale couverte :
 - a) s'agissant des impôts prélevés à la source sur des sommes payées ou attribuées à des non-résidents, si le fait générateur de ces impôts intervient à compter du premier jour de l'année civile qui commence à compter de la dernière des dates à laquelle la présente Convention entre en vigueur pour chacune des Juridictions contractantes ayant conclu une Convention fiscale couverte ; et
 - b) s'agissant de tous les autres impôts perçus par cette Juridiction contractante, pour les impôts perçus au titre de périodes d'imposition commençant à l'expiration ou après l'expiration d'une période de six mois calendaires (ou d'une période plus courte si toutes les Juridictions contractantes notifient au Dépositaire qu'elles ont l'intention d'appliquer une telle période) à compter de la dernière des dates à laquelle la présente Convention entre en vigueur pour chacune des Juridictions contractantes ayant conclu une Convention fiscale couverte.
2. Pour une application unilatérale de l'alinéa a) du paragraphe 1 et de l'alinéa a) du paragraphe 5 par une Partie, une Partie peut choisir de remplacer l'expression « année civile » par « période d'imposition » en notifiant son choix au Dépositaire.
3. Pour une application unilatérale de l'alinéa b) du paragraphe 1 et de l'alinéa b) du paragraphe 5 par une Partie, une Partie peut choisir de remplacer le texte suivant « périodes d'imposition commençant à l'expiration ou après l'expiration d'une période » par « périodes d'imposition commençant à compter du 1er janvier de l'année qui commence à compter de l'expiration d'une période », en notifiant son choix au Dépositaire.
4. Nonobstant les dispositions précédentes du présent article, l'article 16 (Procédure amiable) s'applique aux fins d'une Convention fiscale couverte concernant un cas soumis à l'autorité compétente d'une Juridiction contractante à compter de la dernière des dates à laquelle la présente Convention entre en vigueur pour chacune des Juridictions contractantes ayant conclu la Convention fiscale couverte, à l'exception des cas qui ne pouvaient être soumis à cette date en application de la Convention fiscale couverte, avant qu'elle ne soit modifiée par la présente Convention, quelle que soit la période d'imposition concernée par le cas.

5. For a new Covered Tax Agreement resulting from an extension pursuant to paragraph 5 of Article 29 (Notifications) of the list of agreements notified under clause ii) of subparagraph a) of paragraph 1 of Article 2 (Interpretation of Terms), the provisions of this Convention shall have effect in each Contracting Jurisdiction:

- a) with respect to taxes withheld at source on amounts paid or credited to non-residents, where the event giving rise to such taxes occurs on or after the first day of the next calendar year that begins on or after 30 days after the date of the communication by the Depositary of the notification of the extension of the list of agreements; and
- b) with respect to all other taxes levied by that Contracting Jurisdiction, for taxes levied with respect to taxable periods beginning on or after the expiration of a period of nine calendar months (or a shorter period, if all Contracting Jurisdictions notify the Depositary that they intend to apply such shorter period) from the date of the communication by the Depositary of the notification of the extension of the list of agreements.

6. A Party may reserve the right for paragraph 4 not to apply with respect to its Covered Tax Agreements.

7. a) A Party may reserve the right to replace:

- i) the references in paragraphs 1 and 4 to “the latest of the dates on which this Convention enters into force for each of the Contracting Jurisdictions to the Covered Tax Agreement”; and
- ii) the references in paragraph 5 to “the date of the communication by the Depositary of the notification of the extension of the list of agreements”;

with references to “30 days after the date of receipt by the Depositary of the latest notification by each Contracting Jurisdiction making the reservation described in paragraph 7 of Article 35 (Entry into Effect) that it has completed its internal procedures for the entry into effect of the provisions of this Convention with respect to that specific Covered Tax Agreement”;

- iii) the references in subparagraph a) of paragraph 9 of Article 28 (Reservations) to “on the date of the communication by the Depositary of the notification of withdrawal or replacement of the reservation”; and
- iv) the reference in subparagraph b) of paragraph 9 of Article 28 (Reservations) to “on the latest of the dates on which the Convention enters into force for those Contracting Jurisdictions”;

with references to “30 days after the date of receipt by the Depositary of the latest notification by each Contracting Jurisdiction making the reservation described in paragraph 7 of Article 35 (Entry into Effect) that it has completed its internal procedures for the entry into effect of the withdrawal or replacement of the reservation with respect to that specific Covered Tax Agreement”;

- v) the references in subparagraph a) of paragraph 6 of Article 29 (Notifications) to “on the date of the communication by the Depositary of the additional notification”; and
- vi) the reference in subparagraph b) of paragraph 6 of Article 29 (Notifications) to “on the latest of the dates on which the Convention enters into force for those Contracting Jurisdictions”;

with references to “30 days after the date of receipt by the Depositary of the latest notification by each Contracting Jurisdiction making the reservation described in paragraph 7 of Article 35 (Entry into Effect) that it has completed its internal procedures for the entry into effect of the additional notification with respect to that specific Covered Tax Agreement”;

5. Pour une Convention fiscale couverte ajoutée conformément au paragraphe 5 de l'article 29 (Notifications) à la liste des conventions notifiées en vertu du point (ii) de l'alinéa a) du paragraphe 1 de l'article 2 (Interprétation des termes), les dispositions de la présente Convention prennent effet dans chaque Juridiction contractante :

- a) s'agissant des impôts prélevés à la source sur des sommes payées ou attribuées à des non-résidents, si le fait générateur de ces impôts intervient à compter du premier jour de l'année civile qui suit une période de 30 jours suivant la date de communication par le Dépositaire de la notification de l'ajout à la liste des conventions ; et
- b) s'agissant de tous les autres impôts perçus par cette Juridiction contractante, pour les impôts perçus au titre de périodes d'imposition commençant à l'expiration ou après l'expiration d'une période de neuf mois calendaires (ou d'une période plus courte si toutes les Juridictions contractantes notifient au Dépositaire qu'elles ont l'intention d'appliquer une telle période) qui commence à compter de la date de communication par le Dépositaire de la notification de l'ajout à la liste des conventions.

6. Une Partie peut se réserver le droit de ne pas appliquer le paragraphe 4 à ses Conventions fiscales couvertes.

7. a) Une Partie peut se réserver le droit de remplacer :

- i) les références, figurant aux paragraphes 1 et 4, à « la dernière des dates à laquelle la présente Convention entre en vigueur pour chacune des Juridictions contractantes d'une Convention fiscale couverte » ; et
- ii) les références, figurant au paragraphe 5, à « la date de communication par le Dépositaire de la notification de l'ajout à la liste des conventions » ;

par des références à : « 30 jours après la date de réception par le Dépositaire de la dernière des notifications par chacune des Juridictions contractantes qui ont émis la réserve prévue au paragraphe 7 de l'article 35 (Prise d'effet), indiquant l'accomplissement des procédures internes relatives à la prise d'effet des dispositions de la présente Convention aux fins de la Convention fiscale couverte concernée » ;

- iii) les références, figurant à l'alinéa a) du paragraphe 9 de l'article 28 (Réserves), à « à la date de communication par le Dépositaire de la notification du retrait ou du remplacement de la réserve » ; et
- iv) la référence, figurant à l'alinéa b) du paragraphe 9 de l'article 28 (Réserves), à « à la dernière des dates à laquelle la présente Convention entre en vigueur pour ces Juridictions contractantes » ;

par des références à : « 30 jours après la date de réception par le Dépositaire de la dernière des notifications de chacune des Juridictions contractantes qui ont émis la réserve prévue au paragraphe 7 de l'article 35 (Prise d'effet), indiquant l'accomplissement des procédures internes relatives à la prise d'effet du retrait ou du remplacement de la réserve aux fins de la Convention fiscale couverte concernée » ;

- v) les références, figurant à l'alinéa a) du paragraphe 6 de l'article 29 (Notifications), à « à la date de communication par le Dépositaire de la notification complémentaire » ; et
- vi) la référence, figurant à l'alinéa b) du paragraphe 6 de l'article 29 (Notifications), à « à la dernière des dates à laquelle la présente Convention entre en vigueur pour ces Juridictions contractantes » ;

par des références à : « 30 jours après la date de réception par le Dépositaire de la dernière des notifications de chacune des Juridictions contractantes qui ont émis la réserve prévue au paragraphe 7 de l'article 35 (Prise d'effet), indiquant l'accomplissement des procédures internes relatives à la prise d'effet de la notification complémentaire aux fins de la Convention fiscale couverte concernée » ;

- vii) the references in paragraphs 1 and 2 of Article 36 (Entry into Effect of Part VI) to “the later of the dates on which this Convention enters into force for each of the Contracting Jurisdictions to the Covered Tax Agreement”;

with references to “30 days after the date of receipt by the Depositary of the latest notification by each Contracting Jurisdiction making the reservation described in paragraph 7 of Article 35 (Entry into Effect) that it has completed its internal procedures for the entry into effect of the provisions of this Convention with respect to that specific Covered Tax Agreement”; and

- viii) the reference in paragraph 3 of Article 36 (Entry into Effect of Part VI) to “the date of the communication by the Depositary of the notification of the extension of the list of agreements”;

- ix) the references in paragraph 4 of Article 36 (Entry into Effect of Part VI) to “the date of the communication by the Depositary of the notification of withdrawal of the reservation”, “the date of the communication by the Depositary of the notification of replacement of the reservation” and “the date of the communication by the Depositary of the notification of withdrawal of the objection to the reservation”; and

- x) the reference in paragraph 5 of Article 36 (Entry into Effect of Part VI) to “the date of the communication by the Depositary of the additional notification”;

with references to “30 days after the date of receipt by the Depositary of the latest notification by each Contracting Jurisdiction making the reservation described in paragraph 7 of Article 35 (Entry into Effect) that it has completed its internal procedures for the entry into effect of the provisions of Part VI (Arbitration) with respect to that specific Covered Tax Agreement”.

- b) A Party making a reservation in accordance with subparagraph a) shall notify the confirmation of the completion of its internal procedures simultaneously to the Depositary and the other Contracting Jurisdiction(s).
- c) If one or more Contracting Jurisdictions to a Covered Tax Agreement makes a reservation under this paragraph, the date of entry into effect of the provisions of the Convention, of the withdrawal or replacement of a reservation, of an additional notification with respect to that Covered Tax Agreement, or of Part VI (Arbitration) shall be governed by this paragraph for all Contracting Jurisdictions to the Covered Tax Agreement.

Article 36 – Entry into Effect of Part VI

1. Notwithstanding paragraph 9 of Article 28 (Reservations), paragraph 6 of Article 29 (Notifications), and paragraphs 1 through 6 of Article 35 (Entry into Effect), with respect to two Contracting Jurisdictions to a Covered Tax Agreement, the provisions of Part VI (Arbitration) shall have effect:

- a) with respect to cases presented to the competent authority of a Contracting Jurisdiction (as described in subparagraph a) of paragraph 1 of Article 19 (Mandatory Binding Arbitration)), on or after the later of the dates on which this Convention enters into force for each of the Contracting Jurisdictions to the Covered Tax Agreement; and

- vii) les références, figurant aux paragraphes 1 et 2 de l'article 36 (Prise d'effet de la partie VI), à « la dernière des dates à laquelle la présente Convention entre en vigueur pour chacune des Juridictions contractantes ayant conclu une Convention fiscale couverte » ;

par des références à : « 30 jours après la date de réception par le Dépositaire de la dernière des notifications de chacune des Juridictions contractantes qui ont émis la réserve prévue au paragraphe 7 de l'article 35 (Prise d'effet), indiquant l'accomplissement des procédures internes relatives à la prise d'effet des dispositions de la présente Convention aux fins la Convention fiscale couverte concernée » ; et

- viii) la référence, figurant au paragraphe 3 de l'article 36 (Prise d'effet de la partie VI), à « la date de communication par le Dépositaire de la notification de l'ajout à la liste des conventions » ;

- ix) les références, figurant au paragraphe 4 de l'article 36 (Prise d'effet de la partie VI), à « la date de communication par le Dépositaire de la notification du retrait de la réserve » « la date de communication par le Dépositaire de la notification du remplacement de la réserve » et « la date de communication par le Dépositaire de la notification du retrait de l'objection à la réserve », respectivement ; et

- x) la référence, figurant au paragraphe 5 de l'article 36 (Prise d'effet de la partie VI), à « la date de communication par le Dépositaire de la notification complémentaire » ;

par des références à : « 30 jours après la date de réception par le Dépositaire de la dernière des notifications de chacune des Juridictions contractantes qui ont émis la réserve prévue au paragraphe 7 de l'article 35 (Prise d'effet), indiquant l'accomplissement des procédures internes relatives à la prise d'effet de la partie VI (Arbitrage) aux fins la Convention fiscale couverte concernée ».

- b) Une Partie qui émet une réserve conformément à l'alinéa a) doit notifier, simultanément au Dépositaire et à toutes autres Juridictions contractantes une confirmation de l'accomplissement de ses procédures internes.
- c) Si une ou plusieurs Juridictions contractantes ayant conclu une Convention fiscale couverte émettent une réserve conformément au présent paragraphe, la date de prise d'effet des dispositions de la présente Convention, du retrait ou du remplacement d'une réserve, de toute notification complémentaire relative à cette Convention fiscale couverte, ou de la partie VI (Arbitrage), est régie par le présent paragraphe pour toutes les Juridictions contractantes parties ayant conclu la Convention fiscale couverte.

Article 36 – Prise d'effet de la partie VI

1. Nonobstant le paragraphe 9 de l'article 28 (Réserves), du paragraphe 6 de l'article 29 (Notifications) et des paragraphes 1 à 6 de l'article 35 (Prise d'effet), les dispositions de la partie VI (Arbitrage) prennent effet entre deux Juridictions contractantes ayant conclu une Convention fiscale couverte :

- a) concernant les cas soumis à l'autorité compétente d'une Juridiction contractante (comme mentionné à l'alinéa a) du paragraphe 1 de l'article 19 (Arbitrage obligatoire et contraignant)), à compter de la dernière des dates à laquelle la présente Convention entre en vigueur pour chacune des Juridictions contractantes ayant conclu la Convention fiscale couverte ; et

- b) with respect to cases presented to the competent authority of a Contracting Jurisdiction prior to the later of the dates on which this Convention enters into force for each of the Contracting Jurisdictions to the Covered Tax Agreement, on the date when both Contracting Jurisdictions have notified the Depositary that they have reached mutual agreement pursuant to paragraph 10 of Article 19 (Mandatory Binding Arbitration), along with information regarding the date or dates on which such cases shall be considered to have been presented to the competent authority of a Contracting Jurisdiction (as described in subparagraph a) of paragraph 1 of Article 19 (Mandatory Binding Arbitration)) according to the terms of that mutual agreement.

2. A Party may reserve the right for Part VI (Arbitration) to apply to a case presented to the competent authority of a Contracting Jurisdiction prior to the later of the dates on which this Convention enters into force for each of the Contracting Jurisdictions to the Covered Tax Agreement only to the extent that the competent authorities of both Contracting Jurisdictions agree that it will apply to that specific case.

3. In the case of a new Covered Tax Agreement resulting from an extension pursuant to paragraph 5 of Article 29 (Notifications) of the list of agreements notified under clause ii) of subparagraph a) of paragraph 1 of Article 2 (Interpretation of Terms), the references in paragraphs 1 and 2 of this Article to “the later of the dates on which this Convention enters into force for each of the Contracting Jurisdictions to the Covered Tax Agreement” shall be replaced with references to “the date of the communication by the Depositary of the notification of the extension of the list of agreements”.

4. A withdrawal or replacement of a reservation made under paragraph 4 of Article 26 (Compatibility) pursuant to paragraph 9 of Article 28 (Reservations), or the withdrawal of an objection to a reservation made under paragraph 2 of Article 28 (Reservations) which results in the application of Part VI (Arbitration) between two Contracting Jurisdictions to a Covered Tax Agreement, shall have effect according to subparagraphs a) and b) of paragraph 1 of this Article, except that the references to “the later of the dates on which this Convention enters into force for each of the Contracting Jurisdictions to the Covered Tax Agreement” shall be replaced with references to “the date of the communication by the Depositary of the notification of withdrawal of the reservation”, “the date of the communication by the Depositary of the notification of replacement of the reservation” or “the date of the communication by the Depositary of the notification of withdrawal of the objection to the reservation”, respectively.

5. An additional notification made pursuant to subparagraph p) of paragraph 1 of Article 29 (Notifications) shall have effect according to subparagraphs a) and b) of paragraph 1, except that the references in paragraphs 1 and 2 of this Article to “the later of the dates on which this Convention enters into force for each of the Contracting Jurisdictions to the Covered Tax Agreement” shall be replaced with references to “the date of the communication by the Depositary of the additional notification”.

Article 37 – Withdrawal

1. Any Party may, at any time, withdraw from this Convention by means of a notification addressed to the Depositary.

2. Withdrawal pursuant to paragraph 1 shall become effective on the date of receipt of the notification by the Depositary. In cases where this Convention has entered into force with respect to all Contracting Jurisdictions to a Covered Tax Agreement before the date on which a Party’s withdrawal becomes effective, that Covered Tax Agreement shall remain as modified by this Convention.

- b) concernant les cas soumis à l'autorité compétente d'une Juridiction contractante avant la dernière des dates à laquelle la présente Convention entre en vigueur pour chacune des Juridictions contractantes ayant conclu la Convention fiscale couverte, à la date à laquelle les deux Juridictions contractantes ont notifié au Dépositaire qu'elles sont parvenues à un accord amiable conformément au paragraphe 10 de l'article 19 (Arbitrage obligatoire et contraignant). Cette notification doit aussi indiquer l'information concernant la date à laquelle ou les dates auxquelles ces cas seront considérés avoir été soumis à l'autorité compétente de la Juridiction contractante (comme mentionné à l'alinéa a) du paragraphe 1 de l'article 19 (Arbitrage obligatoire et contraignant), conformément aux termes de l'accord amiable obtenu.

2. Une Partie peut se réserver le droit de n'appliquer la partie VI (Arbitrage) à l'égard d'un cas soumis à l'autorité compétente d'une Juridiction contractante avant la dernière des dates à laquelle la présente Convention entre en vigueur pour chacune des Juridictions contractantes ayant conclu la Convention fiscale couverte que dans la mesure où les autorités compétentes de toutes les Juridictions contractantes conviennent de l'appliquer à ce cas.

3. Lorsqu'une Convention fiscale couverte est ajoutée en vertu du paragraphe 5 de l'article 29 (Notifications) à la liste de conventions notifiées en application du point ii) de l'alinéa a) du paragraphe 1 de l'article 2 (Interprétation des termes) les références figurant aux paragraphes 1 et 2 du présent article à « la dernière des dates à laquelle la présente Convention entre en vigueur pour chacune des Juridictions contractantes ayant conclu la Convention fiscale couverte » sont remplacées par des références à « la date de communication par le Dépositaire de la notification de l'ajout à la liste des conventions ».

4. Le retrait ou le remplacement d'une réserve émise en vertu du paragraphe 4 de l'article 26 (Compatibilité) conformément au paragraphe 9 de l'article 28 (Réserves), ou le retrait d'une objection à une réserve émise en vertu du paragraphe 2 de l'article 28 (Réserves) qui déclenche l'application de la partie VI (Arbitrage) entre deux Juridictions contractantes ayant conclu une Convention fiscale couverte, prend effet conformément aux alinéas a) et b) du paragraphe 1 du présent article sous réserve que les références à « la dernière des dates à laquelle la présente Convention entre en vigueur pour chacune des Juridictions contractantes ayant conclu la Convention fiscale couverte » soient remplacées par des références à « la date de communication par le Dépositaire de la notification du retrait de la réserve », « la date de communication par le Dépositaire de la notification du remplacement de la réserve » ou « la date de communication par le Dépositaire de la notification du retrait de l'objection à la réserve », respectivement.

5. Une notification complémentaire formulée en vertu de l'alinéa p) du paragraphe 1 de l'article 29 (Notifications) prend effet conformément aux alinéas a) et b) du paragraphe 1 sous réserve que les références figurant aux paragraphes 1 et 2 du présent article à « la dernière des dates à laquelle la présente Convention entre en vigueur pour chacune des Juridictions contractantes ayant conclu la Convention fiscale couverte » soient remplacées par des références à « la date de communication par le Dépositaire de la notification complémentaire ».

Article 37 – Retrait

1. Toute Partie peut, à tout moment, se retirer de la présente Convention en formulant une notification à cet effet au Dépositaire.

2. Le retrait prévu au paragraphe 1 prend effet à la date de réception de la notification par le Dépositaire. Dans les cas où la présente Convention est entrée en vigueur à l'égard de toutes les Juridictions contractantes d'une Convention fiscale couverte, avant la date à laquelle le retrait d'une Partie prend effet, cette Convention fiscale couverte demeure telle qu'elle a été modifiée par la présente Convention.

Article 38 – Relation with Protocols

1. This Convention may be supplemented by one or more protocols.
2. In order to become a party to a protocol, a State or jurisdiction must also be a Party to this Convention.
3. A Party to this Convention is not bound by a protocol unless it becomes a party to the protocol in accordance with its provisions.

Article 39 – Depositary

1. The Secretary-General of the Organisation for Economic Co-operation and Development shall be the Depositary of this Convention and any protocols pursuant to Article 38 (Relation with Protocols).
2. The Depositary shall notify the Parties and Signatories within one calendar month of:
 - a) any signature pursuant to Article 27 (Signature and Ratification, Acceptance or Approval);
 - b) the deposit of any instrument of ratification, acceptance or approval pursuant to Article 27 (Signature and Ratification, Acceptance or Approval);
 - c) any reservation or withdrawal or replacement of a reservation pursuant to Article 28 (Reservations);
 - d) any notification or additional notification pursuant to Article 29 (Notifications);
 - e) any proposed amendment to this Convention pursuant to Article 33 (Amendment);
 - f) any withdrawal from this Convention pursuant to Article 37 (Withdrawal); and
 - g) any other communication related to this Convention.
3. The Depositary shall maintain publicly available lists of:
 - a) Covered Tax Agreements;
 - b) reservations made by the Parties; and
 - c) notifications made by the Parties.

In witness whereof the undersigned, being duly authorised thereto, have signed this Convention.

Done at Paris, the 24th day of November 2016, in English and French, both texts being equally authentic, in a single copy which shall be deposited in the archives of the Organisation for Economic Co-operation and Development.

Article 38 – Relation avec les protocoles

1. La présente Convention peut être complétée par un ou plusieurs protocoles.
2. Pour être une partie à un protocole, un État ou une juridiction doit également être Partie à la présente Convention.
3. Une Partie à la présente Convention n'est pas liée par un protocole si elle n'est pas devenue partie à ce protocole, conformément à ses dispositions.

Article 39 – Dépositaire

1. Le Secrétaire général de l'Organisation de coopération et de développement économiques est le Dépositaire de la présente Convention et des protocoles y afférents en vertu de l'article 38 (Relation avec les protocoles).
2. Le Dépositaire notifie aux Parties et aux Signataires dans un délai d'un mois calendaire :
 - a) toute signature conformément à l'article 27 (Signature et ratification, acceptation ou approbation) ;
 - b) le dépôt de tout instrument de ratification, d'acceptation ou d'approbation conformément à l'article 27 (Signature et ratification, acceptation ou approbation) ;
 - c) toute réserve, retrait ou remplacement d'une réserve conformément à l'article 28 (Réserves) ;
 - d) toute notification ou notifications complémentaires conformément à l'article 29 (Notifications) ;
 - e) toute proposition de modification de la présente Convention en application de l'article 33 (Modifications) ;
 - f) tout retrait de la présente Convention en application de l'article 37 (Retrait) ; et
 - g) toute autre communication relative à la présente Convention.
3. Le Dépositaire tient à jour des listes accessibles au public :
 - a) des Conventions fiscales couvertes ;
 - b) des réserves émises par les Parties ; et
 - c) des notifications formulées par les Parties.

En foi de quoi, les soussignés, dûment autorisés à cet effet, ont signé la présente Convention.

Fait à Paris, le 24ème jour de novembre 2016, en anglais et français, les deux textes faisant également foi, en un exemplaire unique qui sera déposé aux archives de l'Organisation de coopération et de développement économiques.

I hereby certify that the foregoing text is a true copy of the Multilateral Convention to Implement Tax Treaty Related Measures to Prevent Base Erosion and Profit Shifting done in Paris on 24 November 2016, the original of which is deposited with the Secretary-General of the Organisation for Economic Co-operation and Development.

Je certifie que le texte qui précède est une copie conforme de la Convention multilatérale pour la mise en œuvre des mesures relatives aux conventions fiscales pour prévenir l'érosion de la base d'imposition et le transfert de bénéfices faite à Paris le 24 novembre 2016, dont l'original se trouve déposé auprès du Secrétaire général de l'Organisation de coopération et de développement économiques.

Paris, 7 June 2017

Paris, le 7 juin 2017

For the Secretary-General,
The Director for Legal Affairs:

Pour le Secrétaire général,
Le Directeur des Affaires juridiques :

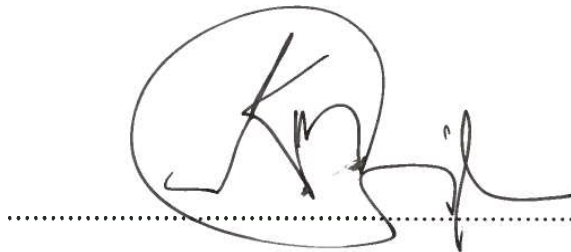


Nicola Bonucci

**MULTILATERAL CONVENTION TO IMPLEMENT TAX TREATY RELATED
MEASURES TO PREVENT BASE EROSION AND PROFIT SHIFTING**

Done in Paris on 24 November 2016

**For the Government of the Republic of South Africa –
Pour le Gouvernement de la République sud-africaine**



7 June 2017 – 7 juin 2017

**CONVENTION MULTILATÉRALE POUR LA MISE EN ŒUVRE DES MESURES
RELATIVES AUX CONVENTIONS FISCALES POUR PRÉVENIR L'ÉROSION DE
LA BASE D'IMPOSITION ET LE TRANSFERT DE BÉNÉFICES**

Faite à Paris le 24 novembre 2016

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NO. 2790

25 November 2022

CO-OPERATIVES THAT HAVE BEEN REMOVED FROM THE REGISTER

1. NCEDISA PROJECTS PRIMARY CO-OP LTD (2019/000927/24)
2. UBUNTU BETHU MA AFRIKA PRIMARY CO-OP LTD (2018/007555/24)
3. EXTENSION 19 YOUTH PRIMARY CO-OP LTD (2019/005729/24)
4. MONEO PRIMARY CO-OP LTD (2015/007206/24)
5. LSJC CLOTHING PRIMARY CO-OP LTD (2021/301283/24)
6. LUMANYANI PRIMARY CO-OP LTD (2018/010969/24)
7. LANG-DEN-WEG GUESTHOUSE PRIMARY CO-OP LTD (2013/006257/24)
8. WOMEN OF DESTINY FARMING PROJECT CO-OP LTD (2011/009377/24)
9. GA-TEFFU AGRICULTURAL PRIMARY CO-OP LTD (2014/021679/24)
10. IBHONGO LETHU PRIMARY CO-OP LTD 2007/001228/24)
11. UNCHANGEABLE MEASURES PRIMARY CO-OP LTD (2017/002208/24)
12. FARANANI WOMEN TRANSPORT PRIMARY CO-OP LTD (2018/006929/24)
13. MALORI ALILALI FARMING AGRICULTURAL PRIMARY CO-OP LTD (2016/001807/24)
14. LETLHABILE MZANSI FARMS PRIMARY CO-OPERATIVE LIMITED (2020/005271/24)
15. PACALTSODORP CONSTRUCTION WORKERS CO-OP LTD (2010/005095/24)
16. NGINGQI PRIMARY CO OPERATIVE LIMITED (2017/01261924)
17. LITHEMBA LETHU TRADING PRIMARY CO-OPERATIVE LIMITED (2016/006518/24)
18. ILINGE PRIMARY CO-OPERATIVE LIMITED (2016/005228/24)
19. NDANGWANE AGRICULTURAL PRIMARY CO-OPERATIVE LIMITED (2017/008372/24)
20. NDEBE AGRICULTURAL PRIMARY CO-OPERATIVE LIMITED (2019/008580/24)
21. CAPSTONE PRIMARY SERVICES CO-OPERATIVE LIMITED (1999/000017/24)
22. MULO AND MALIVHUS AGRICULTURAL MULTIPURPOSE CO-OP LTD (2009/00341924)
23. MOOI BUSINESS CO-OPERATIVE LIMITED (2014/003205/24)
24. DIITELE PRIMARY CO-OPERATIVE LIMITED (2014/016406/24)

Notice is hereby given that the names of the abovementioned co-operatives have been removed from the register in terms of the provisions of section 71A of the Co-operatives Amendment Act, No 6 of 2013.

Any objections to this procedure, which interested persons may wish to raise, must together with the reasons therefore, be lodged with this office before the expiration of the period of thirty days.

REGISTRAR OF CO-OPERATIVES
Office of the Registrar of Co-operatives
Dti Campus
77 Meintjies Street
Pretoria
0002

Private Bag X237
Pretoria
0001

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NO. 2791

25 November 2022



NOTICE IN TERMS OF REGULATION 3 (7) OF THE COPYRIGHT ACT 98 OF 1978

1. Notice is hereby given of the accreditation of **Imbokodo Performance Rights (IPR)** by Companies and Intellectual Property Commission (CIPC) to act as a Representative Collecting Society for a period of five (05) years in terms of Section 9A of the Copyright Act of 1978 read with Section 5 (1) (b) of the Performers Protection Act of 1967.
2. The Regulations on Collecting Societies in Music Industry came into effect on 01 June 2006 with CIPC as Accrediting Authority.
3. The effective date of this notice will be the date of publication in the Government Gazette.

Adv Rory Voller

Commissioner: Companies and Intellectual Property Commission

11./10./2022

DEPARTMENT OF WATER AND SANITATION

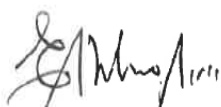
NO. 2792

25 November 2022

ESTABLISHMENT OF THE VAAL ORANGE CATCHMENT MANAGEMENT AGENCY THROUGH EXTENSION OF THE BOUNDARIES AND AREA OPERATIONAL OF THE VAAL RIVER CATCHMENT MANAGEMENT AGENCY TO INCLUDE ORANGE WATER MANAGEMENT AREA IN TERMS OF SECTION 78(4) OF THE NATIONAL WATER ACT, 1998 (ACT NO. 36 OF 1998)

I, Senzo Mchunu, Minister of Water and Sanitation, hereby, in terms of section 78(4) of the National Water Act, (Act No 36 of 1998), declare that-

- a) The Vaal-Orange Catchment Management Agency (CMA) is established through the extension of the boundaries and operational area of the Vaal River CMA to include the Orange Water Management Area.
- b) The CMA shall be named Vaal-Orange Catchment Management Agency.
- c) The area of operation of the Vaal Orange CMA include the previous Orange Water Management Area and Vaal Water Management Areas as pronounced in the National Water Resource Strategy 2. The Water Management Areas falls within the Gauteng, Free State and Northern Cape province regions. The amendment affects all properties in respect of which and person entitled to use water by virtue of entitlements in terms of section 22 (1) of the Act from-
 - (i) Any water resources situated outside the area described in paragraph (c)(i) above, which water resources and accompanying area, the Department of Water and Sanitation or the responsible authority may require the Vaal Orange CMA to control.
- d) All initial functions and delegated functions performed in the Vaal River Catchment Management Agency will be performed in the Vaal Orange CMA.
- e) Water resource management charges will be billed by the Vaal Orange CMA in accordance to section 57(2) of the National Water Act, (Act No 36 of 1998).



MR SENZO MCHUNU, MP
MINISTER OF WATER AND SANITATION

DATE:

25/10/22

DEPARTMENT OF WATER AND SANITATION

NO. 2793

25 November 2022

ESTABLISHMENT OF THE BREEDE-OLIFANTS CATCHMENT MANAGEMENT AGENCY THROUGH EXTENDING THE BOUNDARY AND AREA OF OPERATION OF THE BREEDE-GOURITZ CATCHMENT MANAGEMENT AGENCY IN WESTERN CAPE PROVINCE

I, S. Mchunu, Minister of Water and Sanitation, hereby, in terms of section 78(1) of the National Water Act, 1998 (Act No 36 of 1998), declare that-

- a) The Breede-Olifants Catchment Management Agency (CMA) is established by extending the boundary and area of operation of the Breede-Gouritz CMA Water Management Area;
- b) The Catchment Management Agency's name is the Breede-Olifants CMA.
- c) The area of operation of Breede-Olifants Catchment Management Agency includes the previous Breede-Gouritz and Berg-Olifants water management areas as pronounced in the National Water Resource Strategy second edition, 2013 (NWRS2). The Water Management Areas falls largely in the Western Cape province, with the North-Eastern section falling within the Northern Cape province and includes all properties in respect of which and person entitled to use water by virtue of entitlements in terms of section 22 (1) of the Act from-
 - (i) Any water resources situated outside the area described in paragraph (c)(i) above, which water resources and accompanying area, the Department of Water and Sanitation or the responsible authority may require the Breede-Olifants CMA to control.
- d) All initial functions and delegated functions performed in the Breede-Gouritz Catchment Management Agency will be performed in the Breede-Olifants CMA.
- e) Water resource management charges will be billed by the Breede-Olifants CMA in accordance with section 57(2) of the National Water Act.
- f) The updated Business Case of the Breede-Olifants can be accessed on the departmental website link: <https://www.dws.gov.za/documents>.



MR SENZO MCHUNU, MP
MINISTER OF WATER AND SANITATION
DATE 10/05/22

DEPARTMENT OF WATER AND SANITATION

NO. 2794

25 November 2022

**DISESTABLISHMENT OF THE OLIFANTS-DOORN CATCHMENT MANAGEMENT AGENCY
ESTABLISHED UNDER GOVERNMENT GAZETTE NOTICE NO 29205 ON SEPTEMBER 2006
IN WESTERN CAPE PROVINCE**

I, S. Mchunu, Minister Water and Sanitation, hereby, in terms of section 88(1) of the National Water Act, 1998 (Act No 36 of 1998), declare that-

- a) The Olifants-Doorn Catchment management Agency (CMA) is disestablished
- b) The former Olifants-Doorn CMA was formally established in September 2006 and it will now be disestablished as a result of the combination of Breede-Gouritz and Berg-Olifants WMAs into one Water Management Area in (mostly) the Western Cape Province to align to the envisaged reduced number of WMAs from nine (9) to (6) to move towards the institutional reconfiguration as outlined in National Water and Sanitation Master plan.

All interested persons are invited to comment in writing on the disestablishment of Olifants-Doorn CMA which is available for comment for a period of 60 days. All such comments must be addressed to:

Director-General
Department of Water and Sanitation
Private Bag X313
PRETORIA
0001

For attention: Mr K.B Rapelang
Email by: rapelangk@dws.gov.za
Tel: 012 336 6791



**MR SENZO MCHUNU, MP
MINISTER OF WATER AND SANITATION**
DATE: 10/05/22

DEPARTMENT OF WATER AND SANITATION

NO. 2795

25 November 2022

ESTABLISHMENT OF THE BREEDE-OLIFANTS CATCHMENT MANAGEMENT AGENCY THROUGH EXTENDING THE BOUNDARY AND AREA OF OPERATION OF THE BREEDE-GOURITZ CATCHMENT MANAGEMENT AGENCY IN WESTERN CAPE PROVINCE

I, S. Mchunu, Minister of Water and Sanitation, hereby, in terms of section 78(1) of the National Water Act, 1998 (Act No 36 of 1998), declare that-

- a) The Breede-Olifants Catchment Management Agency (CMA) is established by extending the boundary and area of operation of the Breede-Gouritz CMA Water Management Area;
- b) The Catchment Management Agency's name is the Breede-Olifants CMA.
- c) The area of operation of Breede-Olifants Catchment Management Agency includes the previous Breede-Gouritz and Berg-Olifants water management areas as pronounced in the National Water Resource Strategy second edition, 2013 (NWRS2). The Water Management Areas falls largely in the Western Cape province, with the North-Eastern section falling within the Northern Cape province and includes all properties in respect of which and person entitled to use water by virtue of entitlements in terms of section 22 (1) of the Act from-
 - (i) Any water resources situated outside the area described in paragraph (c)(i) above, which water resources and accompanying area, the Department of Water and Sanitation or the responsible authority may require the Breede-Olifants CMA to control.
- d) All initial functions and delegated functions performed in the Breede-Gouritz Catchment Management Agency will be performed in the Breede-Olifants CMA.
- e) Water resource management charges will be billed by the Breede-Olifants CMA in accordance with section 57(2) of the National Water Act.
- f) The updated Business Case of the Breede-Olifants can be accessed on the departmental website link: <https://www.dws.gov.za/documents>.



MR SENZO MCHUNU, MP
MINISTER OF WATER AND SANITATION
DATE

10/05/22

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NOTICE 1437 OF 2022

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) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

Property	:	1.	Portion 28 of Erf 1584 Wentworth, previously known as Sub B of 69 of 112A of Mid-Wentworth of the farm Wentworth No. 860
		2.	Portion 10 (remaining extent) of Erf 1584 Wentworth, previously known as the Remainder of Lot 69 of Lot 112A of Midwentworth of Wentworth No. 860
Extent of property	:	1.	0, 0823 hectares
		2.	0, 1315 hectares
Magisterial District	:		Ethekwini
Administrative District	:		KwaZulu-Natal
Previous Title Deed No.	:	1.	T16450/1973
		2.	T25542/1980
Current Title Deed No.	:	1.	T16450/1973
		2.	T4398/2013
Current Owner	:	1.	Ethekwini Municipality
		2.	Miclavi Properties 254 Proprietary Limited
Bonds & Restrictive Conditions (Interdicts)	:	1.	K1456/2002S; K144/2017S
		2.	None
Claimant	:		Raman Govender on behalf of Govender Family
Date claim lodged	:		19 December 1998
Reference number	:		KRN6/2/3/E/8/817/2582/2

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal
Private Bag X9120
Pietermaritzburg 3200

Tel: (033) 355 - 8400
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT**NOTICE 1438 OF 2022****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) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

Property	:	Portion 0 of Erf 188 Port Shepstone
Extent of property	:	0, 1015 hectares
Magisterial District	:	Port Shepstone
Administrative District:	:	KwaZulu-Natal
Previous Title Deed No.	:	T11583/1970
Current Title Deed No.	:	T52959/2001
Current Owner	:	Siddique Khamissa Family Trust-Trustees
Bonds & Restrictive Conditions (Interdicts)	:	None
Claimant	:	Yakub Peer on behalf of the Peer Family
Date claim lodged	:	21 December 1998
Reference number	:	KRN6/2/2/E/41/0/0/132

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal
Private Bag X9120
Pietermaritzburg 3200

Tel: (033) 355 - 8400
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NOTICE 1439 OF 2022

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) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

Property	:	1. A portion of the consolidated Portion 0 (remaining extent) of Erf 1685 Durban, known before consolidation as Portion 0 of Erf 1642 Durban, previously known as Lot 8 Block AK of the Townlands of Durban No. 1737
		2. A portion of the consolidated Portion 0 (remaining extent) of Erf 1589 Durban, known before consolidation as Portion 0 of Erf 1549 Durban, previously known as Lot 159 Block AK of the Townlands of Durban No. 1737
Extent of property	:	1. 0, 0391 hectares
		2. 0, 0391 hectares
Magisterial District	:	Ethekwini
Administrative District:	:	KwaZulu-Natal
Previous Title Deed No.	:	1. T4535/1965
		2. T4536/1965
Current Title Deed No.	:	1. T12197/1993
		2. T12197/1993
Current Owner	:	Ethekwini Municipality
Bonds & Restrictive Conditions (Interdicts)	:	1. I-1742/1990LG
		2. I-1742/1990LG

Claimant : **Paruk Suleman**
Date claim lodged : **5 September 1995**
Reference number : **KRN6/2/3/E/8/817/18/60**

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal
Private Bag X9120
Pietermaritzburg 3200

Tel: (033) 355 - 8400
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT**NOTICE 1440 OF 2022****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) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

Property	:	Portion 2 (Remainder) of the farm Lot FP 297 No. 9590, previously known as the Remainder of Sub B of Lot F.P. 297 No. 9590
Extent of property	:	229, 9970 hectares
Magisterial District	:	Impendle
Administrative District:	:	KwaZulu-Natal
Previous Title Dee No.	:	T6923/1945
Current Title Deed No.	:	T6923/1945
Current Owner	:	R S A
Bonds & Restrictive Conditions (Interdicts)	:	I-5149/1977LG
Claimant	:	Sibongile Teresa Ndlovu on behalf of the Ndlovu Family
Date claim lodged	:	6 November 1998
Reference number	:	KRN6/2/2/E/13/0/0/30

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal
Private Bag X9120
Pietermaritzburg 3200

Tel: (033) 355 - 8400
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NOTICE 1441 OF 2022

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) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

Property	:	Sub A (Road) of 9 of MB8 of the farm Cato Manor No. 812, now known as the Remainder of Portion 0 of Erf 343 Cato Manor
Extent of property	:	0, 4083 hectares
Magisterial District	:	Ethekwini
Administrative District:	:	KwaZulu-Natal
Previous Title Deed No.	:	T5698/1959
Current Title Deed No.	:	T2696/1992 T10127/2016
Current Owner	:	Ethekwini Municipality
Bonds & Restrictive Conditions (Interdicts)	:	None
Claimant	:	Poobalan Padayachee
Date claim lodged	:	31 December 1998
Reference number	:	KRN6/2/3E/8/817/2716/5074

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal
Private Bag X9120
Pietermaritzburg 3200

Tel: (033) 355 - 8400
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NOTICE 1442 OF 2022

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) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

Property	:	Portion 1 of Erf 169 Newlands, previously known as Sub 1 of Lot 169 Newlands
Extent of property	:	65, 5164 hectares
Magisterial District	:	Ethekwini
Administrative District	:	KwaZulu-Natal
Previous Title Deed No.	:	T3063/1980
Current Title Deed No.	:	T3063/1980
Current Owner	:	Gem Ont Raad – Com Dev Board
Bonds & Restrictive Conditions (Interdicts)	:	None
Claimant	:	Sushila Devi Moodley
Date claim lodged	:	30 December 1998
Reference number	:	KRN6/2/3/E/8/817/1637/115

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal
Private Bag X9120
Pietermaritzburg 3200

Tel: (033) 355 - 8400
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT**NOTICE 1443 OF 2022****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) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

Property	:	Portion 1 of Erf 169 Newlands, previously known as Sub 1 of Lot 169 Newlands
Extent of property	:	65, 5164 hectares
Magisterial District	:	Ethekwini
Administrative District	:	KwaZulu-Natal
Previous Title Deed No.	:	T3063/1980
Current Title Deed No.	:	T3063/1980
Current Owner	:	Gem Ont Raad – Com Dev Board
Bonds & Restrictive Conditions (Interdicts)	:	None
Claimant	:	Sushila Devi Moodley
Date claim lodged	:	30 December 1998
Reference number	:	KRN6/2/3/E/8/817/1637/115

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal
Private Bag X9120
Pietermaritzburg 3200

Tel: (033) 355 - 8400
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NOTICE 1444 OF 2022

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) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

Property	:	Portion 0 of Erf 2382 Durban, previously known as Remainder of Lot 131 Block B of the Townlands of Durban
Extent of property	:	0, 1016 hectares
Magisterial District	:	Ethekwini
Administrative District	:	KwaZulu-Natal
Previous Title Deed No.	:	T7353/1971
Current Title Deed No.	:	T26575/2017
Current Owner	:	Davania and Derushan Property Investment Trust
Bonds & Restrictive Conditions (Interdicts)	:	None
Claimant	:	Thiagajaran Naidoo
Date claim lodged	:	4 August 1995
Reference number	:	KRN6/2/3/E/8/817/2722/116

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal
Private Bag X9120
Pietermaritzburg 3200

Tel: (033) 355 - 8400
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NOTICE 1445 OF 2022

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) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

Property	:	see attached schedule
Extent of property	:	see attached schedule
Magisterial District	:	Klip River
Administrative District:	:	KwaZulu-Natal
Current Title Deed No.	:	see attached schedule
Current Owner	:	see attached schedule
Bonds & Restrictive Conditions (Interdicts)	:	see attached schedule
Claimant	:	Wilfred Mndaweni on behalf of the Limit Hill Community
Date claim lodged	:	19 July 1998
Reference number	:	KRN6/2/2/E/17/0/0/254

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal
Private Bag X9120
Pietermaritzburg 3200

Tel: (033) 355 - 8400
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:

SCHEDULE

NO.	PROPERTY DESCRIPTION	EXTENT	PREVIOUS TITLE DEED NO.	CURRENT TITLE DEED NO.	CURRENT OWNER	BONDS & RESTRICTIVE CONDITIONS (INTERDICTS)
1	A portion of the consolidated Portion 0 of Erf No. 9468 Ladysmith Township, known before consolidation as Portion 0 of Erf No. 377 Ladysmith Township, now part of the Ladysmith Township Extension 49	0, 3824 ha	T2938/1972	T1604/1991	Emnambithi/Ladysmith Municipality	None
2	A portion of the consolidated Portion 0 of Erf No. 9468 Ladysmith Township, known before consolidation as Portion 0 of Erf No. 376 Ladysmith Township, now part of the Ladysmith Township Extension 49	0, 9139 ha	T2938/1972	T1604/1991	Emnambithi/Ladysmith Municipality	None
3	A portion of the consolidated Remainder of Portion 0 of Erf No. 6573 Ladysmith Township, known before consolidation as the Remainder of Portion 0 of Erf No. 5012 Ladysmith Township, previously known as Portion 0 of Erf No. 393 Ladysmith Township	0, 1827 ha	T1684/1968	T21429/189	Emnambithi/Ladysmith Municipality	None
4	A portion of the consolidated Portion 0 of Erf No. 9468 Ladysmith Township, known before consolidation as Portion 0 of Erf No. 356 Ladysmith Township, now part of the Ladysmith Township Extension 49	0, 3726 ha	T25894/1980	T1604/1991	Emnambithi/Ladysmith Municipality	None
5	A portion of the consolidated Portion 0 of Erf No. 9468 Ladysmith Township, known before consolidation as Portion 0 of Erf No. 382 Ladysmith Township, now part of the Ladysmith Township Extension 49	0, 3771 ha	T16888/1968	T1604/1991	Emnambithi/Ladysmith Municipality	None
6	A portion of the consolidated Portion 0 of Erf No. 9468 Ladysmith Township, known before consolidation as the Remainder of Portion 0 of Erf No. 357 Ladysmith Township, now part of the Ladysmith Township Extension 49	0, 1732 ha	T344/1968	T1604/1991	Emnambithi/Ladysmith Municipality	None
7	Portion 2 of Erf No. 559 Ladysmith Township, known before as Sub 2 of Lot 559 Ladysmith	0, 1012 ha	T344/1968	T4400/1986	Sumaye Inv cc	None

NO.	PROPERTY DESCRIPTION	EXTENT	PREVIOUS TITLE DEED NO.	CURRENT TITLE DEED NO.	CURRENT OWNER	BONDS & RESTRICTIVE CONDITIONS (INTERDICTS)
8	Portion 3 of Erf No. 559 Ladysmith Township, known before Sub 3 of Lot 559 Ladysmith	0, 0137 ha	T344/1968	T4400/1986	Sumaye Inv cc	None
9	Portion 1 of Erf No. 560 Ladysmith Township, known before as Sub 1 of Lot 560 Ladysmith	0, 0873 ha	T344/1968	T20854/1994	Beveridge Family Trust- Trustees	B27314/1994
10	A portion of the consolidated Portion 0 of Erf No. 9468 Ladysmith Township, known before consolidation as Portion 0 of Erf No. 359 Ladysmith Township, now part of the Ladysmith Township Extension 49	0, 8529 ha	T3621/1972	T1604/1991	Emnambithi/Ladysmith Municipality	None
11	A portion of the consolidated Portion 0 of Erf No. 9468 Ladysmith Township, known before consolidation as Portion 0 of Erf No. 381 Ladysmith Township, now part of the Ladysmith Township Extension 49	0, 3789 ha	T15730/1971	T1604/1991	Emnambithi/Ladysmith Municipality	None

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPME

NOTICE 1446 OF 2022

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) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

Property	:	Remaining Extent of Portion 16 of the farm Magut No. 818
Extent of property	:	471, 5456 hectares
Magisterial District	:	Nongoma
Administrative District	:	KwaZulu-Natal
Current Title Deed No.	:	T14596/2022
Current Owner	:	Toyger Ventures Limited
Bonds & Restrictive Conditions (Interdicts)	:	None
Claimant	:	Mkhulu Petros Kunene
Date claim lodged	:	10 November 1998
Reference number	:	KRN6/2/2/E/34/0/0/12

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal
Private Bag X9120
Pietermaritzburg 3200

Tel: (033) 355 - 8400
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPME

NOTICE 1447 OF 2022

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) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

Property	:	A portion of the consolidated Portion 0 (remaining extent) of Erf 1714 Wentworth, known before consolidation as Portion 183 of Erf 1704 Wentworth, previously known as Lot 183 of Lot 92 of Mid-Wentworth of the farm Wentworth No. 860
Extent of property	:	0, 1417 hectares
Magisterial District	:	Ethekwini
Administrative District:	:	KwaZulu-Natal
Previous Title Deed No.	:	T5579/1966
Current Title Deed No.	:	T58877/2001
Current Owner	:	S A Retail Properties (Pty) Ltd
Bonds & Restrictive Conditions (Interdicts)	:	I-7154/1987LG
Claimant	:	Harashwathie Jainarain
Date claim lodged	:	19 December 1998
Reference number	:	KRN6/2/3/E/8/817/2582/156

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal
Private Bag X9120
Pietermaritzburg 3200

Tel: (033) 355 - 8400
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT**NOTICE 1448 OF 2022****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) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

Property	:	1. Portion 1 of the farm Strathaven No. 15669 2. Portion 2 of the farm Strathaven No. 15669
Extent of property	:	1. 258, 2280 hectares 2. 274, 8541 hectares
Magisterial District	:	Pietermaritzburg
Administrative District:	:	KwaZulu-Natal
Current Title Deed No.	:	T2502/1984
Current Owner	:	Regional & Land Affairs
Bonds & Restrictive Conditions (Interdicts)	:	None
Claimant	:	Mbalekelwa Michael Mkhize on behalf of the Incwadi Community
Date claim lodged	:	30 December 1998
Reference number	:	KRN6/2/2/E/38/0/0/77

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within 30 days from the date of publication of this notice, any representations and/or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal
Private Bag X9120
Pietermaritzburg 3200

Tel: (033) 355 - 8400
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NOTICE 1449 OF 2022

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) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

Property	:	Remainder of Lot 5A Umzimkulwana No. 9330
Extent of property	:	148, 8000 hectares
Magisterial District	:	Alfred
Administrative District:	:	KwaZulu-Natal
Previous Title Deed No.	;	T18795/1984
Current Title Deed No.	:	T31548/2020
Current Owner	:	Malton Farm Proprietary Limited
Bonds & Restrictive Conditions (Interdicts)	:	B10615/2020; K 659/1996S
Claimant	:	Hilary George Owen Hartley on behalf of the Ogle Family
Date claim lodged	:	8 December 1998
Reference number	:	KRN6/2/2/E/1/0/0/36

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal
Private Bag X9120
Pietermaritzburg 3200

Tel: (033) 355 - 8400
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT**NOTICE 1450 OF 2022****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) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

Property	:	Lot 75 Block AK of the Townlands of Durban No. 1737, now known as the Remainder of Portion 0 of Erf 1707 Durban
Extent of property	:	0, 0391 hectares
Magisterial District	:	Ethekwini
Administrative District:	:	KwaZulu-Natal
Previous Title Deed No.	:	T15185/1969
Current Title Deed No.	:	T14859/1982
Current Owner	:	Development & Housing Board
Bonds & Restrictive Conditions (Interdicts)	:	I-1742/1990LG
Claimant	:	Gounder and Associates on behalf of the Govender Family
Date claim lodged	:	3 October 1996
Reference number	:	KRN6/2/3/E/8/817/18/151

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal
Private Bag X9120
Pietermaritzburg 3200

Tel: (033) 355 - 8400
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NOTICE 1451 OF 2022

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) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

Property	:	see attached schedule
Extent of property	:	see attached schedule
Magisterial District	:	Babango
Administrative District	:	KwaZulu-Natal
Current Title Deed No.	:	see attached schedule
Current Owner	:	see attached schedule
Bonds & Restrictive Conditions (Interdicts)	:	see attached schedule
Claimant	:	Mandlenkosi Nxumalo, Thembakazi Dhlomo, Phillip Valoyi & Zephania Ntlanzi
Date claim lodged	:	30 December 1998, 31 December 1998 & 30 December 1998
Reference number	:	KRN6/2/E/2/0/0/19

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/or representations from the affected party/parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal
Private Bag X9120
Pietermaritzburg 3200

Tel: (033) 355 - 8400
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:

SCHEDULE

NO.	PROPERTY DESCRIPTION	CURRENT TITLE DEED NO.	CURRENT OWNER	BONDS & RESTRICTIVE CONDITIONS (INTERDICTS)
1	Portion 11 of the farm Moordplaats No. 193	T31004/1995	Ned Ger Kerk-KwaZulu Natal	K1245/2002S VA1102/2002
2	Portion 2 of the farm Uitzoek No. 317	T13186/1966	Ned Ger Kerk-KwaZulu Natal	I-1650/1986LG
3	Portion 3 of the farm Uitzoek No. 317		NOT REGISTERED	

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPME

NOTICE 1452 OF 2022

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) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

Property	:	Portion 344 of the farm Groeneberg No. 844, previously known Sub 344 (of 36) of the farm Groeneberg No. 844
Extent of property	:	6, 9643 hectares
Magisterial District	:	Ethekwini
Administrative District	:	KwaZulu-Natal
Previous Title Deed No.	:	T5968/1986
Current Title Deed No.	:	1. T5968/1986 2. T32746/2009
Current Owner	:	Province of KwaZulu-Natal
Bonds & Restrictive Conditions (Interdicts)	:	None
Claimant	:	Munsamy Gounden
Date claim lodged	:	31 December 1998
Reference number	:	KRN6/2/3/E/8/817/2723/273

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal
Private Bag X9120
Pietermaritzburg 3200

Tel: (033) 355 - 8400
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NOTICE 1453 OF 2022

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) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

Property	:	A portion of the consolidated Remainder of Portion 0 of Erf 1169 Cato Manor, known before consolidation as Portion 5 of Erf 980 Cato Manor, previously known as Subdivision 5 of Lot 12 of Lot GG of the farm Cato Manor No. 812
Extent of property	:	0, 0879 hectares
Magisterial District	:	Ethekwini
Administrative District:	:	KwaZulu-Natal
Previous Title Deed No.	:	T14591/1972
Current Title Deed No.	:	T27720/2014
Current Owner	:	Ethekwini Municipality
Bonds & Restrictive Conditions (Interdicts)	:	I-8188/1990LG
Claimant	:	Joseph Chetty
Date claim lodged	:	20 June 1996
Reference number	:	KRN6/2/3/E/8/817/2716/585

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal
Private Bag X9120
Pietermaritzburg 3200

Tel: (033) 355 - 8400
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:

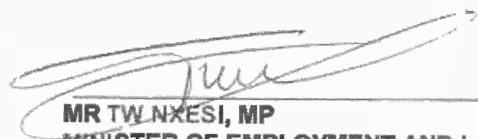
DEPARTMENT OF EMPLOYMENT AND LABOUR

NOTICE 1454 OF 2022

LABOUR RELATIONS ACT, 1995

**NATIONAL BARGAINING COUNCIL FOR THE ROAD FREIGHT AND LOGISTICS
INDUSTRY: EXTENSION TO NON-PARTIES OF THE MAIN COLLECTIVE AMENDING
AGREEMENT**

I, **THEMBELANI WALTERMADE NXESI**, Minister of Employment and Labour, hereby in terms of section 32(2) of the Labour Relations Act, 1995, declare that the collective agreement which appears in the Schedule hereto, which was concluded in the **National Bargaining Council for the Road Freight and Logistics Industry** and is binding in terms of section 31 of the Labour Relations Act, 1995, on the parties which concluded the agreement, shall be binding on the other employers and employees in that Industry, effective from 1 March 2022 or with effect from the second Monday after the date of publication of this Notice until **29 February 2024**.



MR TW NXESI, MP
MINISTER OF EMPLOYMENT AND LABOUR
DATE: 13/11/2022

UMNYANGO WEZEMISEBENZI NEZABASEBENZI

R.

USUKU:

UMTHETHO WOBUDLELWANO KWEZABASEBENZI KA-1995

**NATIONAL BARGAINING COUNCIL FOR THE ROAD FREIGHT AND LOGISTICS
INDUSTRY: UKWELULWA KWESIVUMELWANO SABAQASHI NABASEBENZI
ESIYINGQIKITHI ESICHIBIYELAYO SELULELWA KULABO ABANGEYONA
INGXENYE YASO**

Mina, **THEMBELANI WALTERMADE NXESI**, uNgqongqoshe Wezemisebenzi nezabasebenzi lapha ngokwesigaba 32(2) soMthetho Wobudlelwano Kwezabasebenzi ka-1995, ngazisa ukuthi isiVumelwano sabaqashi nabasebenzi esitholakala kwiSheduli yesiNgisi exhunywe lapha, esenziwa kwi**National Bargaining Council For The Road Freight and Logistics Industry**, futhi ngokwesigaba 31 soMthetho Wobudlelwano Kwezabasebenzi ka 1995, esibopha labo abasenzayo, sizobopha abanye abaqashi nabasebenzi kuleyoMboni kusukela mhlaka 1 kuNdasa 2022 noma kusukela ngomsoMbuluko wesibili emva kokushicilelwa kwalesiSaziso kuze kube isikhathi esiphela mhlaka 29 kuNhlolanja 2024.



NUMZANA TW NXESI, MP
UNGQONGQOSHE WEZEMISEBENZI NEZABASEBENZI
USUKU: 13/11/2022

SCHEDULE**NATIONAL BARGAINING COUNCIL FOR THE ROAD FREIGHT AND LOGISTICS
INDUSTRY****AMENDMENTS TO THE MAIN COLLECTIVE AGREEMENT**

In accordance with the provisions of the Labour Relations Act, 1995 made and entered
into by and between the -

ROAD FREIGHT ASSOCIATION (RFA)

NATIONAL EMPLOYERS' ASSOCIATION OF SOUTH AFRICA (NEASA)

CONSOLIDATED EMPLOYERS ASSOCIATION (CEO)

(hereinafter referred to in this Agreement as the "employers' organisations")
on one part, and the

SOUTH AFRICAN TRANSPORT AND ALLIED WORKERS' UNION (SATAWU)

MOTOR TRANSPORT WORKERS' UNION OF SOUTH AFRICA (MTWU)

(hereinafter referred to in this Agreement as the "trade unions"), on the other part,
being the parties to the National Bargaining Council for the Road Freight and Logistics
Industry hereby agree to amend the Main Collective Agreement published under
Government Notice No. R.726 of 28 May 2016, as amended and extended by Government
Notices No. R.422 of 12 May 2017, 426 of 15 March 2019, and Government Notice No.
R1364 of 25 October 2019, Government Notice No. 410 of 9 July 2021 and Government
Notice No. 549 of 14 September 2021, Government Notice No. 831 of 11 February 2022.

PART 1: APPLICATION AND DURATION OF AGREEMENT**1 Application of Agreement**

- (1) The terms of this Agreement shall be observed by employers and employees in the Road Freight and Logistics Industry as defined hereunder, in the Republic of South Africa:

"Road Freight and Logistics Industry" or "Industry" means the industry in which employers and their employees, as defined in Paragraph A hereunder, are associated for carrying on one or more of the following activities for hire or reward:

- (i) The transportation of goods by means of motor transport;
- (ii) The storage of goods, including the receiving, opening, unpacking, packing, dispatching and clearing or accounting for of goods where these activities are ancillary or incidental to paragraph (i); and
- (iii) The hiring out by temporary employment services of employees for activities or operations which ordinarily or naturally fall within the transportation or storage of goods as contemplated by paragraphs (i) and (ii) of this definition.

The **"transportation of goods"** does not include the undertakings, industries, trades or occupations in respect of which the following bargaining councils are registered:

- (i) Transnet Bargaining Council; and
- (ii) Motor Ferry Industry Bargaining Council of South Africa.

For the purposes hereof-

"Paragraph A" means those employees in the Road Freight and Logistics Industry, as defined above, in the categories as mentioned hereunder:

- (a) **Employees covered by the definition of the industry as defined above:**
- General workers;
 - Security guards, security officers, custodians, vehicle guards, team leaders;
 - Motor vehicle drivers;
 - Key Marshalls (Cash in Transit);
 - Cage Men (Cash in Transit);
 - Artisan assistants, semi-skilled artisans, repair shop workers;
 - Operators;
 - Dispatch clerks, checkers, packers/loaders;

- Storemen;
 - Personal assistants, receptionists, clerks, administrators, data capturers, chemical cleaners;
 - Junior controllers, branch administrators, driver trainers;
 - Box Room Marshalls (Cash in Transit);
 - Radio Controllers (Security Officer III) (Cash in Transit);
 - Tactical Support Officers / Team Leaders (Security Officer II) (Cash in Transit);
 - Counting House Tellers (Cash in Transit);
 - Box Staff (Cash in Transit);
 - Client Liaison Officers (Cash in Transit);
 - Training Officers (Cash in Transit);
 - General Worker: Cleaners (Cash in Transit);
 - Receptionist (Cash in Transit).
- (2) Notwithstanding the provisions of sub-clause (1), this Agreement shall apply to:
- (a) Employees for whom minimum wages are prescribed in this Agreement and to the employers of such employees;
 - (b) other categories of employees, listed in schedule 7 who qualify for the across the board increases, as well as payments and benefits specified to the employers of such employees; and
 - (c) owner-drivers and their employees only insofar hours of work and limitations on hours of work and registration with the Council is concerned.
- (3) Subject to clause (4), this Agreement applies to owner-drivers, and to the employees of owner-drivers.
- (4) An owner-driver –
- (a) who is an employer must observe the same hours of work and limitations on hours of work that are prescribed in this Agreement for employees.
 - (b) who possesses only one motor vehicle and is the permanent driver of that vehicle is only required to comply with the requirements of sub-paragraph (a) of this clause and clause 45.
- (5) Part 10 of this Agreement sets out provisions that apply to particular categories of employees. It –
- (a) specifies categories of employees in respect of whom only particular provisions of this Agreement apply.

- (b) provides provisions that apply to specific categories of employees in addition to the rest of the Agreement.
- (c) modifies certain provisions of this Agreement for the purposes of specific categories of employees.

2. Duration of Agreement

- (1) This Agreement is binding to employers and employees of the industry effective from the date to be determined by the Minister.
- (2) This Agreement shall become binding on non-party employers and employees once it is extended by the Minister of Employment and Labour in terms Section 32 of the Act from a date determined by the Minister until 29 February 2024.

PART 10: PROVISIONS APPLICABLE TO PARTICULAR CATEGORIES OF EMPLOYEES

1. Clause 67A: Dual Driver System

- **Substitute Clause 67A(3) and (4) with the following:**

- 3. Each driver will be paid 9 hours of ordinary work and 6 hours of overtime in any 24 hours period in terms of clause 3 and clause 10 of the Main Collective Agreement and as defined in Schedule 2 of the Main Collective Agreement.
- 4. Each driver will be paid 15 hours, which comprises of 9 ordinary working hours and 6 hours for overtime as well as the normal subsistence allowance as stipulated under clause 36 of the Main Collective Agreement for the shift worked in accordance with the dual driver system. In this regard, the Dual Drivers' subsistence allowance and payment equal to 2 hours calculated at the overtime rate falls away, however, the drivers will still be entitled to the normal subsistence allowance.

Signed at Johannesburg, for and on behalf of the Parties to the Council, this 31 day of

October 2022.



PRW Meier
Chairperson of the
Council



J Mazibuko
Deputy Chairperson of the
the Council



CM Ndlovu
National Secretary
of the Council

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NOTICE 1455 OF 2022

STANDARDS ACT, 2008
STANDARDS MATTERS

In terms of the Standards Act, 2008 (Act No. 8 of 2008), the Board of the South African Bureau of Standards has acted in regard to standards in the manner set out in the Schedules to this notice.

SECTION A: DRAFTS FOR COMMENTS

The following draft standards are hereby issued for public comments in compliance with the norm for the development of the South Africa National standards in terms of section 23(2)(a) (ii) of the Standards Act.

Draft Standard No. and Edition	Title, scope and purport	Closing Date
SANS 300401 Ed 2	<i>Radio Broadcasting Systems; Digital Audio Broadcasting (DAB) to mobile, portable and fixed receivers.</i> Establishes a broadcasting standard for the Digital Audio Broadcasting (DAB) system designed for delivery of high-quality digital audio and video programmes and data services for mobile, portable and fixed reception from terrestrial transmitters in the Very High Frequency (VHF) frequency bands as well as for distribution through cable networks.	2023-01-21
SANS 2091 Ed 1	<i>Aquaculture urchin.</i> Covers the harvesting, preparation, processing, packing, conveyance and quality of live, raw chilled and processed aquacultured urchins.	2023-01-24
SANS 373 Ed 1	<i>Reprocessing of flexible endoscopes and accessories.</i> Gives guidelines for the cleaning, leak testing, packaging (where necessary), storage, high level disinfection of flexible fiber-optic endoscopes, video endoscopes and the reusable endoscopic accessories used with flexible endoscopes, for reuse, that are decontaminated either manually or using an endoscope washer disinfectant.	2023-01-24
SANS 2340 Ed.1	<i>Seed/Vegetable Oils — Marula (Sclerocarya birrea).</i> Applies to Marula (Sclerocarya birrea) seed oil suitable for cosmetic use.	2023-01-24

SCHEDULE A.1: AMENDMENT OF EXISTING STANDARDS

The following draft amendments are hereby issued for public comments in compliance with the norm for the development of the South African National Standards in terms of section 23(2)(a) (ii) of the Standards Act.

Draft Standard No. and Edition	Title	Scope of amendment	Closing Date
SANS 3001-GR35 Ed 1.1	<i>Civil engineering test methods – Part GR35: Determination of in-place dry density (sand replacement).</i>	Amended to update the introduction, referenced standards, the clause on apparatus, and the annex on preparation of density sand.	2023-01-12
SANS 5484 Ed 3.1	<i>Resistance to fungal attack by mixed fungi.</i>	Amended to update the clause on test fungi and culture medium.	2023-01-24
SANS 493 Ed 2.2	<i>Steel refuse bins.</i>	Amended to delete the appendix on notes to purchasers.	2023-01-24
SANS 1156-2 Ed 3.1	<i>Hose for natural gas and liquefied petroleum gas (LPG) – Part 2: Hose and tubing for use in natural gas and liquefied petroleum gas vapour phase.</i>	Amended to update referenced standards, and cold flex test method.	2023-01-24
SANS 1854 Ed 1.2	<i>The design and manufacture of trestles.</i>	Amended to update the referenced standards.	2023-01-24
SANS 1485 Ed 1.2	<i>Flexible intermediate bulk containers.</i>	Amended to delete appendix on notes to purchasers.	2023-01-24

SANS 1494 Ed 2.1	<i>Two-wheeled mobile refuse bins.</i>	Amended to update the clause on requirements for materials, and to delete the annex on notes to purchasers.	2023-01-24
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SCHEDULE A.2: WITHDRAWAL OF THE SOUTH AFRICAN NATIONAL STANDARDS

In terms of section 24(1)(C) of the Standards Act, the following published standards are issued for comments with regard to the intention by the South African Bureau of Standards to withdraw them.

Draft Standard No. and Edition	Title	Reason for withdrawal	Closing Date
CKS 646 Ed 1.1	<i>Dehydrated vegetables.</i>	The standard is obsolete.	2023-01-10
CKS 163 Ed 1.2	<i>Mustard powder.</i>	The standard is obsolete.	2023-01-10
CKS 339 Ed 2.1	<i>Peanut butter.</i>	The standard is obsolete.	2023-01-10
CKS 630 Ed 1.2	<i>Mayonnaise, salad cream and salad dressing.</i>	The standard is obsolete.	2023-01-10
CKS 503 Ed 1	<i>Coal tar fuels.</i>	The standard is obsolete.	2023-01-10
CKS 140 Ed 1.2	<i>Baking powder.</i>	The standard is obsolete.	2023-01-10
CKS 289 Ed 1.2	<i>Magou powder (fortified).</i>	The standard is obsolete.	2023-01-10
CKS 333 Ed 2	<i>Waterbags.</i>	The standard is obsolete.	2023-01-10
CKS 618 Ed 1.1	<i>Worcestershire sauce.</i>	The standard is obsolete.	2023-01-10
SANS 176 Ed 1	<i>Paints and varnishes – Surface-drying test – Ballotini method.</i>	The mother document adopted by SANS (ISO 1517: 1973) has been withdrawn by ISO.	2023-01-10

SCHEDULE A.3: WITHDRAWAL OF INFORMATIVE AND NORMATIVE DOCUMENTS

In terms of section 24(5) of the Standards Act, the following documents are being considered for withdrawal.

Draft Standard No. and Edition	Title	Reason for withdrawal	Closing Date

SECTION B: ISSUING OF THE SOUTH AFRICAN NATIONAL STANDARDS

SCHEDULE B.1: NEW STANDARDS

The following standards have been issued in terms of section 24(1)(a) of the Standards Act.

Standard No. and year	Title, scope and purport
SANS 10993-18:2022 Ed 1	<i>Biological evaluation of medical devices – Part 18: Chemical characterization of medical device materials within a risk management process.</i> Specifies a framework for the identification, and if necessary, quantification of constituents of a medical device, allowing the identification of biological hazards and the estimation and control of biological risks from material constituents, using a generally stepwise approach.
SANS 52812:2022 Ed 1	<i>Falsework — Performance requirements and general design.</i> Specifies performance requirements and limit state design methods for two design classes of falsework.

SCHEDULE B.2: AMENDED STANDARDS

The following standards have been amended in terms of section 24(1)(a) of the Standards Act.

Standard No. and year	Title, scope and purport
SANS 1219:2022 Ed 1.6	<i>Hand hacksaw blades. Consolidated edition incorporating amendment No. 6.</i> Amended to update referenced standards, and to delete the appendix on notes to purchasers.
SANS 1152:2022 Ed 1.4	<i>Metal-working chisels for hand use. Consolidated edition incorporating amendment No. 4.</i> Amended to delete the appendix on notes to purchasers.
SANS 1027:2022 Ed 1.3	<i>Woodworker's vices. Consolidated edition incorporating amendment No. 3.</i> Amended to delete the appendix on notes to purchasers.
SANS 761:2022 Ed 2.3	<i>Plumage fillings. Consolidated edition incorporating amendment No. 3.</i> Amended to delete the appendix on notes to purchasers.

SCHEDULE B.3: WITHDRAWN STANDARDS

In terms of section 24(1)(C) of the Standards Act, the following standards have been withdrawn.

Standard No. and year	Title

SCHEDULE B4: ESTABLISHMENT OF TECHNICAL COMMITTEES

Committee No.	Title	Scope

SCHEDULE B5: RETRACTION OF PREVIOUSLY GAZETTED ITEMS

SANS 129446 Paints and varnishes - Corrosion protection of steel structures by protective paint systems – Part 6: Laboratory performance test methods was erroneously notified on the Government on 2022-10-14 and is hereby withdrawn.

If your organization is interested in participating in these committees, please send an e-mail to Dsscomments@sabs.co.za for more information.

SCHEDULE B6: ADDRESS OF THE SOUTH AFRICAN BUREAU OF STANDARDS HEAD OFFICE

Copies of the standards mentioned in this notice can be obtained from the Head Office of the South African Bureau of Standards at 1 Dr Lategan Road, Groenkloof, Private Bag X191, Pretoria 0001.

BOARD NOTICES • RAADSKENNISGEWINGS

BOARD NOTICE 370 OF 2022**AGRICLTURAL PRODUCE AGENTS ACT,1992
(ACT NO 12 OF 1992)****UNCLAIMED MONIES PAYBLE TO PRINCIPALS OF FRESH PRODUCE AGENTS**

In terms of Section 21(1) of the Agricultural Produce Agents Act, 1992 (Act No. 12 of 1992) notice is hereby given of unclaimed monies specified in the Schedule, that have been paid to the Registrar of the Agricultural Produce Agents Council in terms of Section 21(2) of the Act.

Any person who is of the opinion that he/she is entitled to an indicated amount shall claim it within 90 days from the date of publication of this notice by means of a statement, duly sworn and confirmed to the Registrar, Agricultural Produce Agents Council, Postnet Suite #296, Private Bag X1, East Rand, 1462, and in which the following particulars are furnished:

- a) The full name and address of claimant;
- b) The names of the fresh produce agent concerned;
- c) The amount claimed and quantity of produce for which it is claimed; and
- d) The date on which and the address at which the produce concerned were delivered.



THE REGISTRAR:

AGRICULTURAL PRODUCE AGENTS' COUNCIL



Agricultural Produce Agents Council

Unclaimed monies details list

Reporting month:

30 September 2022

Period reflected:

2022/04/01 - 2022-09-30

Gazette Number	Unadvertised	
Agency	Producer (Surname and Initials)	Sum of Balance
CL de Villiers Market Agents	Mankga MJ	R 184,68
CL de Villiers Market Agents Total		R 184,68
Dapper Market Agents	Masala RN	R 511,09
Dapper Market Agents	Masala VM	R 316,32
Dapper Market Agents	Nyatwa P	R 197,67
Dapper Market Agents	Manenzhe S	R 39,02
Dapper Market Agents	Ndou N	R 204,78
Dapper Market Agents	Sigonde TA	R 273,17
Dapper Market Agents	Tshivhanda TS	R 126,84
Dapper Market Agents	Zanke Boerdery	R 1 351,10
Dapper Market Agents	Lephalale Martin	R 830,37
Dapper Market Agents	Nemalale C	R 771,79
Dapper Market Agents	Nemalale MS	R 472,99
Dapper Market Agents	Khambule Thempson	R 2,37
Dapper Market Agents Total		R 5 097,51
Botha Roodt Johannesburg Market Agents	Mathebula	R 66,05
Botha Roodt Johannesburg Market Agents	Overpayment	R 0,10
Botha Roodt Johannesburg Market Agents	Emonti Perishables	R 1 141,40
Botha Roodt Johannesburg Market Agents	Tooleys Avos	R 4 484,20
Botha Roodt Johannesburg Market Agents	Rufos	R 6,39
Botha Roodt Johannesburg Market Agents	Ondrhoek	R 0,92
Botha Roodt Johannesburg Market Agents	Tsakani	R 132,25
Botha Roodt Johannesburg Market Agents	Tikketai	R 0,04
Botha Roodt Johannesburg Market Agents	Skiwambani	R 79,07
Botha Roodt Johannesburg Market Agents	Tshisevhe	R 127,49
Botha Roodt Johannesburg Market Agents	Keyterfontein	R 0,80
Botha Roodt Johannesburg Market Agents	Ahmad	R 0,03
Botha Roodt Johannesburg Market Agents	Sutherland	R 2,55
Botha Roodt Johannesburg Market Agents Total		R 6 041,29
Delta Market Agents	WM Fresh	R 42 259,31
Delta Market Agents	Hadebe S	R 2 529,16
Delta Market Agents Total		R 44 788,47
DW Fresh Produce Market Agents (JHB)	Mukwevho TE	R 693,05
DW Fresh Produce Market Agents (JHB) Total		R 693,05
DW Fresh Produce Market Agents (TSE)	Makhubela NC	R 911,93
DW Fresh Produce Market Agents (TSE)	Driftwood	R 213,90
DW Fresh Produce Market Agents (TSE)	Thoma WP	R 8,97
DW Fresh Produce Market Agents (TSE)	KMT	R 351,73
DW Fresh Produce Market Agents (TSE)	Botalana Plantations	R 229,30
DW Fresh Produce Market Agents (TSE) Total		R 1 715,83
Exec-U-Fruit Market Agents	Maloka N	R 1 731,15
Exec-U-Fruit Market Agents	Mudau J	R 516,85
Exec-U-Fruit Market Agents	Makhuvele VA	R 354,60
Exec-U-Fruit Market Agents	Starosa Farming	R 32,37
Exec-U-Fruit Market Agents	Maranda VP	R 689,79
Exec-U-Fruit Market Agents	Mudau MJ	R 646,44
Exec-U-Fruit Market Agents	Rasalanavho NR	R 2 099,94

Exec-U-Fruit Market Agents	Mudau MP	R	607,46
Exec-U-Fruit Market Agents	Ramatlho ND	R	671,02
Exec-U-Fruit Market Agents	Rascosa Trading	R	3 024,32
Exec-U-Fruit Market Agents	Manangeng M	R	82,06
Exec-U-Fruit Market Agents	Tshivhula W	R	186,43
Exec-U-Fruit Market Agents	Nenzhelele S	R	344,80
Exec-U-Fruit Market Agents	Tshimomola AE	R	105,55
Exec-U-Fruit Market Agents	Ngamaanda Farming	R	104,64
Exec-U-Fruit Market Agents	Sun Farmers	R	573,25
Exec-U-Fruit Market Agents	Khethani M	R	352,83
Exec-U-Fruit Market Agents	Ramufhi TH	R	29,41
Exec-U-Fruit Market Agents	Mufhufi NH	R	576,39
Exec-U-Fruit Market Agents	Malatji RS	R	956,00
Exec-U-Fruit Market Agents	Multiple payments	R	24 868,36
Exec-U-Fruit Market Agents	EXEC-U-FRUIT	R	438,47
Exec-U-Fruit Market Agents Total		R	38 992,13
Farmers Trust Market Agents	Serane C	R	238,54
Farmers Trust Market Agents	Magodo M	R	104,25
Farmers Trust Market Agents	Kapee Farm	R	84,11
Farmers Trust Market Agents	Molele R	R	567,60
Farmers Trust Market Agents	Selowa P	R	325,20
Farmers Trust Market Agents	Kopanang	R	221,34
Farmers Trust Market Agents	Lebjene L	R	59,40
Farmers Trust Market Agents	Leshabane MT	R	353,25
Farmers Trust Market Agents	Mkansi G	R	423,33
Farmers Trust Market Agents	Mnisi Bdy	R	293,14
Farmers Trust Market Agents Total		R	2 670,16
G.W. Poole Market Agents	Dludla GP	R	182,40
G.W. Poole Market Agents	Dludla G P	R	43,63
G.W. Poole Market Agents Total		R	226,03
Mabeka Market Agency	Back to Earth	R	91,25
Mabeka Market Agency Total		R	91,25
Marco Market Agents	Happy Valley Agri SA	R	12 320,42
Marco Market Agents	Mamphadeni DL	R	380,02
Marco Market Agents	Munyai NB	R	315,95
Marco Market Agents Total		R	13 016,39
Noordvaal Market Agents	Rossouw EJJ	R	1 646,78
Noordvaal Market Agents	Sutherland Super Spar	R	17,25
Noordvaal Market Agents	Charles	R	25,47
Noordvaal Market Agents	Buhle Farmers Academy	R	16,65
Noordvaal Market Agents	Vigorous Agricultural	R	285,70
Noordvaal Market Agents	PJ Boerdery	R	188,64
Noordvaal Market Agents	Roberts Farm	R	950,55
Noordvaal Market Agents	Casper Botha	R	399,14
Noordvaal Market Agents	Baloyi W	R	214,17
Noordvaal Market Agents	Silverlakes Farm	R	178,19
Noordvaal Market Agents	Kloppers Bos Properties	R	583,20
Noordvaal Market Agents	Mussa S	R	12,84
Noordvaal Market Agents	Lemoenfontein BDY	R	2 185,25
Noordvaal Market Agents	Baloyi Consortium	R	556,67
Noordvaal Market Agents Total		R	7 260,50
RSA Market Agents (CPT)	Harmony Farm	R	2 343,69
RSA Market Agents (CPT)	Jerome Embrose Mkosana	R	637,75
RSA Market Agents (CPT)	H and I Boerdery	R	151,09
RSA Market Agents (CPT) Total		R	3 132,53
RSA Market Agents (DBN)	King Fresh	R	5 342,84
RSA Market Agents (DBN)	Mandlangampisi CO OP	R	2 936,59
RSA Market Agents (DBN)	Abekar	R	462,09

RSA Market Agents (DBN)	Govender A	R	227,73
RSA Market Agents (DBN)	Utho Ngathi	R	1 002,41
RSA Market Agents (DBN)	The King Fresh Wholesaler	R	5 207,89
RSA Market Agents (DBN)	Veggie Fresh	R	568,88
RSA Market Agents (DBN)	Mseleku Simiso	R	436,68
RSA Market Agents (DBN)	Ekuthukuzeni Area	R	522,26
RSA Market Agents (DBN)	Mohan Bridge	R	128,43
RSA Market Agents (DBN) Total		R	16 835,80
RSA Market Agents (JHB)	National FRuit Supplies	R	987,54
RSA Market Agents (JHB)	Boxer	R	7 232,04
RSA Market Agents (JHB)	Mgiba MP	R	951,29
RSA Market Agents (JHB)	Ylboomvlakte Boerdery	R	38 737,77
RSA Market Agents (JHB)	Indi Atlantic Trading CC	R	811,35
RSA Market Agents (JHB)	Fakude Farms	R	202,41
RSA Market Agents (JHB)	Mathebula W	R	209,45
RSA Market Agents (JHB)	Delicious Mountain (Pty) Ltd	R	433,83
RSA Market Agents (JHB) Total		R	49 565,68
RSA Market Agents (Limpopo)	Shemange Farming	R	380,20
RSA Market Agents (Limpopo)	Klipfontein	R	140,50
RSA Market Agents (Limpopo)	Geldenhuys E	R	426,15
RSA Market Agents (Limpopo)	Mohlolane Agricultural	R	146,50
RSA Market Agents (Limpopo)	RMSE063394/7021/POL/59/RSA Mar	R	34,25
RSA Market Agents (Limpopo) Total		R	1 127,60
RSA Market Agents (SPR)	Ylboomvlakte Boerdery	R	77 981,87
RSA Market Agents (SPR)	Basedi Delmas	R	308,66
RSA Market Agents (SPR)	OMBS PTY LTD	R	100,61
RSA Market Agents (SPR) Total		R	78 391,14
RSA Market Agents (TSE)	Mukwevho	R	68,50
RSA Market Agents (TSE)	Matopo Farm	R	32,29
RSA Market Agents (TSE)	Farani S	R	490,25
RSA Market Agents (TSE)	Letsie RM	R	2,07
RSA Market Agents (TSE)	Marilizmar (EDMS) BPK	R	15 673,47
RSA Market Agents (TSE)	Faranani Sechaba CO OP	R	3 842,12
RSA Market Agents (TSE)	Freshgold	R	2,35
RSA Market Agents (TSE)	Grysappel Trust	R	2 131,70
RSA Market Agents (TSE)	Setwaba	R	1 621,16
RSA Market Agents (TSE)	TL Mahlangu	R	569,04
RSA Market Agents (TSE)	Thinandavha NG	R	376,37
RSA Market Agents (TSE)	Mukwitha Holdings	R	539,90
RSA Market Agents (TSE)	Mogale N	R	522,50
RSA Market Agents (TSE)	Shivambo MJ	R	394,35
RSA Market Agents (TSE)	Sepheke Mathu	R	188,00
RSA Market Agents (TSE)	Maluleke Caroline	R	62,19
RSA Market Agents (TSE)	Thaoge Farms	R	37,67
RSA Market Agents (TSE)	Wets Farming	R	1 528,79
RSA Market Agents (TSE)	Malatji MA	R	325,83
RSA Market Agents (TSE)	Portia Poultz	R	86,35
RSA Market Agents (TSE)	BA Kgosana Co Operative	R	8,56
RSA Market Agents (TSE)	Mukwita Holdings	R	1 963,34
RSA Market Agents (TSE)	The Cow Bouyz	R	529,99
RSA Market Agents (TSE)	The Cow Bouys	R	59,93
RSA Market Agents (TSE)	Morola Eden	R	142,32
RSA Market Agents (TSE)	Shepard Mutemeli	R	110,94
RSA Market Agents (TSE) Total		R	31 309,98
Subtropico Market Agents (JHB)	Malomane RM	R	170,51
Subtropico Market Agents (JHB)	CASHFOCUS SUBTROPICO JHB/UNKNO	R	3 672,54
Subtropico Market Agents (JHB) Total		R	3 843,05
Subtropico Market Agents (PMB)	Ntabaziyaling Farming	R	163,87

Subtropico Market Agents (PMB) Total		R	163,87
Subtropico/ Protea Market Agents (TSE)	Sehloana PL	R	1 869,48
Subtropico/ Protea Market Agents (TSE)	Muhlarhi O	R	57,40
Subtropico/ Protea Market Agents (TSE)	Elands Aquaponics	R	619,97
Subtropico/ Protea Market Agents (TSE)	Homegrow Farm	R	353,07
Subtropico/ Protea Market Agents (TSE)	Manganyi J	R	128,27
Subtropico/ Protea Market Agents (TSE)	J Sindane Farm	R	1 164,70
Subtropico/ Protea Market Agents (TSE)	Sam Project	R	351,31
Subtropico/ Protea Market Agents (TSE)	Mushwana TE	R	294,75
Subtropico/ Protea Market Agents (TSE)	J Simelane Project	R	161,32
Subtropico/ Protea Market Agents (TSE) Total		R	5 000,27
Subtropico/ Spes Bona Market Agents	451535	R	6 872,26
Subtropico/ Spes Bona Market Agents	Urban Foods	R	800,59
Subtropico/ Spes Bona Market Agents	Thomas Ngada Bdy	R	179,16
Subtropico/ Spes Bona Market Agents Total		R	7 852,01
Tshwane Green Market Agency	Bee Tree Farm	R	135,47
Tshwane Green Market Agency	Macarlos Farm	R	154,12
Tshwane Green Market Agency	Tshegetsa E	R	169,26
Tshwane Green Market Agency	Bango D	R	94,39
Tshwane Green Market Agency	Mufamadi B	R	321,14
Tshwane Green Market Agency	General Trading	R	784,81
Tshwane Green Market Agency	Muthuphei TC	R	578,94
Tshwane Green Market Agency	Two For Joy Farm	R	191,44
Tshwane Green Market Agency	Disolwane Mamoagie	R	106,76
Tshwane Green Market Agency	Xivandzani Farm	R	7,65
Tshwane Green Market Agency	Matome Malematja	R	645,00
Tshwane Green Market Agency	CPJ Erusmas	R	52,15
Tshwane Green Market Agency	Mametsa R	R	106,75
Tshwane Green Market Agency	Matjila Stafel	R	76,36
Tshwane Green Market Agency	Nthangeni N N	R	68,56
Tshwane Green Market Agency	Nwa Empire Farming	R	123,69
Tshwane Green Market Agency	One Farms	R	5,39
Tshwane Green Market Agency	Radzuma Murendeni	R	47,62
Tshwane Green Market Agency	Tinungu Co Operative	R	293,99
Tshwane Green Market Agency	Mulaudsi C	R	171,32
Tshwane Green Market Agency Total		R	4 134,81
W.L. Ochse & Co Market Agents	Strydom JT	R	1 469,00
W.L. Ochse & Co Market Agents Total		R	1 469,00
Grand Total		R	323 603,03

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