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REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

Regulation Gazette

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Regulasiekoerant

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government
printing

Department:
Government Printing Works
REPUBLIC OF SOUTH AFRICA

HIGH ALERT: SCAM WARNING!!!

TO ALL SUPPLIERS AND SERVICE PROVIDERS OF THE GOVERNMENT PRINTING WORKS

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

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

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

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

Example of e-mails these fraudsters are using:

PROCUREMENT@GPW-GOV.ORG

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

GPW has an official email with the domain as @gpw.gov.za

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

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

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

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

Fake Tenders

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

How tender scams work

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

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

OR

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

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

Protect yourself from being scammed

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

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

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

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

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

Closing times for **ORDINARY WEEKLY** **REGULATION GAZETTE** **2023**

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

- **29 December**, Thursday for the issue of Friday **06 January 2023**
- **06 January**, Friday for the issue of Friday **13 January 2023**
- **13 January**, Friday for the issue of Friday **20 January 2023**
- **20 January**, Friday for the issue of Friday **27 January 2023**
- **27 January**, Friday for the issue of Friday **03 February 2023**
- **03 February**, Friday for the issue of Friday **10 February 2023**
- **10 February**, Friday for the issue of Friday **17 February 2023**
- **17 February**, Friday for the issue of Friday **24 February 2023**
- **24 February**, Friday for the issue of Friday **03 March 2023**
- **03 March**, Friday for the issue of Friday **10 March 2023**
- **10 March**, Friday for the issue of Friday **17 March 2023**
- **16 March**, Thursday for the issue of Friday **24 March 2023**
- **24 March**, Friday for the issue of Friday **31 March 2023**
- **30 March**, Thursday for the issue of Thursday **06 April 2023**
- **05 April**, Wednesday for the issue of Friday **14 April 2023**
- **14 April**, Friday for the issue of Friday **21 April 2023**
- **20 April**, Thursday for the issue of Friday **28 April 2023**
- **26 April**, Wednesday for the issue of Friday **05 May 2023**
- **05 May**, Friday for the issue of Friday **12 May 2023**
- **12 May**, Friday for the issue of Friday **19 May 2023**
- **19 May**, Friday for the issue of Friday **26 May 2023**
- **26 May**, Friday for the issue of Friday **02 June 2023**
- **02 June**, Friday for the issue of Friday **09 June 2023**
- **08 June**, Thursday for the issue of Thursday **15 June 2023**
- **15 June**, Thursday for the issue of Friday **23 June 2023**
- **23 June**, Friday for the issue of Friday **30 June 2023**
- **30 June**, Friday for the issue of Friday **07 July 2023**
- **07 July**, Friday for the issue of Friday **14 July 2023**
- **14 July**, Friday for the issue of Friday **21 July 2023**
- **21 July**, Friday for the issue of Friday **28 July 2023**
- **28 July**, Friday for the issue of Friday **04 August 2023**
- **03 August**, Thursday for the issue of Friday **11 August 2023**
- **11 August**, Friday for the issue of Friday **18 August 2023**
- **18 August**, Friday for the issue of Friday **25 August 2023**
- **25 August**, Friday for the issue of Friday **01 September 2023**
- **01 September**, Friday for the issue of Friday **08 September 2023**
- **08 September**, Friday for the issue of Friday **15 September 2023**
- **15 September**, Friday for the issue of Friday **22 September 2023**
- **21 September**, Thursday for the issue of Friday **29 September 2023**
- **29 September**, Friday for the issue of Friday **06 October 2023**
- **06 October**, Friday for the issue of Friday **13 October 2023**
- **13 October**, Friday for the issue of Friday **20 October 2023**
- **20 October**, Friday for the issue of Friday **27 October 2023**
- **27 October**, Friday for the issue of Friday **03 November 2023**
- **03 November**, Friday for the issue of Friday **10 November 2023**
- **10 November**, Friday for the issue of Friday **17 November 2023**
- **17 November**, Friday for the issue of Friday **24 November 2023**
- **24 November**, Friday for the issue of Friday **01 December 2023**
- **01 December**, Friday for the issue of Friday **08 December 2023**
- **08 December**, Friday for the issue of Friday **15 December 2023**
- **15 December**, Friday for the issue of Friday **22 December 2023**
- **20 December**, Wednesday for the issue of Friday **29 December 2023**

LIST OF TARIFF RATES FOR PUBLICATION OF NOTICES

COMMENCEMENT: 1 APRIL 2018

NATIONAL AND PROVINCIAL

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

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

EXTRA-ORDINARY

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

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

GOVERNMENT PRINTING WORKS - BUSINESS RULES

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

CLOSING TIMES FOR ACCEPTANCE OF NOTICES

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

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

All notices received after the closing time will be rejected.

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

GOVERNMENT PRINTING WORKS - BUSINESS RULES

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

EXTRAORDINARY GAZETTES

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

NOTICE SUBMISSION PROCESS

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

GOVERNMENT PRINTING WORKS - BUSINESS RULES

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

QUOTATIONS

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

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

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

CANCELLATIONS

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

AMENDMENTS TO NOTICES

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

REJECTIONS

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

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

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

GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY

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

LIABILITY OF ADVERTISER

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

CUSTOMER INQUIRIES

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

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

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

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

GOVERNMENT PRINTING WORKS - BUSINESS RULES

PAYMENT OF COST

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

PROOF OF PUBLICATION

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

GOVERNMENT PRINTING WORKS CONTACT INFORMATION

Physical Address:
Government Printing Works

149 Bosman Street

Pretoria

Postal Address:

Private Bag X85

Pretoria

0001

GPW Banking Details:
Bank: ABSA Bosman Street

Account No.: 405 7114 016

Branch Code: 632-005

For Gazette and Notice submissions: Gazette Submissions:

For queries and quotations, contact: Gazette Contact Centre:

E-mail: submit.egazette@gpw.gov.za
E-mail: info.egazette@gpw.gov.za
Tel: 012-748 6200

Contact person for subscribers: Mrs M. Toka:

E-mail: subscriptions@gpw.gov.za
Tel: 012-748-6066 / 6060 / 6058

Fax: 012-323-9574

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. R. 3055

17 February 2023

**AGRICULTURAL PESTS ACT, 1983
(ACT No. 36 OF 1983)****REGULATIONS: AMENDMENT***

I, Angela Thokozile Didiza, Minister of Agriculture, Land Reform and Rural Development, acting under section 16 of the Agricultural Pests Act, 1983 (Act No. 36 of 1983), hereby amend the Regulations set out in the Schedule.

MRS. ANGELA THOKOZILE DIDIZA**MINISTER OF AGRICULTURE, LAND REFORM AND RURAL
DEVELOPMENT**

SCHEDULE

Definition

1. In this Schedule “the Regulations” means the regulations published by Government Notice No. R. 111 of 27 January 1984, as amended by Government Notices Nos. R. 2573 of 15 November 1985, R. 2350 of 14 November 1986, R. 100 of 16 January 1987, R. 1521 of 14 July 1989, R. 75 of 18 January 1991, R. 1637 of 27 October 1995, R. 1471 of 20 November 1998, R. 665 of 28 May 1999, R. 614 of 23 June 2000, R. 396 of 18 May 2001, R. 367 of 5 April 2002, R. 464 of 4 April 2003, R. 143 of 9 February 2004, R. 244 of 24 March 2005, R. 228 of 17 March 2006 and R. 42 of 26 January 2007, R. 118 of 8 February 2008, R. 257 of 13 March 2009, R. 73 of 12 February 2010, R. 190 of 11 March 2011, R. 130 of 24 February 2012, R. 77 of 8 February 2013, R. 1003 of 20 December 2013, R. 50 of 30 January 2015, R. 67 of 29 January 2016, R. 134 of 17 February 2017, R. 1417 of 15 December 2017, R. 276 of 01 March 2019, R. 167 of 14 February 2020, R. 224 of 19 March 2021 and R. 1774 of 25 February 2022.

Substitution of Table 1 of the Regulations

2. Table 1 of the Regulations is hereby substituted with the following table:

**TABLE 1
FEES PAYABLE**

NATURE OF SERVICE	TARIFF
1	2
1. Import Control	
(a) During official office hours:	
(i) Document inspection only at the port of entry including in-transit, warehouse and extended detention	R 270.00 for 30 minutes or portion thereof
(ii) Consignment inspection at the port of entry	R 270.00 for 30 minutes or portion thereof including travelling
(iii) Inspection outside the port of entry. This tariff includes consignments imported through official ports of entry and granted an extended detention	R 270.00 for 30 minutes or portion thereof including travelling
(iv) Document and consignment inspection of hawkers and gifts at port of entry	R 270.00 for 30 minutes or portion thereof
(v) Re-examination of imported controlled goods that were cleaned, disinfected or treated after examination	R 270.00 for 30 minutes or portion thereof including travelling
(vi) Supervision over cleaning, disinfection or treatment of imported controlled goods	R 270.00 for 30 minutes or portion thereof including travelling
(vii) Purification of imported controlled goods of declared organisms (excluding quarantine organisms)	R 270.00 for 30 minutes or portion thereof including travelling
(viii) Issuing of a permit to authorize importation of controlled goods	R 220.00 per permit (Maximum of 10 plant genus)
(ix) Issuing of amendment letters	R 370.00 per letter
(x) Issuing of copies	R 220.00 per copy
(b) Outside official office hours:	
(i) Examination of imported controlled goods [Reg.5(2)]	
Weekdays from 16:00 – 20:00/ 06:00 – 07:30 and Saturdays from 06:00 – 20:00	R 400.00 for 30 minutes or portion thereof including

<p>Weekdays and Saturdays from 20:00 – 06:00, Sundays and public holidays</p>	<p>travelling R 520.00 for 30 minutes or portion thereof including travelling</p>
<p>(ii) Re-examination of imported controlled goods that were cleaned, disinfected or treated after examination Weekdays from 16:00 – 20:00/ 06:00 – 07: 30 and Saturdays from 06:00 – 20:00</p>	<p>R 400.00 for 30 minutes or portion thereof including travelling</p>
<p>Weekdays and Saturdays from 20:00 – 06:00, Sundays and public holidays</p>	<p>R 520.00 for 30 minutes or portion thereof including travelling</p>
<p>(iii) Supervision over cleaning, disinfection or treatment of imported controlled goods Weekdays from 16:00 – 20:00/ 06:00 – 07: 30 and Saturdays from 06:00 – 20:00</p>	<p>R 400.00 for 30 minutes or portion thereof including travelling</p>
<p>Weekdays and Saturdays from 20:00 – 06:00, Sundays and public holidays</p>	<p>R 520.00 for 30 minutes or portion thereof including travelling</p>
<p>(c) Laboratory tests Laboratory examinations of imported controlled Goods:</p>	<p>R 324.00 per isolation R 230.00 per isolation R 157.00 per extraction R 168.00 per sample R 324.00 per identification</p>
<p>(i) Test for occurrence of bacteria</p>	<p>R 324.00 per isolation</p>
<p>(ii) Test for occurrence of fungi</p>	<p>R 230.00 per isolation</p>
<p>(iii) Test for occurrence of nematodes</p>	<p>R 157.00 per extraction</p>
<p>(iv) Test for occurrence of insects or mites</p>	<p>R 168.00 per sample</p>
<p>(v) Morphological identifications of insects, mites, nematodes or fungi</p>	<p>R 324.00 per identification</p>
<p>(vi) Biochemical tests for the identification of bacteria</p>	<p>R 271.00 per test</p>
<p>(vii) BIOLOG tests for the identification of bacteria</p>	<p>R 341.00 per test plate</p>
<p>(viii) PCR tests for the identification and/or detection of bacteria, fungi, nematodes, insects, mites, viruses and phytoplasmas</p>	<p>R 602.00 per sample for the first test plus R 108.00 for every additional test</p>
<p>(ix) Sequencing for the identification of bacteria, fungi, nematodes, insects and phytoplasmas</p>	<p>R 453.00 per sample</p>
<p>(x) ELISA tests for identification and/or detection of organisms/ entities</p>	<p>R 165.00 per test</p>

(xi)	Herbaceous indexing for the detection of viruses	R 289.00 per sample
2.	Quarantine	
2.1	Approval of quarantine facilities (out-side/ open quarantine) for evaluation of imported controlled goods	R 295.00 for 30 minutes or portion thereof
2.2	Transport, sampling, examination and inspection of imported controlled goods	R 577.00 for 30 minutes or portion thereof
2.3	Laboratory examinations of imported controlled goods (except controlled goods in DALRRD post entry quarantine stations)	
(i)	Test for occurrence of bacteria	R 324.00 per isolation
(ii)	Test for occurrence of fungi	R 230.00 per isolation
(iii)	Test for occurrence of nematodes	R 157.00 per extraction
(iv)	Test for occurrence of insects and mites	R 168.00 per sample
(v)	Morphological identifications of insects, mites, nematodes or fungi	R 324.00 per identification
(vi)	Biochemical tests for the identification of bacteria	R 271.00 per test
(vii)	BIOLOG tests for the identification of bacteria	R 341.00 per test plate
(viii)	PCR tests for the identification of and/or detection of bacteria, fungi, nematodes, insects, mites, viruses and phytoplasmas	R 602.00 per sample for the first test plus R 108.00 for every additional test
(ix)	Sequencing for the identification of bacteria, fungi, nematodes, insects, mites, viruses and phytoplasmas	R 453.00 per sample
(x)	ELISA tests for identification and/or detection of organisms/ entities	R 165.00 per test
(xi)	Herbaceous indexing for the detection of viruses	R 289.00 per sample
3.	Inspection of a quarantine area in respect of which an application, adaptation or withdrawal of an instruction has been submitted [Reg. 8(a)]	R 270.00 for 30 minutes or portion thereof including travelling
4.	Test, examination or analysis of a sample taken in the course of an examination as intended in 3. [Reg.8 (b) of the Regulations]:	

(i)	Test occurrence of bacteria	R 324.00 per isolation
(ii)	Test occurrence of fungi	R 230.00 per isolation
(iii)	Test occurrence of nematodes	R 157.00 per extraction
(iv)	Test occurrence of insects and mites	R 168.00 per sample
(v)	Morphological identifications of insects, mites, nematodes or fungi	R 324.00 per identification
(vi)	Biochemical tests for the identification of bacteria	R 271.00 per test
(vii)	BIOLOG tests for the identification of bacteria	R 341.00 per test plate
(viii)	PCR tests for the identification and/or detection of bacteria, fungi, nematodes, insects, mites, viruses and phytoplasmas	R 602.00 per sample for the first test plus R 108.00 for every additional test
(ix)	Sequencing for the identification of bacteria, fungi, nematodes, insects, mites, viruses and phytoplasmas	R 453.00 per sample
(x)	ELISA tests for identification and/or detection of organisms/ entities	R 165.00 per test
(xi)	Herbaceous indexing for the detection of viruses	R 289.00 per sample
5.	Appeal in terms of section 11 of the Act [Reg. 9(3) of the Regulations]	R 8 226.00 per appeal

This amendment will come into operation on 01 April 2023.

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT**NO. R. 3056****17 February 2023****AGRICULTURAL PESTS ACT, 1983
(ACT No. 36 OF 1983)****CONTROL MEASURES: AMENDMENT**

I, Angela Thokozile Didiza, Minister of Agriculture, Land Reform and Rural Development, acting under section 6 of the Agricultural Pests Act, 1983 (Act No. 36 of 1983), hereby amend the Control Measures set out in the Schedule.

MRS. ANGELA THOKOZILE DIDIZA**MINISTER OF AGRICULTURE, LAND REFORM AND RURAL
DEVELOPMENT**

SCHEDULE

Definition

In this Schedule “the Control Measures” means the control measures published in Government Notice No. R. 110 of 27 January 1984, as amended by Government Notices Nos. R. 909 of 4 May 1984, R. 1770 of 17 August 1984, R. 845 of 12 April 1985, R. 1518 of 12 July 1985, R. 1442 of 11 July 1986, R. 87 of 22 January 1988, R. 1349 of 8 July 1988, R. 1954 of 30 September 1988, R. 2416 of 19 October 1990, R. 18 of 4 January 1991, R. 2840 of 29 November 1991, R. 2269 of 14 August 1992, R. 2876 of 16 October 1992, R. 1560 of 20 August 1993, R. 451 of 11 March 1994, R. 1373 of 5 August 1994, R. 1636 of 27 October 1995, R. 1977 of 22 December 1995, R. 2029 of 13 December 1996, and revoked by Government Notice No. R. 1012 of 1 August 1997, R. 288 of 27 February 1998, R. 1470 of 20 November 1998, R. 666 of 28 May 1999, R. 1016 of 27 August 1999, R. 613 of 23 June 2000, R. 83 of 22 January 2001, R. 397 of 18 May 2001, R. 810 of 31 August 2001, R. 368 of 5 April 2002, R. 714 of 24 May 2002, R. 831 of 21 June 2002, R. 1364 of 8 November 2002, R. 465 of 4 April 2003, R. 144 of 9 February 2004, R. 243 of 24 March 2005, R. 457 of 20 May 2005 as corrected by the Government Notice No. R. 563 of 17 June 2005, R. 1223 of 23 December 2005 as corrected by the Correction Notice published on page 2 of Government Gazette No. 28356 of 30 December 2005, R. 369 of 21 April 2006, R. 43 of 26 January 2007, R. 117 of 8 February 2008, R. 461 of 25 April 2008, R. 258 of 13 March 2009, R. 1148 of 11 December 2009, R. 48 of 5 February 2010, R. 74 of 12 February 2010, R. 19 of 21 January 2011, R. 189 of 11 March 2011, R. 129 of 24 February 2012, R. 76 of 8 February 2013, R. 1002 of 20 December 2013, R. 442 of 6 June 2014, R. 49 of 30 January 2015, R. 66 of 29 January 2016, R. 133 of 17 February 2017, R. 1271 of 17 November 2017, R. 1416 of 15 December 2017, R. 275 of 01 March 2019, R.166 of 14 February 2020, R.225 of 19 March 2021, R.1773 of 25 February 2022 and R.1998 of 8 April 2022.

Substitution of Table 6 of the Control Measures

1. Table 6 of the Control Measures is hereby substituted with the following table:

**TABLE 6
FEES PAYABLE**

NATURE OF SERVICE	TARIFF
1	2
<p>1. Issuing of a permit to exempt someone from the stipulations of a control measure 6(1) of the Control Measures</p> <p>(i) Inspection for issuance of inspection report with the purpose of applying for movement permit</p> <p>(ii) Issuing of a removal permit under the Control Measures R.110 in terms of the Agricultural Pests Act, 1983</p>	<p>R 270.00 for 30 minutes or portion thereof including travelling</p> <p>R 220.00 per permit</p>
<p>2. Test, examination or analysis of a sample taken in the course of an examination as intended in 1</p> <p>(i) Test occurrence of bacteria</p> <p>(ii) Test occurrence of fungi</p> <p>(iii) Test occurrence of nematodes</p> <p>(iv) Test occurrence of insects and mites</p> <p>(v) Morphological identifications of insects, mites, nematodes or fungi</p> <p>(vi) Biochemical tests for the identification of bacteria</p> <p>(vii) BIOLOG tests for the identification of bacteria</p> <p>(viii) PCR tests for the identification and/or detection of bacteria, fungi, nematodes, insects, mites, viruses and phytoplasmas</p> <p>(ix) Sequencing for the identification of bacteria, fungi, nematodes, insects, mites, viruses and phytoplasmas</p> <p>(x) ELISA tests for identification and/or detection of organisms</p> <p>(xi) Herbaceous indexing for the detection of viruses</p>	<p>R 324.00 per isolation</p> <p>R 230.00 per isolation</p> <p>R 157.00 per extraction</p> <p>R 168.00 per sample</p> <p>R 324.00 per identification</p> <p>R 271.00 per test</p> <p>R 341.00 per test plate</p> <p>R 602.00 per sample for the first test plus R 108.00 for every additional test</p> <p>R 453.00 per sample</p> <p>R 165.00 per test</p> <p>R 289.00 per sample</p>

This amendment will come into operation on 01 April 2023.

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT**NO. R. 3057****17 February 2023**

I, Angela Thokozile Didiza, Minister of Agriculture, Land Reform and Rural Development, published tariffs in accordance with International Phytosanitary prescripts relating to export control provisions.

MRS. ANGELA THOKOZILE DIDIZA**MINISTER OF AGRICULTURE, LAND REFORM AND RURAL
DEVELOPMENT**

**TABLE 1
FEES PAYABLE**

NATURE OF SERVICE	TARIFF
1	2
<p>1. Export Control</p> <p>Phytosanitary certification in terms of the international Plant Protection Convention but not prescribed by legislation:</p> <p>1.1 Application fee for Orchard, PUC, PHC, fruit varieties and cold treatment facilities storage for special markets</p> <p>1.1.1 Orchard inspection for special markets</p> <p>1.1.2 Phytosanitary evaluation and certificate for pre-clearance programmes for special markets excluding EU</p> <p>1.1.3 EU port inspection</p> <p>1.1.4 Temperature sensor calibration by Department of Agriculture, Land Reform and Rural Development (DALRRD)</p> <p>1.1.5 Container loading with DALRRD inspection.</p> <p>1.2 Outside the station of the Directorate of Inspection Services (D:IS)</p> <p>(a) Field inspections, inspections and sampling of plants, plant products and seed:</p> <p>(i) Within official office hours: where official transport is used</p>	<p>R 135.00 non-refundable fee for processing of the application per market per PUC</p> <p>R 270.00 per 30 minutes or part thereof including travelling</p> <p>R 270.00 per 30 minutes or part thereof including travelling</p> <p>R 270.00 per 30 minutes or part thereof including travelling</p> <p>R 270.00 per 30 minutes or part thereof including travelling</p> <p>R 270.00 for 30 minutes or part thereof including travelling.</p> <p>R 270.00 per 30 minutes or part thereof including travelling</p>

<p>Weekdays from 16:00 – 20:00/ 06:00 – 07:30 and Saturdays from 06:00 – 20:00</p>	<p>R 400.00 for 30 minutes or portion thereof including travelling</p>
<p>Weekdays and Saturdays from 20:00 – 06:00, Sundays and public holidays</p>	<p>R 520.00 for 30 minutes or portion thereof including travelling</p>
<p>(b) Issuing of a phytosanitary certificate or phytosanitary certificate of re-exportation or a certificate of origin:</p>	
<p>(i) Application for issuing phytosanitary certificate (This is applicable for all submitted application before processing)</p>	<p>R 180.00 per application (Regardless of whether the certificate will be issued or rejected)</p>
<p>(ii) Issuing of an approved phytosanitary certificate or phytosanitary certificate of re-exportation or a certificate of origin</p>	<p>R 220.00 per approved certificate</p>
<p>(c) Issuing of a replacement phytosanitary certificate or replacement phytosanitary certificate of re-exportation or a certificate of origin:</p>	
<p>(i) Application for issuing phytosanitary certificate (This is applicable for all submitted application before processing)</p>	<p>R 360.00 per application</p>
<p>(ii) Issuing of a replacement phytosanitary certificate or replacement phytosanitary certificate of re-exportation or a certificate of origin</p>	<p>R 450.00 per approved certificate</p>
<p>1.3 On the station of the Directorate of Inspection Services (D:IS)</p>	
<p>(a) Phytosanitary examinations/ inspection and sampling of plants, plant products and seed:</p>	
<p>(i) Within official hours (Official hours at respective ports of entry may be effectively extended beyond 07:30 – 16:00, as these ports are open in accordance with a cabinet decision)</p>	<p>R 270.00 for 30 minutes</p>
<p>(ii) Outside official office hours Weekdays from 16:00 – 20:00/ 06:00 – 07:30 and Saturdays from 06:00 – 20:00</p>	<p>R 400.00 for 30 minutes</p>

Weekdays and Saturdays from 20:00 – 06:00, Sundays and public holidays	R 520.00 for 30 minutes or portion thereof
(b) Issuing of a phytosanitary certificate or phytosanitary certificate of re-exportation or a certificate of confirmation for the export of processed plants, plant products and seed:	
(i) Application for issuing phytosanitary certificate (This is applicable for all submitted application before processing)	R 180.00 per application (Regardless of whether the certificate will be issued or rejected)
(ii) Issuing of an approved phytosanitary certificate or phytosanitary certificate of re-exportation or a certificate of origin	R 220.00 per approved certificate
(iii) On non-commercial and single items (gifts)	R 90.00 per certificate
1.4 Issuing of a validated copy or the re-issuing of a phytosanitary certificate or a phytosanitary certificate of re-exportation or a certificate of confirmation for the export of processed plant products	
(i) Application for issuing phytosanitary certificate (This is applicable for all submitted application before processing)	R 180.00 per application (Regardless of whether the certificate will be issued or rejected)
(ii) Issuing of an approved phytosanitary certificate or phytosanitary certificate of re-exportation or a certificate of origin	R 220.00 per approved certificate
1.5 International standard for regulating wood packaging material (ISPM 15)	
(a) Application to register as a treatment provider:	R 520.00 per application
(i) Re-inspection after suspension	R 270.00 for 30 minutes or portion thereof including travelling
(b) Laboratory tests:	
(i) Test for occurrence of bacteria	R 324.00 per isolation
(ii) Test for occurrence of fungi	R 230.00 per isolation

(iii)	Test for occurrence of nematodes	R 157.00 per extraction
(iv)	Test for occurrence of insects or mites	R 168.00 per sample
(v)	Morphological identifications of insects, mites nematodes or fungi	R 324.00 per identification
(vi)	Biochemical tests for the identification of bacteria	R 271.00 per test
(vii)	BIOLOG tests for the identification of bacteria	R 341.00 per test plate
(viii)	PCR tests for the identification and/or detection of bacteria, fungi, nematodes, insects, mites, viruses and phytoplasmas	R 602.00 per sample for the first test plus R 108.00 for every additional test
(ix)	Sequencing for the identification of bacteria, fungi, nematodes, insects, mites, viruses and phytoplasmas	R 453.00 per sample
(x)	ELISA tests for identification and/or detection of organisms/ entities	R 165.00 per test
(xi)	Herbaceous indexing for the detection of viruses	R289.00 per sample
(c)	Issuing of a phytosanitary certificate or phytosanitary certificate of re-exportation or a certificate of confirmation for the export of processed plant products:	
(i)	Application for issuing phytosanitary certificate (This is applicable for all submitted application before processing)	R 180.00 per application (Regardless of whether the certificate will be issued or rejected)
(ii)	Issuing of an approved phytosanitary certificate or phytosanitary certificate of re-exportation or a certificate of origin	R 220.00 per approved certificate

These tariffs will come into operation on 01 April 2023.

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

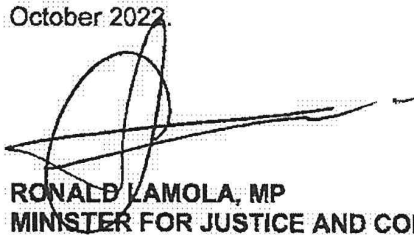
NO. R. 3058

17 February 2023

**Repeal of the Rules Regulating Matters in Respect of the Small Claims Court,
published under Government Notice No. R1893 on 30 August 1985**

The Rules Board for Courts of Law hereby, under section 6 of the Rules Board for Courts of Law Act, 1985 (Act No. 107 of 1985), read with section 25 of the Small Claims Courts Act, 1984 (Act No. 61 of 1984), with the approval of the Minister for Justice and Correctional Services,

- (a) repeal the Rules Regulating Matters In Respect of the Small Claims Courts, published under Government Notice No. R1893 on 30 August 1985; and
- (b) fix 01 April 2023 as the date of commencement of the Rules Regulating Matters In Respect of the Small Claims Courts, published under Government Notice No. R 2573 on 7 October 2022.



**RONALD LAMOLA, MP
MINISTER FOR JUSTICE AND CORRECTIONAL SERVICES**



ISAZISO SIKAHULUMENI

**UMNYANGO WEZOBULUNGISWA NOKUTHUTHUKISWA
KOMTHETHOSISEKELO**

**Ukuchithwa kweMithetho Elawula Izindaba Zezinkantolo Zezimangalo Ezincane,
eshicilelwe ngaphansi kweSaziso SikaHulumeni senombolo R1893 ngomhla zingama-
30 kuNcwaba 1985.**

Ibhodi Lemithetho Yezinkantolo Zomthetho ngaphansi kwesigaba sesi-6 soMithetho Webhodi
Lemithetho Yezinkantolo Zomthetho, we-1985 (uMithetho 107 we-1985), ufundwe nesigaba
25 soMithetho Wezinkantolo Zezimangalo Ezincane, we-1984 (uMithetho 61 we-1984),
ngemvume kaNgqongqoshe Wezobulungiswa Nezokuhlunyeleliswa Kwezimilo, ngalokhu

(a) Ilichitha Imithetho Elawula Izindaba Zezinkantolo Zezimangalo Ezincane, eshicilelwe ngaphansi kweSaziso Sikahulumeni senombolo R1893 ngomhla zingama-30 kuNcwaba 1985; futhi

(b) Iilungisa zingu-1 ku**Mbasa 2023** njengosuku lokuqala kokusebenza kweMithetho Elawula Izindaba Zezinkantolo Zezimangalo Ezincane, eshicilelwe ngaphansi kweSaziso Sikahulumeni senombolo R 2573 ngomhlaka kuMfumfu 2022.



U. RONALD LAMOLA, MP
UNGQONGQOSHE WEZOBULUNGISWA NEZOKUHLUNYELELISWA KWEZIMILO

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. R. 3059

17 February 2023

RULES BOARD FOR COURTS OF LAW ACT, 1985 (ACT NO. 107 OF 1985)**AMENDMENT OF THE RULES REGULATING THE CONDUCT OF THE PROCEEDINGS
OF THE SUPREME COURT OF APPEAL OF SOUTH AFRICA**

The Rules Board for Courts of Law has, under section 6 of the Rules Board for Courts of Law Act, 1985 (Act No. 107 of 1985), and with the approval of the Minister of Justice and Correctional Services, made the rules in the Schedule.

GENERAL EXPLANATORY NOTE:

[] Words or expressions in bold type in square brackets indicate omissions from the existing rules.

_____ Words or expressions underlined with a solid line indicate insertions into the existing rules.

SCHEDULE

Definition

1. In this Schedule the “Rules” means the Rules Regulating the Conduct of the Proceedings of the Supreme Court of Appeal of South Africa published under Government Notice No. R. 1523 of 27 November 1998, as amended by Government Notice Nos. R. 979 of 19 November 2010, R. 191 of 11 March 2011, R. 113 of 15 February 2013, R. 1055 of 29 September 2017, R. 1318 of 30 November 2018, R. 842 of 31 May 2019, R. 858 of 7 August 2020, R. 1158 of 30 October 2020, R. 1602 of 17 December 2021 and R. 2135 of 3 June 2022.

Amendment of rule 10A of the Rules

2. Rule 10A of the Rules is hereby amended by the substitution for paragraph (b) of the following paragraph:

“(b) a certificate signed by the legal practitioner responsible for preparing the heads of argument that rules 10 and 10A(a) have been complied with.”.

Commencement

3. The Rule comes into operation on 24 March 2023.

DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING

NO. R. 3059

17Februarie 2023

WET OP DIE REËLSRAAD VIR GEREESHOWE, 1985 (WET NO. 107 VAN 1985)

WYSIGING VAN DIE REËLS WAARBY DIE VOER VAN DIE VERRIGTINGE VAN DIE
HOOGSTE HOF VAN APPÈL VAN SUID-AFRIKA GEREËL WORD

Die Reëlsraad vir Gereeshowe het kragtens artikel 6 van die Wet op die Reëlsraad vir Gereeshowe, 1985 (Wet No. 107 van 1985), en met die goedkeuring van die Minister van Justisie en Korrektiewe Dienste, die reëls in die Bylae gemaak.

ALGEMENE VERDUIDELIKENDE NOTA:

[] Woorde of uitdrukkings in vetdruk in vierkantige hakies dui op weglatings uit die bestaande reëls.

_____ Woorde of uitdrukkings met 'n volstreep daaronder dui op invoegings in die bestaande reëls.

BYLAE

Woordomskrywing

1. In hierdie Bylae beteken die “Reëls” die Reëls waarby die verrigtinge van die Hoogste Hof van Appèl van Suid-Afrika gereël word, afgekondig in Goewermentskennisgewing No. R. 1523 van 27 November 1998, soos gewysig deur Goewermentskennisgewing No's R. 979 van 19 November 2010, R. 191 van 11 Maart 2011, R. 113 van 15 Februarie 2013, R. 1055 van 29 September 2017, R. 1318 van 30 November 2018, R. 842 van 31 Mei 2019, R. 858 van 7 Augustus 2020, R. 1158 van 30 Oktober 2020, R. 1602 van 17 Desember 2021 en R. 2135 van 3 Junie 2022.

Wysiging van reël 10A van die Reëls

2. Reël 10A van die Reëls word hierby gewysig deur paragraaf (b) deur die volgende paragraaf te vervang:

“(b) 'n sertifikaat onderteken deur die regspraktisyn verantwoordelik vir die voorbereiding van die betoogpunte dat reëls 10 en 10A (a) nagekom is.”.

Inwerkingtreding

3. Die Reël tree in werking op 24 Maart 2023.

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. R. 3060

17 February 2023

PROMOTION OF NATIONAL UNITY AND RECONCILIATION ACT, 1995

REGULATIONS RELATING TO ASSISTANCE TO VICTIMS IN RESPECT OF
HIGHER EDUCATION AND TRAINING

The President has, under section 27(2) of the Promotion of National Unity and Reconciliation Act, 1995 (Act No. 34 of 1995), made the Regulations in the Schedule.

SCHEDULE

CHAPTER 1
GENERAL PROVISIONS

Definitions

1. In these Regulations, any word or expression to which a meaning has been assigned in the Act shall have the meaning so assigned and, unless the context indicates otherwise—

"accounting officer" means the officer appointed by the Minister of Justice and Constitutional Development under section 42(6) of the Act;

"administrator" means the person referred to in regulation 5;

"applicant" means a victim who applies for assistance in terms of these Regulations;

"application form" means the form provided for in regulation 15;

"apprenticeship" means an apprenticeship as defined in section 1 of the Skills Development Act;

"assistive device" means—

(a) an assistive device referred to in Annexure 2 to these Regulations;

(b) an assistive device approved by the administrator in terms of regulation 12(7); and

(c) in the case of an electronic assistive device, the software required for the proper functioning of the assistive device;

"beneficiary" means an applicant whose application for assistance in terms of these Regulations is approved;

"college" means a college as defined in section 1 of the Continuing Education and Training Act;

"committee" means the committee on Reparation and Rehabilitation established in terms of section 23 of the Act;

"community education and training college" means the community education and training college referred to in the definition of college, as defined in the section 1 of the Continuing Education and Training Act;

"continuing education and training" means continuing education and training as defined in section 1 of the Continuing Education and Training Act;

"Continuing Education and Training Act" means the Continuing Education and Training Act, 2006 (Act No. 16 of 2006);

"COVID-19" for the purposes of regulation 25, means the Novel Coronavirus (2019-nCov2), which is an infectious disease caused by a virus, which emerged during 2019 and was declared a global pandemic by the World Health Organisation during the year 2020 that has previously not been scientifically identified in humans;

"days" means calendar days;

"dedicated official" means the person referred to in regulation 5;

"Department" means the government department responsible for higher education and training;

"device" includes—

- (a) accessories, equipment, an instrument, a tool or any other similar item or article and protective gear or clothes; and
- (b) in the case of an electronic device, the software required for the proper functioning of the device,

but excludes an assistive device required by a person with a disability.

"disability" means a moderate to severe limitation in a person's ability to function or ability to perform daily activities as a result of physical, sensory, communication, intellectual or mental impairment;

"fees" includes—

- (a) tuition fees;
- (b) registration fees;
- (c) the levy charged by a Student Representative Council;
- (d) the costs of a library card;
- (e) costs relating to student counselling, if the college or higher education and training institution does not provide student counselling free of charge; and
- (f) costs relating to work placement, if the higher education and training institution does not assist with work placement free of charge;

"fruitless expenditure" for the purposes of regulation 27, means expenditure which was made in vain and would have been avoided had reasonable care been exercised by the beneficiary;

"Fund" means the Fund established in terms of section 42(1) of the Act;

"fund administrator" means the officer designated by the Minister of Justice and Constitutional Development in terms of section 42(5) of the Act;

"Higher and Further Education Disability Services Association" means the advocacy and rights-based non-profit organisation representing disability services in Higher and Further Education Institutions in South Africa, and is recognised and endorsed by the Department of Higher Education and Training, as well as being accepted as a community of practice by Universities South Africa;

higher education” means higher education as defined in section 1 of the Higher Education Act;

“Higher Education Act” means the Higher Education Act, 1997 (Act No. 101 of 1997);

“higher education and training” means—

- (a) continuing education and training; and
- (b) higher education;

“higher education and training institution” means—

- (a) a college; or
- (b) a higher education institution;

“higher education institution” means a higher education institution as defined in section 1 of the Higher Education Act;

“household” for purposes of regulation 14(1), means the following persons who live together:

- (a) A person married to the applicant under any law, custom or belief;
- (b) the parents of the applicant; or
- (c) the person exercising parental responsibility over the applicant;

“human support” for purposes of regulation 13, means the assistance and support provided to a beneficiary with a disability which makes the beneficiary more independent;

“learner” means a learner as defined in section 1 of the Skills Development Act;

“learnership” means a learnership as contemplated in the Skills Development Act but excludes a skills programme;

“learning material” includes textbooks, materials and stationery;

“National Qualifications Framework Act” means the National Qualifications Framework Act, 2008 (Act No. 67 of 2008);

“National Student Financial Aid Scheme” means the juristic person established by section 3 of the National Student Financial Aid Scheme Act, 1999 (Act No. 56 of 1999);

“organ of state” means an organ of state as defined in section 239 of the Constitution of the Republic of South Africa, 1996;

“part-qualification” means a part-qualification as defined in section 1 of the National Qualifications Framework Act;

“personal care allowance” means an annual stipend provided to a beneficiary to cover toiletries and other personal care items;

“public higher education and training institution” means—

- (a) a public college as defined in section 1 of the Continuing Education and Training Act; and
- (b) a public higher education institution as defined in the Higher Education Act;

“qualification” means a qualification as defined in section 1 of the National Qualifications Framework Act;

“relative or dependant of a victim” means—

- (a) a parent of, or somebody who exercises or exercised parental responsibility over a victim;
- (b) a person married to a victim under any law, custom or belief;
- (c) a child of a victim, irrespective of whether such child was born to parents who were married or not married at the time of conception or birth or was legally adopted; and

- (d) any person to whom a victim has or had a legal or customary duty to support, or any other person who was, in the opinion of the Committee, when it was still in operation, dependent on a victim;

“repealed regulations” means the Regulations relating to Assistance to Victims in respect of Higher Education and Training, 2014, to be repealed in terms of regulation 34;

“skills development” means skills development as contemplated in the Skills Development Act;

“Skills Development Act” means the Skills Development Act, 1998 (Act No. 97 of 1998);

“Social Assistance Act” means the Social Assistance Act, 2004 (Act No. 13 of 2004);

“student” means a student as defined in—

- (a) the Continuing Education and Training Act; and

- (b) the Higher Education Act;

“technical and vocational education and training college” means a technical and vocational education and training college referred to in the definition of college as defined in the section 1 of the Continuing Education and Training Colleges Act;

“the Act” means the Promotion of National Unity and Reconciliation Act, 1995 (Act No. 34 of 1995);

“victim” means a victim as defined in section 1 of the Act, and who has been found by the Truth and Reconciliation Commission to be a victim, in accordance with the provisions of the Act;

“vulnerable household” for purposes of regulation 14(1)(b), means a household, which, at the date of the application for assistance, consists of four or more members and where—

- (a) the majority of the members of the household are over the age of 65 years;

- (b) the majority of the members of the household are receiving social assistance in terms of the Social Assistance Act;

- (c) one of the members of the household, irrespective of his or her age, is physically or mentally disabled as contemplated in section 9 of the Social Assistance Act;

- (d) one of the members of the household, who is under the age of 18 years, must work in order to contribute to the income of the household due to the limited income of that household;

- (e) the person who needs assistance is a South African Social Security Agency recipient; or

- (f) the majority of the members of the household are unemployed;

“work placement” means work placement as contemplated in the Skills Development Act; and

“writing” includes a message sent by electronic mail or any other electronic device.

Persons who may receive assistance

2. Only a victim or a relative or dependant of a victim may receive assistance in terms of these Regulations.

General scope of assistance

3. (1) A victim or a relative or dependant of a victim may receive assistance in respect of—

- (a) continuing education and training;
- (b) higher education; and
- (c) and skills development.

(2) Assistance to a victim or a relative or dependant of a victim may be provided in respect of full-time, part-time or distance education and training.

(3) A victim or a relative or dependant of a victim may receive assistance in terms of these Regulations even if he or she or any other person qualifies for financial support in terms of the NSFAS Eligibility Criteria and Conditions for Funding Policy Standard: Provided that he or she or any other person may not apply for financial support in terms of that Policy.

General limitation of assistance

4. (1) Assistance may be provided to a victim or a relative or dependant of a victim—

- (a) only in respect of higher education and training offered at a public higher education and training institution;
- (b) only if he or she meets the conditions, criteria and requirements set out in these Regulations;
- (c) for the purposes of obtaining a qualification;
- (d) for the purposes of obtaining a part-qualification as contemplated in the Continuing Education and Training Act;
- (e) for only one qualification at one higher education and training institution offering education at a time; and
- (f) in respect of the first undergraduate qualification only.

(2) Subject to subregulations (3) and (4), assistance may be provided to a victim or a relative or dependant of a victim in respect of one undergraduate qualification only.

(3) A victim or a relative or dependant of a victim who has obtained an undergraduate qualification at a college may receive assistance if he or she or any other person has registered for a qualification at a higher education institution for the first time.

(4) A victim or a relative or dependant of a victim who has obtained a Higher Certificate at a higher education and training institution may receive assistance if he or she or any other person has registered for a qualification at a higher education institution.

(5) A victim or a relative or dependant of a victim may not receive assistance in respect of an additional course which is not a core requirement of the qualification for which he or she has registered.

(6) Assistance in respect of accommodation may not be provided to a victim or a relative or dependant of a victim who studies through distance learning or on a part-time basis.

(7) Assistance in respect of accommodation and meals may be provided only to a victim or a relative or dependant of a victim with a disability and who has registered for a part-qualification at a community education and training college.

(8) A victim or a relative or dependant of a victim who has received assistance—

(a) in terms of the repealed regulations; or

(b) in terms of these Regulations,

for the periods indicated in these Regulations, may not receive further assistance.

CHAPTER 2 ADMINISTRATIVE ARRANGEMENTS

Authority responsible for application of Regulations

5. (1) (a) The Director-General of the Department shall, subject to paragraph (b), be responsible for the application of these Regulations.

(b) The Director-General for the Department of Justice and Constitutional Development shall be responsible for the application of these Regulations in respect of matters which are the responsibility of the dedicated official and the fund administrator.

(2) The Director-General of the Department may—

(a) designate an official from the Department to be the administrator for the purposes of dealing with applications for assistance in terms of these Regulations and matters related thereto; or

(b) sub-delegate the application of these Regulations to the National Student Financial Aid Scheme.

(3) An employee of the National Student Financial Aid Scheme shall be the administrator for the purposes of subregulation (2)(a), if the application thereof is sub-delegated to that Scheme.

(4) The Department shall be responsible for the payment of any fees charged by the National Student Financial Aid Scheme for the application of these Regulations, if the application thereof is sub-delegated to that Scheme.

(5) The Director-General for the Department of Justice and Constitutional Development shall designate an official from that Department for the purposes of verifying the status of an applicant in terms of regulation 16;

Amount available for assistance

6. (1) (a) Subject to paragraph (b), the accounting officer must determine annually and in writing, by not later than 30 September of every year, the amount available for the next year for assistance in terms of these Regulations.

(b) The accounting officer must determine the amount available for assistance for the year 2023 within 10 days after these Regulations have been published in the *Gazette*.

- (2) The accounting officer must, in determining the amount contemplated in subregulation (1), take into account—
- (a) the amount which is still available in the Fund;
 - (b) existing commitments of the Fund;
 - (c) other forms of reparation to victims, which were approved by Parliament in terms of section 27(2) of the Act and which are under consideration by the Department of Justice and Constitutional Development, which must be paid from the Fund;
 - (d) the amount paid out as assistance during the previous year in terms of the repealed regulations;
 - (e) the number of beneficiaries assisted the previous year in terms of the repealed regulations; and
 - (f) the number of applicants who met the criteria set out in regulation 14(1) of these Regulations but who have not received assistance as a result of the application of the most deserving criterion as set out in terms of regulation 14(3), if applicable.
- (3) The accounting officer may—
- (a) on his or her own account; or
 - (b) on good cause shown by the Director-General of the Department,
- increase, subject to the availability of funds, the amount determined in terms of subregulation (1)(a) for assistance for an academic year.

CHAPTER 3 FORMS OF ASSISTANCE

Assistance in respect of education and training offered by community education and training college

7. (1) Assistance to a victim or a relative or dependant of a victim in respect of education and training offered by a community education and training college, may be provided in the following forms:
- (a) Payment of the actual fees charged by the community education and training college to complete the part-qualification;
 - (b) in respect of a beneficiary with a disability, payment of a boarding allowance in accordance with subregulations (3), (4), (5), (6), (7) and (8);
 - (c) payment of a transport allowance of R5 552,00 per academic year despite the fact that a beneficiary could not attend the community education and training college the whole academic year due to COVID-19: Provided that any part of the allowance not used for transport purposes must be used for any expenses incurred by a beneficiary for purposes of remote learning;
 - (d) in respect of a beneficiary with a disability—
 - (i) payment of an allowance of R25 389,00 per academic year for meals in respect of full-time education and training, if the cost of accommodation does not include the cost for meals; and
 - (ii) payment of an amount, not exceeding 50% of the annual meals allowance of R25 389,00, per registered semester for meals in respect of part-time or distance learning education and training, if the cost of accommodation does not include the cost for meals;

(e) payment of a personal care allowance of R4 199,00 per annum.

(2) The amount provided for in subregulation (1)(a) must include the amount required to purchase the textbooks prescribed by the college, if any.

(3) (a) Subject to paragraph (b), the boarding allowance provided for in subregulation (1)(b) may be paid only if the applicant, at the date of his or her or any other person's application for assistance in terms of regulation 15, resides within a radius of more than 30 km from the community education and training college.

(b) The administrator may, having regard to the factors referred to in paragraph (c), allow that the boarding allowance be paid if the applicant at the date of application for assistance in terms of regulation 15 resides within a radius of 30 km from the community education and training college, as reflected in the community education and training college records.

(c) The factors to be considered for the purposes of paragraph (b), which must be aimed at increasing the opportunities for the applicant to study, are the following:

- (i) The number of persons residing in the house where the applicant resides;
- (ii) the ages of the persons residing in the house where the applicant resides;
- (iii) the availability of transport from the residence of the applicant to the community education and training college;
- (iv) the nature, availability and quality of the electronic network coverage in the area where the applicant resides;
- (v) the nature, availability and quality of the energy provision in the area where the applicant resides; and
- (vi) any other factor that the administrator may deem relevant.

(4) The boarding allowance referred to in subregulation (1)(b) may be paid as follows:

- (a) Payment of the actual amount charged for accommodation provided by the community education and training college at campus or off campus;
- (b) payment for accommodation accredited by the community education and training college of an amount not exceeding the amount charged by the community education and training college for accommodation on campus; or
- (c) payment for accommodation privately hired of an amount not exceeding the amount charged for accommodation provided by the community education and training college at campus.

(5) Payment of the boarding allowance referred to in subregulation (1)(b) is allowed in respect of accommodation privately hired, as referred to in subregulation (4)(c), only if the community education and training college at which the beneficiary has registered, cannot accommodate the beneficiary in the accommodation provided by the college.

(6) Payment of the boarding allowance referred to in subregulation (1)(b) may be made only upon confirmation that the beneficiary is residing in the accommodation indicated in the application form and, if private accommodation is hired, upon submission of proof of the lease agreement.

(7) The administrator may if private accommodation referred to in subregulation (4)(c) is hired, from time to time, take the necessary steps to verify whether the beneficiary is hiring accommodation and of the amount payable.

(8) The boarding allowance referred to in subregulation (1)(b) may be paid to a beneficiary despite the fact that a beneficiary did not need accommodation for purposes of attending the college for the whole academic year due to COVID-19: Provided that any part of the allowance not used for accommodation purposes must be used for any expenses incurred by a beneficiary for purposes of remote learning.

Assistance in respect of education and training offered by technical and vocational education and training college

8. (1) Assistance to a victim or a relative or dependant of a victim in respect of education and training offered by a technical and vocational education and training college, may be provided in the following forms:

- (a) Payment of the actual fees charged by the technical and vocational education and training college per academic year;
- (b) payment of a boarding allowance in accordance with subregulations (2), (3), (4), (5), (6) and (7);
- (c) payment of a transport allowance of R11 106,00 per academic year despite the fact that a beneficiary could not attend the technical and vocational education and training college the whole academic year due to COVID-19: Provided that any part of the allowance not used for transport purposes must be used for any expenses incurred by a beneficiary for purposes of remote learning;
- (d) payment of an allowance of R5 552,00 per annum in respect of learning material;
- (e) payment of a personal care allowance of R4 199,00 per annum;
- (f)
 - (i) payment of an allowance of R25 389,00 per academic year for meals in respect of full-time education and training, if the cost of accommodation does not include the cost for meals; and
 - (ii) payment of an amount, not exceeding 50% of the annual meals allowance of R25 389,00, per registered semester for meals in respect of part-time or distance learning education and training, if the cost of accommodation does not include the cost for meals;
- (g) payment of a once-off allowance not exceeding R11 108,00 to purchase a device; and
- (h) on submission of the motivation referred to in subregulation (9), payment of a once-off allowance not exceeding R4 760,00 to purchase a device that is compulsory for the programme, training or learning.

(2) (a) Subject to paragraph (b), the boarding allowance provided for in subregulation (1)(b) may be paid only if the applicant, at the date of his or her or any other person's application for assistance in terms of regulation 15, resides within a radius of more than 30 km from the technical and vocational education and training college.

(b) The administrator may, having regard to the factors referred to in paragraph (c), allow that the boarding allowance be paid if the applicant at the date of application for assistance in terms of regulation 15 resides within a radius of 30 km from the technical and vocational education and training college, as reflected in the technical and vocational education and training college records.

(c) The factors to be considered in terms of paragraph (b), which must be aimed at increasing the opportunities for the applicant to study, are the following:

- (i) The number of persons residing in the house where the applicant resides;
- (ii) the ages of the persons residing in the house where the applicant resides;
- (iii) the availability of transport from the residence of the applicant to the technical and vocational education and training college;
- (iv) the nature, availability and quality of the electronic network coverage in the area where the applicant resides;
- (v) the nature, availability and quality of the energy provision in the area where the applicant resides; and
- (vi) any other factor that the administrator may deem relevant.

(3) The boarding allowance referred to in subregulation (1)(b) may be paid as follows:

- (a) Payment of the actual amount charged for accommodation provided by the technical and vocational education and training college at campus or off campus;
- (b) payment for accommodation accredited by the technical and vocational education and training college of an amount not exceeding the amount charged by the technical and vocational education and training college for accommodation on campus; or
- (c) payment for accommodation privately hired of an amount not exceeding the amount charged for accommodation provided by the technical and vocational education and training college at campus.

(4) Payment of the boarding allowance referred to in subregulation (1)(b) is allowed in respect of accommodation privately hired, referred to in subregulation (3)(c), only if the college at which the beneficiary has registered, cannot accommodate the beneficiary in the accommodation provided by the college.

(5) Payment of the boarding allowance referred to in subregulation (1)(b) may be made only upon confirmation that the beneficiary is residing in the accommodation indicated in the application form and, if private accommodation is hired, upon submission of proof of the lease agreement.

(6) The administrator may if private accommodation referred to in subregulation (3)(c) is hired, from time to time, take the necessary steps to verify whether the beneficiary is hiring accommodation and of the amount payable.

(7) The boarding allowance referred to in subregulation (1)(b) may be paid to a beneficiary despite the fact that a beneficiary did not need accommodation for purposes of attending the college for the whole academic year due to COVID-19: Provided that any part of the allowance not used for accommodation purposes must be used for any expenses incurred by a beneficiary for purposes of remote learning.

(8) The allowance provided for in subregulation (1)(d) may not be disbursed in respect of supplementary modules.

(9) The allowance provided for in subregulation (1)(h) may be paid only if the head of the relevant department of the college submits motivation on a letterhead of the college concerned and certifies that the device is compulsory for the programme, training or learning.

(10) (a) Despite subregulation (1)(g) and (h), but subject to subparagraphs (b) and (d), a device, which has been stolen or damaged after it was provided to the beneficiary but during the period of training, learning or education of the

beneficiary for which assistance is provided in terms of these Regulations, may be replaced under exceptional circumstances at the expense of the Fund.

(b) A device referred to in subparagraph (a) may be replaced only—

- (i) if, in the opinion of the administrator, the beneficiary has at all times been diligent in the safekeeping and the handling of the device; and
- (ii) with the approval of the fund administrator.

(c) The administrator may, in forming an opinion in terms of paragraph (b)(i)—

- (i) have regard to the reasons why the beneficiary requires the device;
- (ii) have regard to how the beneficiary would benefit from the device; and
- (iii) have regard to the circumstances under which the theft has been committed or damage has taken place.

(d) A device referred to in subparagraph (a) may be replaced only upon submission by the beneficiary of supporting documents, including an affidavit and, in the case where the device was stolen, proof that a case of theft has been lodged at a police station.

(11) A beneficiary who received a device in terms of subregulation(1)(g) and (h) becomes the owner thereof.

(12) A beneficiary who received a device in terms of this regulation must ensure that the device is used for the purposes for which it is intended and that it is safeguarded against loss or damage at all times.

Assistance in respect of higher education

9. (1) Assistance to a victim or a relative or dependant of a victim in respect of higher education, may be provided in the following forms:

- (a) Payment of the actual fees charged by a higher education institution per academic in respect of a higher education qualification;
- (b) payment of a boarding allowance in accordance with regulation 8(2), (3), (4), (5), (6) and (7);
- (c) payment of a transport allowance of R9 256,00 per academic year despite the fact that a beneficiary could not attend the higher education institution the whole academic year due to COVID-19: Provided that any part of the allowance not used for transport purposes must be used for any expenses incurred by a beneficiary for purposes of remote learning;
- (d) payment of an allowance of R9 256,00 per academic year in respect of learning material;
- (e) payment of a personal care allowance of R4 199,00 per academic year;
- (f)
 - (i) payment of an allowance of R25 389,00 per academic year for meals in respect of a full-time higher education qualification, if the cost of accommodation does not include the cost for meals; and
 - (ii) payment of an amount, not exceeding 50% of the annual meals allowance of R25 389,00, per semester for meals in respect of a part-time or distance learning higher education and qualification, if the cost of accommodation does not include the cost for meals;

- (g) payment of a once-off allowance not exceeding R11 108,00 to purchase a device; and
- (h) on submission of the motivation referred to in regulation 8(9), payment of a once-off allowance not exceeding R4 760,00 to purchase a device that is compulsory for the programme, training or learning.
 - (2) The allowance provided for in subregulation (1)(d) may not be disbursed in respect of supplementary modules.
 - (3) Regulation 8(10), (11) and (12) applies, with the necessary changes as may be required by the context, to assistance provided for in this regulation.

Assistance in respect of skills development

10. (1) Assistance to a victim or a relative or dependant of a victim in respect of skills development, may be provided in the following forms:

- (a) Payment of the actual fees charged by an institution to complete a learnership;
- (b) payment of the actual fees charged by an institution to complete an apprenticeship;
- (c) payment of an allowance of R2 776,00 per month;
- (d) payment of a personal care allowance of R3 199,00 per annum; and
- (e) payment of an allowance of R25 389,00 per annum for meals.

(2) The allowance provided for in subregulation (1)(c) may be paid only—

- (a) during the work experience component of the learnership or apprenticeship; and
- (b) if a learner complies with the conditions relating to the payment of the allowance as stipulated in the learnership agreement provided for in section 17 of the Skills Development Act.

Period of assistance

11. (1) A victim or a relative or dependent of a victim may receive assistance only for the minimum period of study for the—

- (a) qualification, as determined by the college or the higher education institution concerned; and
- (b) part-qualification as determined by the college,

plus, for **two additional years**, where the victim or a relative or dependant of a victim was unable to complete the study concerned in the said minimum years.

(2) A victim or a relative or dependant of a victim may receive assistance in respect of skills development for a period not exceeding—

- (a) 18 months in respect of a learnership; and
- (b) 36 months in respect of an apprenticeship.

(3) A victim or a relative or dependant of a victim, referred to in subregulation (1), who receives assistance and changes to another programme or to another institution offering education and training, may receive assistance only for the remaining part of the minimum period of study for the qualification or part-qualification originally registered for, plus for two additional years, where the victim was unable to complete the study concerned in the said minimum years.

CHAPTER 4 ASSISTANCE FOR APPLICANTS WITH DISABILITY

Assistance relating to assistive device

12. (1) Assistance to a victim or a relative or dependant of a victim with a disability, in respect of an assistive device, may be provided in the form of the payment of—

- (a) a once-off allowance to purchase an assistive device;
- (b) any fee charged for training on the operation of an assistive device by the supplier who sold the assistive device to a beneficiary with a disability, if such a beneficiary requires training; and
- (c) any fee charged for upgrading or repairing an assistive device by the supplier who sold the assistive device to a beneficiary with a disability, if such an assistive device requires upgrading or repairing on an annual basis.

(2) (a) The allowance provided for in subregulation (1)(a) may be paid only if a victim or a relative or dependant of a victim does not already own or enjoy the use of an assistive device, irrespective of how it was acquired, unless the assistive device is, in the opinion of the administrator, no longer effective due to technological advancements or any other reason which cannot be ascribed to negligence on the side of the beneficiary using the assistive device.

(b) The administrator must, in forming an opinion in terms of paragraph (a), consult any person or organisation having knowledge about the assistive device concerned and its functioning, including any person or institution appearing on the list of National Disability Organisations or the list of National Sectoral Organisations compiled by the Department of Social Development.

(3) The allowance provided for in subregulation (1)(a) may be approved only—

- (a) upon submission of a written assessment, provided on a form which corresponds substantially with Form 4 of Annexure 1, completed by a registered medical doctor or other appropriately qualified professional;
- (b) upon a statement by a person referred to in paragraph (a) indicating—
 - (i) the reasons why the beneficiary requires the assistive device;
 - (ii) that the beneficiary would benefit from the assistive device; and
 - (iii) how the beneficiary would benefit from the assistive device; and
- (c) if the assistive device—
 - (i) will facilitate access to teaching and learning resources;
 - (ii) is relevant to the beneficiary's disability; and
 - (iii) is required in order to study for the particular qualification or part-qualification.

(4) The administrator may, if a beneficiary with a disability requires an assistive device referred to in paragraph (b) of the definition of "assistive device", approve such an assistive device, if the administrator, after having—

- (a) received an assessment referred to in subregulation (3)(a);
- (b) considered the factors referred to in subregulation (3)(c); and

- (c) consulted an organisation or any person having knowledge about the particular form of disability and the assistive device required to assist such a person, including the persons and institutions referred to in subregulation (1)(b), is of the opinion that the assistive device in question is necessary.

(5) Any assistive device provided for in this regulation may be purchased only with the approval of the—

- (a) fund administrator, if the total cost of an assistive device in respect of a particular beneficiary does not exceed R48 977,00; or
- (b) accounting officer, if the total cost of an assistive device in respect of a particular beneficiary exceeds R48 977,00.

(6) (a) Despite subregulation (1)(a), but subject to paragraphs (b) and (d), an assistive device which has been stolen or damaged after it was provided to the beneficiary with a disability but during the period of training, learning or education of the beneficiary for which assistance is provided in terms of these Regulations, may be replaced under exceptional circumstances at the expense of the Fund.

(b) An assistive device referred to in paragraph (a) may be replaced only—

- (i) if, in the opinion of the administrator, the beneficiary has at all times been diligent in the safekeeping and the handling of the assistive device; and
- (ii) with the approval of the fund administrator.

(c) The administrator may, in forming an opinion in terms of paragraph (b)(i)—

- (i) consult an organisation or any person or institution referred to in subregulation (2)(b) having knowledge about the effects of the disability of the beneficiary whose assistive device was stolen or damaged;
- (ii) have regard to the disability of the beneficiary; and
- (iii) have regard to the circumstances under which the theft has been committed or damage has taken place.

(d) An assistive device referred to in subparagraph (a) may be replaced only upon submission by the beneficiary with the disability of supporting documents, including an affidavit and, in the case where the assistive device was stolen, proof that a case of theft has been opened and lodged at a police station.

(7) An assistive device may be purchased only from a supplier which has been accredited with the Higher and Further Education Disability Services Association.

(8) A beneficiary with a disability who received an assistive device in terms of this regulation becomes the owner thereof.

(9) A beneficiary who received an assistive device in terms of this regulation must ensure that the assistive device is used for the purposes for which it is intended and that it is safeguarded against loss or damage at all times.

Assistance relating to human support

13. (1) Subject to subregulation (3), assistance to a victim or a relative or dependant of a victim may be provided in the form of the payment of an allowance not

exceeding R65 303,00 per academic year for human support to be rendered to a beneficiary with a disability.

(2) A person who renders human support to a beneficiary with a disability in terms of this regulation, may be paid an amount similar to—

(a) the boarding allowance provided for in regulation 8(1)(b) or 9(1)(b); and

(b) the meal allowance provided for in regulation 8(1)(f) or 9(1)(f),

if a person who renders human support has to stay with the beneficiary due to the nature of the disability of the beneficiary.

(3) (a) The allowance provided for in subregulation (1) may be approved only if, in the opinion of the administrator, the form of human support requested by a beneficiary with a disability—

(i) will facilitate access to teaching and learning resources;

(ii) is relevant to the beneficiary's disability; and

(iii) is required in order to study for the particular qualification or part-qualification.

(b) The administrator must, in forming an opinion in terms of paragraph (a), consult an organisation or any person or institution referred to in regulation 12(3)(b) having knowledge about the disability of the beneficiary requesting human support and the form of human support.

CHAPTER 5 FIRST-TIME APPLICANTS

Conditions for assistance for first time applicants

14. (1) A victim or a relative or dependant of a victim may, subject to the availability of money in the Fund, receive assistance provided for in these Regulations if, at the date of the application for assistance—

(a) the annual gross income of the household of which he or she is a member, does not exceed R650 011,00 per annum; or

(b) he or she qualifies as a member of a vulnerable household.

(2) The annual gross income of the household is the total amount in cash or otherwise, received by or accrued to or in favour of the household, irrespective of the source and nature thereof.

(3) (a) The administrator must, if there are not sufficient funds available for a particular year to provide assistance to all the victims and relatives or dependant of the victims, determine which applications are the most deserving.

(b) In determining which applications are the most deserving, the administrator must take into account—

(i) the annual gross income of the household of which the applicant is a member;

(ii) the number of members of the household;

(iii) the number of members of the household contributing to the income of the household;

(iv) the level of education of the applicant, where an application of a person with a lower level of education is regarded as more deserving;

- (v) whether the applicant has a physical or mental disabled as contemplated in section 9 of the Social Assistance Act; and
- (vi) the amount of financial aid, assistance or concession provided for in regulation 15(4) received by the victim or a relative or dependant of a victim, if applicable.
 - (4) A victim or a relative or dependant of a victim who—
 - (a) has received assistance in terms of these Regulations;
 - (b) wishes to receive further assistance to complete the studies; and
 - (c) complies, subject to subregulation (1), with all the conditions, criteria and requirements contained in these Regulations,receives priority over any other applicant, if there are not sufficient funds available in a particular year.
 - (5) A victim or a relative or dependant of a victim may be granted assistance in terms of these Regulations only if the applicant has been admitted into a public higher education institution or at an institution for a learnership or an apprenticeship.

Application for assistance for first time applicants

15. (1) A person who exercises parental responsibility over a relative or dependant of a victim, must countersign an application for assistance and complete the certificate referred to in subregulation (5) if the relative or dependant of a victim does not have contractual capacity.

(2) (a) An application for assistance must be made on a form which corresponds substantially with Form 1 of Annexure 1.

(b) The form referred to in paragraph (a) shall be available on the websites of the Department and the Department of Justice and Constitutional Development, and at the offices of the dedicated official, the fund administrator and the administrator.

(3) An application for assistance and a subsequent application for assistance—

(a) for the 2023 academic year, must be submitted to the dedicated official within 60 days after these Regulations have been published in the *Gazette*; and

(b) for subsequent academic years must be submitted to the dedicated official on or before 30 September of every year.

(4) (a) An applicant must disclose any financial aid, assistance or concession received or to be received for the particular year for which assistance is applied from organs of state, including the National Student Financial Aid Scheme, or an institution contemplated in the Skills Development Act, or from the applicant's employer.

(b) Any amount so received, must be calculated and deducted from the amount for which the beneficiary qualifies in terms of these Regulations.

(c) A beneficiary who received any financial aid, assistance or concession from an organ of state, including the National Student Financial Aid Scheme, or an institution contemplated in the Skills Development Act, or from the employer, subsequent to the approval of the application for assistance must, in writing, disclose that fact to the administrator.

(d) Any amount received as referred to in paragraph (c), must be calculated and deducted from the amount which must still be paid to the beneficiary or for which the beneficiary may qualify in terms of these Regulations in respect of the next year.

(5) (a) An applicant or the person who exercises parental responsibility over a relative or dependant of a victim, as referred to in subregulation (1), must certify that the information provided in the application form is correct.

(b) An applicant must ensure that the full particulars of the higher education and training institution where the applicant will be registered are provided in the application form.

(6) (a) The documents required in the application form must be attached to the application form.

(b) The administrator may refuse to consider an application if the documents required in the application form are not attached, but only after the administrator has taken reasonable steps in assisting the applicant to obtain these documents.

(7) The application form must, after completion, be submitted to the dedicated official electronically, by facsimile or registered post.

(8) A victim or a relative or dependant of a victim who applied for assistance in terms of these Regulations for a particular year but whose application was not approved due to non-compliance with the conditions, criteria and requirements provided for in these Regulations, may apply for assistance in respect of any other subsequent year.

Verification of status of application of first time applicants

16. (1) Subject to subregulation (2), the dedicated official must within 30 days after receipt of an application form contemplated in regulation 15—

(a) verify whether the person indicated as a victim in the application form, is a victim for the purpose of these Regulations; and

(b) where applicable, verify whether the person indicated in the application form as a relative or dependant of a victim, as prescribed in terms of paragraph (c) of the definition of “victim” as provided for in section 1 of the Act, is such a relative or dependant of a victim.

(2) (a) The dedicated official may, in order to verify the information referred to in subregulation (1)—

(i) require the applicant to provide additional information or documentation regarding the application; or

(ii) with the applicant’s consent, obtain the required information or documentation from any other person or institution.

(b) Where the dedicated official requires additional information, the 30-day period referred to in subregulation (1) must be calculated from the date of receipt of the additional information.

(3) (a) The dedicated official must complete a certificate on a form which corresponds substantially with Form 2 of Annexure 1, if that official finds that the person applying for assistance is a victim or a relative or dependant of a victim.

(b) The dedicated official must, if that official receives an application for assistance from a victim or a relative or dependant of a victim in respect of whom a certificate provided for in paragraph (a) has already been issued previously, submit a certified copy thereof to the administrator, together with the application.

(c) The dedicated official must follow the procedure provided for in regulation 18(3), if that official intends making a finding that the applicant is not a victim or a relative or dependant of a victim for the purpose of these Regulations.

(d) The provisions of regulation 18(4) and (5) apply with the necessary changes required by the context in respect of decisions of the dedicated official under this regulation.

(e) The dedicated official must not submit an application to the administrator for consideration if the dedicated official finds that the applicant is not a victim or a relative or dependant of a victim for the purpose of these Regulations.

(4) The dedicated official must upon completion of the certificate provided for in subregulation (3)(a), submit the application form, the attachments thereto and the certificate to the administrator and inform the applicant in writing thereof.

Processing of first-time applications for assistance

17. (1) The administrator must, on receipt of the completed application form and the certificate provided for in regulation 16(3)—

(a) for the purposes of the speedy processing of the application, obtain any further information or documentation or clarify any uncertainties with regard to the information in the application form; and

(b) be satisfied that—

(i) the assistance applied for falls within the ambit of these Regulations;

(ii) the conditions, criteria and requirements as provided for in these Regulations have been complied with or met;

(iii) a decision has not already been made in respect of the beneficiary for the particular year in respect of which the assistance is applied for, with reference to the register referred to in regulation 31(4) or any other document containing information in this regard; and

(iv) there are sufficient funds available to provide the assistance applied for.

(2) The administrator must, for the purposes of this regulation, consider the application for assistance on the basis of documentary proof, including an affidavit if no other documentary proof is available.

Decision on first time applications for assistance

18. (1) The administrator may not make any decision regarding an application for assistance before the expiry of the cut-off date referred to in regulation 15(3).

(2) (a) The administrator must make a decision regarding an application—

(i) within 60 days after the expiry of the cut-off date; or

(ii) within 60 days after receipt of the application form from the dedicated official in terms of regulation 16(4),

whichever date is the latest.

(b) The time period referred to in paragraph (a) may, if the administrator has acted—

- (i) in terms of regulation 17(1)(a), be extended for a period equivalent to the period required to receive the additional information or clarify the uncertainty; and
- (ii) in terms of subregulation (3)(a), be extended for a period equivalent to the period calculated from the date of that notice until the date specified in that notice within which the applicant may respond.

(3) (a) The administrator must, if intending to refuse an application for assistance, notify the applicant, in writing, of the intention and the disqualifying factor and invite the applicant to respond thereto in the manner and before the date specified by the administrator in the notice.

(b) The date specified by the administrator in the notice referred to in paragraph (a) must allow for a period of at least 40 days for the applicant to respond.

(c) The administrator may, if no response has been received after the expiry of the date specified in the notice, make a decision in respect of the application for assistance.

(d) The administrator must, if a response is received from the applicant, upon receipt thereof, consider that response and make a decision in respect of the application for assistance.

(4) The administrator must, in writing, record—

- (a) the decision;
- (b) the reasons for the decision;
- (c) the amount to be paid; and
- (d) the calculations made, including the calculations if any deductions are made in terms of regulation 15(4)(b) or (d).

(5) The administrator must, within seven days after a decision has been made, inform the applicant orally, if the contact particulars are available, and in writing—

- (a) of the decision;
- (b) of the amount of the assistance to be provided;
- (c) about any deductions made;
- (d) about the applicant's right to lodge representations in terms of regulation 28, should the applicant be aggrieved by any decision made by the administrator in terms of these Regulations.

CHAPTER 6 SUBSEQUENT APPLICATIONS FOR ASSISTANCE

Conditions for subsequent applications for assistance

- 19.** (1) A victim or a relative or dependant of a victim who—
- (a) has received assistance in terms of these Regulations;
 - (b) wishes to receive further assistance to complete the studies; and
 - (c) complies with the conditions set out in this Chapter,

may receive further assistance if the applicant has passed 50% of the courses prescribed for a particular year.

(2) The conditions referred to in regulation 14(1) are not applicable to a subsequent application for assistance.

Subsequent applications for assistance

20. (1) An application for subsequent assistance must be made on a form which corresponds substantially with Form 3 of Annexure 1.

(2) A victim or a relative or dependant of a victim who received assistance in terms of these Regulations for a particular year and who wishes to receive further assistance in subsequent years to complete their studies, does not have to re-apply for further assistance but must complete a form which corresponds substantially with Form 3 of the Annexure and submit it to the dedicated official in the manner provided for in regulation 15(7) on or before the cut-off date provided for in regulation 15(3).

(3) The dedicated official does not have to comply with regulation 16(1) in respect of a victim or a relative or dependant of a victim who submits a subsequent application for assistance.

(4) The procedures set out in regulations 17 and 18 are applicable in respect of a subsequent application for assistance.

CHAPTER 7 OBLIGATIONS OF BENEFICIARY

Submission of proof by beneficiary

- 21.** A beneficiary must submit to the administrator—
- (a) proof of registration at the higher education and training institution; and
 - (b) proof of hiring accommodation, by means of a letter from the higher education and training institution providing the accommodation or, if private accommodation is hired, the agreement between the beneficiary and the landlord.

Change in contact particulars

22. A beneficiary must, in writing, inform the administrator and the dedicated official should the beneficiary's contact particulars change.

Submission of other information

- 23.** (1) (a) A beneficiary must, within the period mentioned in paragraph (b), notify, in writing, the dedicated official, the administrator and the higher education and training institution registered with, if the beneficiary—
- (i) has discontinued their studies; or
 - (ii) has moved from one higher education and training institution to another institution.

(b) The notification referred to in paragraph (a), must be submitted within seven days after the beneficiary has discontinued their studies or has moved from one higher education and training institution to another institution, as the case may be.

(2) (a) A beneficiary must, within the period mentioned in paragraph (b), notify, in writing, the dedicated official and the administrator if the beneficiary has enrolled for a programme different from the programme indicated in the application for which assistance was granted.

(b) The notification referred to in paragraph (a), must be submitted within seven days after the beneficiary has enrolled for the new programme.

(3) A beneficiary referred to in subregulations (1) and (2) must attach to the notifications referred to in the said subregulations, confirmation of the higher education and training institution.

CHAPTER 8 PAYMENTS

Payment of assistance

24. (1) (a) The administrator must, if the application for assistance is approved, make arrangements regarding payment with the persons or institutions to be paid.

(b) The administrator must, before making any payment in terms of this regulation, enquire from the persons or institutions to be paid whether they are aware of any financial aid, assistance or concession referred to in regulation 15(4), received by the beneficiary.

(c) The administrator must, if it appears from the enquiry provided for in paragraph (b) that the beneficiary has received any financial aid, assistance or concession which has not been disclosed by the beneficiary, calculate such amount and deduct it from the amount for which the beneficiary qualifies in terms of these Regulations.

(d) The administrator must, before deducting the amount referred to in paragraph (c), give the beneficiary a reasonable opportunity to explain the receipt of the financial aid, assistance or concession.

(2) (a) Payment of assistance must be made—

- (i) by electronic transfer; and
- (ii) to the persons or institutions referred to in paragraph (b).

(b) The administrator must, subject to paragraph (c) and subregulation (8), make payments in respect of the following expenses to the following persons:

- (i) Fees must be paid to the relevant college or the higher education institution;
- (ii) the boarding allowance must be paid to the college or the higher education institution, if accommodation is provided by the college or the higher education institution, or to the person or body responsible for the management and administration of the hostel or place where the beneficiary resides or boards, if the beneficiary hires private accommodation;
- (iii) the transport allowance must be paid to the beneficiary;

- (iv) the learning material allowance must be paid to the beneficiary or in the manner indicated by the institution;
- (v) the personal care allowance must be paid to the beneficiary;
- (vi) the meal allowance must be paid to the beneficiary or, if the beneficiary is residing at a catering residence, to the institution;
- (vii) the allowance for the assistive device may be paid to the service provider, the college or the higher education institution;
- (viii) the allowance for human support must be paid to the beneficiary;
- (ix) the allowance for a device must be paid to the beneficiary; and
- (x) the allowance provided for in regulation 10(1)(c) must be paid to the relevant college who must pay it over to the learner.

(c) The administrator may, in respect of payments to be made to a beneficiary in terms of paragraph (b), not make a payment to any other person, unless such beneficiary does not have contractual capacity, in which case the payment may be made to the person who exercises parental responsibility over such beneficiary.

(3) The administrator may not make any payment due to a beneficiary in terms of this regulation if the beneficiary owes money to the Department due to a request to pay back money in terms of regulation 27.

(4) The administrator must, when making payment, have regard to sound financial administrative principles, procedures and processes.

(5) The administrator may, on a regular basis, make a payment to the persons or institutions referred to in subregulation (2)(b).

(6) The administrator may make advance payments when it is deemed advisable to do so.

(7) The administrator must—

- (a) retain proof of payments made in terms of these Regulations;
- (b) in writing, inform the beneficiary and the person or institution to which a payment has been made of such payment.

(8) The administrator may make an arrangement with the higher education and training institution with which a beneficiary has registered, to make, on behalf of the administrator, any payment to be made in terms of subregulation (2)(b) to a person other than such institution.

(9) The administrator must, upon receipt of a notification as contemplated in regulation 23(1)(b), make any payment that is still due in terms of subregulation (2)(b), to the higher education and training institution to which the beneficiary has moved to.

Extension of assistance due to COVID-19

25. (1) The administrator may, if any academic year is extended to another year as a result of COVID-19, with the approval of the fund administrator, provide to beneficiaries, for the period for which the academic year is extended, the forms of assistance contemplated in these Regulations.

(2) The amount of assistance to be paid per month or part thereof by the administrator in respect of any form of assistance in terms of subregulation (1), must be determined by the administrator, in consultation with the fund administrator, by dividing

the amounts determined in these Regulations by 11, excluding the assistance in respect of fees and textbooks.

Payment from Fund to Department

26. (1) (a) The fund administrator must, for purposes of the payments to be made in terms of regulations 24 and 25, make regular advance payments to the Department.

(b) The fund administrator must make the first advance payment, referred to in paragraph (a), which may not be less than 25% of the amount determined in terms of regulation 6, not later than 15 January 2023.

(c) The subsequent advance payments to the Department by the Fund Administrator shall be made subject to the remaining advance payments still available or unutilised in the Department or National Student Financial Aid Scheme account, which must be rolled over to the next academic year.

(2) The Department must, despite any advance payment received from the fund administrator, submit to the fund administrator, as soon as is reasonable possible, proof of payments made to beneficiaries.

(3) The payments made by the fund administrator to the Department in a particular year may not exceed the amount determined by the accounting officer in terms of regulation 6(1).

Recovery of money from beneficiary

27. The administrator or a person designated by the accounting officer may take steps to recover money from the beneficiary which was paid to the beneficiary in terms of these Regulations in the case of fruitless expenditure as a result of the beneficiary—

- (a) submitting to the dedicated official and the administrator information required in terms of these Regulations, which information is incorrect or incomplete;
- (b) not having informed the dedicated official and the administrator of the discontinuation of the studies or having moved to another institution;
- (c) moving from one higher education and training institution to another; and
- (d) enrolling for a programme different from the programme indicated the application for which assistance was granted.

CHAPTER 9 REPRESENTATIONS

Representations by aggrieved persons

28. (1) (a) An applicant who is aggrieved by a decision of the dedicated official in respect of the verification of the status of the applicant in terms of regulation 16, may make representations to the Minister of Justice and Correctional Services.

(b) An applicant who is aggrieved by a decision of the administrator made in terms of these Regulations, may make representations to the Minister of Higher Education and Training;

(2) The representations referred to in subregulation (1)—

- (a) may be made at any time but not later than 60 days after receipt of the notification of the decision of the dedicated official or the administrator as the case may be;
- (b) must be in writing;
- (c) must indicate the reasons why the person is aggrieved; and
- (d) must, where possible, be accompanied by documents supporting the reasons why the person is aggrieved.

(3) The representations must be submitted to the relevant Minister referred to in subregulation (1), in any of the following ways:

- (a) By registered post;
- (b) by delivering them personally at the office of the relevant Minister; or
- (c) by facsimile transmission or in any other electronic manner, in which case proof thereof must be retained and the original thereof must be submitted by registered post.

Processing of representations

29. (1) The dedicated official and the administrator must, immediately upon notification that representations have been made in terms of regulation 28, submit to the Minister of Higher Education and Training or the Minister of Justice and Correctional Services, as the case may be, the documents relating to the decision in question, and the reasons for the said decision.

(2) The Minister of Higher Education and Training or the Minister of Justice and Correctional Services, as the case may be, may, in order to make a finding regarding the representations, make any enquiries that are deemed necessary.

(3) The Minister of Higher Education and Training or the Minister of Justice and Correctional Services, as the case may be, must, as soon as circumstances permit, make a finding in regard to the representations and inform the person who made the representations orally, if the contact particulars of the person are available, and in writing of the finding.

CHAPTER 10 MISCELLANEOUS

Escalation of amounts

30. (1) The amounts referred to in these Regulations must be increased automatically by 8% on 1 January 2024 and thereafter on the first day of January of every consecutive year.

(2) The accounting officer must, by not later than 31 January of each year—

- (a) publish the new amounts in the *Gazette*; and

- (b) in writing inform the Director-General: Higher Education and Training of the new amounts, who must make this information available on the website of the Department.

Keeping of records and registers by dedicated official and administrator

- 31.** (1) The dedicated official must keep proper records of—
- (a) the persons who applied for assistance;
 - (b) the information received in connection with the applications for assistance;
 - (c) the documents received in support of the applications for assistance; and
 - (d) full particulars of the decisions made in respect of the applications received.
- (2) The dedicated official must compile a register containing the following particulars in respect of every application for assistance received:
- (a) The name of the applicant;
 - (b) the nature of assistance applied for;
 - (c) the name of the victim or relative or dependant of a victim for whom assistance is applied;
 - (d) the year for which the assistance is applied; and
 - (e) the decision made by the dedicated official in respect of the verification of the status in terms of regulation 16.
- (3) The administrator must keep proper records of—
- (a) the applications received from the dedicated official;
 - (b) the information received in connection with such applications;
 - (c) the documents received in support of such applications;
 - (d) the decisions made by the administrator; and
 - (e) the payments made by the administrator.
- (4) The administrator must compile a register containing the following particulars in respect of every payment made:
- (a) The name of the beneficiary in respect of whom the assistance is paid;
 - (b) the nature of assistance;
 - (c) the year for which the assistance is paid;
 - (d) the date on which the amount was paid out;
 - (e) the amount paid out; and
 - (f) the particulars of the persons or institutions to whom payments have been made.
- (5) The dedicated official and administrator must on a daily basis, excluding weekends, update the registers referred to in subregulations (2) and (4).
- (6) The administrator must keep record of the information referred to in regulation 6(2)(d) to (f) and submit that information to the accounting officer at the end of August of each year.

Cession, assignment or attachment of benefits

- 32.** Despite any law to the contrary, any amount which has been paid or is to be paid as assistance in terms of these Regulations may not—
- (a) be ceded or assigned by a beneficiary or any other person or institution who received a payment in terms of these Regulations;

- (b) be attached under a judgment of a court of law; or
- (c) form part of the estate of the beneficiary or any other person or institution who received a payment in terms of these Regulations, should such estate be sequestrated.

Period of application of Regulations

33. (1) Subject to subregulation (2), a victim or a relative or dependant of a victim who has received assistance in terms of the repealed regulations for a period not exceeding the period of assistance provided for in the repealed regulations, and who wishes to receive further assistance in subsequent years to complete the studies, will continue to receive assistance in terms of these Regulations until completion of the studies, subject to the general requirements for assistance in terms of these Regulations.

(2) The last intake of new students, who are victims or relatives or dependants of victims, for assistance in terms of these Regulations is in respect of the 2037 academic year who may, subject to the requirements in these Regulations, continue to receive assistance in terms of these Regulations until these Regulations expire.

(3) These Regulations shall continue to remain in force until the end of the 2042 academic year.

(4) Despite the expiry of these Regulations as referred to in subregulation (3), the dedicated official and administrator must, in respect of an application which is received before the date of expiry of these Regulations, apply these Regulations as if they had not expired: Provided that the application for assistance is in respect of the year in which these Regulations expire and that funds are available.

Repeal of Regulations

34. Subject to regulation 36, the Regulations relating to Higher Education and Training, 2014, as published under Government Notice No. R. 852 of 3 November 2014, as amended, are hereby repealed.

Savings clause

35. Despite the repeal of the Regulations referred to in regulation 34, a beneficiary may receive assistance in terms thereof as if they have not been repealed—

- (a) if an application, made in terms of the repealed regulations, is not finalised; or
- (b) a payment due in terms of the repealed regulations has not been made by the administrator.

Short title and commencement

36. These Regulations are called the Regulations relating to Assistance to Victims in respect of Higher Education and Training, 2023, and shall commence on the date of publication hereon in the *Gazette*.

FORM 1

APPLICATION FOR ASSISTANCE FOR FIRST TIME APPLICANTS: HIGHER EDUCATION AND TRAINING

[Regulation 15]

READ THIS FIRST
Only a person who–
 (a) has been found by the Truth and Reconciliation Commission (TRC) to be a victim; **or**
 (b) is a relative, such as the child, or a dependant of a victim, such as a grandchild or spouse, may request assistance.

To qualify for assistance–
(a) the household of which the person who needs assistance is a member, **must not earn more than R650 011,00 gross income per year;** or
 (b) the person who needs assistance must be a **member of a vulnerable household.**

A **household** consists of the spouse and parents of the person who needs assistance or the person exercising parental responsibility over the person who needs assistance.

A **vulnerable household** is a household consisting of four or more members, where:
 (a) the majority of members are over the age of 65 years;
 (b) the majority of members are receiving social assistance;
 (c) one member is physically or mentally disabled;
 (d) one of the members is under the age of 18 years and has to work;
 (e) the person who needs assistance is a South African Social Security Agency recipient; or
 (f) the majority of the members of the household are unemployed;

If a person who needs assistance is under the age of 18 years or lacks contractual capacity, a parent or guardian must sign the form on their behalf.

Remember to attach the required documents confirming the information given in this form, for example, certified copies of an identity book and proof of income, otherwise your application will not be considered.

A. PARTICULARS OF APPLICANT (PERSON WHO NEEDS ASSISTANCE)			
1. Title:			
2. Surname:			
3. First Names:			
4. ID number:		5. Date of birth:	
6. Gender:	*Male / Female / Other		
7. Highest level of Education:			
8. Contact details:	* Home address / Home address of other person (if applicable): <i>(State below the address where you live and to which mail may be sent. If you do not have an address, state the address of another person who can be contacted, e.g. place of worship, school, community leader, etc.)</i>		

	* Postal address / Postal address of other person (if applicable):		
Telephone Numbers:	Home: ()	Work: ()	Cell no:
<p>9. Complete the following:</p> <p>(a) Are you a victim? <input type="checkbox"/> YES / <input type="checkbox"/> NO</p> <p>(b) If you are not a victim -</p> <p>(i) what is the name of the victim?</p> <p>(ii) are you a relative of a dependant of victim? <input type="checkbox"/> YES / <input type="checkbox"/> NO</p> <p>(c) If you are a relative or dependant of a victim, what is your relationship with the victim?: (for eg: are you the spouse, child, grandchild or sibling of a victim)</p>			
10. Are you a South African Security Agency recipient? <input type="checkbox"/> YES / <input type="checkbox"/> NO			
11. (a) Do you have any disability? <input type="checkbox"/> YES / <input type="checkbox"/> NO			
(b) If yes, give details of the disability:			
12. Will you in the year for which you now apply for assistance be studying in another college or higher education institution: <input type="checkbox"/> YES / <input type="checkbox"/> NO			
13. Please state your qualifications (degrees, diplomas, certificates) and the particulars of the education and training institutions where you obtained these qualifications:			
14. (a) Have you ever received assistance for education and training as a victim or a relative or dependant of a victim or in terms of a government programme? <input type="checkbox"/> YES / <input type="checkbox"/> NO			
(b) If you have, please state –			
(i) For which year:			
(ii) For which qualification:			
(iii) At which institution:			

_____ Signature of applicant or the person completing the form on behalf of the person who needs assistance	_____ Date
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B. PARTICULARS OF FINANCIAL ASSISTANCE/AID/CONCESSIONS RECEIVED BY PERSON WHO NEEDS ASSISTANCE		
<p><i>Complete this part only if the person who needs assistance has received any form of assistance from the State, including National Student Financial Aid Scheme or an institution contemplated in the Skills Development Act or his / her employer, for the year for which assistance is now applied for: For example, a bursary or any discount or has been exempted from paying fees. Indicate here the form of assistance and the amount received.</i></p>		
1. Name of the institution / person who granted / is to grant the aid / assistance:		
2. The year for which aid / assistance was received or is to be received:		
3. Nature and amount of the assistance / aid received or is to be received:		
4. Conditions attached to the aid / assistance:		
<p>(Attach documents to support the above information.)</p>		
<table style="width: 100%; border: none;"> <tr> <td style="width: 60%; border: none;"> _____ Signature of applicant or the person completing the form on behalf of the person who needs assistance </td> <td style="width: 40%; border: none;"> _____ Date </td> </tr> </table>	_____ Signature of applicant or the person completing the form on behalf of the person who needs assistance	_____ Date
_____ Signature of applicant or the person completing the form on behalf of the person who needs assistance	_____ Date	

C. FORMS OF ASSISTANCE APPLIED FOR

Note that assistance will be provided only in respect of programmes leading to a qualification unless the person who requires assistance wants to study at a community education and training college. The forms of assistance include fees (such as registration costs, tuition fees, the levy charged by the Student Representative Council, the costs of a library card, costs relating to student counselling and work placement), boarding and transport allowances, allowances for learning material, meals and personal care expenditure, a once-off allowance to purchase a device (such as a laptop), an allowance when a person works as part of his or her learnership or apprenticeship and special allowances for persons with disabilities.

FOR WHICH FORM OF EDUCATION AND TRAINING ASSISTANCE DO YOU APPLY? (Mark the applicable option)

*Assistance in respect of education and training offered by community education and training college?

YES

*Assistance in respect of education and training offered by technical and vocational education and training college?

YES

*Assistance in respect of higher education?

YES

*Assistance in respect of skills development?

YES

C.1 ASSISTANCE IN RESPECT OF EDUCATION AND TRAINING OFFERED BY COMMUNITY EDUCATION AND TRAINING COLLEGE (Regulation 7)

Note that the **highest level** of education offered in terms of category C.1 is similar to Grade 9.

Note further that this form of assistance can be rendered only if you are **sixteen years** of age or older.

I. General particulars:

1. Year in respect of which assistance is needed:

2. Details of college:

(a) Name of college:

(b) Address of college:

.....
(Indicate the physical address, in other words, where the college is situated.)

3. Total amount of fees payable to college:

(Attach proof of registration at college and of the amount payable to the college. Indicate whether the amount payable is per annum or subject or module.)

4. Number of subjects enrolled for:

II. Assistance in respect of accommodation:

If assistance is needed in respect of **accommodation**, complete the following:

1. What is the distance between your home and the college?

2. If the distance between your home and the college is less than 30 km, please indicate why you need assistance in respect of accommodation:

(For example: Number and ages of persons sharing the house in which you live; availability of transport to and from your house and the college/university; does the house have electricity; and is there network coverage at your house)

3. Boarding home Details:

(a) Name of hostel / boarding home:

(b) Address of hostel / boarding home:

(Indicate the physical address, in other words, where the hostel / boarding home is situated.)

(c) Amount charged for boarding fees per annum which has to be paid.....
(Attach proof of the amount payable and that the person who needs assistance, is hiring accommodation.)

(d) Does the amount for boarding fees include meals? YES / NO

(e) Is the accommodation provided by the college? : YES / NO

(f) If you want to hire accommodation not provided by the college, state the reasons:

 Signature of applicant or the person completing the form
 on behalf of the person who needs assistance

 Date

**C.2 GENERAL ASSISTANCE IN RESPECT OF:
 *EDUCATION AND TRAINING OFFERED BY TECHNICAL AND VOCATIONAL EDUCATION AND TRAINING COLLEGE (Regulation 8)**

OR

*** HIGHER EDUCATION (Regulation 9)**

I. General particulars:

1. Year in respect of which assistance is needed:

2. Details of college:

(a) Name of college/university:

(b) Address of college/university:

.....

(Indicate the physical address, in other words, where the college/university is situated.)

3. Are the studies in respect of which assistance is needed, to be done on a full-time or part-time basis or through distance learning? ***Full-time** ***Part-time** ***Distance Learning**

4. Total amount of fees payable to college/universities:

(Attach proof of registration at college and of the amount payable to the college or university. Indicate whether the amount payable is per annum or subject or module.)

II. Assistance in respect of accommodation:

If assistance is needed in respect of **accommodation**, complete the following:

1. What is the distance between your home and the college/university?

2. If the distance between your home and the college/university is less than 30 km, please indicate why you need assistance in respect of accommodation:.....

.....

.....

.....

(For example: Number and ages of persons sharing the house in which you live; availability of transport to and from your house and the college/university; does the house have electricity; and is there network coverage at your house)

3. Boarding home Details:

(a) Name of hostel / boarding home:

(b) Address of hostel / boarding home:

(Indicate the physical address, in other words, where the hostel / boarding home is situated.)

(c) Amount charged for boarding fees per annum which has to be paid.....

(Attach proof of the amount payable and that the person who needs assistance, is hiring accommodation.)

(d) Does the amount for boarding fees include meals? YES / NO

(e) Is the accommodation provided by the college/university: YES / NO

(f) If you want to hire accommodation not provided by the college/university, state the reasons:

.....

III. Assistance in respect of device:

1. Have you ever received a device (e.g. laptop) free of charge in terms of a government programme? YES / NO

2. If you have received a device free of charge, please state -

(a) when did you receive it?

(b) in terms of which government programme:
.....

(c) from which State institution?
.....

Signature of applicant or the person completing the form _____ Date _____
on behalf of the person who needs assistance

C.3 ASSISTANCE IN RESPECT OF SKILLS DEVELOPMENT (Regulation 10)

Note that a person whose application for assistance has been approved will receive the allowance of R 2 776,00 per month (Reg 10(1)(c)) only during the work experience component of the learnership or apprenticeship for which he or she is registered and if he or she complies with the conditions of the learnership agreement entered into with the employer in terms of the Skills Development Act.

Particulars of assistance:

For assistance needed in respect of **fees**, complete the following:

1. Year in respect of which assistance is needed:

2. Details of learnership or apprenticeship for which assistance is needed:
.....
.....
.....

3. Details of college:

(a) Name of college:

(b) Address of college:
(Indicate the physical address, in other words, where the college is situated)

4. Total amount of fees payable to college:
(Attach proof of registration at college and of the amount payable to the college. Indicate whether the amount payable is per annum or subject or module)

5. Are you busy with the work experience component of the learnership or apprenticeship? YES / NO

6. Period and year for which the allowance must be paid:
.....

7. Details of employer where the person who needs assistance will be working:

(a) Name of the employer:

(b) Physical address of the employer:

(c) Contact particulars of the employer:

(i) Telephone number:

(ii) Cellphone number:

(iii) Fax number:

8. Have you ever received a device (eg laptop) free of charge in terms of a government programme?
 YES / NO

9. If you have received a device free of charge, please state –

(a) when have you received it?

(b) in terms of which government programme?

(c) from which State institution?

Signature of applicant or the person completing the form on behalf of the person who needs assistance _____ Date _____

C.5 ASSISTANCE FOR PERSONS WITH DISABILITIES

Please note that this form of assistance may be provided only to persons who do not qualify for an assistive device or human support in terms of the Policy for the Funding of Students with Disabilities issued by National Student Financial Aid Scheme

I. Assistance in respect of assistive device:

If assistance is needed in respect of a **device**, complete the following:

1. Amount needed to purchase a device:

2. Particulars of the device to be purchased:

(Indicate the name, make, model and price of the device.)

3. Name and Address of college/university registered with:

II. Assistance in respect of human support:

If assistance is needed in respect of human support, complete the following:

1. Amount needed for human support:

2.	Details of the human support needed:
3.	Particulars of the person providing human support:
4.	The person providing human support will be staying with the student: <input type="checkbox"/> YES / <input type="checkbox"/> NO
5.	For how many months in the year is the allowance needed:.....
<div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 70%;"> <p>_____ Signature of applicant or the person completing the form on behalf of the person who needs assistance</p> </div> <div style="width: 25%; text-align: center;"> <p>_____ Date</p> </div> </div>	

D. PARTICULARS OF INCOME OF MEMBERS OF HOUSEHOLD	
<p>Note: (1) It is not necessary to complete this part if assistance in terms of these Regulations has previously been provided to the person who needs assistance. (2) For the purposes of this paragraph, a household consist spouse and parents of or the person exercising parental responsibility over the person who needs assistance. (3) If the space provided on this page is not enough, please complete particulars on a separate page/s and attach additional page/s to this form.</p>	
<p>Particulars of income of member(s) of household: (Indicate whether it is a pension, salary, commission or seasonal and if it is seasonal, give details thereof.)</p>	
Member 1:	Full names and Surname: ID no. Gross annual income: Nature of the income: Relationship with victim:
Member 2:	Full names and Surname: ID no. Gross annual income: Nature of the income: Relationship with victim:
Member 3:	Full names and Surname: ID no. Gross annual income: Nature of the income: Relationship with victim:
	Full names and Surname:

Member 4:	ID no.
	Gross annual income:
	Nature of the income:
	Relationship with victim:
<p>_____ Signature of applicant or the person completing the form on behalf of the person who needs assistance</p> <p style="text-align: right;">_____ Date</p>	

E. CERTIFICATION	
<p>I,, hereby certify that the information which I have provided above is correct and to the best of my knowledge true. I hereby give permission to the Department of Justice and Constitutional Development to verify the correctness of any of my statements. I know that I can be prosecuted if I knowingly give false information and that any amount paid to me can be recovered.</p> <p>_____ Signature of applicant or the person completing the form on behalf of the person who needs assistance</p> <p style="text-align: right;">_____ Date</p>	

NOTE
<p>The application form must, after completion, be submitted to the dedicated official –</p> <p>(a) electronically to the following addresses: TRCeducation@justice.gov.za; or</p> <p>(b) by facsimile to 086 476 3777; or</p> <p>(c) by registered post to the following address: The Head: TRC Unit, The Department of Justice and Constitutional Development, Private Bag X81, Pretoria, 0001.</p>

FORM 2

CERTIFICATE BY DEDICATED OFFICIAL

[Regulation 16]

PROMOTION OF NATIONAL UNITY AND RECONCILIATION ACT, 1995 (ACT 34 OF 1995)

(This form must be completed by the dedicated official (an official in the TRC Unit) when verifying whether the person who needs assistance is a victim or a relative or dependant of a victim)

* Mark appropriate block with an X

A. PARTICULARS OF PERSON WHO NEEDS ASSISTANCE IN TERMS OF REGULATION 15	
Name of person who needs assistance:	
ID number/Date of birth:	
Date of application received:	

B. VERIFICATION BY DEDICATED OFFICIAL	
The person mentioned in Part A is a-	
(a) VICTIM:	<input type="checkbox"/> YES / <input type="checkbox"/> NO
	TRC reference check <input type="checkbox"/> YES / <input type="checkbox"/> NO
	TRC reference number of victim
	Additional documents / information received <input type="checkbox"/> YES / <input type="checkbox"/> NO
	If Yes, specify

Or

(b) RELATIVE OF A VICTIM?	<input type="checkbox"/> YES / <input type="checkbox"/> NO
His or her relationship with the victim is as follows:	
.....	
.....	
.....	

Or

(c) DEPENDANT OF A VICTIM:	<input type="checkbox"/> YES / <input type="checkbox"/> NO
The basis of his or her dependency on the victim is as follows:	
.....	
.....	

C. REMARKS BY DEDICATED OFFICIAL

D. PARTICULARS OF DEDICATED OFFICIAL

Name and surname: ID number:

Signature of dedicated official

Date of certificate

FORM 3**SUBSEQUENT APPLICATION FOR ASSISTANCE****[Regulation 20]****READ THIS FIRST**

Subsequent assistance means that you have already received assistance in terms of these Regulations for a previous year and wish to receive further assistance.

A person may receive further assistance only if he or she has been admitted by the higher education and training institution where he or she wants to study.

A person may receive assistance in terms of these Regulations only for a limited period as mentioned in these Regulations.

To qualify for subsequent assistance, you need to have passed 50% of the courses prescribed for a particular year for which you registered.

Remember to attach the documents required in this form.

A. PARTICULARS OF APPLICANT (PERSON WHO NEEDS FURTHER ASSISTANCE)

1. Title:			
2. Surname:			
3. First Names:			
4. ID number:		5. Date of birth:	
6. Gender:	*Male / Female / Other		
7. Highest level of Education:			
8. Contact details:	* Home address / Home address of other person (if applicable): <i>(State below the address where you live and to which mail may be sent. If you do not have an address, state the address of another person who can be contacted, e.g. place of worship, school, community leader, etc.)</i>		
	* Postal address / Postal address of other person (if applicable):		

Telephone Numbers:	Home: ()	Work: ()	Cell no:
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B. PARTICULARS OF FINANCIAL ASSISTANCE/AID/CONCESSIONS RECEIVED BY THE PERSON WHO NEEDS FURTHER ASSISTANCE

Complete this part only if the person who needs further assistance has received any form of assistance from the State, including National Student Financial Aid Scheme or an institution contemplated in the Skills Development Act or his / her employer, for the year for which assistance is now applied for: For example, a bursary or any discount or has been exempted from paying fees. Indicate here the form of assistance and the amount received.

1. Name of the institution / person who granted / is to grant the aid / assistance:

2. The year for which aid / assistance was received or is to be received:
3. Nature and amount of the assistance / aid received or is to be received:

4. Conditions attached to the aid / assistance:

(Attach documents to support the above information.)

C. PARTICULARS OF FURTHER ASSISTANCE NEEDED

- I. General particulars:**
 1. Year in respect of which assistance is needed:
 2. Details of higher education and training institution where you will be studying:
 - (a) Name of institution:
 - (b) Address of institution:

.....
 (Indicate the physical address, in other words, where the college is situated.)

3. Qualification/Programme registered for:

4. Names of subjects to be registered for:

5. Which of these subjects have you not passed previously and how many attempts have you made in respect thereof?

6. Have you passed 50% of the courses prescribed for the year prior to the year for which you need assistance: YES / NO

(Please attach proof of the above information.)

II. Assistance in respect of accommodation:

If assistance is needed in respect of accommodation, complete the following:

1. What is the distance between your home and the college/university?

2. If the distance between your home and the college/university is less than 30 km, please indicate why you need assistance in respect of accommodation:

(For example: Number and ages of persons sharing the house in which you live; availability of transport to and from your house and the college/university; does the house have electricity; and is there network coverage at your house)

3. Boarding home Details :

(a) Name of hostel / boarding home:

(b) Address of hostel / boarding home:
(Indicate the physical address, in other words, where the hostel / boarding home is situated.)

(c) Amount charged for boarding fees per annum which has to be paid.....
(Attach proof of the amount payable and that the person who needs assistance, is hiring accommodation.)

(d) Does the amount for boarding fees include meals? YES / NO

(e) Is the accommodation provided by the college/university: YES / NO

(f) If you want to hire accommodation not provided by the college/university, state the reasons:

III. Assistance in respect of assistive device:

If assistance is needed in respect of a **device**, complete the following:

<p>1. Amount needed to purchase a device:</p> <p>2. Particulars of the device to be purchased: </p> <p><i>(Indicate the name, make, model and price of the device.)</i></p> <p>3. Name and Address of college/university registered with: </p>
<p>IV. Assistance in respect of human support:</p> <p>If assistance is needed in respect of human support, complete the following:</p> <p>1. Amount needed for human support:</p> <p>2. Details of the human support needed:</p> <p>3. Particulars of the person providing human support:</p> <p>4. The person providing human support will be staying with the student: <input type="checkbox"/> YES / <input type="checkbox"/> NO</p> <p>5. For how many months in the year is the allowance needed:.....</p>
<div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="width: 60%; border-top: 1px solid black; padding-top: 5px;"> Signature of the student completing the form and and who needs assistance or the person completing the form on behalf of the person who needs assistance </div> <div style="width: 35%; border-top: 1px solid black; padding-top: 5px; text-align: center;"> Date </div> </div>

FORM 4**APPLICATION FOR ASSISTANCE IN RESPECT OF ASSISTIVE DEVICE****[Regulation 12]****READ THIS FIRST**

1. This application form must be completed if you have a disability and require assistance in respect of an assistive device.
2. Should the nature of your disability change over the term of study, and if this impacts directly on your ability to participate in your educational programme, then you will need to submit updated details and a full medical/rehabilitation report from a certified professional.
3. This application form must be completed by a registered medical doctor or other appropriately qualified professional and it is your responsibility to have this form completed as indicated.
4. Please ensure that this form is duly completed, signed and accompanied by all the required supporting documents, as missing or omitted information will delay the finalisation of the application or your application will not be considered.
5. This application form and supporting documentation will remain confidential.

A. PARTICULARS OF APPLICANT

1. Title:			
2. Surname:			
3. First Names:			
4. ID number:		5. Date of birth:	
6. Gender:	*Male / Female / Other		
7. Student number:			
8. Contact details:	* Home address / Home address of other person (if applicable): <i>(State below the address where you live and to which mail may be sent. If you do not have an address, state the address of another person who can be contacted, e.g. place of worship, school, community leader, etc..)</i>		
	* Postal address / Postal address of other person (if applicable):		
9. Telephone Numbers:	Home: ()	Work: ()	Cell no:
10. Please indicate your disability in the section below and give details of the disability			
DISABILITY	INDICATE WTH x	DETAILS OF DISABILITY	

Hearing (Deaf, hard of hearing, hearing deaf and hearing impaired)			
Vision (Blind, Low Vision, Deaf Blind)			
Mobility/Motor (physical function e.g. impaired upper limb or lower limb functionality, quadriplegia, paraplegia)			
Neurological and neurodevelopmental impairments (e.g. cerebral palsy, autism, foetal alcohol syndrome, traumatic head injury, stroke, epilepsy, attention and hyperactivity disorder, dyslexia, down syndrome, dyscalculia, dysgraphia) and Behaviour and social skills (caused by e.g. abuse, neglect, trauma, malnutrition)			
Cognition and learning – moderate, severe and profound intellectual disability			
Communication – little or no functional speech			
Health (diabetes, chronic conditions, mental health e.g. depression, schizophrenia, bipolar disorder)			

11. Please provide further details if you have a disability not mentioned above **AND** provide a medical report from a registered medical doctor or other appropriately qualified professional regarding this disability:

Signature of applicant or the person completing the form
on behalf of the person who needs assistance

Date

B. PARTICULARS OF REGISTERED MEDICAL DOCTOR OR QUALIFIED PROFESSIONAL

1. Title:			
2. Surname:			
3. First Names:			
4. Speciality:			
5. Telephone Numbers:	Home: ()	Work: ()	Cell no:
6. How long have you been the applicant’s doctor (or qualified professional person)?			
7. On which date did the applicant first consult you in connection with this disability?			
8. On which date did the applicant last consult you in connection with this disability?			
9. Please provide the diagnosis applicable to the applicant and how it disables the applicant:			
10. Please indicate how the disability impacts on the teaching and learning process of the applicant:			
11. Does the applicant use an assistive devise: Yes/No If yes, please – (a) specify particulars of the assistive device: (b) indicate why such device needs to be replaced:			
12. Please indicate which assistive device is now required:			
13. Please indicate whether the applicant will benefit from the assistive device that is now required:			

14. Please indicate how the applicant will benefit from the assistive device:
.....

15. Please indicate the relevance of the assistive device in relation to the particular qualification for which the applicant has registered:
.....

16. Does the applicant require assistance in the form of human support? Yes/No

If yes, please –

(a) provide details of the form/s of human support needed:
.....

(b) indicate whether the human support needed is required in order to study for the particular qualification for which the applicant has registered:
.....

(c) indicate whether the person providing human support will be required to stay/live with the applicant:
.....

17. Please provide any other information and/or comments in respect of the applicant's disability that is relevant and may assist in assessing the applicant's claim for assistance in respect of an assistive device
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

Declaration: I hereby declare and warrant that the information given above is factual, true and correct and that no material information has been withheld nor any relevant circumstances omitted.

Signature

Date.

(Doctor or qualified professional person must affix his/her stamp here to confirm their details)

ANNEXURE 2:
ASSISTIVE DEVICE
[Regulation 1]

DISABILITY	ASSISTIVE DEVICE
Hearing (Deaf, hard of aring, hearing deaf and hearing impaired)	<ol style="list-style-type: none"> 1. FM Amplification System 2. Induction Loop System 3. Personal Sound Amplification Device 4. Conversation Software for Communication with Video, Text and Voice 5. Remote Interpreting 6. Live Captioning 7. Video Closed Captioning 8. Wearable Warning System 9. Hearing aid and ear mould: <ul style="list-style-type: none"> • Body aids complete with cord and receiver • Behind-the-ear (BTE) analogue hearing aid for mild hearing loss • BTE analogue hearing aid for severe hearing loss • BTE analogue hearing aid for profound hearing loss • Canal (in-the-ear-ITE) hearing aid (mild to severe hearing loss – analogue) • Ear level (BTE/ITE) programme-able digital hearing aid • Tape & Recorder • Assistive listening device (ALD) • FM (frequency modulated system – receiver and transmitter • Sound field amplification system • Batteries for hearing aid
Vision (Blind, Low Vision, Deaf Blind)	<ol style="list-style-type: none"> 1. Desktop Electronic Magnifier 2. Portable Electronic Magnifier 3. Handheld Electronic Magnifier 4. Mouse-type Magnifier 5. Electronic Handheld Monocular 6. Optical Magnifier 7. Keyboard Literacy Software 8. Screen Magnification Software 9. Large-Print Keyboard 10. Large Display Calculator 11. Screen Reading Software 12. Refreshable Braille Display 13. Braille Reader and Note taker 14. Braille Personal Digital Assistant

	<ol style="list-style-type: none"> 15. Optical Character Recognition (OCR) Software and Hardware 16. Simple Computing Environment 17. Manual Braille Writer 18. Low and Medium Volume Braille Printer 19. High Volume Braille Printer 20. Braille Translation Software 21. Mathematics Software 22. Tactile Graphics Producing Software 23. Tactile Duplicator 24. Tactile Touchpad and Audio Software 25. Specialised e-Reader 26. Multimedia Player 27. DAISY Reading Software 28. Digital Voice Recorder 29. Talking Calculator 30. Audio Labelling Device 31. Navigational Aid for the Visually Impaired 32. Cane Mountable Electronic Travel Aid 33. Handheld Talking GPS 34. Perkins Braille 35. Tape recorder 36. Digital recorder tapes 37. Personal computer 38. Travelling alarm clock 39. Spectacles
<p>Mobility/Motor (physical function e.g. impaired upper limb or lower limb functionality, quadriplegia, paraplegia)</p>	<ol style="list-style-type: none"> 1. Speech Recognition Software 2. Mechanical Switch 3. Proximity Switch 4. Infrared Switch 5. Switch Interface Box 6. Switch Skills Software 7. Wireless Transmitter for Switch 8. Wireless Receiver 9. Alternative Mouse – Joystick 10. Alternative Mouse – Rollerball 11. Alternative Mouse – Head / Limb Mouse 12. Alternative Mouse – Eye Tracker 13. Eye Gaze Learning Software 14. Eye Gaze User’s Capability Software 15. Alternative Large-Key Keyboard 16. Alternative Keyboard Keyguard 17. Left-Handed Keyboard 18. Single Handed Keyboard 19. Head Pointer 20. Typing Stick 21. Toy / Appliance Control 22. Wheel chair <ul style="list-style-type: none"> ● manual wheel chair

	<ul style="list-style-type: none"> ● adjustable posture support chair ● motorized chair with base seating system and lap belts ● seating cushions ● tension adjustable backrest ● backrest with adjustable lateral supports ● custom backrest ● tray table ● head rest ● moulded headrest ● adjustable headrest ● custom headrest ● chin control mount ● chin control – joystick ● chin control – ball ● text-to-speech computer software ● height adjustable table <p>23. Computer (Tetra & Quadriplegic)</p> <p>24. Recorder (Tetra & Quadriplegic)</p> <p>25. Boots (footwear)</p> <p>26. Commode</p> <p>27. Walking stick</p> <p>28. Crutches</p> <p>29. Callipers</p> <p>30. Ferrules</p> <p>31. Walking frame</p> <p>32. Writing splint</p> <p>33. Ankle brace and splints</p> <p>34. Foot and leg orthotics</p> <p>35. Literacy Software for Reading and Writing Support</p> <p>36. Maths Development Software</p> <p>37. Text-to-Speech Handheld Scanner</p> <p>38. A selection of developmental resources to stimulate vision, touch, auditory skills, sense of smell</p> <p>39. Digital voice recorders</p> <p>40. Fluency device</p> <p>41. Autistic augmentative and alternative communication device</p> <p>42. AAC devices 7, including the following:</p> <ul style="list-style-type: none"> ● Dedicated computer system ● software for non-dedicated computer ● computer access devices, including specially designed keyboards and voice recognition systems ● other peripherals that provide adapted access to computers ● computer output devices adapted for monitors and printers ● software systems specific to ACC systems ● switching devices ● non-electronic ACC devices and systems
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	<p>43. Device to measure the amount of time available or elapsed</p> <p>44. Computerised wristwatch with functionality that goes beyond timekeeping</p> <p>45. Picture Symbol Software</p> <p>46. Social skills computer software</p> <p>47. Social skills board games, activities and classroom resources</p>
<p>Neurological and neurodevelopmental impairments (e.g. cerebral palsy, autism, foetal alcohol syndrome, traumatic head injury, stroke, epilepsy, attention and hyperactivity disorder, dyslexia, down syndrome, dyscalculia, dysgraphia) and Behaviour and social skills (caused by e.g. abuse, neglect, trauma, malnutrition)</p>	<p>1. Literacy Software for Reading and Writing Support</p> <p>2. Maths Development Software</p> <p>3. Text-to-Speech Handheld Scanner</p> <p>4. A selection of developmental resources to stimulate vision, touch, auditory skills, sense of smell</p> <p>5. Digital voice recorders</p> <p>6. Fluency device</p> <p>7. Autistic augmentative and alternative communication device</p> <p>8. AAC devices 7, including the following:</p> <ul style="list-style-type: none"> • Dedicated computer system • software for non-dedicated computer • computer access devices, including specially designed keyboards and voice recognition systems • other peripherals that provide adapted access to computers • computer output devices adapted for monitors and printers • software systems specific to ACC systems • switching devices • non-electronic ACC devices and systems <p>9. Device to measure the amount of time available or elapsed</p> <p>10. Computerised wristwatch with functionality that goes beyond timekeeping</p> <p>11. Picture Symbol Software</p> <p>12. Social skills computer software</p> <p>13. Social skills board games, activities and classroom resources</p>
<p>Cognition and learning – moderate, severe and profound intellectual disability</p>	<p>1. Colour-coded Mouse</p> <p>2. Mouse Skills Software</p> <p>3. Keyboard Skills Software</p> <p>4. Literacy, Numeracy, Science, Creativity Curriculum Activities Software</p> <p>5. Simulation Software for Maths, Science, Technology, Computing, Automotive Skills</p> <p>6. Literacy Development Software</p> <p>7. Mind Mapping Software</p> <p>8. Inclusive Interactive Music System</p> <p>9. Autistic augmentative and alternative communication device</p> <p>10. AAC devices 7, including the following:</p> <ul style="list-style-type: none"> • Dedicated computer system

	<ul style="list-style-type: none"> • software for non-dedicated computer • computer access devices, including specially designed keyboards and voice recognition systems • other peripherals that provide adapted access to computers • computer output devices adapted for monitors and printers • software systems specific to ACC systems • switching devices • non-electronic ACC devices and systems
<p>Communication – little or no functional speech</p>	<ol style="list-style-type: none"> 1. Portable Voice Amplifier 2. Single Message Recordable Device 3. Multi-Message Recordable Device 4. Picture Symbol Software 5. Dedicated Text-to-Speech Device 6. Dynamic Communication Device 7. Communication Software 8. Synthesised Voices 9. Literacy Software for Reading and Writing Support 10. Maths Development Software 11. Text-to-Speech Handheld Scanner 12. A selection of developmental resources to stimulate vision, touch, auditory skills, sense of smell 13. Digital voice recorders 14. Fluency device 15. Autistic augmentative and alternative communication device 16. AAC devices 7, including the following: <ul style="list-style-type: none"> • Dedicated computer system • software for non-dedicated computer • computer access devices, including specially designed keyboards and voice recognition systems • other peripherals that provide adapted access to computers • computer output devices adapted for monitors and printers • software systems specific to ACC systems • switching devices • non-electronic ACC devices and systems 17. Device to measure the amount of time available or elapsed 18. Computerised wristwatch with functionality that goes beyond timekeeping 19. Picture Symbol Software 20. Social skills computer software 21. Social skills board games, activities and classroom resources
<p>Health (diabetes, chronic conditions, mental health e.g.</p>	<ol style="list-style-type: none"> 1. Sensory Development Resources 2. Inclusive Interactive Music System

depression, schizophrenia, bipolar disorder)	
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DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING

NO. R. 3060

17 Februarie 2023

WET OP BEVORDERING VAN NASIONALE EENHEID EN VERSOENING, 1995**REGULASIES BETREFFENDE BYSTAND AAN SLAGOFFERS TEN OPSIGTE
VAN HOËR ONDERWYS EN OPLEIDING**

Die President het, kragtens artikel 27(2) van die Wet op die Bevordering van Nasionale Eenheid en Versoening, 1995 (Wet No. 34 van 1995), die Regulasies in die Bylae gemaak.

BYLAE**HOOFSTUK 1
ALGEMENE BEPALINGS****Woordomskrywing**

1. In hierdie Regulasies het enige woord of uitdrukking waaraan 'n betekenis in die Wet toegewys is, daardie betekenis en, tensy die samehang andersins aandui, beteken—
- "aansoekvorm"** die vorm waarvoor in regulasie 15 voorsiening gemaak word;
 - "administrateur"** die persoon in regulasie 5 bedoel;
 - "applikant"** 'n slagoffer wat ingevolge hierdie Regulasies om bystand aansoek doen;
 - "bystandtoestel"**—
 - (a) 'n bystandtoestel in Aanhangsel 2 tot hierdie Regulasies bedoel;
 - (b) 'n bystandtoestel ingevolge regulasie 12(7) deur die administrateur goedgekeur;
 - (c) in die geval van 'n elektroniese bystandtoestel, die sagteware wat benodig word vir die behoorlike funksionering van die bystandtoestel;
 - "begunstigde"** 'n applikant wie se aansoek om bystand ingevolge hierdie Regulasies goedgekeur word;
 - "Continuing Education and Training Act"** die "Continuing Education and Training Act", 2006 (Wet No. 16 van 2006);
 - "COVID-19"** by die toepassing van regulasie 25, die nuwe Coronavirus (2019-nCov2) wat 'n aansteeklike siekte is wat deur 'n virus veroorsaak word wat voorheen nie wetenskaplik in mense geïdentifiseer is nie, wat tydens 2019 verskyn het en in 2020 deur die Wêreld-Gesondheidsorganisasie tot 'n wêreldwye pandemie verklaar is;
 - "dae"** kalenderdae;
 - "Departement"** die staatsdepartement verantwoordelik vir hoër onderwys en opleiding;

"die Wet" Wet op die Bevordering van Nasionale Eenheid en Versoening, 1995 (Wet No. 34 van 1995);

"familielid of afhanklike van 'n slagoffer"—

- (a) 'n ouer van, of iemand wat ouerlike verantwoordelikheid oor 'n slagoffer uitoefen;
- (b) 'n persoon wat kragtens enige reg, gewoonte of oortuiging met 'n slagoffer getroud is;
- (c) 'n kind van 'n slagoffer, ongeag of sodanige kind van ouers gebore is wat getroud of nie getroud was ten tyde van bevrugting of geboorte nie of wettig aangeneem is; en
- (d) enige persoon teenoor wie 'n slagoffer 'n regsplig of gewoonteplig van ondersteuning het, of enige ander persoon wat, na van die Komitee, toe dit steeds in bedryf was, van die slagoffer afhanklik was;

"fondsadministrateur" die beampte deur die Minister van Justisie en Korrektiewe Dienste aangewys ingevolge artikel 42(5) van die Wet;

"Fonds" die Fonds ingevolge artikel 42(1) van die Wet gestig;

"gedeeltelike kwalifikasie" 'n gedeeltelike kwalifikasie soos omskryf in artikel 1 van die "National Qualifications Framework Act";

"gelde" ook—

- (a) klasgelde;
- (b) registrasiegelde;
- (c) die heffing van die Studenteverteenwoordigingsraad;
- (d) die koste van 'n biblioteekkaart;
- (e) koste rakende studenteberading, indien die kollege of inrigting vir hoër onderwys en opleiding nie gratis studenteberading voorsien nie; en
- (f) koste rakende werksplasing, indien die inrigting vir hoër onderwys en opleiding nie gratis met werksplasing bystand lewer nie;

"gemeenskapsonderwys- en -opleidingskollege" die gemeenskapsonderwys- en -opleidingskollege in die omskrywing van "college" bedoel in die "Continuing Education and Training Act";

"gestremdheid" 'n matige tot ernstige beperking in 'n persoon se vermoë om te funksioneer of vermoë om daaglikse aktiwiteite te verrig as gevolg van fisiese, sensoriese, kommunikasie, verstandelike of geestesbelemmering;

"hoër onderwys" hoër onderwys soos in artikel 1 van die Wet op Hoër Onderwys omskryf;

"hoër onderwys en opleiding"—

- (a) voortgesette onderwys en opleiding; en
- (b) hoër onderwys;

"herroepe regulasies" die Regulasies betreffende Bystand aan Slagoffers ten opsigte van Hoër Onderwys en Opleiding, 2014, wat ingevolge regulasie 34 herroep staan te word;

"huishouding" by die toepassing van regulasie 14(1), die volgende persone wat saam woon:

- (a) 'n Persoon getroud met die applikant kragtens enige wet, gebruik of geloof;
- (b) die ouers van die applikant; of
- (c) die persoon wat ouerlike verantwoordelikheid oor die applikant uitoefen;

"inrigting vir hoër onderwys" 'n inrigting vir hoër onderwys soos in artikel 1 van die Wet op Hoër Onderwys omskryf;

"inrigting vir hoër onderwys en opleiding"—

(a) 'n kollege; of

(b) 'n inrigting vir hoër onderwys;

"kollege" 'n kollege soos omskryf in artikel 1 van die "Continuing Education and Training Act";

"kollege vir tegniese en beroepsonderwys en -opleiding" 'n kollege vir tegniese en beroepsonderwys en -opleiding bedoel in die omskrywing van "college" soos omskryf in die "Continuing Education and Training Colleges Act";

"komitee" die komitee oor herstel en rehabilitasie ingestel by artikel 23 van die Wet;

"kwalifikasie" 'n "qualification" soos in artikel 1 van die "National Qualifications Framework Act";

"kwesbare huishouding" by die toepassing van regulasie 14(1)(b) 'n huishouding, wat op die datum van die aansoek om bystand, uit vier of meer lede bestaan en waar—

(a) die meerderheid van die lede van die huishouding ouer as 65 jaar is;

(b) die meerderheid van die lede van die huishouding maatskaplike bystand ingevolge die Wet op Maatskaplike Bystand ontvang;

(c) een van die lede van die huishouding, ongeag sy of haar ouderdom, fisiek of geestelik gestremd is soos beoog in artikel 9 van die Wet op Maatskaplike Bystand;

(d) een van die lede van die huishouding, wat onder die ouderdom van 18 jaar is, moet werk om tot die inkomste van die huishouding by te dra as gevolg van die beperkte inkomste van daardie huishouding;

(e) die applikant 'n ontvanger van toelaes van die Suid-Afrikaanse Agentskap vir Maatskaplike Sekerheid is; of

(f) die meerderheid van die lede van die huishouding werkloos is;

"leerling" 'n "learner" soos omskryf in artikel 1 van die "Skills Development Act";

"leerlingskap" 'n "learnership" soos beoog in die "Skills Development Act", maar nie ook 'n vaardigheidsprogram nie;

"leerstof" ook handboeke, materiale en skryfbehoeftes;

"menslike ondersteuning" by die toepassing van regulasie 13, die bystand en ondersteuning voorsien aan 'n begunstigde met 'n gestremdheid wat die begunstigde meer onafhanklik maak;

"Nasionale Skema vir Finansiële Bystand vir Studente" die regspersoon gestig deur artikel 3 van die Wet op Nasionale Skema vir Finansiële Bystand vir Studente, 1999 (Wet No. 56 van 1999);

"National Qualifications Framework Act" die "National Qualifications Framework Act", 2008 (Wet No. 67 van 2008);

"persoonlikesorgtoelaag" 'n jaarlikse stipendium aan 'n begunstigde voorsien om toiletware en ander items vir persoonlike versorging te dek;

"openbare inrigting vir hoër onderwys en opleiding"—

(a) 'n "public college" soos omskryf in artikel 1 van die "Continuing Education and Training Act"; en

(b) 'n openbare inrigting vir hoër onderwys soos omskryf in die Wet op Hoër Onderwys;

"rekenpligtige beampte" die beampte deur die Minister van Justisie en Korrektiewe Dienste aangestel kragtens artikel 42(6) van die Wet;

"Skills Development Act" die "Skills Development Act", 1998 (Wet No. 97 van 1998);

"skriftelik" ook 'n boodskap per e-pos of enige ander elektroniese toestel gestuur;

"slagoffer" 'n slagoffer soos omskryf in artikel 1 van die Wet, en wat ooreenkomstig die bepalings van die Wet deur die Waarheids-en-Versoeningskommissie bevind is 'n slagoffer te wees;

"staatsorgaan" 'n staatsorgaan soos omskryf in artikel 239 van die Grondwet van die Republiek van Suid-Afrika, 1996;

"student" 'n student soos omskryf in—

(a) die "Continuing Education and Training Act"; en

(b) die Wet op Hoër Onderwys;

"toegewyde beampte" die persoon in regulasie 5 bedoel;

"toestel" ook—

(a) toebehore, toerusting, 'n instrument, 'n gereedskapstuk of enige ander soortgelyke item of artikel en beskermende toerusting of klere; en

(b) in die geval van 'n elektroniese toestel, die sagteware benodig vir die behoorlike werking van die toestel,

maar nie ook 'n bystandtoestel wat 'n persoon met 'n gestremdheid nodig het nie;

"vaardigheidsontwikkeling" "skills development" soos in die "Skills Development Act" beoog;

"vakleerlingskap" 'n vakleerlingskap soos in artikel 1 van die "Skills Development Act" omskryf;

"Vereniging vir Gestremdheidsdienste vir Hoër en Verdere Onderwys" die voorspraak- en regtegebaseerde organisasie sonder winsoogmerk wat gestremdheidsdienste in inrigtings vir hoër onderwys en opleiding in Suid-Afrika verteenwoordig, wat erken en bekragtig is deur die Departement van Hoër Onderwys en Opleiding en ook deur Universiteite van Suid-Afrika as 'n gemeenskap van algemene praktyk aanvaar word;

"voortgesette onderwys en opleiding" voortgesette onderwys en opleiding soos omskryf in artikel 1 van die "Continuing Education and Training Act";

"vrugtelose uitgawe" by die toepassing van regulasie 27, uitgawe wat onnodig aangegaan is en vermy kon gewees het as die begunstigde redelike sorg uitgeoefen het;

"werksplasing" werksplasing soos beoog in die "Skills Development Act";

"Wet op Hoër Onderwys" die Wet op Hoër Onderwys, 1997 (Wet No. 101 van 1997); en

"Wet op Maatskaplike Bystand" die Wet op Maatskaplike Bystand, 2004 (Wet No. 13 van 2004).

Persone wat bystand kan ontvang

2. Slegs 'n slagoffer of familielid of afhanklike van 'n slagoffer kan bystand ingevolge hierdie Regulasies ontvang.

Algemene trefwydte van bystand

3. (1) 'n Slagoffer of 'n familielid of afhanklike van 'n slagoffer kan bystand ontvang ten opsigte van—

- (a) voortgesette onderwys en opleiding;
- (b) hoër onderwys; en
- (c) vaardigheidsontwikkeling.

(2) Bystand aan 'n slagoffer en 'n familielid of afhanklike van 'n slagoffer mag verleen word ten opsigte van voltydse of deeltydse studie of afstandsonderrig.

(3) 'n Slagoffer of 'n familielid of afhanklike van 'n slagoffer kan bystand ten opsigte van hierdie Regulasies ontvang selfs as hy of sy of enige ander persoon vir finansiële ondersteuning ingevolge die Nasionale Skema vir Finansiële Bystand vir Studente se "Eligibility Criteria and Conditions for Funding Policy Standard" kwalifiseer: Met dien verstande dat hy of sy of enige ander persoon nie om finansiële ondersteuning ingevolge daardie Beleid mag aansoek doen nie.

Algemene beperking op bystand

4. (1) Bystand kan aan 'n slagoffer of 'n familielid of afhanklike van 'n slagoffer voorsien word—

- (a) slegs ten opsigte van hoër onderwys en opleiding wat by 'n inrigting vir hoër onderwys en opleiding aangebied word.
- (b) slegs indien hy of sy of enige ander persoon voldoen aan die voorwaardes, kriteria en vereistes in hierdie Regulasies uiteengesit.
- (c) vir doeleindes van die verkryging van 'n kwalifikasie;
- (d) vir die doeleindes van verkryging van 'n gedeeltelike kwalifikasie soos in die "Continuing Education and Training Act" voor voorsiening gemaak;
- (e) vir slegs een kwalifikasie by een inrigting vir hoër onderwys en opleiding wat onderwys aanbied op 'n keer; en
- (f) slegs ten opsigte van die eerste voorgraadse kwalifikasie.

(2) Behoudens subregulasies (3) en (4), kan bystand aan 'n slagoffer of 'n familielid of afhanklike van 'n slagoffer verleen word slegs ten opsigte van een voorgraadse kwalifikasie.

(3) 'n Slagoffer of 'n familielid of afhanklike van 'n slagoffer wat 'n voorgraadse kwalifikasie by 'n kollege verkry het, kan bystand ontvang indien hy of sy of enige ander persoon vir die eerste keer geregistreer het vir 'n kwalifikasie by 'n inrigting vir hoër onderwys.

(4) 'n Slagoffer of 'n familielid of afhanklike van 'n slagoffer wat 'n Hoër Sertifikaat verkry het by 'n inrigting vir hoër onderwys en opleiding, kan bystand ontvang indien hy of sy of enige ander persoon vir 'n kwalifikasie by 'n inrigting vir hoër onderwys geregistreer het.

(5) 'n Slagoffer of 'n familielid of afhanklike van 'n slagoffer mag nie bystand vir 'n bykomende kursus ontvang wat nie 'n sleutelvereiste is van die kwalifikasie waarvoor hy of sy geregistreer het nie.

(6) Bystand vir akkommodasie mag nie verleen word aan 'n slagoffer of 'n familielid of afhanklike van 'n slagoffer wat deur afstandonderrig of deelyds studeer nie.

(7) Bystand ten opsigte van akkommodasie en maaltye mag slegs voorsien word aan 'n slagoffer of 'n familielid of afhanklike van 'n slagoffer met 'n gestremde en wat vir 'n gedeeltelike kwalifikasie by 'n gemeenskapsopleidingkollege geregistreer het.

(8) 'n Slagoffer of 'n familielid of afhanklike van 'n slagoffer wat bystand ontvang het—

(a) ingevolge die herroepe regulasies; of

(b) ingevolge hierdie Regulasies,

vir die tydperk in hierdie Regulasies aangedui, mag nie verdere bystand ontvang nie.

HOOFSTUK 2 ADMINISTRATIEWE REËLINGS

Owerheid verantwoordelik vir toepassing van Regulasies

5. (1) (a) Die Direkteur-generaal van die Departement is, behoudens paragraaf (b), verantwoordelik vir die toepassing van hierdie Regulasies.

(b) Die Direkteur-generaal vir die Departement van Justisie en Staatkundige Ontwikkeling is verantwoordelik vir die toepassing van hierdie Regulasies ten opsigte van aangeleenthede wat die verantwoordelikheid van die toegewyde beampte en die fondsadministrateur is.

(2) Die Direkteur-generaal van die Departement kan—

(a) 'n beampte van die Departement aanwys om die administrateur te wees vir die hantering van aansoeke om bystand ingevolge hierdie Regulasies en aangeleenthede wat daarmee in verband staan; of

(b) die toepassing van hierdie Regulasies aan die Nasionale Skema vir Finansiële Bystand vir Studente subdeleger.

(3) 'n Werknemer van die Nasionale Skema vir Finansiële Bystand vir Studente is die administrateur vir die doeleindes van subregulasie (2)(a), as die toepassing daarvan aan daardie Skema gesubdeleger word.

(4) Die Departement is verantwoordelik vir die betaling van enige gelde deur die Nasionale Skema vir Finansiële Bystand vir Studente gehef vir die toepassing van hierdie Regulasies, indien die toepassing daarvan aan daardie Skema gesubdeleger word.

(5) Die Direkteur-generaal vir die Departement van Justisie en Staatkundige Ontwikkeling moet 'n beampte van daardie Departement aanwys vir die doeleindes van bevestig van die status van 'n aansoeker ingevolge regulasie 16.

Bedrag vir bystand beskikbaar

6. (1) (a) Behoudens paragraaf (b), moet die rekenpligtige beampte jaarliks, teen nie later nie as 30 September van elke jaar, die bedrag wat vir die volgende jaar beskikbaar is vir bystand ingevolge hierdie Regulasies skriftelik bepaal.

(b) Die rekenpligtige beampte moet die bedrag wat vir bystand vir 2023 beskikbaar is, bepaal binne 10 dae nadat hierdie Regulasies in die Staatskoerant afgekondig is.

(2) Die rekenpligtige beampte moet, by die bepaling van die bedrag in subregulasie (1) beoog, in ag neem—

- (a) die bedrag wat nog in die Fonds beskikbaar is;
- (b) bestaande verbintnisse van die Fonds;
- (c) ander vorms van herstel aan slagoffers, wat ingevolge artikel 27(2) van die Wet deur die Parlement goedgekeur is en wat deur die Departement van Justisie en Staatkundige Ontwikkeling oorweeg word, wat uit die Fonds betaal moet word;
- (d) die bedrag as bystand uitbetaal in die vorige jaar ingevolge die herroepe regulasies;
- (e) die getal begunstigdes wat die vorige jaar bystand ontvang het ingevolge die herroepe regulasies; en
- (f) die getal applikante wat aan die kriteria in regulasie 14(1) van hierdie Regulasies uiteengesit, maar wat nie bystand ontvang het nie weens die toepassing van die mees verdienstelike-kriterium soos in regulasie 14(3) van hierdie Regulasies uiteengesit, indien van toepassing.

(3) Die rekenpligtige beampte kan—

- (a) uit eie beweging; of
- (b) by die aanvoer van goeie gronde deur die Direkteur-generaal van die Departement,

behoudens die beskikbaarheid van fondse, die bedrag verhoog wat ingevolge subregulasie (1)(a) vir bystand in 'n akademiese jaar bepaal is.

HOOFSTUK 3 VORME VAN BYSTAND

Bystand ten opsigte van onderwys en opleiding deur kollege vir gemeenskapsonderwys- en -opleiding aangebied

7. (1) Bystand aan 'n slagoffer of 'n familielid of afhanklike van 'n slagoffer ten opsigte van onderwys en opleiding aangebied deur 'n gemeenskapsonderwys- en -opleidingskollege, kan in die volgende vorme voorsien word:

- (a) Betaling van die werklike gelde deur die gemeenskapsonderwys- en -opleidingskollege gehel om die gedeeltelike kwalifikasie te voltooi;
- (b) ten opsigte van 'n begunstigde met 'n gestremdheid, betaling van 'n losiestoelaag ooreenkomstig subregulasies (3), (4), (5), (6), (7) en (8);
- (c) betaling van 'n vervoertoelaag van R5 552,00 per akademiese jaar ondanks die feit dat 'n begunstigde weens COVID-19 die hele jaar nie die

gemeenskapsonderwys- en -opleidingskollege kon bywoon nie: Met dien verstande dat enige deel van die toelaag wat nie vir vervoerdoeleindes gebruik word nie, gebruik moet word vir enige uitgawes wat 'n begunstigde vir doeleindes van afstandleer aangaan;

- (d) ten opsigte van 'n begunstigde met 'n gestremdheid—
- (i) betaling van 'n toelaag van R25 389,00 per akademiese jaar vir maaltye ten opsigte van voltydse onderwys en opleiding, indien die koste van akkommodasie nie die koste vir maaltye insluit nie; en
 - (ii) betaling van 'n bedrag, van hoogstens 50% van die jaarlikse maaltydtoelaag van R25 389,00, per geregistreerde semester vir maaltye ten opsigte van deeltydse of voltydse of afstandleeronderwys en -opleiding, indien die koste van akkommodasie nie die koste vir maaltye insluit nie; en
- (e) betaling van 'n persoonlikesorgtoelaag van R4 199,00 per jaar.

(2) Die bedrag waarvoor in subregulasie (1)(a) voorsiening gemaak word, moet die bedrag insluit wat benodig word om die handboeke te koop wat deur die kollege voorgeskryf word, indien enige.

(3) (a) Behoudens paragraaf (b), kan die losiestoelaag waarvoor in subregulasie (1)(b) voorsiening gemaak is, slegs betaal word as die aansoeker, op die datum van sy of haar of enige ander persoon se aansoek om bystand ingevolge regulasie 15, binne 'n radius van meer as 30 km van die gemeenskapsonderwys- en -opleidingskollege woon.

(b) Die administrateur kan, met inagneming van die faktore in paragraaf (c) bedoel, toelaat dat die losiestoelaag betaal word as die applikant op die datum van aansoek om bystand ingevolge regulasie 15 binne 'n radius van 30 km van die gemeenskapsonderwys- en -opleidingskollege woon, soos in die gemeenskapsonderwys- en opleidingskollege se rekords weerspieël.

(c) Die faktore wat ingevolge paragraaf (b) oorweeg moet word, wat gemik moet wees op die verbetering van die applikant se geleentheid om te studeer, is die volgende:

- (i) Die getal persone wat in die huis bly waar die applikant bly;
- (ii) die ouderdomme van die getal persone wat in die huis bly waar die applikant bly;
- (iii) die beskikbaarheid van vervoer van die woning van die aansoeker na die gemeenskapsonderwys- en -opleidingskollege;
- (iv) die aard, beskikbaarheid en gehalte van die elektroniese netwerkdekking in die gebied waar die applikant woonagtig is;
- (v) die aard, beskikbaarheid en gehalte van die elektrisiteitsvoorsiening in die gebied waar die applikant woonagtig is;
- (vi) enige ander faktor wat die administrateur tersaaklik ag.

(4) Die losiestoelaag in subregulasie (1)(b) kan soos volg betaal word:

- (a) Betaling van die werklike bedrag gehef vir akkommodasie deur die gemeenskapsonderwys- en -opleidingskollege voorsien op of van die kampus;
- (b) betaling vir akkommodasie geakkrediteer deur die gemeenskapsonderwys- en -opleidingskollege van 'n bedrag wat nie meer is nie as die bedrag wat die gemeenskapsonderwys- en -opleidingskollege vir akkommodasie op kampus hef; of

(c) betaling vir akkommodasie wat privaat gehuur word van 'n bedrag van hoogstens die bedrag wat gehef word vir akkommodasie wat deur die gemeenskapsonderwys- en -opleidingskollege op die kampus voorsien word.

(5) Betaling van die losiestoelaag in subregulasie (1)(b) bedoel, word toegelaat ten opsigte van akkommodasie wat privaat gehuur word, in subregulasie (4)(c) bedoel, slegs indien die gemeenskapsonderwys- en -opleidingskollege waar die begunstigde geregistreer het, nie die begunstigde kan akkommodeer in die akkommodasie wat die kollege voorsien nie.

(6) Betaling van die losiestoelaag in subregulasie (1)(b) bedoel, kan slegs gemaak word by bevestiging dat die begunstigde in die akkommodasie woon wat in die aansoekvorm aangedui is en, indien privaat akkommodasie gehuur word, by indiening van bewys van die huurkontrak.

(7) Die administrateur kan indien private akkommodasie in subregulasie (4)(c) bedoel, gehuur word, van tyd tot tyd, die nodige stappe doen om te bevestig hetsy die begunstigde akkommodasie huur en van die bedrag betaalbaar.

(8) Die losiestoelaag in subregulasie (1)(b) bedoel, kan aan 'n begunstigde betaal word ten spyte van die feit dat 'n begunstigde weens COVID-19 vir die hele akademiese jaar nie akkommodasie vir doeleindes van bywoning van die kollege nodig gehad het nie: Met dien verstande dat enige deel van die toelaag wat nie vir akkommodasiedoeleindes gebruik word nie, gebruik moet word vir enige uitgawes wat 'n begunstigde vir doeleindes van afstandleer aangaan.

Bystand ten opsigte van onderwys en opleiding deur kollege vir tegniese en beroepsonderwys en -opleiding aangebied

8. (1) Bystand aan 'n slagoffer of 'n familielid of afhanklike van 'n slagoffer ten opsigte van onderwys en opleiding aangebied deur 'n kollege vir tegniese en beroepsonderwys en -opleiding, kan in die volgende vorme voorsien word:

- (a) Betaling van die werklike gelde gehef deur die kollege vir tegniese en beroepsonderwys en -opleiding per akademiese jaar;
- (b) betalings van 'n losiestoelaag ooreenkomstig subregulasies (2), (3), (4), (5), (6) en (7);
- (c) betaling van 'n vervoertoelaag van R11 106,00 per akademiese jaar ondanks die feit dat 'n begunstigde weens COVID-19 die hele jaar nie die kollege vir tegniese en beroepsonderwys en -opleiding kon bywoon nie: Met dien verstande dat enige deel van die toelaag wat nie vir vervoerdoeleindes gebruik word nie, gebruik moet word vir enige uitgawes wat 'n begunstigde vir doeleindes van afstandleer aangaan;
- (d) betaling van 'n toelaag van R5 552,00 per jaar ten opsigte van leerstof;
- (e) betaling van 'n persoonlikesorgtoelaag van R4 199,00 per jaar;
- (f)
 - (i) betaling van 'n toelaag van R25 389,00 per akademiese jaar vir maaltye ten opsigte van voltydse onderwys en opleiding, indien die koste van akkommodasie nie die koste vir maaltye insluit nie; en
 - (ii) betaling van 'n bedrag, van hoogstens 50% van die jaarlikse maaltydtoelaag van R25 389,00, per geregistreerde semester vir maaltye ten opsigte van

deelydse of voltydse of afstandsl eeronderwys en -opleiding, indien die koste van akkommodasie nie die koste vir maaltye insluit nie;

- (g) betaling van 'n eenmalige toelaag van hoogstens R11 108,00 om 'n toestel te koop; en
- (h) by indiening van die motivering in subregulasie (9) bedoel, betaling van 'n eenmalige toelaag van hoogstens R4 760,00 om 'n toestel te koop wat verpligting vir die program, opleiding of leer is.

(2) (a) Behoudens paragraaf (b), kan die losiestoelaag waarvoor in subregulasie (1)(b) voorsiening gemaak is, slegs betaal word as die aansoeker, op die datum van sy of haar of enige ander persoon se aansoek om bystand ingevolge regulasie 15, binne 'n radius van meer as 30 km van die kollege vir tegniese en beroepsonderwys en -opleiding woon.

(b) Die administrateur kan, met inagneming van die faktore in paragraaf (c) bedoel, toelaat dat die losiestoelaag betaal word as die applikant op die datum van aansoek om bystand ingevolge regulasie 15 binne 'n radius van 30 km van die kollege vir tegniese en beroepsonderwys en -opleiding woon, soos in die kollege vir tegniese en beroepsonderwys en -opleiding se rekords weerspieël.

(c) Die faktore wat ingevolge paragraaf (b) oorweeg moet word, wat gerig moet wees op die verhoging van die applikant se geleent hede om te studeer, is die volgende:

- (i) Die getal persone wat in die huis bly waar die applikant bly;
- (ii) die ouderdomme van die getal persone wat in die huis bly waar die applikant bly;
- (iii) die beskikbaarheid van vervoer van die woning van die aansoeker na die kollege vir tegniese en beroepsonderwys en -opleiding;
- (iv) die aard, beskikbaarheid en gehalte van die elektroniese netwerkdekking in die gebied waar die applikant woonagtig is;
- (v) die aard, beskikbaarheid en gehalte van die elektrisiteitsvoorsiening in die gebied waar die applikant woonagtig is; en
- (vi) enige ander faktor wat die administrateur tersaaklik ag.

(3) Die losiestoelaag in subregulasie (1)(b) kan soos volg betaal word:

- (a) Betaling van die werklike bedrag gehef vir akkommodasie deur die kollege vir tegniese en beroepsonderwys en -opleiding voorsien op of van die kampus;
- (b) betaling vir akkommodasie geakkrediteer deur die kollege vir tegniese en beroepsonderwys en -opleiding van 'n bedrag wat nie meer is nie as die bedrag wat die kollege vir tegniese en beroepsonderwys en -opleiding vir akkommodasie op kampus hef; of
- (c) betaling vir akkommodasie wat privaat gehuur word van 'n bedrag van hoogstens die bedrag wat gehef word vir akkommodasie wat deur die kollege vir tegniese en beroepsonderwys en -opleiding op die kampus voorsien word.

(4) Betaling van die losiestoelaag in subregulasie (1)(b) bedoel, word toegelaat ten opsigte van akkommodasie wat privaat gehuur word, in subregulasie (3)(c) bedoel, slegs indien die kollege waar die begunstigde geregistreer het, nie die begunstigde kan akkommodeer in die akkommodasie wat die kollege voorsien nie.

(5) Betaling van die losiestoelaag in subregulasie (1)(b) bedoel, kan slegs gemaak word by bevestiging dat die begunstigde in die akkommodasie woon wat

in die aansoekvorm aangedui is en, indien privaat akkommodasie gehuur word, by indiening van bewys van die huurkontrak.

(6) Die administrateur kan indien private akkommodasie in subregulasie (3)(c) bedoel, gehuur word, van tyd tot tyd, die nodige stappe doen om te bevestig hetsy die begunstigde akkommodasie huur en van die bedrag betaalbaar.

(7) Die losiestoelaag in subregulasie (1)(b) bedoel, kan aan 'n begunstigde betaal word ten spyte van die feit dat 'n begunstigde weens COVID-19 vir die hele akademiese jaar nie akkommodasie vir doeleindes van bywoning van die kollege nodig gehad het nie: Met dien verstande dat enige deel van die toelaag wat nie vir akkommodasiedoeleindes gebruik word nie, gebruik moet word vir enige uitgawes wat 'n begunstigde vir doeleindes van afstandleer aangaan.

(8) Die toelaag waarvoor in subregulasie (1)(d) voorsiening gemaak is, mag nie ten opsigte van aanvullende modules uitbetaal word nie.

(9) Die toelaag waarvoor in subregulasie (1)(h) voorsiening gemaak word, kan slegs betaal word indien die hoof van die tersaaklik departement van die kollege motivering op 'n briefhoof van die betrokke kollege indien en sertifiseer dat die toestel verpligtend vir die program, opleiding of leer is.

(10) (a) Ondanks subregulasie (1)(g) en (h), maar behoudens subparagrafe (b) en (d), kan 'n toestel wat gesteel of beskadig is nadat dit aan die begunstigde voorsien is maar tydens die tydperk van opleiding, leer of onderwys van die begunstigde waarvoor bystand ingevolge hierdie Regulasies verleen word, onder buitengewone omstandighede op onkoste van die Fonds vervang word.

(b) 'n Toestel in subparagraaf (a) bedoel, kan slegs vervang word—

- (i) indien, na mening van die administrateur, die begunstigde te alle tye pligsgetrou was in die bewaring en hantering van die toestel; en
- (ii) met die goedkeuring van die fondsadministrateur.

(c) Die administrateur kan, by die vorm van 'n opinie ingevolge paragraaf (b)(i)—

- (i) die redes in ag neem waarom die begunstigde die toestel nodig het;
- (ii) in ag neem hoe die begunstigde uit die toestel sal voordeel trek; en
- (iii) in ag neem hoe die omstandighede waaronder die diefstal gepleeg is of skade plaasgevind het.

(d) 'n Toestel in subparagraaf (a) bedoel, kan slegs vervang word by indiening deur die begunstigde van ondersteunende dokumente, met inbegrip van 'n beëdigde verklaring en, in die geval waar die toestel gesteel is, bewys dat 'n diefstalsaak by 'n polisiestasie ingedien is.

(11) 'n Begunstigde wat 'n toestel ingevolge subregulasie (1)(g) en (h) ontvang het, word die eienaar daarvan.

(12) 'n Begunstigde wat 'n toestel ingevolge hierdie regulasie ontvang het, moet verseker dat die toestel vir die doel waarvoor dit bedoel is, gebruik word en dat dit te alle tye teen verlies of skade beskerm word.

Bystand ten opsigte van hoër onderwys

9. (1) Bystand aan 'n slagoffer of 'n familielid of afhanklike van 'n slagoffer ten opsigte van hoër onderwys, kan in die volgende vorme voorsien word:

- (a) Betaling van die werklike gelde per akademiese jaar deur 'n inrigting vir hoër onderwys gehef ten opsigte van 'n hoër onderwyskwalifikasie;
- (b) betaling van 'n losiestoelaag ooreenkomstig regulasie 8(2), (3), (4), (5), (6) en (7);
- (c) betaling van 'n vervoertoelaag van R9 256,00 per akademiese jaar ondanks die feit dat 'n begunstigde weens COVID-19 die hele jaar nie die inrigting vir hoër onderwys kon bywoon nie: Met dien verstande dat enige deel van die toelaag wat nie vir vervoerdoeleindes gebruik word nie, gebruik moet word vir enige uitgawes wat 'n begunstigde vir doeleindes van afstandleer aangaan;
- (d) betaling van 'n toelaag van R9 256,00 per akademiese jaar ten opsigte van leerstof;
- (e) betaling van 'n persoonlikesorgtoelaag van R4 199,00 per akademiese jaar;
- (f) (i) betaling van 'n toelaag van R25 389,00 per akademiese jaar vir maaltye 'n voltydse hoër onderwyskwalifikasie, indien die koste van akkommodasie nie die koste vir maaltye insluit nie; en
(ii) betaling van 'n bedrag, van hoogstens 50% van die jaarlikse maaltydtoelaag van R25 389,00, per geregistreerde semester vir maaltye ten opsigte van deeltydse of voltydse of afstandleer hoër onderwys en kwalifikasie, indien die koste van akkommodasie nie die koste vir maaltye insluit nie;
- (g) betaling van 'n eenmalige toelaag van hoogstens R11 108,00 om 'n toestel te koop; en
- (h) by indiening van die motivering in regulasie 8(9) bedoel, betaling van 'n eenmalige toelaag van hoogstens R4 760,00 om 'n toestel te koop wat verpligtend vir die program, opleiding of leer is.

(2) Die toelaag waarvoor in subregulasie (1)(d) voorsiening gemaak is, mag nie ten opsigte van aanvullende modules uitbetaal word nie.

(3) Regulasie 8(10), (11) en (12) is van toepassing, met die nodige veranderinge soos die samehang vereis, op bystand waarvoor in hierdie regulasie voorsiening gemaak word.

Bystand ten opsigte van vaardigheidsontwikkeling

10. (1) Bystand aan 'n slagoffer of 'n familielid of afhanklike van 'n slagoffer ten opsigte van vaardigheidsontwikkeling, kan in die volgende vorme voorsien word:

- (a) Betaling van die werklike gelde deur 'n inrigting gehef om 'n leerlingskap te voltooi;
- (b) betaling van die werklike gelde deur 'n inrigting gehef om 'n vakmanskap te voltooi;
- (c) betaling van 'n toelaag van R2 776,00 per maand;
- (d) betaling van 'n persoonlikesorgtoelaag van R3 199,00 per jaar; en
- (e) betaling van 'n toelaag van R25 389,00 per jaar vir maaltye.

(2) Die toelaag waarvoor in subregulasie (1)(c) voorsiening gemaak word, kan slegs betaal word—

- (a) tydens die werkservaringkomponent van die leerlingskap of vakleerlingskap; en

- (b) indien 'n leerder voldoen aan die voorwaardes rakende betaling van die toelaag soos bepaal in die leerlingskapooreenkoms waarvoor in artikel 17 van die "Skills Development Act", voorsiening gemaak word.

Tydperk van bystand

11. (1) 'n Slagoffer of 'n familielid of afhanklike van 'n slagoffer kan slegs bystand ontvang vir die minimum tydperk van studie vir die—

- (a) kwalifikasie soos deur die betrokke kollege of inrigting vir hoër onderwys bepaal; en
 (b) gedeeltelike kwalifikasie soos deur die kollege bepaal, plus, vir **twee** bykomende **jare**, waar die slagoffer of 'n familielid of afhanklike van 'n slagoffer nie die betrokke studies in die vermelde minimum aantal jare kon voltooi nie.

(2) 'n Slagoffer of 'n familielid of afhanklike van 'n slagoffer kan slegs bystand ten opsigte van vaardigheidsontwikkeling ontvang vir 'n tydperk van hoogstens—

- (a) 18 maande ten opsigte van 'n leerlingskap; en
 (b) 36 maande ten opsigte van 'n vakleerlingskap.

(3) 'n Slagoffer of 'n familielid of afhanklike van 'n slagoffer, in subregulasie (1) bedoel, wat bystand ontvang en na 'n ander program of ander inrigting verander wat onderwys en opleiding aanbied, kan slegs bystand ontvang vir die oorblywende gedeelte van die minimum tydperk van studies vir die kwalifikasie of gedeeltelike kwalifikasie waarvoor oorspronklik geregistreer is, plus vir twee bykomende jare, waar die slagoffer nie die betrokke studies in die vermelde minimum jare kon afhandel nie.

HOOFSTUK 4 BYSTAND VIR APPLIKANTE MET GESTREMDHEID

Bystand rakende bystandtoestel

12. (1) Bystand aan 'n slagoffer of 'n familielid of afhanklike van 'n slagoffer met 'n gestremdheid, ten opsigte van 'n bystandtoestel, kan voorsien word in die vorm van die betaling van—

- (a) 'n eenmalige toelaag om 'n bystandtoestel te koop;
 (b) enige gelde gehef vir opleiding oor die bedryf van 'n bystandtoestel deur die verskaffer wat die bystandtoestel aan 'n begunstigde met 'n gestremdheid verkoop het, indien sodanige begunstigde opleiding benodig.
 (c) enige gelde gehef vir opgradering of herstel van 'n bystandtoestel deur die verskaffer wat die bystandtoestel aan die begunstigde met 'n gestremdheid verkoop het, indien sodanige bystandtoestel jaarliks opgradering of herstel verg.

(2) (a) Die toelaag waarvoor in subregulasie (1)(a) voorsiening gemaak word, kan slegs betaal word as 'n slagoffer of 'n familielid of afhanklike van 'n slagoffer nie reeds 'n bystandtoestel besit of een gebruik nie, ongeag hoe dit verkry is, tensy die bystandtoestel, na mening van die administrateur, nie meer doeltreffend is nie weens tegnologiese vorderings of enige ander rede wat nie aan

die nalatigheid aan die kant van die begunstigde wat die bystandtoestel gebruik, toegeskryf kan word nie.

(b) Die administrateur moet, by die vorm van 'n opinie ingevolge paragraaf (a), enige persoon of organisasie raadpleeg wat kennis oor die toestel en die werking daarvan dra, met inbegrip van enige persoon of instelling wat op die lys van Nasionale Gestremdhedsorganisasie of die lys van Nasionale Sektorale Organisasies verskyn wat deur die Departement van Maatskaplike Ontwikkeling saamgestel is.

(3) Die toelaag waarvoor in subregulasie (1)(a) voorsiening gemaak word, kan slegs goedgekeur word—

- (a) by indiening van 'n skriftelike assessering, wat wesenlik dieselfde is as Vorm 4 in Aanhangsel 1, wat deur 'n geregistreerde mediese dokter of ander professionele persoon met gepaste kwalifikasies ingevul is; en
- (b) by verklaring deur 'n persoon in paragraaf (a) bedoel waarin vermeld word—
 - (i) hoekom die begunstigde die bystandtoestel benodig;
 - (ii) dat die begunstigde by die bystandtoestel sal baat vind; en
 - (iii) hoe die begunstigde by die bystandtoestel sal baat vind; en
- (c) as die bystandtoestel—
 - (i) toegang tot onderrig- en leerhulpbronne sal vergemaklik;
 - (ii) met die begunstigde se gestremdheid verband hou; en
 - (iii) benodig word ten einde vir die bepaalde kwalifikasie of gedeeltelike kwalifikasie te studeer.

(4) Die administrateur kan, as 'n begunstigde met 'n gestremdheid 'n bystandtoestel in paragraaf (b) van die omskrywing van bystandtoestel bedoel, benodig, goedkeur indien die administrateur na—

- (a) ontvangs van 'n assessering in subregulasie (3)(a) bedoel;
- (b) oorweging van die faktore in subregulasie (3)(c) bedoel; en
- (c) raadpleging van 'n organisasie of enige persoon wat kennis dra van die bepaalde vorm van gestremdhede en die bystandtoestel om sodanige persoon te help, met inbegrip van die persone en instelling in subregulasie (2)(b) bedoel, van mening is dat die betrokke toestel nodig is.

(5) Enige bystandtoestel waarvoor in hierdie regulasie voorsiening gemaak word kan slegs gekoop word met die goedkeuring van die—

- (a) fondsadministrateur, indien die totale koste van 'n bystandtoestel ten opsigte van 'n bepaalde begunstigde nie meer as R48 977,00 is nie; of
- (b) rekenpligtige beampte, indien die totale koste van 'n bystandtoestel ten opsigte van 'n bepaalde begunstigde meer as R48 977,00 is.

(6) (a) Ondanks subregulasie (2)(a), maar behoudens paragrawe (b) en (d), kan 'n bystandtoestel wat gesteel of beskadig is nadat dit aan die begunstigde voorsien is, maar tydens die tydperk van opleiding, leer of onderwys van die begunstigde waarvoor bystand ingevolge hierdie Regulasies verleen word, onder buitengewone omstandighede op onkoste van die Fonds vervang word.

(b) 'n Bystandtoestel in subparagraaf (a) bedoel, kan slegs vervang word—

- (i) indien, na mening van die administrateur, die begunstigde te alle tye pligsgetrou was in die bewaring en hantering van die toestel; en
- (ii) met die goedkeuring van die fondsadministrateur.

(c) Die administrateur kan, by die vorm van 'n opinie ingevolge paragraaf (b)(i)—

- (i) 'n organisasie of enige persoon of instelling in subregulasie (2)(b) bedoel wat kennis oor die gestremdheid van die begunstigde wie se bystandtoestel gesteel of beskadig is, raadpleeg;
- (ii) die begunstigde se gestremdheid in ag neem; en
- (iii) in ag neem hoe die omstandighede waaronder die diefstal gepleeg is of skade plaasgevind het.

(d) 'n Bystandtoestel in subparagraaf (a) bedoel, kan slegs vervang word by indiening deur die begunstigde met die gestremdheid van ondersteunende dokumente, met inbegrip van 'n beëdigde verklaring en, in die geval waar die toestel gesteel is, bewys dat 'n diefstalsaak by 'n polisiestasie ingedien is.

(7) 'n Bystandtoestel kan slegs van 'n verskaffer gekoop word wat deur die Vereniging vir Gestremdheidsdienste vir Hoër en Verdere Onderwys geakkrediteer is.

(8) 'n Begunstigde met 'n gestremdheid wat 'n bystandtoestel ingevolge hierdie regulasie ontvang het, word die eienaar daarvan.

(9) 'n Begunstigde wat 'n toestel ingevolge hierdie regulasie ontvang het, moet verseker dat die bystandtoestel vir die doel waarvoor dit bedoel is, gebruik word en dat dit te alle tye teen verlies of skade beskerm word.

Bystand rakende menslike ondersteuning

13. (1) Behoudens subregulasie (3), kan bystand verleen word in die vorm van die betaling van 'n toelaag van hoogstens R65 303,00 per akademiese jaar vir menslike ondersteuning wat aan 'n begunstigde met 'n gestremdheid verskaf moet word.

(2) 'n Persoon wat menslike ondersteuning verskaf aan 'n begunstigde met 'n gestremdheid ingevolge hierdie regulasie, kan 'n bedrag ontvang soortgelyk aan—

(a) die losiestoelaag waarvoor in regulasie 8(1)(b) of 9(1)(b) voorsiening gemaak word; en

(b) die maaltydtoelaag waarvoor in regulasie 8(1)(f) of 9(1)(f) voorsiening gemaak word, indien 'n persoon wat menslike ondersteuning verskaf, by die begunstigde moet inwoon weens die aard van die gestremdheid van die begunstigde.

(3) (a) Die toelaag waarvoor in subregulasie (1) voorsiening gemaak word, kan slegs goedgekeur word indien die administrateur van oordeel is dat die vorm van menslike ondersteuning deur 'n begunstigde met 'n gestremdheid aangevra—

- (i) toegang tot onderrig- en leerhulpbronne sal vergemaklik;
- (ii) met die begunstigde se gestremdheid verband hou; en
- (iii) benodig word ten einde vir die bepaalde kwalifikasie of gedeeltelike kwalifikasie te studeer.

(b) Die administrateur moet, by die vorm van 'n mening ingevolge paragraaf (a), 'n organisasie of enige persoon of instelling in regulasie 12(3)(b) bedoel, wat kennis dra oor die gestremdheid van die begunstigde wat menslike ondersteuning aanvra en die vorm van menslike ondersteuning, raadpleeg.

HOOFSTUK 5 EERSTEKEER-APPLIKANTE

Voorwaardes vir bystand vir eerstekeer-applikante

14. (1) 'n Slagoffer of 'n familielid of afhanklike van 'n slagoffer mag, behoudens beskikbaarheid van geld in die Fonds, die bystand waarvoor in hierdie Regulasies voorsiening gemaak word ontvang, indien op die datum van die aansoek om bystand—

- (a) die jaarlikse bruto inkomste van die huishouding waarvan hy of sy 'n lid is, nie R650 011,00 oorskry nie; of
- (b) hy of sy as 'n lid van 'n kwesbare huishouding kwalifiseer.

(2) Die jaarlikse bruto inkomste van die huishouding is die totale bedrag in kontant of andersins ontvang deur of toegeval aan of ten gunste van die huishouding, ongeag die bron en aard daarvan.

(3) (a) Die administrateur moet, indien daar nie voldoende fondse vir 'n bepaalde jaar beskikbaar is om bystand aan al die slagoffers en familieledede of afhanklikes van slagoffers te verleen nie, bepaal watter aansoeke mees verdienstelik is.

(b) Wanneer bepaal word watter aansoeke die mees verdienstelike is, moet die administrateur—

- (i) die jaarlikse bruto inkomste van die huishouding waarvan die slagoffer of 'n familielid of afhanklike van die slagoffer 'n lid is;
- (ii) die getal lede van die huishouding;
- (iii) die getal lede van die huishouding wat tot die huishoudelike inkomste bydra;
- (iv) die vlak van opvoeding van die slagoffer of 'n familielid of afhanklike van 'n slagoffer, waar 'n aansoek van 'n persoon met 'n laer vlak van opvoeding as meer verdienstelik beskou word;
- (v) indien die slagoffer of 'n familielid of afhanklike van die slagoffer 'n verstandelike of fisiese gestremdheid het soos in artikel 9 van die Wet op Maatskaplike Bystand beoog; en
- (vi) die bedrag van finansiële hulp, bystand of toewyding waarvoor in regulasie 13(3) voorsiening gemaak word, ontvang deur die slagoffer of 'n familielid of afhanklike van die slagoffer, indien van toepassing, in ag neem.

(4) 'n Slagoffer of 'n familielid of afhanklike van 'n slagoffer wat—

- (a) bystand ingevolge hierdie Regulasies ontvang het;
- (b) verdere bystand wil ontvang om die studies te voltooi; en
- (c) behoudens subregulasie (1), aan al die voorwaardes, maatstawwe en vereistes vervat in hierdie Regulasies, voldoen,

geniet voorkeur bo enige ander applikant, indien daar nie voldoende fondse in 'n bepaalde jaar beskikbaar is nie.

(5) 'n Slagoffer of 'n familielid of afhanklike van 'n slagoffer kan slegs bystand ingevolge hierdie Regulasies ontvang indien die applikant toelating gekry het tot 'n openbare inrigting vir hoër onderwys of tot 'n inrigting vir 'n leerlingskap of vakleerlingskap.

Aansoek om bystand vir eerstekeer-applikante

15. (1) 'n Persoon wat ouerlike verantwoordelikheid oor 'n familielid of afhanklike van 'n slagoffer uitoefen, moet 'n aansoek om bystand medeonderteken en die sertifikaat in subregulasie (5) bedoel, invul as die familielid of afhanklike van 'n slagoffer nie handelingsbevoeg is nie.

(2) (a) 'n Aansoek om bystand moet gebring word op 'n vorm wat wesenlik met Vorm 1 van Aanhangsel 1 ooreenstem.

(b) Die vorm in paragraaf (a) bedoel, moet op die webwerwe van die Departement en die Departement van Justisie en Staatkundige Ontwikkeling beskikbaar wees, asook by die kantore van die toegewyde beampte, die fondsadministrateur en die administrateur.

(3) 'n Aansoek om bystand en 'n daaropvolgende aansoek om bystand—

(a) vir die 2023-akademiese jaar, moet by die toegewyde beampte ingedien word binne 60 dae nadat hierdie Regulasies in die Staatskoerant afgekondig is; en

(b) vir daaropvolgende akademiese jaar, moet by die toegewyde beampte ingedien word op of voor 30 September van elke jaar.

(4) (a) 'n Aansoek moet enige finansiële hulp, bystand of konsessie bekend maak wat ontvang is of ontvang gaan word vir die bepaalde jaar waarvoor om bystand aansoek gedoen word, van staatsorgane, met inbegrip van die Nasionale Skema vir Finansiële Bystand vir Studente, of 'n inrigting beoog in die "Skills Development Act, of van die applikant se werkgewer.

(b) Enige bedrag aldus ontvang, moet bereken en afgetrek word van die bedrag waarvoor die begunstigde ingevolge hierdie Regulasies kwalifiseer.

(c) 'n Begunstigde wat enige finansiële steun, bystand of konsessie van 'n staatsorgaan, met inbegrip van die Nasionale Skema vir Finansiële Bystand vir Studente, of 'n instelling beoog in die "Skills Development Act", of van die werknemer, ontvang nadat sy of haar aansoek om bystand goedgekeur is, moet daardie feit skriftelik aan die administrateur openbaar maak.

(d) Enige bedrag ontvang soos in paragraaf (c) bedoel, moet bereken en afgetrek word van die bedrag wat nog aan die begunstigde betaal moet word of waarvoor die begunstigde ingevolge hierdie Regulasies vir die volgende jaar kan kwalifiseer.

(5) (a) 'n Applikant of die persoon wat ouerlike verantwoordelikheid oor 'n familielid of afhanklike van 'n slagoffer uitoefen, moet sertifiseer dat die inligting wat in die aansoekvorm verstrekkend word, korrek is.

(b) 'n Applikant moet verseker dat die volle besonderhede van die inrigting vir hoër onderwys en opleiding waar die applikant geregistreer gaan word, in die aansoekvorm is.

(6) (a) Die dokumente in die aansoekvorm vereis, moet by die aansoekvorm aageheg word.

(b) Die administrateur kan weier om 'n aansoek te oorweeg as die dokumente wat in die aansoekvorm vereis word, nie aangeheg is nie, maar slegs nadat die administrateur redelike stappe gedoen het om die applikant te help om hierdie dokumente te kry.

(7) Die aansoekvorm moet, nadat dit ingevul is, elektronies of per faks of geregistreerde pos aan die toegewyde beampte voorgelê word.

(8) 'n Slagoffer of 'n familielid of afhanklike van 'n slagoffer wat ingevolge hierdie Regulasies om bystand aansoek gedoen het vir 'n bepaalde jaar, maar wie se aansoek nie goedgekeur is nie weens nievoldoening aan die voorwaardes, kriteria en vereistes waarvoor in hierdie Regulasies voorsiening gemaak word, kan om bystand ten opsigte van enige ander daaropvolgende jaar aansoek doen.

Bevestiging van status van aansoek van eerstekeer-aansoekers

16. (1) Behoudens subregulasie (2), moet die toegewyde beampte binne 30 dae na ontvangs van die aansoekvorm beoog in regulasie 15—

- (a) verifieer of die persoon as 'n slagoffer aangedui in die aansoekvorm, 'n slagoffer is vir die doeleindes van hierdie Regulasies; en
- (b) waar van toepassing, verifieer of die persoon in die aansoekvorm as 'n familielid of afhanklike van 'n slagoffer aangedui, soos ingevolge paragraaf (c) van die omskrywing van "slagoffer" in artikel 1 van die Wet, so 'n familielid of afhanklike van 'n slagoffer is.

(2) (a) Die toegewyde beampte mag, ten einde die inligting waarna in subregulasie (1) verwys word, te bevestig—

- (i) vereis dat die applikant bykomende inligting of dokumentasie oor die aansoek verskaf; of
- (ii) met die applikant se toestemming, die vereiste inligting of dokumentasie van enige ander persoon of inrigting verkry.

(b) Waar die toegewyde beampte bykomende inligting vereis, moet die tydperk van 30 dae in subregulasie (1) bedoel, bereken word vanaf die datum van ontvangs van die bykomende inligting.

(3) (a) Die toegewyde beampte moet 'n sertifikaat invul op 'n vorm wat wesenlik dieselfde as Vorm 2 in Aanhangsel 1 is indien die beampte bevind dat die persoon wat om bystand aansoek doen 'n slagoffer of 'n familielid of afhanklike van 'n slagoffer is.

(b) Die toegewysde beampte moet, indien daardie beampte 'n aansoek om bystand ontvang van 'n slagoffer of 'n familielid of afhanklike van 'n slagoffer ten opsigte van wie 'n sertifikaat waarvoor in paragraaf (a) voorsiening gemaak word, alreeds voorheen uitgereik is, 'n gesertifiseerde kopie daarvan tesame met die aansoek aan die administrateur voorlê.

(c) Die toegewyde beampte moet die prosedure volg waarvoor in regulasie 18(3) voorsiening gemaak word indien daardie beampte voornemens is om 'n bevinding te maak dat die applikant nie 'n slagoffer of 'n familielid of afhanklike van 'n slagoffer vir die doeleindes van hierdie Regulasies is nie.

(d) Die bepalinge van regulasie 18(4) en (5) is van toepassing met die nodige veranderinge soos deur die samehang vereis ten opsigte van besluite van die toegewyde beampte kragtens hierdie regulasie.

(e) Die toegewyde beampte moet nie 'n aansoek vir oorweging aan die administrateur voorlê nie indien die toegewyde beampte bevind dat die applikant

nie 'n slagoffer of 'n familielid of afhanklike van 'n slagoffer vir die doeleindes van hierdie Regulasies is nie.

(4) Die toegewyde beampte moet by voltooiing van die sertifikaat waarvoor in subregulasie (3)(a) voorsiening gemaak word, die aansoekvorm, die aanhangsels daartoe en die sertifikaat aan die administrateur voorlê en die applikant skriftelik daarvan verwittig.

Verwerking van eerstekeer-aansoek om bystand

17. (1) Die administrateur moet, by ontvangs van die ingevulde aansoekvorm en die sertifikaat waarvoor in regulasie 16(3) voorsiening gemaak word—

- (a) vir die doeleindes van die spoedige verwerking van die aansoek, enige verdere inligting of dokumentasie verkry of enige onsekerheid met betrekking tot die inligting in die aansoekvorm uitklaar; en
- (b) oortuig wees dat—
 - (i) die bystand waarom aansoek gedoen word binne die trefwydte van hierdie Regulasies val;
 - (ii) die voorwaardes, maatstawwe en vereistes waarvoor in hierdie Regulasies voorsiening gemaak word, aan voldoen of vervul is;
 - (iii) 'n besluit nie alreeds gemaak is met betrekking tot die begunstigde vir die bepaalde jaar ten opsigte waarvan om bystand aansoek gedoen word nie, met verwysing na die register waarna in regulasie 31(4) verwys word of enige ander dokument wat inligting in hierdie verband bevat; en
 - (iv) daar voldoende fondse beskikbaar is om die bystand te verleen waarom aansoek gedoen word

(2) Die administrateur moet, vir die doeleindes van hierdie regulasie, die aansoek om bystand, oorweeg op grond van dokumentêre bewyse, insluitend 'n beëdigde verklaring indien geen ander dokumentêre bewyse beskikbaar is nie.

Besluit oor eerstekeer-aansoeke om bystand

18. (1) Die administrateur mag nie 'n besluit met betrekking tot 'n aansoek om bystand neem voor die verstryking van die afsnydatums in regulasie 15(3) bedoel nie.

(2) (a) Die administrateur moet 'n besluit neem oor 'n aansoek—

- (i) binne 120 dae ná verstryking van die afsnydatum; of
 - (ii) binne 60 dae ná ontvangs van die aansoekvorm vanaf die toegewyde beampte ingevolge regulasie 16(4),
- welke datum ook al laaste is.

(b) Die tydperk in paragraaf (a) bedoel kan, indien die administrateur—

- (i) ingevolge regulasie 17(1)(a), vir 'n tydperk gelykstaande aan die tydperk vereis om die bykomende inligting te ontvang of die onsekerheid op te klaar, verleng word; en
- (ii) ingevolge subregulasie (3)(a), verleng word vir 'n tydperk gelykstaande aan die tydperk bereken vanaf die datum van daardie kennisgewing tot die datum, in daardie kennisgewing gespesifiseer, waarbinne die applikant mag reageer.

(3) (a) Die administrateur moet, indien hy of sy voornemens is om 'n aansoek om bystand te weier, die applikant skriftelik van sy of haar voorneme en die diskwalifiserende faktor in kennis stel en die applikant uitnoui om daarop te reageer op die wyse en voor die datum in die kennisgewing deur die administrateur gespesifiseer.

(b) Die datum deur die administrateur gespesifiseer in die kennisgewing waarna in paragraaf (a) verwys word, moet 'n tydperk van ten minste 40 dae toelaat vir die applikant om te reageer.

(c) Die administrateur kan, indien geen antwoord ná die verstryking van die datum in die kennisgewing gespesifiseer, ontvang word nie, 'n besluit ten opsigte van die aansoek om bystand neem.

(d) Die administrateur moet, in die geval waar 'n antwoord van die applikant ontvang word, die antwoord by ontvangs daarvan oorweeg en 'n besluit ten opsigte van die aansoek om bystand neem.

(4) Die administrateur moet skriftelik—

- (a) die besluit;
- (b) die redes vir die besluit;
- (c) die bedrag betaalbaar; en
- (d) die berekenings wat gemaak is, insluitend die berekenings in die geval waar enige aftrekkings ingevolge regulasie 15(4)(b) of (d) gemaak is, aanteken.

(5) Die administrateur moet, binne sewe dae nadat 'n besluit geneem word, die applikant mondelings, indien sy of haar kontakbesonderhede beskikbaar is, en skriftelik inlig—

- (a) van die besluit;
- (b) van die bedrag van die bystand wat verleen gaan word;
- (c) van enige aftrekkings wat gemaak is; en
- (d) rakende sy of haar reg om verhoë ingevolge regulasie 28 te rig, indien die applikant gegrief is deur enige besluit ingevolge hierdie Regulasies deur die toegewyde beampte of administrateur geneem.

HOOFSTUK 6 DAAROPVOLGENDE AANSOEKE OM BYSTAND

Voorwaardes vir daaropvolgende aansoeke om bystand

19. (1) 'n Slagoffer of 'n familielid of afhanklike van 'n slagoffer wat—

- (a) bystand ingevolge hierdie Regulasies ontvang het;
 - (b) verdere bystand wil ontvang om die studies te voltooi; en
 - (c) voldoen aan die voorwaardes in hierdie Hoofstuk uiteengesit,
- kan verdere bystand ontvang indien die applikant 50% deurgekom het van die kursusse wat vir 'n bepaalde jaar voorgeskryf.

(2) Die voorwaardes bedoel in regulasie 14(1) is nie op 'n daaropvolgende aansoek om bystand van toepassing nie.

Daaropvolgende aansoeke om bystand

20. (1) 'n Aansoek om daaropvolgende bystand moet gebring word op 'n vorm wat wesenlik met Vorm 3 van Aanhangsel 1 ooreenstem.

(2) 'n Slagoffer of 'n familielid of afhanklike van 'n slagoffer wat bystand ingevolge hierdie Regulasies vir 'n bepaalde jaar ontvang het en wat verdere bystand in daaropvolgende jare wil ontvang om sy of haar skoolloopbaan te voltooi, hoef nie weer aansoek om verdere bystand te doen nie, maar moet 'n vorm invul wat wesenlik dieselfde is as Vorm 3 in die Aanhangsel en dit by die toegewyde beampte indien op die wyse waarvoor in regulasie 15(7) voorsiening gemaak word op of voor die keerdatum waarvoor in regulasie 15(3) voorsiening gemaak word.

(3) Die toegewyde beampte hoef nie aan regulasie 16(1) te voldoen ten opsigte van 'n slagoffer of 'n familielid of afhanklike van 'n slagoffer wat 'n daaropvolgende aansoek om bystand indien nie.

(4) Die prosedures in regulasies 17 en 18 uiteengesit, is op 'n daaropvolgende aansoek om bystand van toepassing.

HOOFSTUK 7 VERPLIGTINGE VAN BEGUNSTIGDE

Indiening van bewyse deur begunstigde

21. 'n Begunstigde moet by die administrateur—

- (a) bewys van registrasie by die inrigting vir hoër onderwys en opleiding indien; en
- (b) bewys van die huur van akkommodasie, by wyse van 'n brief van die inrigting vir hoër onderwys en opleiding wat die akkommodasie voorsien, indien privaat akkommodasie gehuur word, die ooreenkoms tussen die begunstigde en die verhuurder.

Verandering in kontakbesonderhede

22. 'n Begunstigde moet die administrateur en die toegewyde beampte skriftelik inlig indien die begunstigde se kontakbesonderhede verander.

Indiening van ander inligting

23. (1) (a) 'n Begunstigde moet, binne die tydperk in paragraaf (b) bedoel, die toegewyde beampte, die administrateur en die inrigting vir hoër onderwys en opleiding waar hy of sy geregistreer is, skriftelik inlig indien die begunstigde—

- (i) hul studies gestaak het; of
- (ii) van een inrigting vir hoër onderwys en opleiding na 'n ander inrigting geskuif het.

(b) Die kennisgewing in paragraaf (a) bedoel, moet ingedien word binne sewe dae nadat die begunstigde hul studies gestaak het of van een inrigting vir hoër onderwys en opleiding na 'n ander inrigting, na gelang van die geval, geskuif het, ingedien word.

(2) (a) 'n Begunstigde moet, binne die tydperk in paragraaf (b) vermeld, die toegewyde beampte en die administrateur skriftelik inlig as die begunstigde ingeskryf het vir 'n ander program as die program in die aansoek aangedui waarvoor bystand toegestaan is.

(b) Die kennisgewing in paragraaf (a) bedoel, moet ingedien word binne sewe dae nadat die begunstigde vir die nuwe program ingeskryf het.

(3) 'n Begunstigde in subregulasies (1) en (2) bedoel, moet bevestiging van die inrigting vir hoër onderwys en opleiding aanheg by die kennisgewing in hierdie subartikels bedoel.

HOOFSTUK 8 BETALINGS

Betaling van bystand

24. (1) (a) Die administrateur moet, indien die aansoek om bystand goedgekeur is, reëlings betreffende betalings met die persone of instansies wat betaal moet word, tref.

(b) Die administrateur moet, voordat enige betaling ingevolge hierdie regulasie gemaak word, by die persone of instellings wat betaal moet word, navraag doen of hulle bewus is van enige finansiële hulp, bystand of konsessie bedoel in regulasie 15(4) wat deur die begunstigde ontvang is.

(c) Die administrateur moet, as dit uit die navraag in paragraaf (b) bedoel, blyk dat die begunstigde enige finansiële hulp, bystand of konsessie ontvang het wat nie deur die begunstigde geopenbaar is nie, sodanige bedrag bereken en dit aftrek van die bedrag waarvoor die begunstigde ingevolge hierdie Regulasies kwalifiseer.

(d) Die administrateur moet, voordat hy of sy die bedrag in paragraaf (c) bedoel, aftrek, die begunstigde 'n redelike kans gee om die ontvangs van die finansiële hulp, bystand of konsessie te verduidelik.

(2) (a) Betaling van bystand moet gedoen word—

- (i) deur middel van elektroniese oorplasing; en
- (ii) aan die persone of instansies in paragraaf (b) bedoel.

(b) Die administrateur moet, behoudens paragraaf (c) en subregulasie (8), betalings ten opsigte van die volgende uitgawes aan die volgende persone of instellings maak:

- (i) Gelde moet aan die tersaaklike kollege of inrigting vir hoër onderwys betaal word;
- (ii) die losiestoelaag moet aan die kollege of die inrigting vir hoër onderwys betaal word, indien die kollege of inrigting vir hoër onderwys akkommodasie voorsien, of aan die persoon of liggaam verantwoordelik vir die bestuur en administrasie van die koshuis of plek waar die begunstigde woonagtig is of loseer, as die begunstigde privaat akkommodasie huur;
- (iii) die vervoertoelaag moet aan die begunstigde betaal word;
- (iv) die leerstofoelaag moet aan die begunstigde betaal word of op die wyse deur die instelling aangedui;
- (v) die persoonlikesorgtoelaag moet aan die begunstigde betaal word;

- (vi) die maaltydtoelaag moet aan die begunstigde betaal word of, indien die begunstigde in 'n koshuis met spyseniering bly, aan die inrigting;
- (vii) die toelaag vir die bystandtoestel kan aan die diensverskaffer, die kollege of die inrigting vir hoër onderwys betaal word;
- (viii) die toelaag vir menslike ondersteuning moet aan die begunstigde betaal word;
- (ix) die toelaag vir 'n toestel moet aan die begunstigde betaal word; en
- (x) die toelaag waarvoor in regulasie 10(1)(c) voorsiening gemaak word, moet aan die tersaaklike kollege betaal word, wat dit aan die leerder moet oorbetaal.

(c) Die administrateur kan, ten opsigte van betalings wat aan 'n begunstigde gedoen moet word ingevolge paragraaf (b), nie 'n betaling aan enige ander persoon doen tensy sodanige begunstigde nie regsbevoegdheid het nie, in welke geval die betaling gedoen kan word aan die persoon wat oerlike verantwoordelikheid oor sodanige begunstigde uitoefen.

(3) Die administrateur kan nie enige betaling doen wat ingevolge hierdie regulasie aan 'n begunstigde verskuldig is nie, as die begunstigde aan die Departement geld skuld weens 'n versoek om geld ingevolge regulasie 27 terug te betaal nie.

(4) Die administrateur moet, by die doen van betalings, gesonde finansiële administrasiebeginsels, -prosedures en -prosesse in gedagte hou.

(5) Die administrateur kan, gereeld, 'n betaling aan die persone of instellings in subregulasie (2)(b) bedoel, doen.

(6) Die administrateur kan voorafbetalings doen wanneer dit gerade geag word.

(7) Die administrateur moet—

- (a) bewys behou van betalings ingevolge hierdie Regulasies gedoen;
- (b) die begunstigde en die persoon of instansie aan wie 'n betaling gemaak is skriftelik van sodanige betaling inlig.

(8) Die administrateur kan 'n reëling met die inrigting vir hoër onderwys en opleiding waarby 'n begunstigde geregistreer het, tref om namens die administrateur enige betaling te doen wat ingevolge regulasie (2)(b) aan enige persoon anders as sodanige instelling gedoen moet word.

(9) Die administrateur moet, by ontvangs van 'n kennisgewing soos in regulasie 23(1)(b) beoog, enige betaling doen wat steeds ingevolge regulasie (2)(b) verskuldig is, aan die inrigting vir hoër onderwys en opleiding waarheen die begunstigde geskuif het.

Verlenging van bystand weens COVID-19

25. (1) Die administrateur kan, as 'n akademiese jaar na die volgende jaar verleng word as gevolg van COVID-19, met die toestemming van die fondsadministrateur, die vorme van bystand in hierdie Regulasies beoog, aan die begunstigdes voorsien vir die tydperk waarvoor die akademiese jaar verleng word.

(2) Die bedrag van bystand wat per maand of deel daarvan deur die administrateur betaal moet word ten opsigte van enige vorm van bystand ingevolge subregulasie (1), moet deur die administrateur, in oorleg met die fondsadministrateur, bepaal word deur die bedrag in hierdie Regulasies bepaal deur 11 te deel, met die bystand ten opsigte van gelde en handboeke buite rekening gelaat.

Betaling uit Fonds aan Departement

26. (1) (a) Die fondsadministrateur moet, vir die doel van betalings wat ingevolge regulasies 24 en 25 gedoen moet word, gereeld vooruitbetalings aan die Departement maak.

(b) Die fondsadministrateur moet die eerste vooruitbetaling, in paragraaf (a) bedoel, maak wat nie minder as 24% van die bedrag ingevolge regulasie 6 vasgestel, nie later as 15 Januarie 2023 maak.

(c) Die daaropvolgende vooruitbetalings aan die Departement deur die Fondsadministrateur, sal gedoen word behoudens die oorblywende vooruitbetalings wat nog beskikbaar of onbenut is in die Departement of Nasionale Skema vir Finansiële Bystand vir Studente se rekening, wat na die volgende akademiese jaar oorgedra moet word.

(2) Die Departement moet, ondanks enige vooruitbetaling wat van die fondsadministrateur ontvang is, bewys van betaling aan begunstigdes gemaak so gou as moontlik by die fondsadministrateur indien.

(3) Die betalings deur die fondsadministrateur aan die Departement gedoen in 'n bepaalde jaar mag nie meer wees as die bedrag ingevolge regulasie 6(1) deur die rekenpligtige beampte bepaal nie.

Verhaling van geld van begunstigde

27. Die administrateur of 'n persoon deur die rekenpligtige beampte aangewys, kan stappe doen om geld van die begunstigde te verhaal wat ingevolge hierdie regulasies betaal is in geval van vrugtelose uitgawe as 'n gevolg daarvan dat die begunstigde—

- (a) inligting ingevolge hierdie Regulasies vereis by die toegewysde beampte en die administrateur ingedien het wat verkeerd of onvolledig was;
- (b) nie die toegewyde beampte en die administrateur ingelig het van die staking van studies of verskuiwing na 'n ander inrigting nie;
- (c) van een inrigting vir hoër onderwys en opleiding na 'n ander inrigting geskuif het; en
- (d) vir 'n ander program as die een op die aansoek aangedui, ingeskryf het.

HOOFSTUK 9 VERTOË

Vertoë deur gegriefde persone

28. (1) (a) 'n Applikant wat gegrief is deur 'n besluit van die toegewyde beampte ten opsigte van die bevestiging van die status van 'n applikant ingevolge regulasie 16, mag versoë tot die Minister van Justisie en Korrektiewe Dienste rig.

(b) 'n Applikant wat deur 'n besluit van die administrateur wat ingevolge hierdie Regulasies geneem is, gegrief is, kan versoë aan die Minister vir Hoër Onderwys en Opleiding rig.

(2) Die versoë in subregulasie (1) bedoel—

- (a) mag te eniger tyd gemaak word, maar nie later nie as 60 dae ná ontvangs van die kennisgewing van die besluit van die toegewyde beampte of die administrateur, na gelang van die geval;
- (b) moet skriftelik wees;
- (c) moet die redes aandui waarom die persoon gegrief is; en
- (d) moet, waar moontlik, van dokumente vergesel gaan wat die redes staaf waarom die persoon gegrief is.

(3) Die vertoë moet op enige van die volgende maniere by die tersaaklike Minister in subregulasie (1) bedoel, ingedien word:

- (a) Per geregistreerde pos;
- (b) deur dit persoonlik by die kantoor van die tersaaklike Minister af te lewer; of
- (c) per faks of op enige ander elektroniese wyse, in welke geval bewys daarvan gehou moet word en die oorspronklike daarvan per geregistreerde pos ingedien moet word.

Verwerking van vertoë

29. (1) Die toegewyde beampte en die administrateur moet, onmiddellik by kennisgewing dat vertoë ingevolge regulasie 28 gerig is, die dokumente in sy of haar besit betreffende die besluit, tesame met die rede vir die vermelde besluit, aan die Minister van Hoër Onderwys en Opleiding of die Minister van Justisie en Korrektiewe Dienste, na gelang van die geval, voorlê.

(2) Die Minister van Hoër Onderwys en Opleiding of die Minister van Justisie en Korrektiewe Dienste, na gelang van die geval, mag ten einde 'n bevinding met betrekking tot die vertoë te maak, enige navrae rig wat hy of sy dienstig ag.

(3) Die Minister van Hoër Onderwys en Opleiding of die Minister van Justisie en Korrektiewe Dienste moet, so gou as wat omstandighede dit toelaat, 'n bevinding met betrekking tot die vertoë maak en die persoon wat die vertoë gerig het, mondelings, as die kontakbesonderhede van die persoon beskikbaar is, en skriftelik van sy of haar bevinding, inlig.

HOOFSTUK 10 DIVERSE

Verhoging van bedrae

30. (1) Die bedrae in enige van hierdie regulasies bedoel, moet outomaties met 8% verhoog word op 1 Januarie 2024 en daarna op die eerste dag van Januarie van elke daaropvolgende jaar.

(2) Die rekenpligtige beampte moet, teen nie later nie as 31 Januarie van elke jaar—

- (a) die nuwe bedrae in die *Staatskoerant* publiseer; en
- (b) die Direkteur-generaal: Hoër Onderwys en Opleiding skriftelik inlig van die nuwe bedrae, wat hierdie inligting op die webwerf van die Departement beskikbaar moet stel.

Hou van rekords en registers deur toegewyde beampte en administrateur

- 31.** (1) Die toegewyde beampte moet behoorlik rekord hou van—
- (a) die persone wat om bystand aansoek doen;
 - (b) die inligting ontvang in verband met aansoeke om bystand;
 - (c) die dokumente ontvang ter staving van die aansoeke om bystand; en
 - (d) volle besonderhede van die besluite geneem ten opsigte van die aansoeke wat ontvang is.

(2) Die toegewyde beampte moet 'n register saamstel wat die volgende besonderhede bevat ten opsigte van elke aansoek om bystand wat ontvang word:

- (a) Die naam van die applikant;
- (b) die aard van bystand waarom aansoek gedoen word;
- (c) die naam van die slagoffer of 'n familielid of afhanklike van 'n slagoffer vir wie om bystand aansoek gedoen word;
- (d) die jaar waarvoor om bystand aansoek gedoen word; en
- (e) die besluit deur die toegewyde beampte geneem ten opsigte van die bevestiging van die status ingevolge regulasie 16.

(3) Die administrateur moet behoorlik rekord hou van—

- (a) die aansoeke vanaf die toegewyde beampte ontvang;
- (b) die inligting in verband met sodanige aansoeke ontvang;
- (c) die dokumente wat ter ondersteuning van sodanige aansoeke ontvang word;
- (d) die besluit deur die administrateur geneem; en
- (e) die betalings deur die administrateur gemaak.

(4) Die administrateur moet 'n register saamstel wat die volgende besonderhede bevat oor elke betaling wat gemaak is:

- (a) Die naam van die begunstigde ten opsigte van wie die bystand betaal word;
- (b) die aard van bystand;
- (c) die jaar waarvoor bystand betaal word;
- (d) die datum waarop die bedrag uitbetaal word;
- (e) die bedrag wat uitbetaal is; en
- (f) die besonderhede van die persone of instellings aan wie betalings gemaak word.

(5) Die toegewyde beampte en administrateur moet die register in subregulasies (2) en (4) bedoel daagliks, behalwe oor naweke, bywerk.

(6) Die administrateur moet rekord hou van die inligting in regulasie 6(2)(d) tot (f) bedoel en daardie inligting aan die einde van Augustus van elke jaar by die rekenpligtige beampte indien.

Sessie van, opdra van of beslaglegging op voordele

32. Ondanks enige wetsbepaling tot die teendeel, mag geen bedrag wat ingevolge hierdie Regulasies betaal word of betaal moet word—

- (a) deur 'n begunstigde of enige ander persoon of instansie wat betaling ingevolge hierdie Regulasies ontvang, gesedeer of toegewys word nie;
- (b) kragtens 'n uitspraak van 'n geregshof op beslag gelê word nie; of

- (c) deel uitmaak van die boedel nie van 'n begunstigde of enige ander persoon of inrigting wat 'n betaling ingevolge hierdie Regulasies ontvang, indien sodanige boedel gesekwestreer word.

Tydperk van toepassing van Regulasies

33. (1) Behoudens subregulasie (2), sal 'n slagoffer of 'n familielid of afhanklike van 'n slagoffer wat bystand ingevolge die herroepe regulasies ontvang vir 'n tydperk wat nie die tydperk van bystand waarvoor in die herroepe regulasies voorsiening gemaak is, oorskry nie, en wat verdere bystand in daaropvolgende jare wil ontvang om die studies te voltooi, sal steeds bystand ingevolge hierdie Regulasies ontvang totdat die studies afgehandel is, behoudens die algemene vereistes vir bystand ingevolge hierdie Regulasies.

(2) Die laaste inname van leerders, wat slagoffers of familieledede of afhanklikes van slagoffers is, vir bystand ingevolge hierdie Regulasies is ten opsigte van die 2037 skooljaar wat, behoudens die vereistes in hierdie Regulasies, kan voortgaan om bystand ingevolge hierdie Regulasies te ontvang totdat hierdie Regulasies verstryk.

(3) Hierdie Regulasies bly van krag tot die einde van die 2042 akademiese jaar.

(4) Ondanks die verstryking van hierdie Regulasies, soos in subregulasie (3) bedoel, moet die toegewyde beampte en administrateur, ten opsigte van 'n aansoek wat voor die datum van verstryking van hierdie Regulasies deur hom of haar ontvang is, hierdie Regulasies toepas asof hulle nie verstryk het nie: Met dien verstande dat die aansoek om bystand gedoen is vir die jaar waarin die Regulasies verstryk en dat fondse beskikbaar is.

Herroeping van Regulasies

34. Behoudens regulasie 36, word die Regulasies betreffende Hoër Onderwys, 2014, gepubliseer by Goewermentskennisgewing No. R. 852 van 3 November 2014, soos gewysig, hierby herroep.

Voorbehoudsklousule

35. Ondanks die herroeping van die herroepe regulasies in regulasie 34 bedoel, kan 'n begunstigde bystand ingevolge daarvan ontvang asof hulle nie herroep is nie—

- (a) indien 'n aansoek, ingevolge die herroepe regulasies gemaak, nie afgehandel is nie; of
- (b) 'n betaling verskuldig ingevolge die herroepe regulasies nie deur die administrateur gemaak word nie.

Kort titel en inwerkingtreding

36. Hierdie Regulasies heet die Regulasies betreffende Bystand aan Slagoffers ten opsigte van Hoër Onderwys en Opleiding, 2023, en tree in werking op die datum van publikasies hiervan in die *Staatskoerant*.

VORM 1

AANSOEK OM BYSTAND VIR EERSTEKEER-APPLIKANTE: HOËR ONDERWYS EN OPLEIDING

[Regulasie 15]

LEES EERS DIE VOLGENDE

Slegs 'n persoon wat–

- (a) deur die Waarheid- en Versoeningskommissie (WVK) bevind is 'n slagoffer te wees; of
 (b) 'n familielid is, soos die kind, of afhanklike van 'n slagoffer soos byvoorbeeld 'n kleinkind, mag bystand ontvang.

Om vir bystand te kwalifiseer–

- (a) die huishouding waarvan die persoon wat bystand benodig, 'n lid is, moet nie meer nie as 'n bruto inkomste van R650 011,00 per jaar verdien; of
 (b) die persoon wat bystand benodig, moet 'n lid van 'n kwesbare huishouding wees.

'n **Huishouding** bestaan uit die gade en ouers van die leerder wat bystand benodig of die persoon wat ouerlike verantwoordelikheid uitoefen oor die leerder wat bystand benodig.

'n **Kwesbare huishouding** is 'n huishouding wat bestaan uit vier of meer lede, waar:

- (a) die meerderheid van lede ouer as 65 jaar is;
 (b) die meerderheid lede maatskaplike bystand ontvang;
 (c) een lid 'n fisieke of verstandelike gestremdheid het;
 (d) een van die lede onder die ouderdom van 18 jaar is en moet werk;
 (e) die applikant 'n ontvanger van toelaes van die Suid-Afrikaanse Agentskap vir Maatskaplike Sekerheid is; of
 (f) die meerderheid van die lede van die huishouding werkloos is;

Indien 'n persoon wat bystand benodig onder die ouderdom van 18 jaar is of nie regsbevoegdheid het nie, moet 'n ouer of voog die vorm namens hulle teken.

Onthou om die vereiste dokumente aan te heg wat die inligting bevestig wat in hierdie vorm verstrekk word, byvoorbeeld gesertifiseerde afskrifte van 'n identiteitsboek en bewys van inkomste, andersins sal jou aansoek nie oorweeg word nie.

A. BESONDERHEDE van APPLIKANT (persoon wat BYSTAND BENODIG)			
1. Titel			
2. Van:			
3. Volle name:			
4. ID-nommer:		5. Geboortedatum:	
6. Geslag:	*Manlik / Vroulik / Ander		
7. Hoogste vlak van Onderrig:			
8. Kontakbesonderhede:	* Huisadres / Huisadres van ander persoon (indien van toepassing): <i>(Vermeld hieronder die adres waar jy bly en waarheen pos gestuur kan word. As jy nie 'n adres het nie, vermeld die adres van iemand anders wat gekontak kan word, bv. Plek van aanbidding, skool, gemeenskapsleier.)</i>		

	* Posadres / Posadres van iemand anders (indien van toepassing):		
Telefoonnommers:	Huis: ()	Werk: ()	Selno.:
9. Vul die volgende in:			
(a) Is jy 'n slagoffer? JA / NEE			
(b) As jy nie 'n slagoffer is nie-			
(i) wat is die slagoffer se naam?			
(ii) is jy 'n familielid van 'n afhanklike van slagoffer? JA / NEE			
(c) As jy 'n familielid of afhanklike van 'n slagoffer is, wat is jou verhouding met die slagoffer?: (bv: is jy die gade, kind, kleinkind of sibbe van 'n slagoffer)			
10. Is jy 'n ontvanger van toelaes van die Suid-Afrikaanse Agentskap vir Maatskaplike Sekerheid? JA / NEE			
11. (a) Het jy enige gestremdheid? JA / NEE			
(b) Indien ja, gee besonderhede van die gestremdheid:			
12. Sal jy in die jaar waarvoor jy nou vir bystand aansoek doen in 'n ander kollege of inrigting vir hoër onderwys studeer: JA / NEE			
13. Vermeld asseblief jou kwalifikasies (grade, diplomas, sertifikate) en die besonderhede van die inrigtings vir onderwys en opleiding waar jy hierdie kwalifikasies verwerf het:			
14. (a) Het jy ooit bystand vir onderwys en opleiding as 'n slagoffer of 'n familielid of afhanklike van 'n slagoffer of ingevolge 'n regeringsprogram ontvang? JA / NEE			
(b) Indien jy het, vermeld asseblief:–			
(i) Vir watter jaar:			
(ii) Vir watter kwalifikasie:			
(iii) By watter inrigting:			

Handtekening van applikant of die persoon wat die vorm invul
namens die persoon wat bystand benodig

Datum

**B. BESONDERHEDE VAN FINANSIËLE BYSTAND/HULP/KONSESSIES DEUR PERSOON
ONTVANG WAT BYSTAND BENODIG**

Vul hierdie deel alleenlik in as die persoon wat bystand benodig, enige vorm van bystand van die Staat ontvang het, met inbegrip van die Nasionale Skema vir Finansiële Bystand vir Studente of 'n inrigting in die "Skills Development Act" beoog of sy/haar werkgewer, vir die jaar waarvoor nou om bystand aansoek gedoen word: Byvoorbeeld 'n beurs of enige afslag of vrystelling van betaling van gelde. Verstrek hier die vorm van bystand en die bedrag wat ontvang is.

1. Naam van die instelling/ persoon wat die bystand toegestaan het/ gaan toestaan:

.....

2. Die jaar waarvoor hulp/ bystand ontvang is of ontvang gaan word:

3. Aard en bedrag van die bystand/hulp wat ontvang is of ontvang gaan word

.....
.....

4. Voorwaardes verbonde aan die hulp/ bystand:

.....
.....

(Heg dokumente aan om die bogenoemde inligting te staaf.)

Handtekening van applikant of die persoon wat die vorm invul
namens die persoon wat bystand benodig

Datum

C. VORME VAN BYSTAND WAAROM AANSOEK GEDOEN WORD

Let wel dat bystand slegs verleen sal word ten opsigte van programme wat lei tot 'n kwalifikasie tensy die persoon wat bystand benodig by 'n gemeenskapsonderwys- en opleidingskollege wil studeer. Die vorme van bystand sluit gelde in (soos registrasiekostes, lesgelede, die heffing deur die Studenteraad gehef, die koste van 'n biblioteekkaart, koste rakende studentebespreking en werksplasing), losies- en vervoertoelae, toelae vir leerstof, maaltye en persoonlikesorguitgawes, 'n eenmalige toelaag om 'n

toestel te koop (soos 'n skootrekenaar), 'n toelaag wanneer 'n persoon werk as deel van sy of haar leerlingskap of vakleerlingskap en spesiale toelaes vir persone met gestremdhede.

VIR WATTER VORM VAN ONDERWYS EN OPLEIDING DOEN JY AANSOEK? (Merk die toepaslike opsie)

*Bystand ten opsigte van onderwys en opleiding deur 'n kollege vir gemeenskapsonderwys- en -opleiding aangebied? JA

*Bystand ten opsigte van onderwys en opleiding deur 'n kollege vir tegniese en beroepsonderwys en -opleiding aangebied? JA

*Bystand ten opsigte van hoër onderwys? JA

*Bystand ten opsigte van vaardigheidsontwikkeling? JA

C.1 BYSTAND TEN OPSIGTE VAN ONDERWYS EN OPLEIDING AANGEBIED DEUR 'N KOLLEGE VIR GEMEENSAPSONDERWYS- EN -OPLEIDING

Let wel dat die hoogste vlak van onderwys wat ingevolge kategorie C aangebied word, soortgelyk aan Graad 9 is.

*Let verder daarop dat hierdie vorm van bystand slegs verleen kan word as jy **sestien jaar** of ouer is.*

I. Algemene besonderhede:

1. Jaar ten opsigte waarvan bystand benodig word:

2. Besonderhede van kollege:

(a) Naam van kollege:

(b) Adres van kollege:

.....
(Dui die fisiese adres aan, met ander woorde, waar die kollege geleë is.)

3. Totale bedrag gelde aan kollege betaalbaar:

(Heg bewys aan van registrasie by kollege en die bedrag wat aan die kollege betaalbaar is. Dui aan of die bedrag betaalbaar per jaar of vak of module is.)

4. Getal vakke waarvoor ingeskryf is:

II. Bystand ten opsigte van akkommodasie:

Indien bystand ten opsigte van **akkommodasie** benodig word, vul die volgende in:

1. Wat is die afstand tussen jou huis en die kollege?

2. Indien die afstand tussen jou huis en die kollege minder as 30 km is, dui asseblief aan hoekom jy bystand ten opsigte van akkommodasie benodig:

.....

.....

.....
(Byvoorbeeld: Getal en ouderdomme van persone wat die huis deel waarin jy woonagtig is; beskikbaarheid van vervoer na en van jou huis en die kollege/universiteit; het die huis elektrisiteit; en is

daar netwerkdekking by jou huis)

3. Besonderhede van losieshuis:

(b) Naam van koshuis/ losieshuis:

.....

(b) Adres van koshuis/losieshuis::

.....
.....

(Dui die fisiese adres aan, met ander woorde, waar die koshuis/ losieshuis geleë is.)

(c) Bedrag gehef vir losiesgelde per jaar wat betaal moet word.....

(Heg bewys van die bedrag betaalbaar aan en dat die persoon wat bystand nodig, akkommodasie huur.)

(d) Sluit die bedrag vir losiesgelde maaltye in? JA / NEE

(e) Word die akkommodasie deur die kollege voorsien? : JA / NEE

(f) As jy akkommodasie wil huur wat nie deur die kollege/universiteit voorsien word nie, stel die redes:

Handtekening van applikant of die persoon wat die vorm invul
namens die persoon wat bystand nodig

Datum

**C.2 ALGEMENE BYSTAND TEN OPSIGTE VAN:
*ONDERWYS EN OPLEIDING AANGEBIED DEUR KOLLEGE VIR TEGNIESE EN
BEROEPSONDERWYS EN -OPLEIDING (Regulasie 8)**

OF

*** HOËR ONDERWYS (Regulasie 9)**

I. Algemene besonderhede:

1. Jaar ten opsigte waarvan bystand nodig word:

2. Besonderhede van kollege:

(a) Naam van kollege/universiteit:

(b) Adres van kollege/universiteit:

.....

((Dui die fisiese adres aan, met ander woorde, waar die kollege/universiteit geleë is.)

3. Gaan die studies ten opsigte waarvan bystand nodig word, deelyd of voltyds of deur afstandsonderrig gedoen word? ***Voltyds** ***Deelyds** ***Afstandsonderrig**

4. Totale bedrag van gelde aan kollege/universiteit betaalbaar:
(Heg bewys van registrasie by kollege aan en van die bedrag betaalbaar aan die kollege of universiteit. Dui aan of die bedrag betaalbaar per jaar of vak of module is.)

II. Bystand ten opsigte van akkommodasie:

Indien bystand ten opsigte van **akkommodasie** benodig word, vul die volgende in:

1. Wat is die afstand tussen jou huis en die kollege/universiteit?
2. Indien die afstand tussen jou huis en die kollege minder as 30 km is, dui asseblief aan hoekom jy bystand ten opsigte van akkommodasie benodig:

.....

(Byvoorbeeld: Getal en ouderdomme van persone wat die huis deel waarin jy woonagtig is; beskikbaarheid van vervoer na en van jou huis en die kollege/universiteit; het die huis elektrisiteit; en is daar netwerkdekking by jou huis)

3. Besonderhede van losieshuis:

(a) Naam van koshuis/ losieshuis:

.....

(b) Adres van koshuis/losieshuis::

.....

.....
(Dui die fisiese adres aan, met ander woorde, waar die koshuis/ losieshuis geleë is.)

(c) Bedrag gehef vir losiesgelde per jaar wat betaal moet word.....

(Heg bewys van die bedrag betaalbaar aan en dat die persoon wat bystand benodig, akkommodasie huur.)

(d) Sluit die bedrag vir losiesgelde maaltye in? JA / NEE

(e) Word die akkommodasie deur die kollege/universiteit verskaf: JA / NEE

(f) As jy akkommodasie wil huur wat nie deur die kollege/universiteit voorsien word nie, stel die redes:

.....

.....

III. Bystand ten opsigte van toestel:

1. Het jy nog ooit 'n toestel (bv. skootrekenaar) gratis ontvang ingevolge 'n regeringsprogram? JA / NEE

2. As jy 'n toestel gratis ontvang het, vermeld asseblief-

(a) wanneer het jy dit ontvang?

(b) ingevolge watter regeringsprogram?
.....

(c) vanaf watter Staatsinstelling?
.....

Handtekening van applikant of die persoon wat die vorm invul
namens die persoon wat bystand benodig

Datum

C.3 BYSTAND TEN OPSIGTE VAN VAARDIGHEIDSONTWIKKELING (Regulasie 10)

Let wel dat 'n persoon wie se aansoek om bystand goedgekeur is, 'n toelaag sal ontvang van R 2 776,00 per maand (Reg 10(1)(c)) slegs tydens die werkseraringkomponent van die leerlingskap of vakleerlingskap waarvoor hy of sy geregistreer is en of hys of sy voldoen aan die voorwaardes van die leerlingskapooreenkoms wat ingevolge die "Skills Development Act" met die werkgever aangegaan is.

Besonderhede van bystand:

Vir bystand wat vir **gelde** benodig word, vul die volgende in:

1. Jaar waarvoor bystand benodig word:

2. Besonderhede van leerlingskap of vakleerlingskap waarvoor bystand benodig word:
.....
.....
.....

3. Besonderhede van kollege:

(a) Naam van kollege:

(b) Adres van kollege:

(Dui die fisiese adres aan, met ander woorde, waar die kollege geleë is.)

4. Totale bedrag gelde aan kollege betaalbaar:

((Heg bewys van registrasie by kollege aan en van die bedrag betaalbaar aan die kollege. Dui aan of die of die bedrag betaalbaar per jaar of vak of module is.))

5. Is jy besig met die werkseraringkomponent van die leerlingskap of vakleerlingskap? JA / NEE

6. Tydperk en jaar waarvoor die toelaag betaal moet word:
.....

7. Besonderhede van die werkgever waar die persoon wat bystand benodig gaan werk:
.....

(a) Naam van die werkgever:

(b) Fisiese adres van die werkgever:

(c) Kontakbesonderhede van die werkgever:

(v) Telefoonnommer:

<p>(vi) Selfoonnommer:</p> <p>(vii) Faksnommer:</p> <p>8. Het jy nog ooit 'n toestel (bv. skootrekenaar) gratis in 'n regeringsprogram ontvang? JA / NEE</p> <p>9. As jy 'n toestel gratis ontvang het, vermeld asseblief-</p> <p>(a) wanneer het jy dit ontvang?</p> <p>(b) ingevolge watter regeringsprogram?.....</p> <p>(c) vanaf watter Staatsinstelling?</p>
<p>_____</p> <p>Handtekening van applikant of die persoon wat die vorm invul namens die persoon wat bystand benodig</p> <p style="text-align: right;">_____</p> <p style="text-align: right;">Datum</p>
<p>C.5 BYSTAND VIR PERSONE MET GESTREMDHEDE</p> <p><i>Let asseblief daarop dat hierdie vorm van bystand slegs voorsien mag word aan persone wat nie kwalifiseer vir 'n bystandtoestel of menslike ondersteuning ingevolge die Beleid vir die Befondsing van Studente met Gestremdhede uitgereik deur die Nasionale Skema vir Finansiële Bystand vir Studente</i></p>
<p>I. Bystand ten opsigte van bystandtoestel:</p> <p>Indien bystand ten opsigte van 'n toestel benodig word, vul die volgende in:</p> <p>1. Bedrag benodig om 'n toestel te koop:</p> <p>2. Besonderhede van die toestel wat gekoop gaan word:</p> <p><i>(Dui die naam, fabriek, model en prys van die toestel aan.)</i></p> <p>3. Naam en adres van kollege/universiteit waarby geregistreer is:</p>
<p>II. Bystand ten opsigte van menslike ondersteuning:</p> <p>Indien bystand ten opsigte van menslike ondersteuning benodig word, vul die volgende in:</p> <p>1. Bedrag benodig vir menslike ondersteuning:</p> <p>2. Besonderhede van die menslike ondersteuning wat benodig word:</p> <p>3. Besonderhede van die persoon wat menslike ondersteuning benodig:</p> <p>4. Die persoon wat menslike ondersteuning verskaf sal by die student inwoon: JA / NEE</p> <p>5. Vir hoeveel maande in die jaar word die toelaag benodig:.....</p>
<p>_____</p> <p>Handtekening van applikant of die persoon wat die vorm invul namens die persoon wat bystand benodig</p> <p style="text-align: right;">_____</p> <p style="text-align: right;">Datum</p>

D. BESONDERHEDE VAN INKOMSTE VAN LEDE VAN HUISHOUDING**Let wel:**

(1) Dit is nie nodig om hierdie deel in te vul indien bystand ten opsigte van hierdie Regulasies voorheen voorsien is aan die persoon wat bystand nodig nie.

(2) By die toepassing van hierdie paragraaf, bestaan 'n huishouding uit gade en ouers van of die persoon wat ouerlike verantwoordelikheid uitoefen oor die persoon wat bystand nodig.

(3) Indien die spasie op hierdie bladsy nie genoeg is nie, vul asseblief besonderhede op 'n aparte bladsy in en heg bykomende bladsye by hierdie vorm aan.

Besonderhede van inkomste van lede van huishouding:

(Dui aan of dit 'n pensioen, salaris, kommissie of seisoenaal is en as dit seisoenaal is, gee besonderhede daarvan.)

Lid 1:	Volle name en van:
	ID-nommer.
	Bruto jaarlikse inkomste:
	Aard van die inkomste:
	Verhouding met slagoffer:
Lid 2:	Volle name en van:
	ID-nommer.
	Bruto jaarlikse inkomste:
	Aard van die inkomste:
	Verhouding met slagoffer:
Lid 3:	Volle name en van:
	ID-nommer.
	Bruto jaarlikse inkomste:
	Aard van die inkomste:
	Verhouding met slagoffer:
Lid 4:	Volle name en van:
	ID-nommer.
	Bruto jaarlikse inkomste:
	Aard van die inkomste:
	Verhouding met slagoffer:

Handtekening van applikant of die persoon wat die vorm invul
namens die persoon wat bystand nodig

Datum

E. SERTIFISERING

Ek,,
sertifiseer hiermee dat die inligting wat ek hierbo voorsien het korrek en na die beste van my wete waar is. Ek gee die Departement van Justisie en Staatkundige Ontwikkeling hierby toestemming om te bevestig dat enige van my stellings korrek is. Ek weet ek kan vervolg word as ek wetend vals inligting verstrekk en dat enige bedrag wat aan my betaal is, terug gevat kan word.

Handtekening van applikant of die persoon wat die vorm invul
namens die persoon wat bystand benodig

Datum

LET WEL

Die aansoekvorm moet, nadat dit ingevul is, by die toegewyde beampte ingedien word-

- (a) elektronies na die volgende adresse: TRCeducation@justice.gov.za; of
- (b) per faks aan 086 476 3777; of
- (c) per geregistreerde pos na die volgende adres: Die Hoof, WVK-eenheid, die Departement van Justisie en Staatkundige Ontwikkeling, Privaat Sak X81, Pretoria, 0001.

VORM 2

CERTIFIKAAT DEUR TOEGEWYDE BEAMPTE

[Regulasie 16]

WET OP BEVORDERING VAN NASIONALE EENHEID EN VERSOENING, 1995 (WET NO. 34 VAN WET 1995)

(Hierdie vorm moet deur die toegewyde beampte ingevul word ('n beampte in die WVK-eenheid) wanneer bevestig word hetsy die persoon wat bystand nodig 'n slagoffer of 'n familielid of afhanklike van 'n slagoffer is, al dan nie)

* Merk gepaste blok met 'n X

A. BESONDERHEDE VAN PERSOON WAT BYSTAND INGEVOLGE REGULASIE 15 BENODIG	
Naam van persoon wat bystand nodig:	
ID-nommer/Geboortedatum:	
Datum waarop aansoek ontvang is:	

B. BEVESTIGING DEUR TOEGEWYSDE BEAMPTE		
Die persoon in Deel A vermeld is 'n-		
(a) SLAGOFFER:	<input type="checkbox"/> JA / <input type="checkbox"/> NEE	
	WVK-verwysingskontrole	<input type="checkbox"/> JA / <input type="checkbox"/> NEE
	WVK-verwysingsnommer van slagoffer	
	Bykomende dokumente/ inligting ontvang	<input type="checkbox"/> JA / <input type="checkbox"/> NEE
	Indien Ja, spesifiseer	

Of

(b) FAMILIELID VAN SLAGOFFER?	JA / NEE
Sy of haar verhouding met die slagoffer is soos volg:	
.....	
.....	
.....	

Of

(c) AFHANKLIKE VAN 'n SLAGOFFER:	JA / NEE
Die grondslag van sy of haar afhanklikheid van die slagoffer is soos volg:	
.....	
.....	

C. OPMERKINGS DEUR TOEGEWYDE BEAMPTE**D. D. BESONDERHEDE VAN TOEGEWYDE BEAMPTE**

Naam en van: ID nummer:.....

Handtekening van toegewyde beampte_____
Datum van sertifikaat

VORM 3

DAAROPVOLGENDE AANSOEKE OM BYSTAND

[Regulasie 20]

LEES EERS DIE VOLGENDE

Daaropvolgende bystand beteken jy het reeds bystand ingevolge hierdie Regulasies ontvang vir 'n vorige jaar en wil verdere bystand ontvang.

'n Persoon kan slegs verdere bystand ontvang indien hy of sy toelating gekry het by die inrigting vir hoër onderwys en opleiding waar hy of sy wil studeer.

'n Persoon kan slegs vir 'n beperkte tydperk soos in hierdie Regulasies vermeld, bystand ingevolge hierdie Regulasies ontvang.

Om vir daaropvolgende bystand te kwalifiseer, moet jy 50% van die voorgeskrewe kursusse deurgekom het wat vir 'n bepaalde jaar waarvoor jy geregistreer het.

Onthou om die dokumente wat in hierdie vorm vereis word, aan te heg.

A. BESONDERHEDE van APPLIKANT (PERSOON WAT BYSTAND BENODIG)			
1. Titel:			
2. Van:			
3. Eerste name:			
4. ID-nommer:		5. Geboortedatum:	
6. Geslag:	*Manlik / Vroulik / Ander		
7. Hoogste vlak van Onderrig:			
8. Kontakbesonderhede:	* Huisadres / Huisadres van ander persoon (indien van toepassing): <i>(Vermeld hieronder die adres waar jy bly en waarheen pos gestuur kan word. As jy nie 'n adres het nie, vermeld die adres van iemand anders wat gekontak kan word, bv. Plek van aanbidding, skool, gemeenskapsleier.)</i>		
	* Posadres / Posadres van iemand anders (indien van toepassing):		
Telefoonnommers:	Huis: ()	Werk: ()	Selno:

B. BESONDERHEDE VAN FINANSIËLE BYSTAND/HULP/KONSESSIES DEUR PERSOON ONTVANG WAT VERDERE BYSTAND BENODIG

Vul hierdie deel alleenlik in as die persoon wat verdere bystand benodig, enige vorm van bystand van die Staat, met inbegrip van die Nasionale Skema vir Finansiële Bystand vir Studente of 'n inrigting in die "Skills Development Act" bedoel of sy/haar werkgewer ontvang het of gaan ontvang, vir die jaar waarvoor nou om bystand aansoek gedoen

word: Byvoorbeeld, 'n beurs of enige afslag of indien hy of sy vrystelling van die betaling van skoolgeld gekry het. Dui die vorm van bystand en die bedrag wat ontvang is aan.

1. Naam van die instelling/ persoon wat die bystand toegestaan het/ gaan toestaan:
.....
 2. Die jaar waarvoor hulp / bystand ontvang is of ontvang gaan word:.....
 3. Aard en bedrag van die bystand/hulp ontvang of wat ontvang gaan word:
.....
 4. Voorwaardes aan die hulp/ bystand verbonde:
.....
.....
.....
- (Heg dokumente aan om die bogenoemde inligting te staaf.)**

C. BESONDERHEDE VAN VERDERE BYSTAND BENODIG

- I. Algemene besonderhede:**
 1. Jaar ten opsigte waarvan bystand benodig word:
 2. Besonderhede van inrigting vir hoër onderwys en opleiding waar jy gaan studeer:
 - (a) Naam van inrigting:
 - (b) Adres van inrigting:

.....
(Dui die fisiese adres aan, met ander woorde, waar die kollege geleë is.)
 3. Kwalifikasie/program waarvoor geregistreer is:
.....
 4. Name van vakke waarvoor geregistreer gaan word:
.....
 5. Watter van hierdie vakke het jy nog nie voorheen deurgekom nie en hoeveel pogings het jy aangewend om dit deur te kom?
 6. Het jy 50% van die voorgeskrewe kursusse vir die jaar voor die jaar bystand benodig, deurgekom:
 JA / NEE

(Heg asseblief bewyse van die bogenoemde inligting aan)

CONTINUES ON PAGE 130 OF BOOK 2

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AIDS HELPLINE: 0800-0123-22 Prevention is the cure

II. Bystand ten opsigte van akkommodasie:

Indien bystand ten opsigte van akkommodasie benodig word, vul die volgende in:

1. Wat is die afstand tussen jou huis en die kollege/universiteit?
2. Indien die afstand tussen jou huis en die kollege/ universiteit minder as 30 km is, dui asseblief aan hoekom jy bystand ten opsigte van akkommodasie benodig:
.....
.....

(Byvoorbeeld: Getal en ouderdomme van persone wat die huis waarin jy woon, deel; beskikbaarheid van vervoer na en van jou huis en die kollege/universiteit; het die huis elektrisiteit; en is daar netwerkdekking by jou huis)

3. Besonderhede van losieshuis:

(b) Naam van koshuis/ losieshuis:

(b) Adres van koshuis/losieshuis:

(Dui die fisiese adres aan, met ander woorde, waar die koshuis/ losieshuis geleë is.)

(c) Bedrag gehef vir losiesgelde per jaar wat betaal moet word.....

(Heg bewys van die bedrag betaalbaar aan en dat die persoon wat bystand benodig, akkommodasie huur.)

(d) Sluit die bedrag vir losiesgelde maaltye in? JA / NEE

(e) Word die akkommodasie deur die kollege/universiteit verskaf: JA / NEE

(f) As jy akkommodasie wil huur wat nie deur die kollege/universiteit voorsien word nie, stel die redes:
.....

III. Bystand ten opsigte van bystandtoestel:

Indien bystand ten opsigte van 'n **toestel** benodig word, vul die volgende in:

1. Bedrag benodig om 'n toestel te koop:
.....

2. Besonderhede van die toestel wat gekoop gaan word:
.....
.....

(Dui die naam, fabriek, model en prys van die toestel aan.)

3. Naam en adres van kollege/universiteit waarby geregistreer is:
.....

IV. Bystand ten opsigte van menslike ondersteuning:

Indien bystand ten opsigte van **menslike ondersteuning** benodig word, vul die volgende in:

1. Bedrag benodig vir menslike ondersteuning:

2. Besonderhede van die menslike ondersteuning wat benodig word:
.....

3. Besonderhede van die persoon wat menslike ondersteuning benodig:
.....
4. Die persoon wat menslike ondersteuning verskaf sal by die student inwoon: JA / NEE
5. Vir hoeveel maande in die jaar word die toelaag benodig:.....

Handtekening van student wat die vorm invul en
en wat bystand nodig het of die persoon wat die vorm invul
namens die persoon wat bystand benodig

Datum

VORM 4

AANSOEK OM BYSTAND TE OPSIGTE VAN BYSTANDTOESTEL

[Regulasie 12]

LEES EERS DIE VOLGENDE

1. Hierdie aansoekvorm moet ingevul word as jy 'n gestremdheid het en bystand ten opsigte van 'n bystandtoestel benodig.
2. Sou die aard van jou gestremdheid oor die studietermyn verander, en as dit regstreeks jou vermoë beïnvloed om aan jou onderwysprogram deel te neem, dan sal jy bygewerkte besonderhede en 'n volle mediese/rehabilitasieverslag van 'n gesertifiseerde beroepspersoon moet indien.
3. Hierdie aansoekvorm moet deur 'n geregistreeerde mediese dokter of ander gepas gekwalifiseerde beroepspersoon ingevul word en dit is jou verantwoordelikheid om hierdie vorm te laat invul soos aangedui.
4. Maak asseblief seker dat hierdie vorm behoorlik ingevul en onderteken is, en vergesel gaan van al die vereiste stawende dokumente, aangesien vermiste of uitgelate inligting die afhandeling van die aansoek sal vertraag of jou aansoek sal nie oorweeg word nie.
5. Hierdie aansoekvorm en stawende dokumentasie sal vertroulik bly.

A. BESONDERHEDE VAN APPLIKANT

1. Titel:			
2. Van:			
3. Volle name:			
4. ID-nommer:		5. Geboortedatum:	
6. Geslag:	*Manlike / Vroulik / Ander		
7. Studentenommer:			
8. Kontakbesonderhede:	* Huisadres / Huisadres van ander persoon (indien van toepassing): (Vermeld hieronder die adres waar jy bly en waarheen pos gestuur kan word. As jy nie 'n adres het nie, vermeld die adres van iemand anders wat gekontak kan word, bv. plek van aanbidding, skool, gemeenskapsleier.)		
	* Posadres / Posadres van iemand anders (indien van toepassing):		
9. Telefoonnommers:	Huis: ()	Werk: ()	Selno:

10. Dui asseblief jou gestremdheid in die afdeling hieronder aan en verstrek besonderhede van die gestremdheid

GESTREMDHEID	DUI MET X AAN	BESONDERHEDE VAN GESTREMDHEID
Hoor (Doof, hardhorend, horende doof en gehoorgestremd)		
Gesig (Blind, swaksiende, doof en blind)		
Beweeglikheid/Motories (fisieke funksies bv. belemmerde funksionaliteit van boonste ledemate of onderste ledemate, kwadriplegie, paraplegie)		
Neurologiese en neuro-ontwikkelingsbelemmerings (bv. breinverlamming, outisme, fetale alkoholsindroom, traumatiese kopbesering, beroerte, epilepsie, aandagsgebrek-hiperaktiwiteitsindroom, disleksie, Down-sindroom, diskalkulie, disgrafie) en gedrags- en sosiale vaardighede (veroorzaak deur bv. mishandeling, verwaarlosing, trauma, ondervoeding)		
Kognisie en leer - matige, ernstige en diepgaande verstandelike gestremdheid		
Kommunikasie - min of geen funksionele spraak		
Gesondheid (diabetes, chroniese toestand, geestesgesondheid bv., depressie, skisofrenie, bipolêre versteuring)		

11. Verstrek asseblief verdere besonderhede as jy 'n gestremdheid het wat nie hierbo genoem word nie **EN** verstrek 'n mediese verslag van 'n geregistreerde mediese dokter of ander gepas gekwalifiseerde beroepspersoon aangaande hierdie gestremdheid:

Handtekening van applikant of die persoon wat die vorm invul
namens die persoon wat bystand benodig

Datum

B. BESONDERHEDE VAN GEREJISTREERDE MEDIESE DOKTER OF GEKVALIFISEERDE BEROEPSPERSOON

1. Titel			
2. Van:			
3. Volle name:			
4. Spesialiteit:			
5. Telefoonnommers:	Huis: ()	Werk: ()	Selno:
6. Hoe lank is u al die applikant se dokter (of gekwalifiseerde beroepspersoon)?			
7. Op watter datum het die applikant u die eerste keer gesien oor hierdie gestremdheid.....			
8. Op watter datum het die applikant u laas gesien oor hierdie gestremdheid.....			
9. Voorsien asseblief die diagnose van toepassing op die applikant en hoe dit die applikant gestremd laat:			
10. Dui asseblief aan hoe die gestremdheid die onderwys- en leerproses van die applikant beïnvloed:			
11. Gebruik die applikant 'n bystandtoestel? Ja/Nee			
Indien ja–			
(a) spesifiseer asb. besonderhede van die bystandtoestel:			
(b) dui aan hoekom sodanige toestel vervang moet word:			
12. Dui asb. aan watter bystandtoestel nou benodig word:			

13. Dui asb. aan of die applikant sal baat vind by die bystandtoestel wat nou benodig word:

14. Dui asb. aan hoe die applikant by die bystandtoestel sal baat vind:

15. Dui asseblief die toepaslikheid van die bystandtoestel in verband met die bepaalde kwalifikasie waarvoor die applikant geregistreer het, aan.....

16. Het die applikant bystand in die vorm van menslike ondersteuning nodig? Ja/Nee

Indien ja–

(a) voorsien asseblief besonderhede van die vorm/e van menslike bystand wat benodig word:

(b) dui aan of die menslike ondersteuning wat benodig word, vereis word om te studeer vir die bepaalde kwalifikasie waarvoor die aansoeker geregistreer het:

(c) dui aan of die persoon wat menslike ondersteuning verskaf by die applikant sal moet bly/woon:

17. Verstrek asb. enige ander inligting en/of kommentaar ten opsigte van die applikant se gestremdheid wat tersaaklik is en wat kan help met die assessering van die applikant se aansoek om bystand ten opsigte van 'n bystandtoestel.....

.....

Verklaring: Ek verklaar en waarborg hierby dat die inligting wat hierbo verstrek is feitlik, waar en korrek is en dat geen wesentliche inligting weerhou is nie en geen tersaaklike omstandighede is uitgelaat nie.

 Handtekening

 Datum.

(Dokter of gekwalifiseerde professionele persoon moet sy/haar stempel hier aanbring om hul besonderhede te bevestig)

AANHANGSEL 2:
BYSTANDTOESTEL
[Regulasie 1]

GESTREMDHEID	BYSTANDTOESTEL
Gehoer (Doof, hardhorend, gehoorgestremd)	<ol style="list-style-type: none"> 1. FM-versterkingstelsel 2. Induksielusloopstelsel 3. Persoonlike klankversterkingstoestel 4. Gespreksagteware met video, teks en stem 5. Afstandtolking 6. Regstreekse onderskrifte 7. Video geslote onderskrifte 8. Drabare waarskuwingstelsel 9. Gehoorapparaat en oorvorm: <ul style="list-style-type: none"> • Liggaamsapparate volledig met koord en ontvanger • Agter-die-oor (ADO)-analoggehoorapparaat vir ligte gehoorverlies • ADO-analoggehoorapparaat vir hewige gehoorverlies • ADO-analoggehoorapparaat vir diepgaande gehoorverlies • Kanaal (in-die-oor-IDO) gehoorapparaat (ligte tot hewige gehoorverlies - analog) • Oorvlak (ADO/IDO) programmeerbare digitale gehoorapparaat • Opneemtoestel • Bystandluistertoestel (BLS) • FM (frekwensiemoduleerderstelsel) -ontvanger en versender • Klankveldversterkingstelsel • Batterie vir gehoorapparaat
Gesig (Blind, swak gesigsvermoë, doof en blind)	<ol style="list-style-type: none"> 9. Elektroniese vergroter vir werkskerm 10. Draagbare elektroniese vergroter 11. Handgehoue elektroniese vergroter 12. Muistipe vergroter 13. Elektroniese handgehoue eenoogvergroter 14. Optiese vergroter 15. Sleutelbordgeletterdheidsagteware 16. Skermvergrotingsagteware 9. Grootdruksleutelbord 10. Sakrekenaar met groot skerm 11. Skermleessagteware 12. Verfrisbare Braille-skerm 13. Braille-leser en notanemer 14. Braille Persoonlike Digitale assistent

	<ol style="list-style-type: none"> 15. Optiese karaktererkenning (OCR) sagteware en hardeware 16. Eenvoudige rekenaaromgewing 17. Handbraille-skrywer 18. Braille-drukker met lae en medium volume 19. Braille-drukker met hoë volume 20. Braille-vertalingsagteware 21. Wiskundesagteware 22. Tassintuiglike grafikaproduksiesagteware 23. Tassintuiglike dupliseerder 24. Tassingtuiglike taspaneel 25. Gespesialiseerde e-Leser 26. Multimedia-speler 27. DAISY-leessagteware 28. Digitale stemopnemer 29. Pratende sakrekenaar 30. Oudioetiketteringstoestel 31. Navigeringsapparaat vir die gesiggestremde 32. Elektroniese reisapparaat wat op kiere gemonteer kan word 33. Handgehoude praat-GPS 34. Perkins Braille 35. Bandopnemer 36. Digitale opnemer bande 37. Persoonlike rekenaar 38. Reislekker 39. Bril
<p>Beweeglikheid/Motor (fisiese funksie, bv. belemmerde boonste ledemaat of onderste ledemaat se funksionaliteit, kwadriplegie, paraplegie)</p>	<ol style="list-style-type: none"> 1. Spraakherkenningsagteware 2. Meganiese skakelaar 3. Nabyheidskakelaar 4. Infrarooiskakelaar 5. Skakelaarkoppelvlakboks 6. Skakelaarvaardighedesagteware 7. Draadlose sender vir skakelaar 8. Draadlose ontvanger 9. Alternatiewe muis – stuurstok 10. Alternatiewe muis - rollerbal 11. Alternatiewe muis – Kop/ ledemaat muis 12. Alternatiewe muis – Oognaspoorder 13. Oogblikleersagteware 14. Oogblikgebruikersvermoëagteware 15. Alternatiewe sleutelbord met groot sleutels 16. Alternatiewe sleutelbord sleutelskut 17. Sleutelbord vir linkerhand 18. Sleutelbord vir een hand 19. Kopwyser

	<p>20. Tikstok</p> <p>21. Speelding/apparaatbeheer</p> <p>22. Rolstoel</p> <ul style="list-style-type: none"> • handgedrewe rolstoel • verstelbare postuurondersteuningstoel • gemotoriseerde stoel met basis sitstelsel en skootbelde • sitplekkussings • spanningverstelbare rugleuning • rugleuning met verstelbare laterale steun • gepasmaakte rugleuning • skinkbordtafel • kopstut • gevormde kopstut • verstelbare kopstut • gepasmaakte kopstut • kenbeheermontering • kenbeheer – stuurstok • kenbeheer - bal • teks-na-spraak rekenaarsagteware • tafel waarvan hoogte verstel kan word <p>23. Rekenaar (Tetra- en kwadriplegies)</p> <p>24. Opnemer (Tetra- en kwadriplegies)</p> <p>25. Stewels (skoene)</p> <p>26. Kommode</p> <p>27. Kierie</p> <p>28. Krukke</p> <p>29. Loopysters</p> <p>30. Beslagringe</p> <p>31. Loopraam</p> <p>32. Skryfspalk</p> <p>33. Enkelstut en spalke</p> <p>34. Voet- en been-ortopediese stutte</p> <p>35. Geletterheidsagteware vir lees- en skryfondersteuning</p> <p>36. Wiskundeontwikkelingsagteware</p> <p>37. Teks-na-spraak handskandeerder</p> <p>38. 'n Versameling ontwikkelingshulpbronne om sig, aanraking, gehoorvaardighede, reuksintuig te stimuleer</p> <p>39. Digitale stemopnemers</p> <p>40. Vlotheidtoestel</p> <p>41. Aanvullende en alternatiewe kommunikasietoestel vir outisme</p> <p>42. AAC-toestelle 7, met inbegrip van die volgende:</p> <ul style="list-style-type: none"> • Toegewyde rekenaarstelsel • Sagteware vir nie-toegewyde rekenaar • Rekenaartoegangtoestelle, met inbegrip van spesiaal ontwerpte sleutelborde en stemherkenningstelsels
--	--

	<ul style="list-style-type: none"> • Ander randapparaat wat aangepaste toegang tot rekenaars voorsien • Rekenaaruitsettoestelle wat vir monitors en drukkers aangepas is • Sagtewarestelsels wat spesifiek tot ACC-stelsels is • Oorskakelingstoestelle • Nie-elektroniese ACC-toestelle en -stelsels <p>43. Toestel om die tyd wat oor of verby is te meet</p> <p>44. Gerekenariseerde polshorlosie met meer funksies as die hou van tyd</p> <p>45. Prentsimboolsagteware</p> <p>46. Sosiale vaardighede rekenaarsagteware</p> <p>47. Sosiale vaardighede bordspeletjies, aktiwiteite en klaskamerhulpbronne</p>
<p>Neurologiese en neuro-ontwikkelingsbelemmerings (bv. breinverlamming, fetale alkoholsindroom, traumatiese kopbesering, beroerte, epilepsie, aandag- en hiperaktiwiteitsafwyking, disleksie, downsindroom, diskalkulie, disgrafie) en gedrag en sosiale vaardighede (veroorzaak deur bv. mishandeling, afskeping, trauma, wanvoeding)</p>	<p>1. Geletterdheidsagteware vir lees- en skryfondersteuning</p> <p>2. Wiskunde-ontwikkelingsagteware</p> <p>3. Teks-na-spraak handskandeerder</p> <p>4. 'n Keuse van ontwikkelingshulpbronne om gesig, aanraking, ouditoriese vaardighede, reuksintuig te stimuleer</p> <p>5. Digitale stemopnemers</p> <p>6. Vlotheidtoestel</p> <p>7. Outistiese aanvullende en alternatiewe kommunikasietoestelle</p> <p>8. AAC-toestelle, met inbegrip van die volgende:</p> <ul style="list-style-type: none"> • Toegewyde rekenaarsstelsel • Sagteware vir nietoegewyde rekenaar • Rekenaartoegangstoestelle, ook spesiaal ontwerpte sleutelborde en stemerkenningstelsels • Ander randapparate wat aangepaste toegang tot rekenaar voorsien • Rekenaaruitsettoestelle wat vir monitors en drukkers aangepas is • Sagtewarestelsels spesifiek tot ACC-stelsels • oorskakelingstoestelle • nie-elektroniese ACC-toestelle en -stelsels <p>9. Toestel om te meet hoeveel tyd beskikbaar of verby is</p> <p>10. Gerekenariseerde polshorlosie met funksionaliteit wat meer as net tyd hou</p> <p>11. Prentsimboolsagteware</p> <p>12. Rekenaarsagteware vir sosiale vaardighede</p> <p>13. Bordspeletjies, aktiwiteite en klaskamerhulpbronne vir sosiale vaardighede</p>
<p>Kognisie en leer – ligte, hewige en diepgaande intellektuele gestremdheid</p>	<p>1. Kleurkode muis</p> <p>2. Muisvaardighedesagteware</p> <p>3. Sleutelbordvaardighedesagteware</p>

	<ol style="list-style-type: none"> 4. Sagteware vir aktiwiteite vir geletterdheid, syfervaardighede, wetenskap, kreatiwiteit in die curriculum 5. Simulationet-sagteware vir vaardighede in wiskunde, wetenskap, tegnologie, rekenaarstudies en motorbou 6. Sagteware vir geletterdheidontwikkeling 7. Spinnekopdiagramsgagteware 8. Inklusiewe interaktiewe musiekstelsel 9. Outistiese aanvullende en alternatiewe kommunikasietoestel 10. AAC-toestelle 7, met inbegrip van die volgende: <ul style="list-style-type: none"> • Toegewyde rekenaarsstelsel • Sagteware vir nietoegewyde rekenaar • Rekenaartoegangstoestelle, met inbegrip van spesiaal ontwerpte sleutelborde en stemherkenningstelsels • Ander randapparatuur wat aangepaste toegang tot rekenaars voorsien • Rekenaaruitsettoestelle, aangepas vir monitors en drukkers • Sagtewarestelsels spesifiek tot ACC-stelsels • oorskakelingstoestelle • nie-elektroniese ACC-toestelle en stelsels
<p>Kommunikasie - min of geen funksionele spraak</p>	<ol style="list-style-type: none"> 1. Draagbare stemversterker 2. Enkelboodskap-opneembare toestel 3. Multi-boodskap opnemer 4. Prentjiesimboolsagteware 5. Toegewyde teks-na-spraaktoestel 6. Dinamiese kommunikasietoestel 7. Kommunikasiesagteware 8. Gesintetiseerde stemme 9. Geletterdheidsagteware vir lees- en skryfondersteuning 10. Wiskundeontwikkelingsagteware 11. Teks-na-spraak handskandeerder 12. 'n Seleksie van ontwikkelingshulpbronne om sig, tas, ouditoriese vaardighede en reuksintuig te ontwikkel 13. Digitale stemopnemers 14. Vlotheidtoestel 15. Outisme aanvullende en alternatiewe kommunikasietoestel 16. AAC-toestelle 7, met inbegrip van die volgende: <ul style="list-style-type: none"> • Toegewyde rekenaarsstelsel • Sagteware vir nietoegwyde rekenaar • Rekenaartoegangstoestelle, met inbegrip van spesiaalontwerpte sleutelborde en stemherkenningstelsels • Ander randapparatuur wat toegang tot rekenaars voorsien

	<ul style="list-style-type: none"> • Rekenaaruitset toestelle wat vir monitors en drukkers aangepas is • Sagtewarestelsels spesifiek tot ACC-stelsels • Nie-elektroniese ACC-toestelle en -stelsels <p>17. Toestel om te meet hoeveel tyd beskikbaar of verby is</p> <p>18. Gerekenariseerde polshorlosie met meer funksionaliteit as blote hou van tyd</p> <p>19. Prentsimboolsagteware</p> <p>20. Rekenaarsagteware vir maatskaplike vaardighede</p> <p>21. Bordspeletjies, aktiwiteite en klaskamerhulpbronne vir sosiale vaardighede</p>
<p>Gesondheid (diabetes, chroniese toestande, geestesgesondheid, bv depressie, skisofrenie, bipolêre gemoedsteuring)</p>	<p>1. Sensoriese ontwikkelingshulpbronne</p> <p>2. Inklusiewe interaktiewe musiekstelsel</p>

SOUTH AFRICAN REVENUE SERVICE

NO. R. 3061

17 February 2023

CUSTOMS AND EXCISE ACT, 1964.
AMENDMENT OF SCHEDULE NO. 1 (NO. 1/1/1895)

In terms of section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule No. 1 to the said Act is hereby amended to the extent set out in the Schedule hereto.


ENOCH GODONGWANA
MINISTER OF FINANCE

SCHEDULE

By the insertion of the following:

Heading / Subheading	CD	Article Description	Statistical Unit	Rate of Duty					
				General	EU / UK	EFTA	SADC	MERCOSUR	AfCFTA
3002.41.20	1	Bacilles Calmette Guérin (BCG)	kg	free	free	free	free	free	free
3002.41.25	2	Oral Polio Vaccine (OPV)	kg	free	free	free	free	free	free
3002.41.30	9	Rotavirus Vaccine (RV)	kg	free	free	free	free	free	free
3002.41.35	3	Diphtheria, Tetanus, Acellular Pertussis (DTaP-IPV-Hib-HBV (Hexaxim))	kg	free	free	free	free	free	free
3002.41.40	6	Inactivated Polio Vaccine, Haemophilus Influenzae Type B and Hepatitis B Combined	kg	free	free	free	free	free	free
3002.41.45	7	Pneumococcal Conjugated (PCV)	kg	free	free	free	free	free	free
3002.41.50	3	Vaccine Measles	kg	free	free	free	free	free	free
3002.41.55	4	Tetanus and reduced strength of Diphtheria Vaccine (Td Vaccine)	kg	free	free	free	free	free	free

SUID-AFRIKAANSE INKOMSTEDIENS

NO. R. 3061

17 Februarie 2023

DOEANE- EN AKSYNSWET, 1964.
WYSIGING VAN BYLAE NO. 1 (NO. 1/1/1895)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae No. 1 by bogenoemde Wet hiermee gewysig in die mate in die Bylae hierby aangetoon.


ENOCH GODONGWANA
MINISTER VAN FINANSIES

BYLAE

Deur die invoeging van die volgende:

Pos / Subpos	TS	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg						
				Algemeen	EU / VK	EFTA	SAOG	MERCOSUR	ARKVHG	
3002.41.20	1	---	kg	vry	vry	vry	vry	vry	vry	vry
3002.41.25	2	---	kg	vry	vry	vry	vry	vry	vry	vry
3002.41.30	9	---	kg	vry	vry	vry	vry	vry	vry	vry
3002.41.35	3	---	kg	vry	vry	vry	vry	vry	vry	vry
3002.41.40	6	---	kg	vry	vry	vry	vry	vry	vry	vry
3002.41.45	7	---	kg	vry	vry	vry	vry	vry	vry	vry
3002.41.50	3	---	kg	vry	vry	vry	vry	vry	vry	vry
3002.41.55	4	---	kg	vry	vry	vry	vry	vry	vry	vry

PROCLAMATIONS • PROKLAMASIES

PROCLAMATION 114 OF 2023

by the
PRESIDENT of the REPUBLIC of SOUTH AFRICA

SPECIAL INVESTIGATING UNITS AND SPECIAL TRIBUNALS ACT, 1996 (ACT NO. 74 OF 1996): AMENDMENT OF PROCLAMATION NO. R. 36 OF 2019

Under section 2(4) of the Special Investigating Units and Special Tribunals Act, 1996 (Act No. 74 of 1996), I hereby amend Proclamation No. R. 36 of 2019, by—

- (a) in the Proclamation and the Schedule thereto, the inclusion of the word “former” immediately preceding the words “National Department of Agriculture, Forestry and Fisheries” and “DAFF”, wherever the aforementioned words appear in that Proclamation and Schedule;
- (b) the extension of the period referred to in the fourth paragraph of the Proclamation to the date of publication of this Proclamation;
- (c) the deletion of paragraph 3 of the Schedule; and
- (d) the addition of the following paragraphs in the Schedule:
 - “4. Maladministration in the affairs of the former DAFF, in relation to—
 - (a) the mismanagement of the Ilima/Letsema Support Programme (hereinafter referred to as the “ILSP”);
 - (b) the allocation and use of ILSP funds; and
 - (c) the monitoring of projects that were funded in terms of the ILSP, and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the former DAFF, or the State, including the causes of such maladministration.
 - 5. The use of ILSP funds to procure or contract for goods or services by or on behalf of the former DAFF, and payments which were made in respect thereof in a manner that was—

- (a) not fair, equitable, transparent, competitive or cost-effective; or
- (b) contrary to applicable—
 - (i) legislation;
 - (ii) manuals, guidelines, practice notes, circulars or instructions issued by the National Treasury; or
 - (iii) manuals, codes, guidelines, policies, procedures, prescripts, instructions or practices of, or applicable to the former DAFF, and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the former DAFF or the State.

6. Any unlawful or improper conduct by the employees or officials of the former DAFF or applicable service providers, or any other person or entity in relation to the allegations set out in paragraphs 1 to 5 of this Schedule.”

Given under my Hand and the Seal of the Republic of South Africa at Johannesburg this 26 day of January Two thousand and twenty three.

President

By Order of the President-in-Cabinet:

Minister of the Cabinet

PROKLAMASIE 114 VAN 2023

VAN DIE
PRESIDENT VAN DIE REPUBLIEK VAN SUID-AFRIKA**WET OP SPESIALE ONDERSOEKEENHEDE EN SPESIALE TRIBUNALE, 1996 (WET NO. 74 VAN 1996): WYSIGING VAN PROKLAMASIE NO. R. 36 VAN 2019**

Kragtens artikel 2(4) van die Wet op Spesiale Ondersoekenehede en Spesiale Tribunale, 1996 (Wet No. 74 van 1996), wysig ek hierby Proklamasie No. R. 36 van 2019 deur—

- (a) in die Proklamasie en die Bylae daartoe, die woord "voormalige" direk voor die woorde "Departement van Landbou, Bosbou en Visserye" en "DLBV" in te voeg, waar die voormelde woorde in die Proklamasie en die Bylae daartoe verskyn;
- (b) die verlenging van die tydperk vermeld in die vierde paragraaf van die Proklamasie tot die datum van publikasie van hierdie Proklamasie;
- (c) die skraping paragraaf 3 van die Bylae; en
- (d) die byvoeging van die volgende paragrawe in die Bylae:

"4. Wanadministrasie in verband met die aangeleenthede van die voormalige DLBV in verband met—

- (a) die wanbestuur van die Ilima/Letsema Ondersteuningsprogram (hierna na verwys as die "ILSP");
- (b) die toewysing of gebruik van ILSP fondse;
- (c) die monitering van projekte wat befonds is ingevolge die ILSP,

en enige verbandhoudende ongemagtigde, onreëlmatige of vrugtelose en verspilte uitgawes wat deur die DLBV of Staat aangegaan is, insluitende die oorsake van sodanige wanadministrasie.

5. Die gebruik van ILSP fondse vir die aankoop van, of kontraktering vir goedere of dienste deur of namens die voormalige DLBV, en betalings wat in verband daarmee gemaak is op 'n wyse wat—

- (a) nie regverdig, mededingend, deursigtig, billik, of koste-effektief was nie; of
- (b) strydig was met toepaslike—

- (i) wetgewing;
- (ii) handleidings, riglyne, praktyknotas omsendskrywes of instruksies wat deur die Nasionale Tesourie uitgevaardig is; of
- (iii) handleidings, beleid, prosedures, voorskrifte, instruksies of praktyke van, of wat op die voormalige DLBV van toepassing is,

en enige verbandhoudende ongemagtigde, onreëlmatige of vrugtelose en verspilte uitgawes wat deur die voormalige DLBV of die Staat aangegaan is.

6. Enige onwettige of onbehoorlike optrede van die werknemers of beamptes van die voormalige DLBV of toepaslike diensverskaffers, of enige ander persoon of entiteit, ten opsigte van die bewerings uiteengesit in paragrawe 1 tot 5 van hierdie Bylae.”.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Johannesburg op hede die 26 dag van Januarie Tweeuisend-drie-en-twintig.

President

Op las van die President-in-Kabinet:

Minister van die Kabinet

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