

## DEADLINES FOR THE FOLLOWING CALLS FOR COMMENT DOCUMENTS HAVE PASSED

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### **Comment & public hearings: Judicial Matters Amendment Bill [B7 – 2013]**

The Portfolio Committee on Justice and Constitutional Development invites stakeholders and interested persons to submit written submissions on the [Judicial Matters Amendment Bill \[B7-2013\]](#)

The purpose of the Judicial Matters Amendment is to amend:

the Magistrates' Courts Act, 1944, so as to bring the Afrikaans text relating to causes of action over which magistrates' courts have jurisdiction in line with that of the English text; and to further regulate the jurisdiction of magistrates' courts in line with a decision of the Constitutional Court;

- the Criminal Procedure Act, 1977, so as to effect certain textual corrections; and to further regulate the provisions relating to the expungement of certain criminal records;
- the Attorneys Act, 1979, so as to further regulate the constitution and the powers of the board of control of the Attorneys Fidelity Fund;
- the Small Claims Courts Act, 1984, so as to further regulate the appointment of commissioners;
- the Judicial Service Commission Act, 1994, so as to allow the Chairperson of the Judicial Conduct Committee to delegate certain powers or functions to an acting Chairperson; to further regulate the election of an acting Chairperson of the Judicial Conduct Committee; to provide for the referral of a complaint to the Deputy Chief Justice; to provide that the Minister may make regulations regarding witness fees; and to effect certain textual corrections;
- the Criminal Law Amendment Act, 1997, so as to exclude persons under the age of 18 years from the operation of that Act;
- the Promotion of Access to Information Act, 2000, so as to extend the time periods within which to bring court applications;
- the Children's Act, 2005, so as to allow for information in the National Child Protection Register to be made available in the case of applications for the expungement of certain criminal records;
- the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007, so as to effect certain textual corrections; to allow for information in the National Register for Sex Offenders to be made available in the case of applications for the expungement of certain criminal records; and to further regulate the issuing of directives by the National Director of Public Prosecutions;
- the Child Justice Act, 2008, so as to further regulate the evaluation of the criminal capacity of a child; to further regulate the reporting of any injury sustained or severe psychological trauma suffered by a child while in police custody; to further regulate the holding of preliminary inquiries; to provide for the delegation of certain powers and assignment of certain duties by the Cabinet member responsible for social development in respect of the accreditation of diversion programmes and diversion service providers; to effect certain textual corrections; to repeal provisions that make the Criminal Law Amendment Act, 1997, applicable to persons under the age of 18 years; to further regulate the automatic review of children in certain cases; and to further regulate the expungement of records of certain convictions of children; and
- the Reform of Customary Law of Succession and Regulation of Related Matters Act, 2009, so as to effect certain textual corrections; and to provide for matters connected therewith.

**Comments** can be emailed to Mr. V Ramaano at [vramaano@parliament.gov.za](mailto:vramaano@parliament.gov.za) by no later than **Friday, 24 May 2013**

For **Public hearings'** dates and **enquiries** please contact Mr V Ramaano on tel (021) 403 3820 or cell 083 709 8427

*Issued by Hon. LT Landers Chairperson: PC on Justice and Constitutional Development*

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**Comment: Court-Annexed Mediation Rules**

In keeping with the Constitution which guarantees access to justice for all and consistent with the emerging trends in other parts of the world, the Rules Board for Courts of Law, has on the request of the Minister of Justice and Constitutional Development as part of the Civil Justice Reform Programme, prepared a set of rules to facilitate court-annexed mediation. The Rules Board is a statutory body tasked with the function of conducting research and draft rules of procedure for the High Courts and the Magistrates' Courts country-wide.

The complete set of these rules are posted on the website of the Department of Justice and Constitutional Development (in all [official languages](#)). Here is the English version of the [Court-Annexed Mediation Rules](#).

**Comments** can be emailed to Mr J Balkishun at [submissions@justice.gov.za](mailto:submissions@justice.gov.za) by no later than **Wednesday, 22 May 2013**.

**Enquiries** can be directed to Mr J Balkishun on tel (012) 326 8014.

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Find here: [brief explanation of the Rules and the objective they seek to achieve](#)

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**Comment: Increase in the Monetary Jurisdiction of Magistrates' Courts**

The Minister of Justice and Constitutional Development intends, as part of the on-going Civil Justice Reform Programme (CJRP), to increase the monetary jurisdiction of the district and regional courts respectively.

Comments are invited from the justice sector, individuals and interested groups on the extent of the increase that may be effected to the district and regional courts.

Magistrates' courts are easily accessible compared to the high courts where the cost of litigation can run into hundreds of thousands. An overwhelming majority of court cases are heard by magistrates' courts in over 755 courts situated in municipal districts, compared to high courts whose jurisdictions are provincially based.

In terms of current legislation, a district magistrate's court can adjudicate over disputes that are under R100 000. Regional courts, in specific areas which were designated in 2010, can hear civil jurisdiction of between R100 000 and R300 000.

Civil disputes above the R100 000 or R300 000 thresholds of the district magistrates' courts or regional courts respectively may only be adjudicated at a high court which has jurisdiction over the matter. This has the effect of burdening litigants with huge legal costs.

A review of the monetary jurisdiction of the district and regional courts may, therefore promote quicker access to legal recourse at lower costs to the public.

**Comments** can be emailed to Adv JB Skosana at [submissions@justice.gov.za](mailto:submissions@justice.gov.za) by no later than **Friday, 24 May 2013**.

**Enquiries** can be directed to Adv JB Skosana on tel (012) 315 1649.

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**Comment: Proposed 2015 School Calendar for Public Schools**

The Minister of Basic Education has published the [proposed 2015 School Calendar for public schools](#).

All persons with a particular interest in the school calendar are invited to comment in writing on the proposed school calendar.

**Comments** can be emailed to Mr Sihle Mlambo at [MIlambo.S@dbe.gov.za](mailto:MIlambo.S@dbe.gov.za) by no later than **Friday, 17 May 2013**.

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**Comment: Proposed ICT Policy Review Framing Paper**

The Minister of Communications has published the proposed [ICT Policy Review Framing Paper, 2013](#)

Interested persons are invited to provide written comments on the proposed Framing Paper.

**Comments** can be emailed to Ms Adelaide Masemola at [ictreviewpanel@doc.gov.za](mailto:ictreviewpanel@doc.gov.za) by no later than **Saturday, 15 June 2013**.

**Enquiries** can be directed to Ms Adelaide Masemola on tel (012) 421 7020 or on tel (012) 421 7751.

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The document is also available here: [http://www.pmg.org.za/policy\\_docs](http://www.pmg.org.za/policy_docs)

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**Comment: Carbon Tax Policy Paper**

The Carbon Tax Policy Paper, *Reducing greenhouse gas emissions and facilitating the transition to a green economy*, is published for public comment.

Find document here: [press release update carbon tax policy paper](#)

Find document here: [carbon tax policy paper](#)

Written comments can be emailed to Dr. Memory Machingambi, at [Memory.Machingambi@treasury.gov.za](mailto:Memory.Machingambi@treasury.gov.za) by no later than **Friday, 2 August 2013**.

*Issued by National Treasury Date: 2 May 2013*

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The document is also available here: [www.pmg.org.za/policy\\_docs](http://www.pmg.org.za/policy_docs)

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**Comment & public hearings: Special Economic Zones Bill [B3-2013]**

The Portfolio Committee on Trade and Industry invites interested individuals and stakeholders to submit written comments on the [Special Economic Zone Bill \[B3-2013\]](#).

The purpose of the Bill is:

- To provide for the designation, promotion, development, operation and management of Special Economic Zones
- to provide for the establishment, appointment of members and functioning of the Special Economic Zones Advisory Board;
- to empower the Minister to establish the Special Economic Zones Fund;
- to regulate the application, issuing, suspension, withdrawal and transfer of Special Economic Zones operator permits;
- to provide for functions of the Special Economic Zones operator; to provide for transitional arrangements; and
- to provide for matters connected therewith.

Interested individual and groups wishing to comment are invited to comment on the Bill

**Public hearings** will be held in Parliament on **Wednesday, 15 & Friday, 17 May 2013**.

**Comments** can be emailed to Mr A Hermans at [ahermans@parliament.gov.za](mailto:ahermans@parliament.gov.za) ; [mherling@parliament.gov.za](mailto:mherling@parliament.gov.za) ; [ncloete@parliament.gov.za](mailto:ncloete@parliament.gov.za) by no later than **Friday, 3 May 2013**.

**Enquiries** can be directed to Mr A Hermans on tel (021) 403-3776

*Issued by: Ms J Fubbs, Chairperson: Portfolio Committee of Trade and Industry*

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The bill is also available here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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### **Comment: NEM: Integrated Coastal Management Amendment Bill [B8-2013]**

In line with Parliament's core objective of facilitating public participation, the Portfolio Committee on Water and Environmental Affairs (the Committee) invites the public to submit written submissions on the National Environmental Management: Integrated Coastal Management Amendment Bill (B8-2013)

**Find the documents here:** [the press statement as well as the copy of the Bill.](#)

Interested individuals and organizations wishing to comment on this subject are kindly requested to forward written submissions to the Committee Coordinator, Ms T Madubela, on or before 31 May 2013.

Please don't hesitate to contact me, should you need further clarity.

Kind regards

Tyhileka Madubela

Tyhileka P. Madubela, Ms  
Committee Coordinator: PC on Water and Environmental Affairs  
Committee Section, 90 Plein Street  
Parliament of the Republic of South Africa  
CAPE TOWN

8000  
Tel: 021 403 3713  
Fax: 086 543 6485  
Cell: 083 304 9586  
Home: <http://www.parliament.gov.za>

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The bill is also available here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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**Comment: National Animal Pounds Bill**

The Minister of Agriculture, Forestry and Fisheries invites all interested institution, organisations and individuals to submit written comments on the [National Animal Pounds Bill](#).

**Comments** can be emailed to Keith Ramsay at [keithr@daff.gov.za](mailto:keithr@daff.gov.za) by no later than **Friday, 17 May 2013**.

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The bill is also available here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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**Comment: Allocation & Management of Fishing Rights: Draft Revised General Policy**

The Department of Agriculture, Forestry and Fisheries is calling for comments on its [Draft Revised General Policy on Allocation and Management of Fishing Rights: April 2013](#)

Interested and affected parties are invited to submit written comments on this Draft Revised General Policy on the Allocation and Management of Fishing Right: April 2013.

**Comments** can be emailed to R Scott at [Fishingrights@daff.gov.za](mailto:Fishingrights@daff.gov.za) by no later than 17h00 on **Friday, 10 May 2013**.

**Enquiries** can be directed to Carol Moses on tel (021) 402 3448 or cell 079 0464 589

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**Comment: Threatened or Protected Species Draft Regulations**

The Minister of Water and Environmental Affairs, with reference to the National Environmental Management Biodiversity Act, has published Draft [Regulations Relating to Listed Threatened or Protected Species](#).

Members of the public are invited to submit written comments.

**Comments** can be emailed to Ms Magdel Boshoff at [mboshoff@environment.gov.za](mailto:mboshoff@environment.gov.za) by no later than **Friday, 14 June 2013**.

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**Comment: Student Housing at Public Universities & Minimum Norms and Standard Applicable - Draft Policy**

The Minister of Higher Education and Training has, after consulting the Council on Higher Education, published for public comment the [draft Policy on Student Housing at the Public Universities and the Minimum Norms and Standard Applicable](#)

All interested persons and organisations are invited to comment on the draft Policy.

**Comments** can be emailed to Mr S Makgoba at [makgobas@dhet.gov.za](mailto:makgobas@dhet.gov.za) by no later than **Friday, 10 May 2013**.

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**Comment: Strategic Stocks Petroleum Policy and Implementation Plan: DRAFT**

The Minister of Energy, in terms of the National Energy Act, has released the:

**DRAFT** [Strategic Stocks Petroleum Policy and Implementation Plan](#)

Members of the public are invited to submit comments on the draft policy and plan.

**Comments** can be emailed to Ms Zombango Nondabula at [zombango.nondabula@energy.gov.za](mailto:zombango.nondabula@energy.gov.za) by no later than **Wednesday, 8 May 2013**

**Enquiries** can be directed to Mr Jabulani Ndlovu on tel (012) 406 7520 or Ms Zombango Nondabula on tel (012) 406 7576/72

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**Comment: Agricultural Produce Marketing Agencies Draft Bill**

The Minister of Agriculture, Forestry and Fisheries published the draft [Agricultural Produce Marketing Agencies Bill 2013](#) for public comment.

The purpose of the Bill is to:

- Provide for the continued existence and name change of Agricultural Produce Agents Council to Agricultural Produce Marketing Agency;
- Provide for the continued existence and name change of the Fresh Produce Agents Fidelity Fund to Agricultural Produce Marketing Agency Fidelity Fund;
- Provide for the constitution of the Board of the Agricultural Produce Marketing Agency;
- Provide for broad objects and functions of the Agricultural Produce Marketing Agency;
- Make certain provisions applicable to all or certain categories of agricultural produce agents, auctioneer, brokers and wholesalers;
- Provide for the regulation of fresh produce markets;
- Provide for compulsory training, registration and accreditation of all agricultural produce agents, auctioneers, brokers, wholesalers, sales persons and booking clerks;
- Repeal the Agricultural Produce Agents Act, 1992.

Interested persons and the public are invited to submit comments on the Bill.

**Comments** can be emailed to Mr H.M Mamabolo at [MogalaM@daff.gov.za](mailto:MogalaM@daff.gov.za) or [PA.DM@daff.gov.za](mailto:PA.DM@daff.gov.za) by no later than **Monday, 27 May 2013**

**Enquiries** can be directed to Mr. H.M Mamabolo on tel (012) 319 8455 or (012) 319 8456

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The bill is also available here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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### **Comment & public hearings: Budget Vote 24: Justice and Constitutional Development**

The Portfolio Committee on Justice and Constitutional Development will review the Strategic Plans and Budget of the Department of Justice and Constitutional Development, National Prosecuting Authority, Special Investigating Authority, Public Protector South Africa, South African Human Rights Commission and Legal Aid South Africa. The review will take place from 17 April to 02 May.

The Committee invites stakeholders and interested persons to submit written submissions on [Budget Vote 24: Justice and Constitutional Development](#).

**Public hearings** will be held in Parliament on **Tuesday, 16 April 2013**.

**Submissions** can be emailed to Mr V Ramaano at [vramaano@parliament.gov.za](mailto:vramaano@parliament.gov.za) by no later than **Saturday, 13 April 2013**.

*Issued by Hon LT Landers: Chairperson: PC on Justice and Constitutional Development.*

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### **Comment: Licensing of Businesses Draft Bill**

The Minister of Trade and Industry has published the draft [Licensing of Businesses Bill](#) for broader public comments.

The Bill seeks to:

- provide for a simple and enabling framework for procedures for application of business licences by setting national norm and standards;
- to provide for framework for co-operative governance and harmonisation of standard procedures and minimum, requirements for application of business licences;
- to provide for framework for support monitoring and standard setting by national government in order to build local government into an efficient, frontline agency capable of integrating the activities of all spheres government for the overall social and economic upliftment of the communities in harmony with local natural environment;
- to provide the appointment of inspectors;
- to provide for framework of penalties and administrative fines for non-compliance;
- to repeal the Businesses Act, 1991 and all proclamations, notices, regulations promulgated under that law.

Interested persons may submit written comments on the Bill.

**Comments** can be emailed to Ms Baneka Dalasile at [BDalasile@thedti.gov.za](mailto:BDalasile@thedti.gov.za) by no later than **Wednesday, 17 April 2013**.

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The bill is also available here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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### **Comment: Discussion Paper: Towards a Fire Services White Paper**

The Minister of Cooperative Governance and Traditional Affairs invites interested parties to submit written comments and policy proposals on the [Discussion Paper: Towards a Fire Services White Paper](#)

**Comments** can be emailed to Mrs Rhoda Maponya at [rhodam@ndmc.gov.za](mailto:rhodam@ndmc.gov.za) by no later than **Tuesday, 30 April 2013**

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### **Comment: Expropriation draft Bill, 2013**

The Minister of Public Works invites the public to comment on the [draft Expropriation Bill, 2013](#).

The Bill provides for the expropriation of property for a public purpose or in the public interest, subject to just and equitable compensation; and to provide for matters connected therewith.

**Comments** can be emailed to Mr Manyane Chidi at [manyane.chidi@dpw.gov.za](mailto:manyane.chidi@dpw.gov.za) by no later than **16:00 on Tuesday, 30 April 2013**.

**Enquiries** can be directed to Mr Manyane Chidi on tel (012) 406 1573.

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The bill is also available here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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### **Comment: The Efficacy of South Africa's Environmental Impact Assessment Regime**

***THE EFFICACY OF SOUTH AFRICA'S ENVIRONMENTAL IMPACT ASSESSMENT REGIME: A CALL FOR RESPONSES TO GOVERNMENT'S LEGISLATIVE AND POLICY FRAMEWORK TO STRENGTHEN ENVIRONMENTAL GOVERNANCE AND THE SUSTAINABILITY OF OUR DEVELOPMENTAL GROWTH PATH***

***Have your say in highlighting the strengths and weaknesses in the current EIA system in South Africa***

***Parliament invites you to be a solution in strengthening the EIA regime***

An environmental impact assessment (EIA) is an analytical process that systematically examines the possible environmental consequences of the implementation of projects, programmes and policies, which impacts on the environment. Commitments to the application and institutionalisation of EIA are enshrined in the international sustainable development agenda (including the Rio Principles, Agenda 21, and the Johannesburg Plan of Action), the Environmental Initiative of New Partnership for Africa's Development (NEPAD), and in the Paris Declaration on Aid Effectiveness. Whilst the EIA is recognised globally as a key support tool for sustainable development, balancing local socio-economic, political and ecological priorities, especially in developing countries such as Africa, aspects of its implementation remains particularly challenging.

In South Africa, the EIA process has developed into a well-developed legislative and policy framework,



which has attempted to strengthen environmental governance and the sustainability of our developmental growth path. This procedure has resulted in the creation of an EIA regime, contained in Chapter 5 of the National Environmental Management Act 107 of 1998 (NEMA), which provides for integrated environmental management. The EIA regulations are one tool, drafted and revised over a period of time, which attempts to regulate developmental activities with an impact on the environment. While NEMA envisaged a number of tools to assess the full range of policies, programmes and activities, the EIA process and its implementation has faced a number of challenges and critiques, which can be broadly categorised as:

- Often, EIAs are applied at project level (biophysical issues). Where environment, social and economic aspects are addressed, they are not always addressed in an integrated way (EIA reports tend to present as separate chapters);
- The EIA has been inappropriately used as a 'one size fits all' approach';
- Adequacy and clarity of EIA regulations;
- Reliability of information/data;
- Adequacy of methods for assessing impacts and placing appropriate weight on negative impacts in relation to developmental factors; and
- Resource capabilities or constraints.

The Portfolio Committee on Water and Environmental Affairs (the Portfolio Committee) intends holding public hearings on Environmental Impact Assessment (EIA) regime, and specifically looking at the difficulties experienced with EIA processes and the manner in which South Africa could achieve a balanced EIA regime.

The Department of Environmental Affairs (the Department), and other relevant government state holders will commence the hearings by explaining the current EIA regime, including the achievements and challenges. Thereafter, public hearings will be held to provide insights.

- The efficacy of EIA requirements as experienced by practitioners, regulators and policy-makers, in policy, law and environmental governance structures;
- The effectiveness of EIA as a planning and regulatory tool in relation to EIA review and Environmental Management Plan (EMP) implementation;
- Whether South Africa has the requisite combination of expertise, sufficient and sustained financial capacity, and well-performing institutional and regulatory mechanisms to maintain an effective and balanced EIA regime;
- The strengths and weaknesses of the current EIA systems; and
- Recommendations to address specific challenges and responses of the present EIA regime pertinent to the practitioner, regulator and policy-maker.

The Portfolio Committee on Water and Environmental Affairs in the Parliament of the Republic of South Africa will be holding public hearings on the **Efficacy of South Africa's EIA Regime**. The Portfolio Committee invites all interested stakeholders **to submit written comments on the subject matter not later than 12 April 2013**. Public hearings are targeted for April/May 2013. Specific dates and times will be provided after the deadline has been met.

Kindly note that the Portfolio Committee Water and Environmental Affairs retains the right to regulate its own proceedings, including the right to decide whether to allow oral representations in respect of any

submission, and the format, procedure and duration of any oral representation.

All written comments appropriately referenced as “The Efficacy of South Africa’s EIA Regime” should be addressed to Ms Tyhileka Madubela, Committee Section, Parliament of RSA, PO Box 15, Cape Town 8000. Electronic submissions can be made at: [tmadubela@parliament.gov.za](mailto:tmadubela@parliament.gov.za) or hand-delivered at Room 0/88, 3<sup>rd</sup> Floor, 90 Plein Street, Cape Town. For enquiries, contact Ms Madubela on 021 403 3713 or 083 304 9586.

Issued by Adv. Johnny de Lange, M.P.: Chairperson: Portfolio Committee on Water and Environmental Affairs.

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### **Comment & public hearings: Air Quality Act's list of activities with detrimental effect on environment: Draft Amendments**

The Portfolio Committee on Water and Environmental Affairs will be holding public hearings on “**The potential or unintended consequences of the proposed amendments to the listed activities listed under section 21 of the National Environmental Management: Air Quality Act, 2004**”, and invites all interested stakeholders to **submit written comments on the subject matter not later than 11 April 2013**. Public hearings are targeted for week of the 16 April 2013.

Section 21(3)(a) and (b) of the Act provide that the notice which sets out the listed activities:

*“(a) must establish minimum emission standards in respect of a substance or mixture of substances resulting from a listed activity and identified in the notice, including –*  
*(i) the permissible amount, volume, emission rate or concentration of that substances or mixture of substances that may be emitted; and*  
*(ii) the manner in which measurements of such emissions must be carried out;*  
*(b) may contain transitional and other special arrangements in respect of activities which are carried out at the time of their listing...”.*

The AQA provides for consultative procedures before amendment of the list as set out in sections 56 and 57 of the AQA. The DEA has followed these procedures and further provided an extension for submissions of this important issue within the environmental sector. However, it is equally important for legislators to provide a national forum for public consideration of issues, including by scrutinising and overseeing executive action.

The Portfolio Committee considers the listed activities published under s.21 of AQA extremely important legislation, and deems it necessary to hold public hearings to maintain oversight within its portfolios of the water and environmental sector. The listed activities are integral in controlling and monitoring harmful or potential atmospheric emissions, and in meeting the AQA’s objective of protecting the environment and human health.

Kindly note that the Portfolio Committee retains the right to regulate its own proceedings, including the right to decide whether to allow oral representations in respect of any submission, and the format, procedure and duration of any oral representation.

All written comments appropriately referenced as “**The potential or unintended consequences of the proposed amendments to the listed activities**” can be emailed to: [tmadubela@parliament.gov.za](mailto:tmadubela@parliament.gov.za)

For enquiries, contact Ms Madubela on 021 403 3713 or 083 304 9586.

*Issued by Adv. Johnny de Lange, M.P.: Chairperson: Portfolio Committee on Water and Environmental Affairs.*

Here are the [Draft Amendments to Air Quality Act's list of activities](#)

**Subscribers**, for your interest, please review the [Centre for Environmental Rights letter to the Committee](#) on the matter.

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**Comment: Appointment of Senior Managers in Local Government draft regulations**

The Minister of Cooperative Governance and Traditional Affairs has released [draft regulations](#) for the Municipal Systems Act on:

**Appointment & Conditions of Service for Senior Managers in Local Government**

Interested person may submit their comments on or before **Wednesday 10 April 2013**

**Comments** can be emailed to Mr J Maepa at [MSAregulations@cogta.gov.za](mailto:MSAregulations@cogta.gov.za)

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**Comment: National Framework for air quality management in South Africa: Draft**

The Department of Water and Environmental Affairs intends to amend the 2007 National Framework for Air Quality Management with this:

[2012 Draft National Framework for Air Quality Management](#)

Members of the public are invited to submit comments on it.

**Comments** can be emailed to Mr Avhantodi Munyai at [amunyai@environment.gov.za](mailto:amunyai@environment.gov.za) by no later than **Tuesday, 16 April 2013**

**Enquiries** can be directed to Dr Thuli Mdluli on tel (012) 310 3436 or Mr Avhantodi Munyai on tel (012) 310 3153

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**Comment: Public school infrastructure minimum norms and standards: Draft Regulations**

The Department of Basic Education invites all interested persons and organisations to comment on the:

[Draft Regulations on Minimum Uniform Norms and Standards for Public School Infrastructure](#)

**Comments** can be emailed to Mr C Ledwaba at [ledwaba@dbe.gov.za](mailto:ledwaba@dbe.gov.za) by no later than Friday, 15 March 2013

**Enquiries** can be directed to Mr C Ledwaba on tel (012) 357 3719

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**Comment: Draft Children Amendment Bill (Private Members' Bill)**

In accordance with Rule 24(1)(b) of the National Assembly notice is hereby given that Michael Waters, MP, intends introducing a private member's shortly in order to effect a correction to the Children's Act, No

38 of 2005.

A copy of the [draft Children's Amendment Bill](#) and a memorandum setting out its objectives are included in the schedule to this Notice in fulfilment of the requirements of Rule 241(1)(c) of the Rules of the National Assembly.

Interested parties and institutions are invited to submit written representations on the draft bill.

**Comments** can be emailed to M Coetzee at [mcoetzee@parliament.gov.za](mailto:mcoetzee@parliament.gov.za) and Michael Waters at [mwaters@parliament.gov.za](mailto:mwaters@parliament.gov.za) by no later than **Tuesday, 9 April 2013**

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The bill is also available here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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### **Comment & Public hearings: Fiscal Framework and Revenue Proposals 2013/14**

The Standing Committee on Finance and the Select Committee on Finance invites stakeholders and interested parties to submit written submissions on the Fiscal Framework and Revenue Proposals that will be tabled together with the 2013/14 Budget on 27 February 2013.

The Money Bills Amendment Procedure and Related Matters Act, Act No 9 of 2009, defines the fiscal framework as follows:

the framework for a specific financial year gives effect to the national executive's macroeconomic policy and includes:

- (a) estimate of all revenue, budgetary and extra-budgetary specified separately, expected to be raised during that financial year;
- (b) estimate of all expenditure, budgetary and extra-budgetary specified separately, for that financial year;
- (c) estimates of borrowing for that financial year;
- (d) estimates of interest and debt servicing charges; and
- (e) an indication of the contingency reserve necessary for an appropriate response to emergencies or other temporary needs. And other factors based on similar objectives criteria.

**Public hearings** will be held in Parliament on **Tuesday & Wednesday, 5 & 6 March 2013**

**Comments** can be emailed to Mr Allan Wicomb at [awicomb@parliament.gov.za](mailto:awicomb@parliament.gov.za) and Mr Zolani Rento at [zrento@parliament.gov.za](mailto:zrento@parliament.gov.za) by no later than **12:00** on **Monday, 4 March 2013**

**Enquiries** can be directed to Mr Allan Wicomb on tel (021) 403 3759 or Mr Zolani Rento on tel (021) 403 8071

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Copies of the Fiscal Framework and Revenue Proposals will be available on 27 February 2013 at [www.treasury.gov.za](http://www.treasury.gov.za)

Issued by Hon. T.A. Mufamadi, MP and Chairperson: Standing Committee on Finance (National Assembly) and Hon. C.J. De Beer, MP and Chairperson: Select Committee on Finance (National Council of Provinces).

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**Comment: Fertilizer and Feeds Bill [B41 - 2012]**

The Portfolio Committee on Agriculture, Forestry and Fisheries invites interested people and stakeholders to submit written comments on the [Fertilizer and Feeds Bill](#) [B41-2012].

The Bill seeks to

- provide for the appointment of a Registrar of Fertilizer, Farm Feeds and Agricultural Remedies, for the registration of fertilizers, farm feeds, agricultural remedies, stock remedies, sterilising plants and pets control operators;
- regulate or prohibit the importation, sales, acquisition, disposal or use of fertilizers, farm feeds, agricultural remedies and stock remedies;
- provide for the designation of technical advisers and analysts.

**Comments** can be emailed to Mr Nkanyiso Mkhize at [nmkhize@parliament.gov.za](mailto:nmkhize@parliament.gov.za) by no later than **17:00** on **Tuesday, 5 March 2013**

**Enquiries** can be directed to Mr Nkanyiso Mkhize on (021) 403 8086 or 071 545 5392

Issued by Mr M.L. Johnson, MP Chairperson: Portfolio Committee on Agriculture, Forestry and Fisheries.

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The document is also available here: [www.pmg.org.za/bill?year=2012](http://www.pmg.org.za/bill?year=2012)

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#### **Comment: Biodiversity Act non-detriment findings**

The Minister of Water and Environmental Affairs has published the summary of the non-detriment findings made by the Scientific Authority in terms of section 62 of the [National Environmental Management Biodiversity Act](#)

Members of the public are invited to submit to the Minister written inputs for further consideration by the Scientific Authority.

**Comments** can be emailed to Ms M Pfab at [m.pfab@sanbi.org.za](mailto:m.pfab@sanbi.org.za) by no later than **Friday, 01 March 2013**

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#### **Comment: Measurement of Research Output of Public Higher Education Institutions**

The Minister of Higher Education and Training invites all interested persons and organizations to comment on the attached amended version of the [Policy and Procedures for the Measurement of Research Output of Public Higher Education Institutions](#)

**Comments** can be emailed to Mr Mahlubi Mabizela at [Mabizela.C@dhet.gov.za](mailto:Mabizela.C@dhet.gov.za) by no later than **Thursday, 28 February 2013**

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#### **Comment: Road Accident Benefit Scheme Draft Bill**

The Minister of Transport published the Draft [Road Accident Benefit Scheme Bill, 2013](#) for public comments

Interested person are invited to submit written comments on the draft Bill.

**Comments** can be emailed to Mr T Mphahlele at [Mphahlet@dot.gov.za](mailto:Mphahlet@dot.gov.za) or Mr K Kgantsi at [KgantsiK@dot.gov.za](mailto:KgantsiK@dot.gov.za) by no later than **Monday 8 April 2013**

**Enquiries** can be directed to Mr T Mphahlele on tel (012) 309 3481 or Mr K Kgantsi on (012) 309 3917

The bill is also available here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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**New draft bill:** [South African Rights Commission Draft Bill](#)

The Minister of Justice and Constitutional Development intends introducing the [South African Rights Commission Bill, 2013](#), in the National Assembly shortly. The explanatory summary of the Bill is included at the end of the Bill.

The bill seeks to repeal the existing Human Rights Commission Act, 1994 (Act No. 54 of 1994), and replace it with a new South African Human Rights Commission Act. The Bill further seeks to provide for the composition, powers, functions and functioning of the South African Human Rights Commission and for matters connected therewith.

Please note: This is not the final version of the Bill as it still has to be approved by the State Law Advisers.

The bill is also available here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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**Comment: Infrastructure Development Draft Bill**

The Department of Economic Development published the [Draft Infrastructure Development Bill](#) for public comment.

Any person who wishes to submit representation or comments in connection with the Draft Bill is invited to do so by no later than **16h00 on Sunday, 10 March 2013**. Comments received after this time may not be considered.

All comments must be submitted in writing to the Ms Nthato Minyuku – Chief Director: Economic Planning and Coordination (PICC) in the Department of Economic Development

**Comments** can be emailed to Ms Nthato Minyuku at [NMinyuku@economic.gov.za](mailto:NMinyuku@economic.gov.za)

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**Comment: Broad-Based Black Economic Empowerment Amendment Bill [B42-2012]**

The Portfolio Committee on Trade and Industry invites interested people and stakeholders to submit comments on the:

[Broad-Based Black Economic Empowerment Amendment Bill \[B42-2012\]](#)

The purpose of the Bill is:

- to insert certain definitions and to amend others;
- to clarify interpretation;

- to provide for the remuneration of Council members;
- to promote compliance by organs of state and public entities and to strengthen the evaluation and monitoring of compliance;
- to include the creation of incentive schemes to support black-owned and managed enterprises in the strategy for broad-based black economic empowerment;
- to provide for the cancellation of a contract or authorisation;
- to establish the Broad-Based Black Economic Empowerment Commission to deal with compliance of broad-based black economic empowerment;
- to provide for offences and penalties.

**Public hearings** will be held in Parliament on **Friday, Wednesday, Friday & Wednesday 8, 13, 15 & 20 March 2013**.

**Comments** can be emailed to Mr A Hermans at [ahermans@parliament.gov.za](mailto:ahermans@parliament.gov.za) by no later than **Friday, 1 March 2013**.

**Enquiries** can be directed to Mr A Hermans on tel (021) 403 3776

Issued by Ms J Fubbs, Chairperson of the Portfolio Committee of Trade and Industry

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The document is also available here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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#### **Comment: ICASA Amendment Draft Bill**

The Minister of Communication invites interested person to provide written comments on the proposed [Independent Communication Authority of South Africa Amendment Bill, 2012](#).

The Bill seeks to:

- provide for further clarity on the powers and duties of the establishment of the Complaints and Compliance Commission to replace the Complaints and Compliance Committees;
- Confirm the use of electronic communications networks and services for the purpose of electronic transactions;
- introduce mechanisms to ensure the accountability of committees and the Authority including of councillors.

**Comments** can be emailed to Lerato Monareng at [lerato@doc.gov.za](mailto:lerato@doc.gov.za) by no later than **Thursday, 10 January 2012**

**Enquiries** can be directed to Lerato Monareng on tel (012) 427 8217 or Khayaletu Rutsha on tel (012) 427 8019

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#### **Comment: Review of Broadcasting Regulatory Framework towards a digitally converged environment**

The Independent Communication Authority of South Africa invites interested persons to submit written representations on the [ICASA preliminary report on public consultation processes: Issues Paper on Review of Broadcasting Regulatory Framework towards a Digital Converged Environment](#)

**Public hearings** will be held from 23-25 January 2013

**Comments** can be emailed to Mr Dimakatso Mashile at [regulatoryreview@icasa.org.za](mailto:regulatoryreview@icasa.org.za) or [dmashile@icasa.org.za](mailto:dmashile@icasa.org.za) by 12h00 on **14 December 2012**

**Enquiries** can be directed to Mr Mashile on (011) 566 3671 / 3801 (09h00 - 15h00)

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The document is also available here: [www.icasa.org.za](http://www.icasa.org.za)

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**Comment: Determination of Remuneration of Members of Constitutional Institutions Bill**

The Minister of Justice and Constitutional Development intends introducing a [Determination of Remuneration of Members of Constitutional Institutions Bill](#), 2013, into Parliament. Interested institution/parties/persons are invited to submit written comments on the bill

**Comments** can be emailed to Mr J.J Labuschagne at [Jolabuschagne@justice.gov.za](mailto:Jolabuschagne@justice.gov.za) by no later than **Friday 18, January 2013**

**Enquiries** can be directed to Mr J.J Labuschagne on tel (012) 315 1487

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**Comment: Plant Health (Phytosanitary) Draft Bill**

The Minister of Agriculture, Forestry and Fisheries hereby invites all interested institution, organisations and individuals to submit written comments on the [draft Plant Health \(Phytosanitary\) Bill](#).

The Draft Bill seeks to:

- provide for Phytosanitary measures to prevent the introduction
- provide for establishment and spread of regulated pests in the Republic
- provide for the control of regulated pests
- provide for the regulation of the movement of plants, plant products and other regulated articles into, within and out of the Republic
- as well as to provide for matters connected therewith.

**Comments** can be emailed to Ms Alice Baxter at [AliceB@daff.gov.za](mailto:AliceB@daff.gov.za) or [MaandaR@daff.gov.za](mailto:MaandaR@daff.gov.za) by no later than **Monday, 26 November 2012**

**Enquiries** can be directed to Ms Alice Baxter on (012) 319 6529

The Bill can also be found here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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**Comment: Employment Equity Amendment Bill & Employment Services Bill**



The Labour Portfolio Committee is requesting public submissions on The Portfolio Committee on Labour invites, interested people and stakeholders to submit written comments on the [Employment Equity Amendment Bill](#) and the [Employment Services Bill](#)

The Employment Equity Amendment Bill seeks to:

- to amend the Employment Equity Act, 1998 (Act No. 55 of 1998), so as to give effect to and regulate the fundamental rights conferred by section 9 of the Constitution of the Republic of South Africa, 1996 (the Constitution);
- to give effect to obligations incurred by the Republic as a member state of the International Labour Organisation; to enhance the effectiveness of primary labour market institutions such as the Commission for Conciliation, Mediation and Arbitration (the CCMA) and the labour inspectorate;
- to make further provision regarding the evidentiary burden of proof in allegations of unfair discrimination;
- to further regulate the Issuing of compliance orders; to extend the Minister's power to Issue a code of good practice and to delegate certain powers; and to rectify anomalies and clarify uncertainties that have arisen from the Interpretation and application of the Employment Equity Act in the past decade.

The Employment Service Bill seeks to:

- to repeal all the employment services provisions contained in the Skills Development Act, 1998 (No 97 of 1998), as well as those provisions establishing Productivity South Africa.
- to provide for the establishment of schemes to promote the employment of young work seekers and other vulnerable persons; to facilitate the employment of foreign nationals in a manner that gives effect to the right to fair labour practices and does not impact adversely on existing labour standards or the rights and expectations of South African workers;
- to provide for the registration and regulation of private employment agencies; to provide for the establishment of the Employment Services Board; to provide for the establishment of Productivity South Africa;
- to provide for the establishment of Protected Employment Enterprises; and to provide for transitional provisions.

All interested individuals and organisations are invited to submit written submissions on or before Friday 14 December 2012 to Mr Zolani Sakasa at [zsakasa@parliament.gov.za](mailto:zsakasa@parliament.gov.za)

For more information, please contact Committee Secretary, Mr Zolani Sakasa at (021) 403 3735 or cell 083 709 8488.

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The bills are also available here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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### **Comment: Green Paper on National Environmental Management of Ocean**

The Minister of Water and Environmental Affairs invites interested persons to comment on the [Green Paper on the National Environmental Management of the Ocean](#).

**Comments** can be emailed to Mr Yamkela Mngxe at [YMngxe@environment.gov.za](mailto:YMngxe@environment.gov.za) by no later than **16h00, Thursday, 15 January 2013**

**Enquiries** can be directed to Mr Yamkela Mngxe on (021) 405 9438 or 084842 0919 alternatively to Mr Ashley Naidoo on (021) 819 2442/3

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The document is also available at [www.pmg.org.za/policy\\_docs](http://www.pmg.org.za/policy_docs)

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**Nomination: ICT BEE Charter Council**

The Minister of Communications hereby invites nominations to the [ICT BEEE Charter Council](#).

**Nominations** can be emailed to Nomfundo at [Nomfundo@doc.gov.za](mailto:Nomfundo@doc.gov.za) by no later than **Wednesday, 14 November 2012**

**Enquiries** can be directed to Mr Norman Munzhelele on (012) 427 8274 or (012) 427 8058.

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**Comment: Regulations on Exemptions from Payment of Tolls – draft**

The Minister of Transport hereby invites interested persons to public comment on the [Draft Regulations on Exemptions from the Payment of Tolls, 2012](#)

**Comments** can be emailed to M.T.M. Mphahlele at [MphahleT@dot.gov.za](mailto:MphahleT@dot.gov.za) by no later than **Friday, 23 November 2012**

**Enquiries** can be directed to M.T.M. Mphahlele on tel (012) 309 3481

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**Comment: Transport Law and Related Matters Amendment Bill [B 30-2012]**

The Portfolio Committee on Transport invites interested people and stakeholders to submit written comments on the [Transport Laws and Related Matters Amendment Bill \[B30-2012\]](#)

The Bill seeks to:

- provide more effectively for the collection of toll
- amend the cross Border Road Transport Act, 1998 (Act No. 4 of 1998)
- empower the Cross-Border -Road Transport Agency
- collect toll on behalf of SANRAL
- amend the SANRAL Act by inserting a definition; to further provide for the differentiation in respect of the amount of toll that may be levied
- provide that regulations made by the Minister must be published by notice in the Gazette
- provide for the Minister to make regulations relating to specified toll-related matters
- provide for the Minister to publish draft regulations in the Gazette calling for public. Comment
- provide for certain presumptions relating to the driving, operation and use of vehicles on a toll road and the use of electronic evidence to prove an alleged contravention of the SANRAL Act; to exclude the levying
- collection of toll from the. ambit of the National Credit Act, 2005; and to amend the contents of the SANRAL Act.

**Comments** can be emailed to Valerie Carelse at [vcarelse@parliament.gov.za](mailto:vcarelse@parliament.gov.za) by no later than **Monday, 12 November 2012**

**Enquiries** can be directed to Valerie Carelse on tel (021) 403 3272 or cell 083 709 8445

Issued by Ms NR Bhengu, MP, Chairperson of the Portfolio Committee on Transport

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The document is also available here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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#### **Nomination: Evaluation Panel Member for ICASA Council**

The Minister of Communications invites members of the public to nominate persons to serve on the [panel to evaluate the Performance of the Chairperson and other Councillors of ICASA](#)

**Nominations** can be emailed to Mr Bambatha Hlongwane at [Bambatha@doc.gov.za](mailto:Bambatha@doc.gov.za) by no later than **Monday, 5 November 2012**

**Enquiries** can be directed to Mr Bambatha Hlongwane on tel (012) 427 8164

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#### **Comment: Medium Term Budget Policy Statement**

The Standing Committee on Finance and the Select Committee on Finance invites stakeholders and interested parties to submit written submissions on the 2012 [Medium Term Budget Policy Statement \(MTBPS\)](#)

**Public hearings** will be held in Parliament on Tuesday, 30 October 2012.

**Submissions** can be emailed to Mr Allen Wicomb and Mr Zolani Rento at [awicomb@parliament.gov.za](mailto:awicomb@parliament.gov.za) or [zrento@parliament.gov.za](mailto:zrento@parliament.gov.za) by no later than **12:00 on Monday, 29 October 2012**.

**Enquiries** can be directed to Mr Allen Wicomb or Mr Zolani Rento on tel (021) 403 3759 / (021) 403 8071

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The document is also available at [www.treasury.gov.za/documents/mtbps/2012/default.aspx](http://www.treasury.gov.za/documents/mtbps/2012/default.aspx)

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#### **Comment: Recognition of Prior Learning: Draft Policy and Criteria**

The SAQA Board requests public comment on the draft [Policy and Criteria for the Recognition of Prior Learning](#).

**Comments** can be emailed to Dr James Keevy at [jkeevy@saga.org.za](mailto:jkeevy@saga.org.za) by no later than **Thursday, 15 November 2012**

**Enquiries** can be directed to Dr Loffie Naude on (012) 431 5044 or Ms Shirley Lloyd on (012) 431 5053

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### **Comment: Deadline extended for Comment: Legal Practice Bill [B20-2012]**

At a meeting of the Justice & Constitutional Development Portfolio Committee held on Wednesday, 25 July 2012 the Committee resolved to accede to the request for an extension to the deadline for written submissions on the [Legal Practice Bill](#). Several interested and affected organizations had requested extensions of the deadline.

At this point (and for now) **a new deadline has not been set**. However, all interested and affected parties and organizations are urged to take advantage of the space created in order to finalize their positions and views on the provisions of the [Legal Practice Bill](#).

We apologise for any inconvenience that may have been caused.

The Bill seeks to:

- Promote transformation & improve demographic representivity across the legal profession;
- Enhance the accessibility and affordability of legal services;
- Provide for the restructuring, unification and regulation of the legal profession;
- Ensure accountability of the legal profession; and
- Establish a Legal Ombud to protect the public interest, amongst other things.

**Comments** can be emailed to Mr. V. Ramaano at [vramaano@parliament.gov.za](mailto:vramaano@parliament.gov.za)

**Enquiries** can be directed to Mr. V. Ramaano on tel (021) 403 3820 or cell 083 709 8427.

Here is the briefing: [Legal Practice Bill \[B 20–2012\]: briefing by Department](#)

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### **Comment: Product Labelling for Genetically Modified Organisms Amended Regulations**

The Minister of Trade and Industry invites public comments on the [Amendment Regulations](#) for Product Labelling and Trade Descriptions for Genetically Modified Organisms

**Comments** can be emailed to Mr Ntuzelo Vananda at [NVananda@thedti.gov.za](mailto:NVananda@thedti.gov.za) by no later than **Thursday, 8 November 2012**

**Enquiries** can be directed to Ntuzelo Vananda on tel (012) 394 1383

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### **Comment: Sectional Titles Amendment Draft Bill, 2012**

The Minister for Rural Development and Land Reforms requests public comments on the Draft [Sectional Titles Amendment Bill, 2012](#)

The Bill aims to:

- further regulate notification of the intended establishment of schemes and the sale of units to lessees;

- provide for the Surveyor-General to investigate draft sectional plans and prescribed documentation;
- provide for the cancellation of registered sectional plans in a prescribed manner;
- regulate the issuing of a certificate of registered sectional title in respect of a fraction of an undivided share in a section;
- provide for the registration of a transfer of a part of the common property with the consent of the owners of the sections and the holders of registered real rights;
- provide for the endorsing of title deeds to reflect amended participation quota schedules;
- regulate the alienation of a portion of land over which a real right of extension or part thereof is registered;
- provide for the consent of holders of registered real rights over exclusive use areas to the alienation of common property;
- provide for the cession of a mortgage real right of extension and a mortgage real right of exclusive use area;
- provide for the cancellation of part of a section pursuant to an expropriation;
- increase the percentage deviation in the participation quota as a result of the extension of a section;
- further provide for the consent of bondholders with the registration of a sectional plan of extension;
- further regulate the lodgement of certificates and prescribed documentation with the registration of sectional documentation to be lodged with the Surveyor-General;
- provide for the issuing of more than one certificate of real right of extension and more than one certificate of real right of exclusive use area;
- provide for a deviation from the particulars of the plans to scale upon unanimous resolution of the body corporate and consent of the bondholders and holders of registered real rights.

**Comments** can be emailed to AS Reynolds at [asreynolds@ruraldevelopment.gov.za](mailto:asreynolds@ruraldevelopment.gov.za) by no later than **Friday, 26 October 2012**

**Enquiries** can be directed to A.S Reynolds on tel (012) 338 7236

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#### **Comment: Deeds Registries Amendment Draft Bill, 2012**

The Minister for Rural Development and Land Reform has approved the publication of the Draft [Deeds Registries Amendment Bill, 2012](#) for public comment.

The Bill provides for:

- discretion in respect of the rectification of errors in the name of a person or the description of property mentioned in the deeds and other document;
- the issuing of certificate of registered title taking the place of deeds that have become incomplete or unserviceable;
- to substitute an obsolete reference;
- to substitute an outdated heading;
- to further regulate the updating of deeds in respect of the change of names of companies, close corporations and the surnames of women;
- to amend a definition; and to provide for other minor matters.

**Comments** can be emailed to Ms AS Reynolds at [asreynolds@ruraldevelopment.gov.za](mailto:asreynolds@ruraldevelopment.gov.za) by no later than **Thursday, 25 October 2012**

**Enquiries** can be directed to Ms AS Reynolds on tel (012) 338 7236

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## Promoting Household Savings & Retirement Reform Discussion Papers

National Treasury requests public comment on four technical discussion papers. Here are the links to each discussion paper and information on how to comment:

### [Enabling a better income in retirement](#)

Comments can be submitted by 16 November 2012, to Mr Olano Makhubela, Chief Director: Financial Investments and Savings, email: [retirement.reform@treasury.gov.za](mailto:retirement.reform@treasury.gov.za)

### [Preservation, portability and governance for retirement funds](#)

Comments can be submitted by 16 November 2012, to Mr Olano Makhubela, Chief Director: Financial Investments and Savings, email: [retirement.reform@treasury.gov.za](mailto:retirement.reform@treasury.gov.za)

### [Incentivising non-retirement savings](#)

Comments can be submitted by 30 November 2012, to: Mr Johan Lamprecht, Director: Economic Tax Analysis, email: [savings.incentive@treasury.gov.za](mailto:savings.incentive@treasury.gov.za)

### [Improving tax incentives for retirement savings](#)

Comments can be submitted by 30 November 2012, to: Ms Beatrie Gouws, Director: Legal Tax Design, email: [retirement.tax@treasury.gov.za](mailto:retirement.tax@treasury.gov.za)

Please view more about this request for comment here: [Media Release](#)

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## Comment: Revised Broad-Based Black Economic Empowerment Codes of Goods Practice

The Minister of Trade and Industry hereby invites interested persons to submit comments on the [REVISED BROAD-BASED BLACK ECONOMIC EMPOWERMENT CODES OF GOODS PRACTICE \(THE CODES\)](#) and the [B-BBEE TECHNICAL ASSISTANCE GUIDELINES](#)

**Comments** can be emailed to [XZondo@thedti.gov.za](mailto:XZondo@thedti.gov.za) or [LCMadonsela@thedti.gov.za](mailto:LCMadonsela@thedti.gov.za) within **60 days** from the date of this publication on 5 October 2012

**Enquiries** can be made to: tel (012) 394 1609/1941

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## Comment: National Water Resource Strategy 2

The Department of Water Affairs invites comments from the public and interested parties on the proposed [National Water Resource Strategy 2](#)

**Comments** can be emailed at [NWRS2@dwa.gov.za](mailto:NWRS2@dwa.gov.za) by no later than **Thursday, 6 December 2012**

**Enquiries** can be directed to Mr N Mkhize on tel (012) 336 8557 or Ms P Makutu on (012) 336 8482 or visit the website on [www.dwa.gov.za](http://www.dwa.gov.za)

The document is also available here: [www.dwa.gov.za/nwrs/](http://www.dwa.gov.za/nwrs/)

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### **Nominations: National Research Foundation Board**

The Minister of Science and Technology invites nominations from all interested persons / organisations for suitable candidates to be considered for appointment to the National Research Foundation Board. The successful candidate will serve until 30 September 2014.

#### **The purpose of the NFR is to:**

Support and promote research through funding, human resource development and the provision of the necessary research facilities in order to facilitate the creation of knowledge, innovation and development in all fields of science and technology, including indigenous knowledge and thereby to contribute to the improvement of the quality of life of all people of the Republic.

**Nominations** can be emailed to [precious.tsolo@dst.gov.za](mailto:precious.tsolo@dst.gov.za) by no later than **Wednesday 31 October 2012**.

**Enquiries** can be directed to Ms Precious Tsolo on tel (012) 843 6647 or visit the website on [www.dst.gov.za](http://www.dst.gov.za)

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### **Comment: Nuclear Non-Proliferation proposed regulations**

The Minister of Energy has published proposed [Nuclear Non-Proliferation Regulations](#) to the Nuclear Energy Act.

All interested persons and organizations are invited to comment in writing on the proposed Regulations to Director: Nuclear Non-Proliferation.

**Comments** can be emailed to [nonproliferation@energy.gov.za](mailto:nonproliferation@energy.gov.za) by no later than **12:00 Tuesday, 8 October 2012**

**Enquiries** can be directed to Ms Elsie Monale on tel (012) 406 7499 [elsie.monale@energy.gov.za](mailto:elsie.monale@energy.gov.za) or to Ms Mashadi on (012) 406 7658

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### **Comment & Public Hearings: Criminal Procedure Amendment Bill [B26-2012]**

The Portfolio Committee on Justice and Constitutional Development invites stakeholders and interested persons to submit written submissions on the [Criminal Procedure Amendment Bill \[B26-2012\]](#)

The purpose of the Criminal Procedure Amendment Bill is to:

- Amend the Criminal Procedure Act, 1977, so as to further regulate applications for condonation, leave to appeal and further evidence in criminal proceedings.

**Comments** can be emailed to Mr V Ramaano at [vramaano@parliament.gov.za](mailto:vramaano@parliament.gov.za) by no later than **Tuesday, 25 September 2012**

For **Public hearings'** dates and **enquiries** please contact Mr V Ramaano on tel (021) 403 3820 or cell 083 709 8427.

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### **Comment & Public hearings: Private Security Industry Regulation Amendment Bill [B 27- 2012]**

The Portfolio Committee on Police invites stakeholders and interested persons to submit written submissions on the [Private Security Industry Regulation Amendment Bill \[B 27— 2012\]](#)

The purpose of the Private Security Industry Regulation Amendment Bill is to:

- Amend the Private Security Industry Regulation Act, 2001, so as to amend certain definitions;
- Provide for additional powers of the Minister;
- Provide for the Authority to promote crime prevention partnerships with other organs of state;
- Provide for the finances and accountability of the Authority;
- Provide for the appointment of the director of the Authority;
- Provide for the regulation of ownership and control of a business operating as a security service provider;
- Regulate security services rendered outside the Republic;
- Empower the Minister to make regulations for the transportation of cash and other valuables.

**Public hearings** dates will be communicated in due course.

**Comments** can be emailed to Ms J Shonhiwa at [jshonhiwa@parliament.gov.za](mailto:jshonhiwa@parliament.gov.za) or [mbuthelezi@parliament.gov.za](mailto:mbuthelezi@parliament.gov.za) by no later than **Sunday, 07 October 2012**

**Enquiries** can be directed to Ms J Shonhiwa on tel (021) 403 3741 or cell 083 709 8489

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### **Comment: Women Empowerment and Gender Equality Draft Bill**

The Minister of Women, Children and People with Disabilities publishes the [Women Empowerment and Gender Equality Draft Bill](#) for public comment.

**Comments** can be emailed to Ms Natalie Pillay or Ms Nondumiso Maome at [Natalie@dwcpd.gov.za](mailto:Natalie@dwcpd.gov.za) or [Nondumiso@dwcpd.gov.za](mailto:Nondumiso@dwcpd.gov.za) by no later than **Saturday, 29 September 2012**.

**Enquiries** can be directed to Ms Natalie Pillay on tel (012) 359 0211 or Ms Nondumiso Maome on (012) 359 0209

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### **Comment & Public hearings: National Water Resource Strategy [NWRS-2]**



The Portfolio Committee on Water and Environmental Affairs invites all interested stakeholders to submit written comments on the [National Water Resource Strategy \[NWRS-2\]](#)

### **Background:**

A number of countries are grappling with water resources management at a time of enormous pressures on water resources. This is further compounded in many developing countries by the need for the efficient and sustainable use of water for economic growth and social equity, the fair allocation of water to users, the decentralised and participatory governance of water to users, and dealing with threats to our scarce water. Business, governments and policy makers are grappling with issues on how to not only increase the supply but also to improve the productivity of current resources.

South Africa too faces a number of complex challenges: a semi-arid country with low rainfall, limited underground aquifers, and reliance on water transfers from neighbouring countries. Water availability is now seen as a national development constraint. The 2004 National Water Resource Strategy viewed this as a possibility and the 2011 Diagnostic Report of the National Planning Commission stresses this by stating that as water use approaches 40 percent of average annual availability, South Africa will face a binding water constraint. The Diagnostic Report further states that the implementation of these reforms is proving to be challenging, given the diverse and complex nature of the country's water resources and their use.

One of the ways in which South Africa addresses issues of water resource management is for the Department of Water and Environmental Affairs to give strategic direction for water resources management in the country. This is reflected in the National Water Resource Strategy 2, 2012. The National Water Act, Act 36 of 1998, gives the National Water Resource Strategy its legal force. The first edition of the NWRS -1 was published in 2004 and set out the 'blueprint' for water resources management in the country for the first time.

Cabinet on 10 August 2012 approved the gazetting of the draft National Water Resource Strategy 2 (NWRS-2) for input and comments. The NWRS-2 sets out the strategic direction for water resources management in the country over the next 20 years, with a particular focus on priorities and objectives for the period 2013 – 2017. It provides the framework for the protection, use, development, conservation, management and control of water resources for South Africa, as well as the framework within which water must be managed at catchment level, in defined water management areas. It is binding on all authorities and institutions exercising powers or performing duties under the National Water Act, 1998.

The following key drivers underpin the NWRS-2:

- Value driven water management within a human rights approach;
- Democratising water management through a sector-wide approach and also giving citizens a voice to participate in the process;
- Working toward developmental water management by integrating water strategies and water planning and also to regulate high impact user whilst providing support for small users;
- Addressing governance failures; and
- Working on a paradigm shift in the water sector – from a technically driven approach to a value driven approach and from resource development to improved governance and new technology.

**Public hearings** will be held in Parliament **from 23 October to 2 November 2012**

**Comments** can be emailed to Ms Tyhileka Madubela at [tmadubela@parliament.gov.za](mailto:tmadubela@parliament.gov.za) by no later than Deadline extended: **Thursday, 18 October 2012**

**Enquiries** can be directed to Ms Tyhileka Madubela on tel: (021) 403 3713 or cell: 083 304 9586

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### **Comment & Public Hearings: Minister's amendments to Higher Education and Training Laws Amendment Bill [B23-2012]**

After the introduction of the Higher Education and Training Laws Amendment Bill, the Minister of Higher Education and Training introduced [new amendments](#) beyond the scope of the Bill. The Committee thus re-invites stakeholders and interested parties to submit written submissions on the new proposed amendments.

#### **The purpose of the [new amendments](#) is to:**

Amend the current provisions in the Higher Education Act, No 101 of 1997, which relates to the appointment and functions of the Independent Assessor and to the appointment and functions of the Administrator.

**Public hearings** will be held in Parliament on **Tuesday 9 October 2012**

**Comments** can be emailed to [akabingsesi@parliament.gov.za](mailto:akabingsesi@parliament.gov.za) by no later than **12:00 on Thursday, 4 October 2012**

**Enquiries** can be directed to Mr Anele Kabingsesi on tel (021) 403 36760 or cell 083 412 1585

The new amendments are also available here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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### **Comment & Public hearings: Further Education and Training Colleges Amendment Bill [B24-2012]**

The Portfolio Committee on Higher Education and Training invites stakeholders and interested parties to submit written submissions on the [Further Education and Training Colleges Amendment Bill \[B24-2012\]](#).

The purpose of the Further Education and Training Colleges Amendment Bill [B24-2012] is to:

- Amend the Further Education and Training Colleges Act, 2006 in order to provide for the inclusion of a second type of institution within the existing legal framework, the two institutional types will be Vocational and Continuing Education and Training Colleges and Community Education and Training Colleges, the proposed amendments seek to convert existing Further Education and Training Colleges into Vocational and Continuing Education and Training Colleges and Adult Education and Training Centres into Community Education and Training Centres,
- to amend certain definitions; to amend the provisions relating to the establishment of a public college;
- to establish the South African Institute for Vocational and Continuing Education and Training;
- to provide for the composition, functions and functioning of the Institute; to provide for transitional arrangements, the repeal of the Adult Education and Training Act, 2000, and the amendment of certain other laws; and to provide for matters connected therewith.

**Public hearings** will be held at Parliament on **Tuesday, Wednesday & Thursday 11, 12 & 13 September 2012.**

**Comments** can be emailed to Mr Anele Kabingsesi at [akabingsesi@parliament.gov.za](mailto:akabingsesi@parliament.gov.za) by no later than **12:00 on Thursday, 06 September 2012.** Please indicate your interest in making a verbal presentation.

**Enquiries** can be directed to Mr Anele Kabingesi on tel: (021) 403 3760 or cell: 083 412 1585

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### **Comment & Public hearings: Higher Education and Training Laws Amendment Bill [B23-2012]**

The Portfolio Committee on Higher Education and Training invites stakeholders and interested parties to submit written submissions on the [Higher Education and Training Laws Amendment Bill \[B23-2012\]](#)

The purpose of the Higher Education and Training Laws Amendment Bill [B23-2012] is to:

- Amend the Higher Education Act, 1997, so as to provide afresh for the establishment of a national institute for higher education;
- extend the functions of a national institute for higher education;
- provide for the appointment of an administrator for a national institute for higher education;
- to provide for the closure of a national institute for higher education;
- amend the National Qualifications Framework Act, 2008, so as to change the date on which the annual report of the South African Qualifications Authority must be submitted to the Minister; and to provide for matters connected therewith.

**Public hearings** will be held at Parliament on **Tuesday, Wednesday & Thursday 11, 12 & 13 September 2012.**

**Comments** can be emailed to Mr Anele Kabingesi at [akabingesi@parliament.gov.za](mailto:akabingesi@parliament.gov.za) by no later than **12:00 on Thursday, 06 September 2012.** Please indicate your interest in making a verbal presentation.

**Enquiries** can be directed to Mr Anele Kabingesi on tel: (021) 403 3760 or cell: 083 412 1585

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### **Comment & Public hearings: Traditional Courts Bill**

The NCOP's Select Committee on Security and Constitutional Development is calling for submissions on the [Traditional Courts Bill](#) from the public.

**Public hearings** will be held in Parliament on **11 - 13 September 2012**

**Comments** can be emailed to Mr Gurshwyn Dixon at [gdixon@parliament.gov.za](mailto:gdixon@parliament.gov.za) by no later than **Tuesday, 04 September 2012**

**Enquiries** can be directed to Mr Gurshwyn Dixon on tel (021) 403 3942 or cell 086 658 9371

The Law, Race & Gender Research Unit's Submission is here : [LRG Research Unit's Submission](#)

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### **Comment: Amendment to National Education Policy on selection of markers**

The Minister of Basic Education intends to amend Paragraph 35 of the National Education Policy to provide for a competency test to be used in the selection of markers for the National Senior Certificate

examination.

Stakeholder bodies and members of the public are asked to comment on this as set out in this [Amendment to National Education Policy](#).

**Comments** can be emailed to Dr R Poliah at [poliah.r@dbe.gov.za](mailto:poliah.r@dbe.gov.za) by no later than **Tuesday, 11 September 2012**

**Enquiries** can be directed to Dr R Poliah on tel: (012) 357 3900/4149

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### **Comment & Public hearings: Spatial Planning & Land Use Management Bill**

The Portfolio Committee on Rural Development and Land Reform will hold public hearings on [Spatial Planning and Land Use Management Bill](#). The bill came about as a result of the Green Paper of 1999 and White Paper of 2001 processes to replace the Development Facilitation Act as a legislative instrument to regulate spatial planning and land use management in South Africa.

The Bill seeks to, among other things, provide a framework for spatial planning and land use management in the Republic of South Africa and to provide for the inclusive, developmental, equitable and efficient spatial planning at the different spheres of government. The Committee invites written comments from interested people and stakeholders.

**Public hearings** will be held in Parliament from **21-22 August 2012**

**Comments** can be emailed to Ms Phumla Nyamza at [panyamza@parliament.gov.za](mailto:panyamza@parliament.gov.za) by no later than **Friday, 10 August 2012**

**Enquiries** can be directed to Ms Phumla Nyamza on tel (021) 403 3852 or cell: 083 709 8492

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### **Comment & Public hearings: Taxation Laws Amendment Draft Bill [2012]**

The Standing Committee on Finance invites interested people to submit written comments on the [Taxation Laws Amendment Draft Bill \[2012\]](#)

**Public hearings** will be held in Parliament on the **Wednesday, 22 August 2012**

**Comments** can be emailed to Allen Wicomb at [awicomb@parliament.gov.za](mailto:awicomb@parliament.gov.za) by no later than **12h00 on Friday, 17 August 2012**

**Enquiries** can be directed to Allen Wicomb on tel (021) 403 3759 or cell 083 412 1475

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### **Nominations: Members of National Student Financial Aid Scheme (NSFAS) Board**

The Minister of Higher Education and Training hereby requests:

(a) the public;

(b) the Council on Higher Education (CHE);

(c) National organisations representing:

- students;
- academic employees;
- employees other than academic employees;
- university principals;
- technikon (university of technology) principals;
- higher education college principals;
- organised business; and organised labour; and

(d) Non-governmental organisations,

to submit the names of persons who by virtue of their knowledge and experience, may be considered for appointment as members of the National Student Financial Aid Scheme (NSFAS) Board. The term of office of three members of the current NSFAS Board has expired.

The NSFAS is a statutory body established to allocate funds for loans and bursaries to eligible higher education students. The NSFAS develops criteria and conditions for the granting of loans and bursaries to eligible students, raises additional funds, recovers loans, maintains and analyses database and undertakes research for the better utilisation of financial resources. The NSFAS also advise the Minister on matters relating to student financial aid and performs such other functions assigned to it by the Minister. The NSFAS is managed, governed and administered by the NSFAS Board. The NSFAS Board is supported by its own professional secretariat, headed by the Executive Officer, and maintains its own operating budget.

The members of the NSFAS Board to be appointed by the Minister to ensure that the membership taken as a whole:

- is broadly representative of the higher education system
- has knowledge of higher education and appreciates its role in meeting the reconstruction and development needs of our society and economy
- has financial expertise and experience
- is representative in terms of race, gender and disability

Nominations must be accompanied by the *curriculum vitae* of the nominee and a *letter of consent* indicating the availability of the nominee to serve on the NSFAS Board if appointed.

**Comments** can be emailed to Dr D Parker at [parker.d@dhet.gov.za](mailto:parker.d@dhet.gov.za) by no later than **Tuesday, 07 August 2012**

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### **Nominations: Members of Council on Higher Education (CHE)**

The Council on Higher Education is the statutory body established to provide independent, strategic advice to the Minister of Higher Education and Training on matters relating to the transformation and development of higher education in South Africa, and to manage quality assurance and quality promotion in the higher education sector. The CHE arranges and coordinates conferences, publishes information regarding developments in higher education, including an annual report on the state of higher education and promotes the access of students to higher education institutions. The Minister receives advice on any other matter that the CHE deems necessary and specific matters referred by the Minister from time to

time.

The ordinary members of the CHE must be appointed by the Minister on the basis of the following criteria:

- balance of stakeholder interests and expertise;
- racial and gender representivity;
- deep knowledge and understanding of higher education;
- understanding of the role of higher education in reconstruction and development; and
- known and attested commitment to the interests of higher education.

The members of the CHE are appointed in their personal capacities and are expected to apply their minds to the interests of the sector as a whole.

The CHE has one (1) vacancy. Therefore the Minister of Higher Education and Training hereby requests:

(a) the public;

(b) national organisations representing higher education students, academic employees, employees other than academic employees, university principals, university of technology principals, principals of colleges of education, other higher education colleges, private higher education institutions, the further education sector, the distance education sector, educators, organised business, organised labour;

(c) research and science councils and

(d) relevant non-governmental organisations,

to submit the names of persons who by virtue of their knowledge and experience, may be considered for appointment as a member of the aforesaid Council.

Nominations must be accompanied by the *curriculum vitae* of the nominee and a *letter of consent* indicating the availability of the nominee to serve on the Council on Higher Education if appointed.

**Nominations** can be emailed to Dr D Parker at [parker.d@dhet.gov.za](mailto:parker.d@dhet.gov.za) by no later than **Tuesday, 07 August 2012**

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### **Comment: Strengthening Retirement Savings overview**

Comments on the [Strengthening Retirement Savings: overview](#) are requested from the public. Further comments will also be invited for each of the technical discussion papers after they are published, and will therefore have **later submission dates**.

Further consultative meetings will also be convened with trade unions, employers, retirement funds and other interested stakeholders.

**Comments** can be emailed to Olano Makhubela at [retirement.reform@treasury.gov.za](mailto:retirement.reform@treasury.gov.za) by no later than **31 July 2012**.

**Enquiries** can be directed to Olano Makhubela on tel (012) 315 5960

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## **Comment: Health Care Risk Waste Management Draft Regulations**

The Minister of Water and Environmental Affairs, Ms Edna Molewa published for public comment under section 69(1) of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008), the [Draft Health Care Risk Waste Management Regulations](#) (HCRW) for public comment in *Gazette No. 35405* of 1 June 2012.

The purpose of the Regulations are to regulate the management of HCRW by providing a regulatory framework for its management and to establish a timeframe to bring all existing HCRW treatment facilities in compliance with the operational requirements for such facilities. The Regulations also prescribe requirements for the management of HCRW, which will ensure that third parties are protected and that HCRW no longer constitutes a threat to humans, animals or the environment.

According to some of the general prohibitions, no person may mix HCRW with general waste or any other waste stream at the point of generation and HCRW may not be released for storage, treatment or disposal without a waste manifest document.

The draft Regulations stipulate the requirements for the packaging of HCRW which includes amongst others, that packaging shall be filled to no more than three-quarters capacity of the container and that isolation waste as well as anatomical waste that is not suitable for containerisation must be double bagged, sealed and placed in a single-use container. With the exception of interim storage containers, all containers must be sealed, labelled and bar-coded or micro-chipped reflecting information on the date the container was sealed and the generator's registration number.

The drafts Regulations also specify the duties of generators, transporters and waste managers in handling HCRW. Any person found in contravention of these Regulations will be imprisoned for a period not exceeding 15 years, an appropriate fine or both such a fine and imprisonment.

**Comments** can be emailed to Dr Shauna Costley at [scostley@environment.gov.za](mailto:scostley@environment.gov.za) by no later than **31 July 2012**

**Enquiries** can be directed to Dr Shauna Costley on tel (012) 310 3330

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## **Comment: Taxation Laws Amendment Draft Bill**

National Treasury is requesting public comments on the below-mentioned proposals on the [Draft Taxation Laws Amendment Bill, 2012](#). For ease of reference and to facilitate processing, it would be appreciated if all comments are arranged in accordance with the Explanatory Memorandum. It would also be helpful if the legal nature of the problem is stated, along with a "detailed" factual description of the relevant transaction and context. Treasury would also appreciate a proposed solution for each of the stated problems.

**Comments** can be emailed to Nomfanelo Mpotulo at [nomfanelo.mpotulo@treasury.gov.za](mailto:nomfanelo.mpotulo@treasury.gov.za) or [acollins@sars.gov.za](mailto:acollins@sars.gov.za) by no later than **31 July 2012**

- [Draft Taxation Laws Amendment Bill, 2012](#)
  - [Draft Explanatory Memorandum](#)
  - [Draft Explanatory Memorandum - Clause by Clause](#)
  - [Draft Tax Administration Amendment Bill, 2012](#)
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## Info on Bill

The Draft Taxation Laws Amendment Bill, 2012, the Rates and Monetary Amounts and Amendment of Revenue Laws Bill, 2012 (introduced in March 2012), and the Tax Administration Amendment Bill give effect to most of the 2012 Budget Review tax proposals. The remaining tax proposals which have a later implementation date because they require more consultation (e.g. retirement proposals, carbon tax), or require specific legislation (e.g. the gambling tax), will be published for comment later this year or next year.

The draft Taxation Laws Amendment Bill deals with the substantive aspects of the tax proposals made in the 2012 Budget Review and the Rates and Monetary Amounts and Amendment of Revenue Laws Bill, 2012, addresses changes to rates and thresholds. The draft Tax Administration Amendment Bill, 2012 deals with changes to the administrative provisions of tax Acts administered by SARS, including the Tax Administration Act.

The draft 2012 Taxation Laws Amendment Bill and Tax Administration Amendment Bill are published for public comment prior to formal introduction in Parliament. The Standing Committee of Finance will also convene hearings into these bills before their formal introduction in Parliament. In the meantime, National Treasury also invites public comments, and will engage separately with stakeholders, including through workshops to be held in early August 2012. Thereafter, National Treasury and the South African Revenue Service will revise the bills, taking into account public comments, and then introduce them in parliament for the more formal process. This process is in accordance with the Money Bills Procedure and Related Matters Act, No 9 of 2009.

For technical reasons, the draft tax amendments continue to be split into two bills - a money bill (section 77 of the Constitution) covering issues relating to rates and the tax base and an ordinary bill covering tax administration (section 75 of the Constitution).

## Content

### *A. Income tax: Individuals, employment and saving*

Variable cash remuneration: A recurring issue is the mismatch of the payment of variable cash remuneration (such as overtime pay, leave pay, commission, bonuses and travel reimbursement) and the tax payments thereon. It is proposed the deduction of applicable taxes and the payment of these to SARS be done at the same time as the variable cash remuneration is paid to an employee. This will simplify payroll management and employee tax issues.

Employer-provided rental vehicles: Taxpayers who use for private purposes vehicles provided by their employers are subject to fringe benefit taxation based on a formula which takes into account ownership and running costs. This formula does not make provision for cases where the vehicle is rented by an employer under an operating lease and may therefore lead to over-taxation. It is proposed that in case of rented vehicles (in terms of an operating lease), fringe benefit taxation applicable to employer-provided vehicles be limited to the aggregate employer cost.

Post-tax contribution relief for compulsory annuities: The current dispensation allows a taxpayer to take tax free a portion of his annuity at retirement, with the remaining annuity portion being subject to income tax. It is proposed that taxpayers who do not take out their tax free portion on retirement be taxed only on that portion of their retirement annuity income that would have been taxed had they opted for the tax-free lump sum on retirement.

### *B. Income tax: Business*

Relief for debt reductions: Given the global economic environment, many businesses are reducing their debt levels, including through workouts. The proposed regime streamlines the tax rules so as to reduce



the possibility that these debt reduction strategies will trigger a capital gains tax liability for the debtor. In the main, debt reduction should lead to the reduction of tax attributes, with ordinary recoupments triggered only as a last resort. Debt cancellations will no longer trigger capital gains

Debt-financed acquisitions (section 45 part II): In 2011, acquisitions of businesses using debt in terms of Section 45 were identified as problematic. The 2011 legislation allowed for such acquisitions to continue under controlled circumstances, with the understanding that the main problems were related to the use of excessive borrowings and debt instruments with share-like features. As part of the two-phased approach announced in the 2012 Budget Review, the proposed legislation seeks to recharacterise artificial debt as shares when the debt contains key share-like features (however, these rules will come into effect in 2014). On the other hand, the proposed legislation will allow interest deductions in respect of debt-financed share acquisitions under the same controlled circumstances currently allowed in the case of section 45 debt-financed acquisitions. Rules aimed at controlling excessive interest deductions will remain an issue for 2013.

Annual mark-to-market taxation: Modern international accounting and tax trends are moving away from the realisation principle (i.e. recognising gains or losses only upon disposal and realisation) towards an annual mark-to-market fair value principle. Key financial institutions (e.g. banks and insurers) have requested that the South African tax system be re-aligned in favour of annual mark-to-market taxation so as to promote tax and accounting convergence, thereby reducing tax compliance costs. The proposal essentially places certain financial institutions (i.e. banks, brokers and policyholders funds of long-term insurers) on an annual basis of mark-to-market taxation for annual unrealised gains and losses. Transitional relief exists for the switchover from realised to unrealised gains and losses.

Property investment entities: Property loan stock companies and property unit trusts are not in sync with international real estate investment funds, known as real estate investment trusts (REITs). For instance, property loan stock companies have an informal conduit treatment only via linked shares and debentures. Property unit trusts, on the other hand, cannot reorganise themselves without triggering a capital gains tax liability. It is proposed that listed property loan stock companies and property unit trusts be subject to the same tax regime, provided they are classified by the JSE as real estate investment trusts (REITs). The net effect will be to allow deductible distributions to shareholders of these REITs if at least 75 per cent of taxable income of the property investment entity stems from rentals or property subsidiaries. The deduction will be applicable to distributions in respect of shares. These entities will also be exempt from capital gains tax. Discussions will continue on how to deal with the issue of unlisted property investment entities.

### *C. Income tax: International*

Cross-border restructurings: In 2011, the rules for the reorganisation of businesses operating across borders extended to cover cross-border transfers. The proposed legislation streamlines these rules so that the rules are more co-ordinated conceptually and allow for section 45 to be applicable to the transfer offshore of assets as part of the reorganization. As a result, the rules will allow for the transfer of assets from abroad into South Africa, or from a South African company to a foreign-based company under its control, without these transfers being deemed a disposal and therefore triggering a capital gains tax liability.

With the advent of comprehensive reorganisation rules, the participation exemption for capital gains can be narrowed. The participation exemption upon the disposal of foreign equity shares will now apply solely to disposals to independent foreign entities if the non-share consideration (e.g. debt instruments and cash) has an equal or greater value than the shares transferred. The proposed narrowing of the participation prevents the exemption from being misused as a means to undermine the tax base or to facilitate tax-free indirect migrations.

Financial centre of Africa initiatives: The proposed legislation continues to enhance South Africa as a financial centre. Amongst other measures, the proposed legislation provides relief to South African multinationals from double taxation. The proposed legislation also provides relief so that foreign-owned

investment funds that are managed by South African-based managers are not subject to South African tax merely the involvement of local manager.

Revised deemed disposal charge upon cessation of residence: The proposed legislation aligns with international norms the tax treatment of the sale of assets when the owner ceases to be a South African resident. As a result, a departing person's year of assessment will be deemed to have ended immediately a day before that person becomes a resident of another country. Also, departing persons other than companies will be deemed to have disposed of all their assets at market value immediately before the end of that year of assessment. A company, on the other hand, will be deemed to have distributed all of its assets and been liquidated, and then been reconstituted the following day as a new foreign company. Foreign residency will only start in the new year of assessment. The proposed rules clarify that a double tax treaty does not exempt a person from capital gains tax.

#### *D. Indirect tax*

Securities Transfer Tax (STT) – market-making exemption: The STT is a financial transaction tax imposed on the purchases of shares (equities) on the secondary market. A number of transactions are however exempted from this tax, including those transactions where brokers (i.e. authorised users of the exchange) are acting as principal (as opposed to acting as an agent) in order to promote market-making. The applicability of STT has, however, been unclear in instances where companies use subsidiary companies to facilitate market-making in derivatives. The draft legislation makes clear that this form of market-making will also be exempted from the STT. The new treatment will be backdated to transactions dating back to 1 January 2009.

#### *E. Tax administration (Tax Administration Amendment Bill, 2012)*

Penalties on underestimation of provisional tax: The estimated provisional tax payable may, in some instances, be lower than the actual payments of tax by the end of the tax year. Under current law, however, a provisional tax penalty may apply solely due to this situation even if no provisional tax is due. The proposed legislation eliminates a penalty under these circumstances.

Regulation of tax practitioners: The Bill proposes the introduction of a recognised controlling body (RCB) model for the regulation of tax practitioners to be housed in the Tax Administration Act, due to commence later in 2012. This proposal follows from the discussions over the last few months sparked by the Minister of Finance's comments about the tax compliance of some of the registered tax practitioners. The proposed model, the first phase in the regulation of tax practitioners, will use existing bodies and provide a framework to ensure that tax practitioners are appropriately qualified and that a mechanism for dealing with misconduct addressing is available both to taxpayers and SARS

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### **Comment: Veterinary and Para-Veterinary Professions Amendment Bill [B25-2012]**

The Portfolio Committee on Agriculture, Forestry and Fisheries invites interested people and stakeholders to submit written comments on the [Veterinary and Para-Veterinary Professions Amendment Bill \[B25-2012\]](#).

The Bill seeks to:

- amend the Veterinary and Para-Veterinary Professions Act, 1982, so as to provide for the establishment of an appeal committee and its functions;
- provide for the performance of compulsory community service by certain persons registering in terms of the Act, the inclusion of a physiological condition in the meaning of practising veterinary professions and para-veterinary professions and the registration of a person who has completed the relevant qualification, but which has not been conferred;

- provide for a registered foreign veterinarian to continue practicing by attaining either citizenship or permanent residency
- provide for continuing professional development, the suspension of registered persons and the termination of such suspension;
- provide for the appointment and powers of inspection officers, the investigation of complaints, the costs orders;-and to provide for matters connected therewith.

Written submissions must be directed to Ms Dineo Martin at [dmartin@parliament.gov.za](mailto:dmartin@parliament.gov.za) by no later than **31 July 2012**. In addition to the written comments, please indicate your interest in making a verbal presentation.

Enquiries: Ms Dineo Martin on 021 403 3601 or 083 709 8462

Issued by: Mr. M. Johnson, MP, Chairperson of the Portfolio Committee on Agriculture, Forestry and Fisheries.

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### **Comment: Learning Programme Regulations, 2012**

The Minister of Higher Education and Training, after consultation with the National Skills Authority and the Quality Council for Trades and Occupations, intends to repeal the Learnership Regulations and make the [Learning Programme Regulations, 2012](#) and requests public comment.

**Comments** can be emailed to [Erra.M@dhet.gov.za](mailto:Erra.M@dhet.gov.za) or [Gwebu.L@dhet.gov.za](mailto:Gwebu.L@dhet.gov.za) by no later than **Thursday, 02 August 2012**

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### **Call for Submissions: Commission of Inquiry into Allegations of Fraud, Corruption, Impropriety or Irregularity in the Strategic Defence Procurement Package (SDPP)**

1. The President of the Republic of South Africa has under s 84(2)(f) of the Constitution of the Republic of South Africa, 1996 and in terms of Government Notice R926 published in *Government Gazette* No 34731, 4 November 2011 appointed a Commission of Inquiry into the Allegations of Fraud, Corruption, Impropriety or Irregularity in the Strategic Defence Procurement Package ("the SDPP").

The Terms of Reference of the Commission are to inquire into, make findings, report on and make recommendations concerning the following, taking into consideration the Constitution and relevant legislation, policies and guidelines:

1.1 The rationale for the SDPP.

1.2 Whether the arms and equipment acquired in terms of the SDPP are underutilised or not utilised at all.

1.3 Whether job opportunities anticipated to flow from the SDPP have materialised at all and:

1.3.1 if they have, the extent to which they have materialised; and

1.3.2 if they have not, the steps that ought to be taken to realise them.

1.4 Whether off-sets anticipated to flow from the SDPP have materialized at all and:

1.4.1 if they have, the extent to which they have materialised; and

1.4.2 if they have not, the steps that ought to be taken to realise them.

1.5 Whether any person/s, within and/or outside the Government of South Africa, improperly influenced the award or conclusion of any of the contracts awarded and concluded in the SDPP procurement process and, if so:

1.5.1 Whether legal proceedings should be instituted against such persons, and the nature of such legal proceedings; and

1.5.2 Whether, in particular, there is any basis to pursue such persons for the recovery of any losses that the State might have suffered as a result of their conduct.

1.6 Whether any contract concluded pursuant to the SDPP process is tainted by any fraud or corruption capable of proof, such as to justify its cancellation, and the ramifications of such cancellation.

2. The Commission is to report to the President within a period of two years from date of proclamation.

**Written submissions** can be made to the Commission by way of an affidavit by no later than **30 July 2012**.

**Enquiries** may be directed to: The Chairperson, Arms Procurement Commission at [admin@armscomm.org.za](mailto:admin@armscomm.org.za) . Telephone numbers to be provided at a later stage.

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#### **Comment: Legal Practice Bill [B20-2012]**

At its meeting in Parliament on Wednesday, 06 June 2012, the Justice & Constitutional Development Portfolio Committee received a briefing on the [Legal Practice Bill \[B20-2012\]](#); where after the Portfolio Committee resolved to call for written submissions from the public, including members of the legal profession and civil society organizations. The Bill seeks to:

- Promote transformation & improve demographic representivity across the legal profession;
- Enhance the accessibility and affordability of legal services;
- Provide for the restructuring, unification and regulation of the legal profession;
- Ensure accountability of the legal profession; and
- Establish a Legal Ombud to protect the public interest, amongst other things.

**Comments** can be emailed to Mr. V. Ramaano at [vramaano@parliament.gov.za](mailto:vramaano@parliament.gov.za) by no later than **27 July 2012**.

**Enquiries** can be directed to Mr. V. Ramaano on tel (021) 403 3820 or cell 083 709 8427.

Here is the briefing: [Legal Practice Bill \[B 20–2012\]: briefing by Department](#)

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## **Comment & Public hearings: Co-operatives Amendment Bills**

The Portfolio Committee on Trade and Industry will hold public hearings on the [Co-operatives Amendment Bill \[B17-2012\]](#) and the [Co-operatives Second Amendment Bill \[B18-2012\]](#).

Interested individuals and organisations are invited to submit written comments on these bills.

The purpose of [Co-operatives Amendment Bill \[B17-2012\]](#) is:

- to amend the Co-operatives Act, 2005, so as to provide for the substitution and addition of certain definitions;
- to provide for associate membership of co-operatives;
- to provide for categories of primary co-operatives;
- to provide for national apex co-operatives;
- to provide for the annual submission of information to the CIPC;
- to amend the accounting practices by providing for audit and independent review of co-operatives;
- to provide for the payment of fees by co-operative for the amalgamation, divisions conversion or transfer of co-operative;
- to provide for the voluntary winding-up of a co-operative by special resolution;
- to provide for the co-operative to apply for a declaratory order in respect of the liquidation process;
- to provide for the registrar or Tribunal to order the winding-up of a co-operative;
- to substitute the Advisory Board with the Advisory Council;
- to provide for the establishment, functions and powers of the Co-operatives Development Agency;
- to provide for the funding and financial management of the Agency;
- to provide for oversight and executive authority of the Agency;
- to provide for the establishment, composition and functions of the Co-operatives Tribunal;
- to provide for the substitution of the Long title and the Preamble; and to provide for matters connected therewith.

The purpose of [Co-operatives Second Amendment Bill \[B18-2012\]](#) is:

- to amend the Co-operatives Act, 2005, in order to ensure compliance with the principles of intergovernmental relations;

• to provide for intergovernmental relations within the co-operatives sector; and to provide for matters connected therewith.

**Public hearings** have been scheduled for **Tuesday 24 July 2012, Wednesday 25 July 2012, Thursday 26 July 2012 and Friday 27 July 2012.**

**Comments** can be emailed to Mr A Hermans at [ahermans@parliament.gov.za](mailto:ahermans@parliament.gov.za) by no later than **Monday, 2 July 2012.**

**Enquiries** can be directed to Mr A Hermans on tel (021) 403 3776 or cell 083 709 8482

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### **Comment: Road Accident Fund (Transitional Provisions) Bill**

The Portfolio Committee on Transport invites interested people and stakeholders to submit written comments on the [Road Accident Fund \(Transitional Provisions\) Bill \[B 22-2012\]](#).

**Comments** can be emailed to Valerie Carelse at [vcarelse@parliament.gov.za](mailto:vcarelse@parliament.gov.za) by **Monday, 30 July 2012.** Please indicate your interest in making a verbal presentation to the Committee.

**Enquiries** can be directed to Valerie Carelse on (021) 403 3272 or cell 083 709 8445

The **Memorandum** on the Bill explains:

1 Prior to 1 August 2008, the Road Accident Fund Act, 1996 (the old Act), provided that most categories of road accident victims could claim full compensation from the Road Accident Fund. However, certain categories of claimants had their claims limited by section 18 of the old Act, for example passengers conveyed in a taxi were limited to claiming a maximum of R25 000 from the Fund, where the driver's negligence was solely responsible for the accident in question.

2 In enacting the Road Accident Fund Amendment Act, 2005, Parliament recognised that these limits, which applied only to certain categories of passengers were inequitable, unfair and discriminatory. Parliament therefore abolished those provisions and replaced them with provisions that have a far more generous limit on claims, and which apply to all claimants. The constitutionality of this new approach was upheld by the Constitutional Court.

3 The 2005 Amendment Act, however, applies only to causes of action arising after its commencement on 1 August 2008. As a result, claimants whose claims were limited (or capped) by section 18 of the old Act and whose causes of action arose prior to 1 August 2008, derived no benefit from the regime created by the Amendment Act. These claimants are still subject to the unfair, inequitable and discriminatory limitations to their claims under section 18 of the old Act.

4 On 17 February 2011, the Constitutional Court concluded in the *Mvumvu v The Minister of Transport* judgment that the limitations and certain provisions in section 18 of the old Act were unconstitutional and invalid as they constituted unfair discrimination. This finding was correctly not opposed by the Minister of Transport or the RAF.

5 The Constitutional Court agreed with the Minister and the RAF that it would not be appropriate to declare the sections invalid with immediate or retrospective effect. Instead the Constitutional Court held that "Parliament is best suited to determine the extent of compensation to which the applicants are entitled". The Constitutional Court thus suspended the declaration of invalidity for 18 months. The Constitutional Court added that while its judgment only concerned three of the caps created by section 18 of the old Act, there were three other caps created by the same section which had not been before the

Constitutional Court. It held that “it is desirable that Parliament address the plight of those affected by these subsections as well”.

6 It is therefore clear from the judgement of the Constitutional Court that—

- Parliament must devise a new regime applicable to a discrete category of road accident victims, i.e. those who were involved in accidents prior to 1 August 2008 and whose claims are capped by section 18 of the old Act;
- The legislation concerned should propose some middle ground, which increases the compensation available to the victims but does not amount to full compensation; and
- The legislation should not have the effect of forcing all road accident victims affected to be subject to the Road Accident Fund Act, 1996 (Act No. 56 of 1996), as it stood after 1 August 2008 (the new Act), as this would retrospectively remove the rights that they had under the old Act.

7 Clause 1 defines “new Act” and “old Act”. Clause 1 also defines “third party” as a person who has a right to claim in terms of section 17 of the old Act and whose claims have not prescribed or been finally determined when the Act comes into operation. This is necessary both for the purposes of certainty and to avoid the undesirable consequences of re-opening finalised cases. The Constitutional Court has repeatedly held that this is a permissible approach and has indeed adopted this approach in its own remedial orders.

8 Clause 2(1) affords a choice to road accident victims whose cause of action arose prior to the Amendment Act coming into operation. While the default position is that they will become subject to a version of the new Act, they can elect if they prefer to remain subject to the old Act. Thus a victim who wishes to be subject to the new Act will get all the benefits of the new Act, including an entitlement to claim up to R25 000 in general damages, even if not seriously injured. This is in addition to claims for medical expenses, loss of income and support and, if the claimant is seriously injured, uncapped general damages.

9 Clause 2(1)(c) and (d) makes it clear that a victim obtaining the benefits of the new Act cannot claim double compensation from the Fund in respect of a motor vehicle accident. For instance, if they have obtained compensation from the private wrongdoer, this must be disclosed and deducted from the amount claimed from the Fund.

10 Clause 2(1)(g) provides that where a victim chooses to have his or her claim governed by the new Act, he or she is no longer entitled to sue the owner, driver or employer of the driver of the motor vehicle concerned for damages. This is consistent with the scheme of the new Act and was found to be constitutionally permissible by the Constitutional Court.

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### **Comment: Restructuring of the Electricity Distribution Industry (EDI)**

The Portfolio Committee on Energy and the Portfolio Committee on Cooperative Governance and Traditional Affairs invite institutions, organisations and interested individuals to make submissions relating to the possible restructuring of the Electricity Distribution Industry.

Electricity distribution is the final but equally crucial stage in the delivery supply chain of electricity to end-users. Electricity distribution is undertaken by Eskom, 187 municipalities and a few private distributors under distribution license, issued by the National Energy Regulator of SA (NERSA). Municipalities take account for approximately 40 percent of sales revenue and approximately 60 percent of the customer base, with Eskom taking up the remainder. The Electricity Distribution Industry (EDI) is, by its nature, an asset centric business with a replacement asset value, estimated at R260bn (2008 values). While pockets

of good performance in the current EDI are recognised, the viability of the industry is under risk, amongst others, due to the under-investment in infrastructure. The current backlog on rehabilitation of the aging infrastructure warrants urgent attention.

Public hearings are scheduled for 25 & 26 July 2012. Interested individuals, organisations and institutions wishing to make written submissions are kindly requested to forward written submissions to the Portfolio Committee by no later than **Monday, 23 July 2012**. Please indicate your interest in-making an oral presentation.

All correspondence should be addressed to Mr S Njikelana, MP: Portfolio Committee on Energy and emailed to [akotze@parliament.gov.za](mailto:akotze@parliament.gov.za)

Enquiries may be directed to Mr A Kotze on 021 403 3662 / 083 709 8470 or [akotze@parliament.gov.za](mailto:akotze@parliament.gov.za)

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### **Comment & Public hearings: Implementation of the United Nation's Convention on the Rights of Persons with Disabilities and its Optional Protocol**

In line with Parliament's vision of providing a national forum for public consideration of issues and seeking to act as a voice of the people, the Portfolio Committee and Select Committee on Women, Children and People with Disabilities, will conduct public hearings on the implementation of the [United Nation's Convention on the Rights of Persons with Disabilities and its Optional Protocol](#).

The objectives of the public hearings are, in short to:

- identify progress made in implementing the Convention
- identify challenges in implementing the Convention from both civil society and the Executive
- ascertain mechanisms that would aid the implementation of the Convention.

Public hearings will be held in Parliament on Wednesday & Thursday, 25 & 26 July 2012.

Comments can be emailed to Ms Neliswa Nobatana at [nnobatana@parliament.gov.za](mailto:nnobatana@parliament.gov.za) or [mkoff@parliament.gov.za](mailto:mkoff@parliament.gov.za) by no later than Saturday, 21 July 2012

Enquiries should be addressed to Ms Neliswa Nobatana on tel: (021) 403 3840 or cell: 083 709 8472, Ms Mahdiyah Solomons on tel: (021) 403 3844 or cell: 083 709 8527

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### **Comment: Tobacco Products Control Act Regulations**

The Minister of Health intends to make regulations in terms of the Tobacco Products Control Act, as amended.

Interested persons are invited to submit comments on the [Proposed Regulations](#) to the Director-General of the Department of Health.

Comments can be emailed to Ms L Mahura at [mahurl@health.gov.za](mailto:mahurl@health.gov.za) by Friday 29 June 2012

Enquiries can be directed to Ms L Mahura on tel (012) 395 9471

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### **Comment: Labour Relations Amendment Bill [B16-2012]**

The Portfolio Committee on Labour invites interested people and stakeholders to submit written comments on the [Labour Relations Amendment Bill \[B16-2012\]](#).

The objectives of the bill are:

- to amend the Labour Relations Act, 1995 so as to facilitate the granting of organizational rights to Trade Unions that are sufficiently representative;
- to require the trade unions and employers' organisation to conduct a ballot prior to calling a strike or lock-out;
- to strengthen the status of picketing rules and agreements;
- to clarify the powers of the labour court;
- to amend the operations, functions and composition of the essential services committee and to provide for minimum service determinations;
- to provide for the labour court to order that an administrator be appointed to administer a trade minister or employer's organisation;
- to further regulate the remuneration and condition of appointment of judges of the labour court;
- to enable judges of the labour court to serve as a judge on the labour appeal court;
- to limit the protection of employees earning above the threshold determined by the minister;
- to further regulate enquiries by arbitrators;
- to provide greater protection for workers placed by temporary employment services;
- to regulate the employment of fixed term contracts and part time earning below the threshold determined by the minister;
- to further specify the liability for employer's obligations; and to substitute certain definitions and to provide for matters connected therewith.

**Comments** can be emailed to Mr Luvo Nxelelwa at [lnxelelwa@parliament.gov.za](mailto:lnxelelwa@parliament.gov.za) by no later than **30 June 2012**.

**Enquiries** can be directed to Mr Luvo Nxelelwa on tel (021) 403 3727 or cell 083 709 8488

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### **Comment: Basic Conditions of Employment Amendment Bill [B15-2012]**

The Portfolio Committee on Labour invites interested people and stakeholders to submit written comments on the [Basic Conditions of Employment Amendment Bill \[B15-2012\]](#).

The objectives of the bill are:

- to amend the Basic Conditions of Employment Act, 1997, so as to substitute certain definitions;
- to prohibit employers from requiring employees to make payments to secure employment and from requiring employees to purchase goods, services or products;
- to prohibit anyone from requiring or permitting a child under the age of 15 years to work;
- to make it an offence for anyone to require or permit a child to perform any work or provide any services that place at risk a child's well being;
- to provide for the Minister to publish a sectoral determination for employees and employers who are not covered by any other sectoral determination;

- to provide for the Director General to apply to the labour court for an employer to comply with a written undertaking by an employer;
- to provide for a compliance order;
- to delete certain obsolete provisions;
- to provide the labour court with exclusive jurisdiction in respect of certain matters;
- to provide for certain offences and penalties;
- to increase the penalties for certain offences; and for matters connected therewith.

**Comments** can be emailed to Mr Luvo Nxelelwa at [lnxelelwa@parliament.gov.za](mailto:lnxelelwa@parliament.gov.za) by no later than **30 June 2012**.

**Enquiries** can be directed to Mr Luvo Nxelelwa on tel (021) 403 3727 or cell 083 709 8488

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### **Request for nominations: Appointment of a member to the SABC Board**

Institutions and/or individuals are hereby invited to nominate a person to fill a vacancy of non-executive member to the Board of the South African Broadcasting Corporation Limited, of which arise from the resignation of a member of the board, for the remainder of the term of office of the current Board (until 9 January 2015), as stipulated in Section 13 clause 8 of the Broadcasting Act, No 4 of 1999.

**Requirements:** Members of the Board, when viewed collectively, must be persons who:

- are suited to serve on the board by virtue of their qualifications, expertise and experience in the fields of broadcasting policy and technology, broadcasting regulation, media law, business practice and finance, marketing, journalism, entertainment and education, as well as social and labour issues
- are committed to fairness, freedom of expression, the right of the public to be informed, as well as openness and accountability on the part of those holding public office
- are representative of a broad cross-section of the population of the Republic
- are committed to the objectives and principles as enunciated in the Charter of the SABC
- nominees must also be South African citizens permanently resident in the Republic

Written nominations must contain: The full name, contact number and address of the institution and/or individual making the nomination, the nominee's signed acceptance of the nomination and his/her Curriculum Vitae, providing at least the following information:

- Full name, ID number and gender
- contact address, telephone and fax numbers, e-mail address
- previous experience (quoting dates and organisations concerned)
- academic qualifications

**Nominations** must be emailed to Mr Thembinkosi Ngoma at [tngoma@parliament.gov.za](mailto:tngoma@parliament.gov.za) or Ms Shamiela Peer at [speer@parliament.gov.za](mailto:speer@parliament.gov.za) by no later than **Friday, 22 June 2012 at 16:00**

**Enquiries** can be made to Mr Thembinkosi Ngoma or Ms Shamiela Peer on tel (021) 403 3733 / 021 403 8264 or cell 083 709 8407 / 083 709 8463

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**Comment: South African Citizenship Draft Regulations**

The Department of Home Affairs invites public comments on the [Draft Regulations on South African Citizenship](#)

**Comments** can be emailed to Tsietsi Sebelemetja at [Tsietsi.Sebelemetja@dha.gov.za](mailto:Tsietsi.Sebelemetja@dha.gov.za) or Moses Malakate at [Moses.Malakate@dha.gov.za](mailto:Moses.Malakate@dha.gov.za) by no later than **Thursday, 31 May 2012**.

**Enquiries** should be directed to Adv Tsietsi Sebelemetja at 082 907 1831 or Mr Thomas Sigama at 082 809 7732.

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#### **Comment: National Liquor Regulations Amendments**

Dr Rob Davies, the Minister of Trade and Industry has made amendments to the National Liquor Regulations, 2004 as outlined here: [Draft Amendments to the National Liquor Regulations](#).

**Comments** can be emailed to Tshililo Mabirimisa at [TRMabirimisa@thedti.gov.za](mailto:TRMabirimisa@thedti.gov.za) or Lonwabo Sopela at [LSopela@thedti.gov.za](mailto:LSopela@thedti.gov.za) by no later than **Friday, 01 June 2012**.

**Enquiries** may be directed to Tshililo Mabirimisa and Lonwabo Sopela on tel: 012 394 1951 / 5459

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#### **Annual Call for Review: Constitution of the Republic of South Africa**

In terms of Section 45(1)(c) of the [Constitution of the Republic of South Africa, 1996](#), the Constitutional Review Committee must review the Constitution annually. Therefore, members of the public are invited to make written submissions to the Constitutional Review Committee on specific sections of the Constitution that they feel need to be reviewed.

**Comments** can be emailed to Ms Pat Jayiya at [pjayiya@parliament.gov.za](mailto:pjayiya@parliament.gov.za) by no later than **Friday, 01 June 2012**.

**Enquiries** may be directed to Ms Pat Jayiya on tel: 021 403 3661 or cell: 083 709 8453.

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#### **Comment: Medicines and Related Substances Draft Amendment Bill [2012]**

The Minister of Health intends to introduce the [Medicines and Related Substances Draft Amendment Bill \[2012\]](#) in Parliament this year.

**Comments** or representations on the proposed draft amendment to the regulations can be emailed to Ms Hyldia Phasha at [pashh@health.gov.za](mailto:pashh@health.gov.za) by no later than **25 May 2012**.

**Enquiries** can be made to Ms Hyldia Phasha tel: (012) 395 8492

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#### **Comment: Agricultural Sector Draft Code (AgriBEE)**

The Minister of Trade and Industry requests comment on the [Draft Agricultural Sector Code \(AgriBEE\)](#) as

provided for in Code 000 Statement 003 of the Codes of Good Practice under Section 9(5) of the Broad Based Black Economic Empowerment Act (Act No. 53 of 2003).

**Comments** can be emailed to Xolisile Zondo and Mirriam Pooe at [agribee@thedti.gov.za](mailto:agribee@thedti.gov.za) by no later than **Friday, 25 May 2012**.

**Enquiries** may be directed to Xolisile Zondo and Mirriam Pooe on tel: 012 394 1609 / 1870.

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#### **Comment: Movement of Animals and Animal Produce Draft Bill [2012]**

In view of the importance to effectively combat Stock Theft, a Draft Bill to repeal and substitute the Stock Theft Act, 1959, namely the [Movement of Animals and Animal Produce Draft Bill \[2012\]](#) has been drafted and the Department of Police requests your comments.

**Comments** can be emailed to Brigadier K Strydom at [strydomk@saps.org.za](mailto:strydomk@saps.org.za) by no later than **18 May 2012**.

**Enquiries** can be made to Brigadier K Strydom tel (021) 393 7055

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#### **Comment: Policy on Education Districts Organization, Roles and Responsibilities**

The Minister of Education, after consultation with the Council of Education Ministers, publishes the [Policy on the Organization, Roles and Responsibilities of Education Districts](#) for comment.

**Comments** can be emailed to Dr F Nzama at [nzama.f@dbe.gov.za](mailto:nzama.f@dbe.gov.za) by no later than **18 May 2012**.

**Enquiries** can be made to Dr F Nzama tel. (012) 357 4163

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#### **Comment: Appropriation Bill [B3-2012]**

The Standing Committee on Appropriations invites stakeholders and interested parties to make written submissions on the [Appropriation Bill \[B3-2012\]](#). The Bill was tabled together with the 2012/2013 Budget on 22 February 2012.

The Money Bills Amendment Procedure and Related Matters Act requires Parliament to conduct public hearings and to report on the Appropriation Bill. This Bill provides for the appropriation of money from the National Revenue Fund for the requirements of the State for the 2012/13 financial year.

**Public hearings** will be conducted at Parliament on **Wednesday, 16 May 2012**. **Submissions** must be received by no later than **12:00** on **Tuesday, 8 May 2012**.

**Submissions** can be emailed to the Committee Secretary, Mr Darrin Arends at [daarends@parliament.gov.za](mailto:daarends@parliament.gov.za) tel: 021 403 8105 / 071 363 2273.

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### **Comment & Public Hearings: Judicial Matters Amendment Bill**

The Portfolio Committee on Justice and Constitutional Development invites stakeholders and interested persons to submit written submissions on the [Judicial Matters Amendment Bill \[B11-2012\]](#).

The purpose of the Judicial Matters Amendment Bill is to:

- amend the Special Investigating Units and Special Tribunals Act, 1996, so as to further regulate the litigation functions of a Special Investigating Unit;
- provide for the secondment of a member of a Special Investigating Unit to another State institution;
- empower a Special Investigating Unit to charge and recover fees for performing any of its functions; and to authorise any such fees previously levied;
- amend the National Prosecuting Authority Act, 1998, so as to further regulate the remuneration of Deputy Directors and prosecutors;
- regulate the continued employment and conditions of service of persons employed by the National Prosecuting Authority as financial investigators and analysts; and
- provide for matters connected therewith.

**Submissions** must be received by no later than **11 May 2012**. Please indicate your interest in making a verbal presentation. **Public hearings** will be held in Parliament on **15 May 2012**.

Submissions sent to Mr. V Ramaano at [vramaano@parliament.gov.za](mailto:vramaano@parliament.gov.za) tel: (021) 403-3820 or 083 709 8427

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### **Comment & Public Hearings: Independent System and Market Operator Bill**

The Portfolio Committee on Energy invites interested institutions, organisations and interested individuals to submit written comments on the [Independent System and Market Operator Bill](#).

The Bill provides for the establishment of an Independent System and Market Operator as a state-owned entity which will provide an independent system operation to ensure safe, secure and efficient operation of the integrated power system and trading of electricity at wholesale level and to provide for matters connected therewith.

**Comments** can be emailed to Mr A Kotze at [akotze@parliament.gov.za](mailto:akotze@parliament.gov.za) by no later than **13 April 2012**. Please indicate your interest in making an oral presentation.

**Public hearings** are scheduled for **15 & 16 May 2012** in Parliament.

Enquiries: Mr A. Kotze tel: (021) 403 3662 or cell: 083 709 8470

Issued by: Honourable S. Njikelana MP, Chairperson: Portfolio Committee on Energy

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### **Comment: Division of Revenue Bill [B4-2012]**

The Select Committee on Appropriations invites stakeholders and interested parties to make written submissions on the [Division of Revenue Bill \[B4-2012\]](#) that was tabled together with the 2012/2013 Budget on 22 February 2012 by the Minister of Finance. This Bill provides for the equitable division of revenue raised, nationally among the national, provincial and local spheres of government for the 2012/13 financial year and provides for the responsibilities of each of the three spheres.

The Money Bills Amendment Procedure and Related Matters Act requires Parliament to conduct public hearings on the Division of Revenue Bill.

Public hearings will be conducted at Parliament on Tuesday, 17 April 2012.

Comments can be emailed to the Committee Secretaries, Ms Estelle Grunewald at [egrunewald@parliament.gov.za](mailto:egrunewald@parliament.gov.za) and Mr Lubabalo Nodada at [lnodada@parliament.gov.za](mailto:lnodada@parliament.gov.za) by no later than 12:00 on Friday, 23 March 2011.

Enquiries tel Ms Estelle Grunewald: (021) 403 3843; cell 071 363 2257 or Mr Lubabalo Nodada (021) 403 3669; cell 083 412 1526

Issued by: Hon. TE Chaane, MP, Chairperson: Select Committee on Appropriations (National Council of Provinces).

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### **Comment: South African Police "Hawks" Amendment Bill [B7-2012]**

The Portfolio Committee on Police invites interested persons and stakeholders to submit written comments on the [South African Police Amendment Bill \[B7-2012\]](#).

The Bill [B7 -2012] seeks to:

- amend the South African Police Service Act, 1995, in order to align the provisions relating to the Directorate for Priority Crime Investigation, with a judgment of the Constitutional Court;
- amend those provisions in order to ensure that the Directorate has the necessary operational independence to fulfil its mandate without undue interference; and
- provide for matters connected therewith.

Comments can be emailed to the Committee Secretary Ms Zola Vice at [zvice@parliament.gov.za](mailto:zvice@parliament.gov.za) by no later than 27 March 2012. Please indicate your interest in making a verbal presentation.

Enquiries tel Committee Secretary Ms Zola Vice: (021) 403 3755 or cell: 083 709 8397

Issued by: Honourable L.S. Chikunga, MP and Chairperson of the Portfolio Committee on Police

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### **Comment: Role of Judiciary in Developmental South African State & Transformation of Judicial System**

The Minister of Justice and Constitutional Development requests comment on:

[Discussion document on transformation of judicial system and role of judiciary in developmental South African State.](#)

Comments can be emailed to Mr Jacobs Skosana at [judicialdiscdoc@justice.gov.za](mailto:judicialdiscdoc@justice.gov.za) by no later than 30 April 2012.

Enquiries tel Mr Jacob Skosana: (012) 315 1649

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### **Comment: Development of Special Economic Zones in SA (SEZ) Draft Policy & Bill**

The Department of Trade and Industry has published a [Draft Policy & the Draft Bill on Development of Special Economic Zones in South Africa](#) for public comment. The gazetting of the Bill & Policy is the culmination of work done to broaden the scope and composition of dedicated industrial areas and to support industrial decentralization. Public comments can be emailed to [sezbill@thedti.gov.za](mailto:sezbill@thedti.gov.za) by no later than 22 March 2012.

Also find the [Provincial Public Participation Workshops Programme](#)

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### **Comment: School Sport Draft Policy**

The Department of Basic Education has published a [Draft School Sport Policy](#) for public comment.

Comments can be emailed to Ms N Xulu at [schoolsportpolicy@dbe.gov.za](mailto:schoolsportpolicy@dbe.gov.za) by no later than 30 March 2012. Please state the name and full contact details of the person or organization.

Enquiries tel Ms N Xulu: (012) 357 3445

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### **Comment: Protection of State Information Bill [B6B-2010]**

The Ad Hoc Committee on Protection of State Information Bill (National Council of Provinces) invites interested individuals and organisations to submit written submissions on the [Protection of State Information Bill \[B6B-2010\]](#).

This Bill seeks:

- to provide for the protection of certain information from destruction, loss or unlawful disclosure;
- to regulate the manner in which information may be protected;
- to repeal the Protection of Information Act, 1982, and;
- to provide for matters connected therewith.

Written submissions can be emailed to the Committee Secretary Mr G. Dixon at [gdixon@parliament.gov.za](mailto:gdixon@parliament.gov.za) by no later than Friday, 17 February 2012 at 12:00.

Enquiries tel Mr G. Dixon: (021) 403 3771; cell: 083 709 8513

Public hearings for those selected for oral presentations will be held at Parliament on Tuesday, 13 March

2012 and Wednesday, 14 March 2012.

Issued by: Mr R.J. Tau, Chairperson of the Ad Hoc Committee on the Protection of State Information Bill.

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### **Comment & Public Hearings: National Health Amendment Bill [B24 - 2011]**

The Portfolio Committee on Health invites interested individuals and organisations to submit written comments on the following Bill: [National Health Amendment Bill \[B24 - 2011\]](#)

The Bill seeks to:

- Amend the National Health Act, 2003, so as to provide for the establishment of the Office of Health Standards Compliance and, for that purpose, to insert, substitute or delete certain definitions; to delete, revise and insert certain provisions; and to provide for matters connected therewith.

Public hearings will take place on the 13, 14 & 16 March 2012 at Parliament.

Comments can be emailed to the Committee Secretary Ms Vuyokazi Majalamba at [vmajalamba@parliament.gov.za](mailto:vmajalamba@parliament.gov.za) by no later than Friday, 9 March 2012, at 12:00.

Enquiries: Ms Vuyokazi Majalamba, tel. (021) 403-3770, Cell: 083 709 8522,

Issued by Dr MB Goqwana, MP, Chairperson of the Portfolio Committee on Health

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**PLEASE NOTE DEADLINE: 16 MARCH (not 13 April as noted on Parliament website)**

### **Comment deadline correction: 16 MARCH for General Intelligence Laws Amendment Bill [B25-2011]**

The Ad Hoc Committee on General Intelligence Laws Amendment Bill invites interested individuals and organisations to submit written submissions on the [General Intelligence Laws Amendment Bill \[B25-2011\]](#).

This Bill seeks to:

- amend the National Strategic Intelligence Act, 1994, the Intelligence Services Oversight Act, 1994, and the Intelligence Services Act, 2002
- repeal the Electronic Communications Security (Pty) Ltd Act, 2002, so as to accommodate the establishment of the State Security Agency as a body into which certain government components are absorbed
- effect technical amendments to certain laws brought about by the abolishment of those government components
- effect certain other technical amendments to laws and • provide for matters connected therewith.

Written submissions can be emailed to the Committee Coordinator Ms N Mbuqe at [nmbuqe@parliament.gov.za](mailto:nmbuqe@parliament.gov.za) by no later than **16 MARCH** at 12:00.

Public hearings for those selected for verbal presentations will be held at Parliament Tuesday, 24 April and Wednesday, 25 April 2012.



Enquiries tel Committee Coordinator Ms N. Mbuqe: (021) 403 2793; cell 083 709 8432.

Issued by: Mr C Burgess: Chairperson of the Ad Hoc Committee on General Intelligence Laws Amendment Bill.

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### **Comment & Public Hearings: Fiscal Framework & Revenue Proposals**

The Standing Committee on Finance and the Select Committee on Finance invite stakeholders and interested parties to submit written submissions on the [Fiscal Framework and Revenue Proposals](#) tabled together with the 2012/13 Budget on 22 February 2012.

The Money Bills Amendment Procedure and Related Matters Act, No 9 of 2009 requires Parliament to conduct public hearings and to report on the fiscal framework and revenue proposals. This Act defines the fiscal framework as follows:

“the framework for a specific financial year that gives effect to the national executive’s macroeconomic policy and includes:

- (a) estimates of all revenue, budgetary and extra-budgetary specified separately, expected to be raised during that financial year;
- (b) estimates of all expenditure, budgetary and extra-budgetary specified separately, for that financial year;
- (c) estimates of borrowing for that financial year;
- (d) estimates of interest and debt servicing charges; and
- (e) an indication of the contingency reserve necessary for an appropriate response to emergencies or other temporary needs, and other factors based on similar objective criteria.”

Public hearings will be conducted at Parliament on 28 & 29 February 2012.

Submissions and your indication to make an oral presentation must be received by no later than 12:00 on Monday, 27 February 2012.

Submissions can be emailed to the Committee Secretaries Mr Allan Wicomb at [awicomb@parliament.gov.za](mailto:awicomb@parliament.gov.za) and Mr Zolani Rento at [zrento@parliament.gov.za](mailto:zrento@parliament.gov.za)

Enquiries tel Mr Allan Wicomb: ( 021) 403 3759 / Mr Zolani Rento (021) 403 8071

Issued by: Hon TA Mufamadi, MP and Chairperson: Standing Committee on Finance (National Assembly) and Hon. CJ De Beer, MP and Chairperson: Select Committee on Finance (National Council of Provinces).

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### **Comment: National Energy Regulator Amendment Draft Bill**

The Department of Energy requests comment on the following draft Bill: [National Energy Regulator Amendment Draft Bill](#) before it submits it to Parliament.

Comments on this Bill can be emailed to Mathews Bantsijang or Maduna Ngobeni at [epar@energy.gov.za](mailto:epar@energy.gov.za) no later than 10 February 2012.

Enquiries tel Mathews Bantsijang: (012) 4444 081 or Maduna Ngobeni: (012) 4444 231

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**Comment: Electricity Regulation Second Amendment Draft Bill**

The Department of Energy requests comment on the following draft Bill: [Electricity Regulation Second Amendment Draft Bill](#) before it submits it to Parliament.

Comments on this Bill can be emailed to Mathews Bantsijang or Maduna Ngobeni at [epar@energy.gov.za](mailto:epar@energy.gov.za) no later than 17 February 2012.

Enquiries tel Mathews Bantsijang: (012) 4444 081 or Maduna Ngobeni: (012) 4444 231

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**Comment: Protection of State Information Bill [B6B-2010]**

The Ad Hoc Committee on Protection of State Information Bill (National Council of Provinces) invites interested individuals and organisations to submit written submissions on the [Protection of State Information Bill \[B6B-2010\]](#).

This Bill seeks:

- to provide for the protection of certain information from destruction, loss or unlawful disclosure;
- to regulate the manner in which information may be protected;
- to repeal the Protection of Information Act, 1982, and;
- to provide for matters connected therewith.

Written submissions can be emailed to the Committee Secretary Mr G. Dixon at [gdixon@parliament.gov.za](mailto:gdixon@parliament.gov.za) by no later than Friday, 17 February 2012 at 12:00.

Enquiries tel Mr G. Dixon: (021) 403 3771; cell: 083 709 8513

Public hearings for those selected for oral presentations will be held at Parliament on Tuesday, 13 March 2012 and Wednesday, 14 March 2012.

Issued by: Mr R.J. Tau, Chairperson of the Ad Hoc Committee on the Protection of State Information Bill.

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**PUBLIC PARTICIPATION: 2011**

**RHINO POACHING: A THREAT TO HARD-WON POPULATION INCREASES ACHIEVED BY CONSERVATION AUTHORITIES: A CALL FOR RESPONSES AND SOLUTIONS TO ASSIST GOVERNMENT TO STRENGTHEN ENVIRONMENTAL GOVERNANCE AND THE FUTURE SUSTAINABILITY OF OUR RHINO POPULATION**

**Have your say in highlighting the solutions in South Africa and Africa**

Parliament invites you to be a solution in ensuring the future of our rhino population

Rhino poaching across Africa has risen sharply in the past few years. This has threatened to reverse the hard-won population increases achieved by conservation authorities during the 20th century. Until

relatively recently, thanks to law enforcement efforts, poaching of rhino had been kept under control and held at relatively low levels. However, from 2008 onwards, rhino poaching has escalated at an alarming rate. Another factor, which saw an increase in the demand of rhino horn into the illegal markets, is the likely leakage of stored rhino horn from various private and government stockpiles, with no indication of decreasing. There has been a dramatic spike in rhino poaching incidents in South Africa from January 2008 to date.

The modus operandi being utilised both locally and internationally in the illegal killing of rhino and the smuggling of their horns in recent years clearly indicates the increasing involvement of highly organised and well structured crime syndicates that are operating in a lucrative international enterprise. In addition to the loss of horns through increased poaching, concerns have also been raised regarding 'leakage' of South African horns onto the illegal international markets from stocks in the public and private sector. These syndicates are also involved in the 'legal/unethical' hunting of rhino in the country.

The concern for conservation authorities is that should poaching continue to escalate at the current rates, unabated, one could reach the situation where numbers start declining to a point when more animals are being poached than are born into the rhino population – as has been experienced in other rhino range states in the recent past.

A properly structured and concerted effort by government, and other relevant role-players, is therefore urgently needed to address this problem, as it poses a significant threat not just to the rhino population, but also to the reputation, eco-tourism industry and public image of South Africa.

The Portfolio Committee on Water and Environmental Affairs (the Committee) intends holding public hearings on FINDING SOLUTIONS to the rhino-poaching crisis in South Africa and Africa.

The Department of Environmental Affairs (the Department), and other relevant government state holders will commence the hearings by explaining the current poaching situation in relation to the achievements and challenges. Thereafter, public commentary by presenters of selected submissions will be given a space to provide insights into:

- The strength and weaknesses of the current initiatives to address the problem;
- The efficacy of current environmental governance structures to address the problem;
- Whether South Africa has the requisite combination of expertise, sufficient and sustained financial capacity, and well-performing institutional and regulatory mechanisms to maintain an effective and balanced intervention to rhino poaching; and
- Recommendations to address specific challenges and responses of the present regime pertinent to the practitioner, regulator and policy-maker.

The Portfolio Committee on Water and Environmental Affairs in the Parliament of the Republic of South Africa will be holding public hearings on Rhino poaching: a threat to hard-won population increases achieved by conservation authorities. The Portfolio Committee invites all interested stakeholders to submit written comments on the subject matter not later than 20 January 2012. Public hearings are targeted for Thursday 26 January 2012. Specific dates and times will be provided after the deadline has been met.

Kindly note that the Portfolio Committee Water and Environmental Affairs retains the right to regulate its own proceedings, including the right to decide whether to allow oral representations in respect of any submission, and the format, procedure and duration of any oral representation.

All written comments appropriately referenced as "Rhino poaching: a threat to hard-won population increases achieved by conservation authorities" should be addressed to Ms Tyhileka Madubela, Committee Section, Parliament of RSA, PO Box 15, Cape Town 8000. Electronic submissions can be made at: [tmadubela@parliament.gov.za](mailto:tmadubela@parliament.gov.za) or hand-delivered at Room 0/88, 3rd Floor, 90 Plein Street, Cape Town. For enquiries, contact Ms Madubela on 021 403 3713 or 083 304 9586.

Issued by Adv. Johnny de Lange, M.P.: Chairperson: Portfolio Committee on Water and Environmental Affairs on 11 December 2012.

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**South African Weather Service Amendment Bill: Strengthening of Institutional Mechanisms, Governance and Finances as it relates to the work of the South African Weather Service**

Parliament invites you to comment on the:

**[South African Weather Service Amendment Bill \[B22-2011\]](#)**

Over the past 150 years, the South African Weather Service (SAWS) has built up a reputation as a trusted provider of weather and climate information. As the authoritative voice in the field of weather and climate, SAWS has played an integral role in assisting Government to minimise the impact of weather-related natural disaster. The primary goal of SAWS is to ensure the continued relevance of meteorological products and services in compliance with the applicable regulatory framework.

Timeous and accurate weather and climate information is critical to various sectors. In developing and implementing a comprehensive product and services programme, SAWS provides real-time weather information in an effort to forewarn the South African community, including the population vulnerable to severe weather events.

SAWS' role and activities on climate services informed policy on climate change. The work conducted by SAWS' Global Atmospheric Watch station, which is more than 30 years old, has had new relevance, more especially in measurement records of atmospheric carbon dioxide in the Southern Hemisphere. Records of these trace and greenhouse gases assist the Department of Environmental Affairs. The Department uses the data for monitoring greenhouse gas emissions, implementing mitigation of climate change impacts and improves atmospheric quality.

Institutionally, SAWS operates as an agency under the Ministry of Water Affairs, and is governed by a Board of Directors. SAWS became a public entity in 2001. It provides two distinct services, namely public good services funded by Government, and paid-for commercial services. The public services include aviation and maritime.

The purpose of the South African Weather Services Act, 2001 (Act No 8 of 2001) was to establish the Weather Service Agency, to determine its objects, functions and method of work, to prescribe the manner in which it is to be managed and governed, and to regulate its staff and financial matters. The Bill seeks to amend the Act to ensure that the objectives of the Act are met in a more sustainable, effective and efficient manner.

The Minister of Water Affairs, published the South African Weather Service Amendment Bill, 2011 in General Notice 278 of 2011, in Government Gazette No. 34268 of 6 May 2011. The Bill was introduced in the National Assembly (proposed section 75) with an explanatory summary of the Bill published in Government Gazette No. 34648 of 30 September 2011.

The purpose of the South African Weather Service Amendment Bill, is to amend the South African Weather Services Act, 2001, so as to:

- Substitute and insert certain definitions;
- Extend the objectives and functions of the South African Weather Service to deal with ambient air quality information services;
- Provide for a performance management system for the Chief Executive Officer to align the Weather Service Board with the Public Finance Management Act, 1999 (Act No 1 of 1999) by providing the Board to be the accounting authority for the Weather Service;
- Delete certain obsolete provisions;

- Provide for the limitation of liability of the Weather Service; and
- Provide for the Minister to amend the Schedules to the Act by notice in the Gazette, to provide for offences and penalties; and to amend the Schedules to the Act

The Portfolio Committee on Water and Environmental Affairs (the Portfolio Committee) in the Parliament of the Republic of South Africa will be holding public hearings on the South African Weather Service Amendment Bill, 2011. The Portfolio Committee invites all interested stakeholders to submit written comments on the subject matter not later than 12 January 2012. Public hearings are targeted for 17 and 18 January 2012. Specific dates and times will be provided after the deadline has been met.

Kindly note that the Portfolio Committee Water and Environmental Affairs retains the right to regulate its own proceedings, including the right to decide whether to allow oral representations in respect of any submission, and the format, procedure and duration of any oral representation.

All written comments appropriately referenced as "Strengthening of the work of the Weather Service through the South African Weather Service Amendment Bill, 2011" should be addressed to Ms Tyhileka Madubela, Committee Section, Parliament of RSA, PO Box 15, Cape Town 8000. Electronic submissions can be made at: [tmadubela@parliament.gov.za](mailto:tmadubela@parliament.gov.za) or hand-delivered at Room 0/88, 3rd Floor, 90 Plein Street, Cape Town. For enquiries, contact Ms Madubela on 021 403 3713 or 083 304 9586.

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#### **Comment: Code and Regulations of Judges Registrable Interests**

The Ad Hoc Joint Committee on Code of Judicial Conduct and the Regulations on Judges' Disclosure of Registrable Interests invites stakeholders and interested persons to submit written submissions on the Regulations on Judges' Registrable Interests.

Please find the relevant documents here:

[Judiciary Registrable Interests Draft Regulations](#)

[Judicial Service Commission Draft Regulations](#)

Section 13 of the Judicial Service Commission Act, 1994 (Act No 9 of 1994) provides that: The Minister, acting in consultation with the Chief Justice, must appoint a senior official in the Office of the Chief Justice as the Registrar of Judges' Registrable Interests. The Registrar must open and keep a register, called the Register of Judges' Registrable Interests, and must- record in the Register particulars of Judges' registrable interests; amend any entries in the Register when necessary; and perform the other duties in connection with the Register as required in terms of this Act. Every judge must disclose to the Registrar, in the prescribed form, particulars of all his or her registrable interests and those of his or her immediate family members. The Minister, acting in consultation with the Chief Justice, must make regulations regarding the content and management of the Register. The regulations may determine different criteria for judges in active service and judges who had been discharged from active service or judges in an acting capacity.

Comments can be emailed to Mr. V Ramaano at [vramaano@parliament.gov.za](mailto:vramaano@parliament.gov.za) by no later than 20 January 2012. Please indicate your interest in making a verbal presentation. Public hearings will be held in Parliament from 24 to 26 January 2012.

Enquiries tel Mr. V Ramaano, tel: (021) 403-3820 or 083 709 8427.

Issued by Hon. JB Sibanyoni and Hon AG Matila, Co-Chairpersons: *ad hoc* Joint Committee on Code of Judicial Conduct and the Regulations on Judges' Disclosure of Registrable Interests

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#### **Comment: B-BBEE Amendment Draft Bill**

The Department of Trade and Industry has published the [B-BBEE Amendment Draft Bill](#) for public comment.

Salient features of the proposed Bill have been kindly summarised by Gavin Lecvenstein of EconoBEE ([www.EconoBEE.co.za](http://www.EconoBEE.co.za) / Tel 011 483 1190):

In many instances the Bill expands on issues that were already included, but issues clarifications. The definition of Broad-Based Black Economic Empowerment has been expanded to mean the sustainable economic empowerment of all black people - in particular women, workers, youth, people with disabilities and people living in rural areas, through diverse but integrated socio-economic strategies. Note the use of the word "sustainable".

There is more emphasis on local content, as there is in the new regulations of the PPPFA.

Fronting is clearly defined and fronting practices are now punishable by penalties of up to 10 years in prison, or up to 10% of an enterprise's annual turnover. Some of the areas around fronting practice include setting up B-BBEE transactions that do not benefit black people. It could involve an agreement with another enterprise where there are significant limitations on what the company can do.

The Bill establishes a BEE Commission whose job is to monitor compliance, fronting, interpretations, as well as promote adherence to the act and advocacy of BEE.

The Bill defines a B-BBEE Verification Professional as being a person registered by the verification agency regulator or SANAS. This implies that verification analysts will themselves be accredited in some way. Recently the minister announced details of BEE Management course offered by Wits University and UNISA.

In a clarification the Bill states that enterprises in a sector in which sector codes have been gazetted may only be measured for compliance in accordance with that sector code.

Monitoring, Evaluation and Reporting:

Listed companies are required to submit reports on their compliance to the BEE Commission.

The SETAS must report on skills development spend and programmes to the BEE Commission.

An area that was previously neglected: government's own compliance with the codes, has been addressed.

- All organs of state, state owned enterprises and all spheres of government must report on their compliance with B-BBEE in their audited annual reports and financial statements. Section 10 of the old act has been expanded to require all organs of state to take into account and apply the codes for all dealings with private enterprise. Previously the act stated "where possible, apply the codes". Now every sphere of government has to apply the codes. This has already started with the reconciliation of the PPPFA with B-BBEE. It does mean that every organisation that wishes to do business with government, or obtain licenses or other concessions must submit details of the compliance, ie a valid B-BBEE certificate.
- What is interesting is that the mining charter of the mining act is now in conflict with the B-BBEE Act.
- Interestingly section 23 of the proposed act states that other than the constitution, this act will prevail in any conflict with any other act which could imply that the mining act is about to change. However section 12 allows the minister to permit organs of state to determine their own transformation policies if they meet the requirements of the B-BBEE strategy.

Regarding verification, IRBA (Independent Regulatory Body for Auditors) will regulate B-BBEE Verification Professionals.

The Bill gives the minister the opportunity of issuing regulations, guidelines and practice notes. This will help in giving guidance for compliance and interpretations and various aspects of the codes.

Comments can be emailed to Xolisile Zondo at [XZondo@thedti.gov.za](mailto:XZondo@thedti.gov.za) or [admin@beeadmin.co.za](mailto:admin@beeadmin.co.za) by no later than 8 February 2012

Enquiries tel Xolisile Zondo: 012 394 1609/1971



National Health Insurance holds the potential to drastically improve health care across South Africa; civil society is organising to secure its success

Key members of civil society recently formed the National Health Insurance Coalition (NHIC) to collectively respond to and help develop National Health Insurance (NHI). The NHIC also intends to jointly endorse key submissions on NHI, encourage civil society participation in the NHI policy process and launch an advocacy campaign, among other things.

This week, the NHIC published a [discussion document](#) to facilitate exchange over the Green Paper on NHI. On 7 - 8 December 2011 the Department of Health (DoH) held an international consultation on NHI, during this consultation the NHIC held a successful side meeting to discuss the way forward.

NHIC comes at a crossroads in the development of NHI. The DoH has published the Green Paper on NHI, invited commentary and signaled an eagerness for input from civil society. The next step will be for DoH to publish a White Paper on NHI.

Engagement and dialogue from civil society are crucial during this stage of the NHI policy development process. In this moment of contingency NHI's failure or success may depend on our efforts; collective action and public debate are the fulcrum, we must use them now. Together we bring a more forceful voice to the debate, and can ensure that NHI achieves its potential to be a major step toward quality health care for all.

Members of coalition and signatories to the discussion document include: People's Health Movement South Africa (PHM-SA), SECTION27, Treatment Action Campaign (TAC), Black Sash, Rural Health Advocacy Project (RHAP) Rural Rehab, Rural Doctor's Association of South Africa (RuDASA), Passop, EarthLife Africa, Africa Health Placements (AHP).

To inquire about the National Health Insurance Coalition or join our efforts email: [coordinator@phmsouthafrica.org](mailto:coordinator@phmsouthafrica.org). We can go far together.

Dr Alex Muller

[coordinator@phmsouthafrica.org](mailto:coordinator@phmsouthafrica.org)

tel: (021) 447 5770

cell: 072 413 8835

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### **Comment: Second-Hand Goods Act Draft Regulations**

The South African Police Service is consulting on regulations under section 41(1) of the Second-Hand Goods Act, 2009 (Act No. 6 of 2009), with a view to submitting [Draft Regulations](#) to the Minister of Police for consideration when the Act comes into operation.

Comments can be emailed to Director J A van der Walt at [vanderwaltja@saps.org.za](mailto:vanderwaltja@saps.org.za) by no later than 16 December 2011

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### **Comment & Public Hearings: Rental Housing Amendment Bill [B21-2011]**

The Portfolio Committee on Human Settlements invites all interested persons and stakeholders to submit written comments on the [Rental Housing Amendment Bill \[B21-2011\]](#).

The Rental Housing Amendment Bill seeks to:

Amend the Rental Housing Act, No 50 of 1999;

Address the implementation of various legal and administrative issues by the Rental Housing Tribunal.

Public hearings will be held at Parliament on 7 to 9 December 2011. All interested persons and

stakeholders who wish to make a verbal presentation are to clearly indicate so in their written submissions. The Committee reserves the right to decide on who should be invited to make a verbal

presentation.

Comments can be emailed to the Committee Secretary Mr Greg Rhoxo at [grhoxo@parliament.gov.za](mailto:grhoxo@parliament.gov.za) by no later than 16:00 on Wednesday, 30 November 2011.

Enquiries tel Mr Greg Rhoxo: (021) 403 2282; cell 083 709 8386

Issued by: Ms BN Dambuza, MP, and Chairperson of the Portfolio Committee on Human Settlements.

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### **Comment & Public Hearings: South African Languages Bill (B23-2011)**

The Portfolio Committee on Arts and Culture invites stakeholders and interested parties to submit written submissions on the [South African Languages Bill \(B23-2011\)](#).

The purpose of the South African Languages Bill (B23-2011) is to:

- regulate and monitor the use of official languages by the national government for government purposes;
- promote parity of esteem and equitable treatment of the official languages of the Republic;
- facilitate equitable access to the services and information of the national government; and
- to promote good language management by the national government for efficient public service administration and to meet the needs of the public

Public hearings on the Bill will be held at Parliament on Tuesday, 17 January 2012 and Wednesday, 18 January 2012.

Comments can be emailed to the Committee Secretary Mr Johnny Van Der Westhuizen at [jvanderwesthuizen@parliament.gov.za](mailto:jvanderwesthuizen@parliament.gov.za) by no later than 12:00 on Wednesday, 7 December 2011

Enquiries tel Mr. Johnny Van Der Westhuizen: (021) 403-3714; Cell 073 709 8389;

Issued by Hon Ms TB Sunduza, MP, Chairperson: Portfolio Committee on Arts and Culture

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### **Comment: Electronic Communications Amendment Draft Bill**

The Department of Communications has prepared the proposed [Electronic Communications Amendment Draft Bill](#) that the Department wishes to submit to Parliament during the course of the 2012 Legislative Programme.

Interested persons can email written comments on the proposed Bill to Lerato Monareng at [lerato@doc.gov.za](mailto:lerato@doc.gov.za) by no later 5 December 2011.

Enquiries tel Lerato Monareng: (012) 427 8217 or Mameetse Mphahlele: (012) 420 7707

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### **Public Hearings Programme: National Climate Change Response White Paper 2011**

The Portfolio Committee on Water and Environmental Affairs (the Committee) recently invited written submissions on the National Climate Change Response White Paper 2011 from all interested parties and stakeholders in South Africa.

Due to time constraints the closing date for submitting written submissions did not allow for much time but the committee has been accepting submissions beyond the deadline and will continue to do so.

The Committee also wishes to acknowledge wide interest in participating in the public hearings which are scheduled to take place next week.

Kindly note that prospective participants can assume that their paper will have been read by the time of their oral submission is made. Each oral submission will be given 30-45 minutes in total for processing by



the Committee. Therefore, each participant will be allocated only 10 -15 minutes to orally present the main points of his/her paper. The rest of the time slot will be used for questions and answers.

[Please find Public Hearings Programme here](#) . Time limits will be strictly adhered to.

If the time slot allocated to participants does not suit them they can change it with someone with a different time slot, but only if both parties agree in writing. The written confirmation must be given to the Committee Secretary, Ms T Madubela, before any changes will be effected.

Issued by committee Chairperson: Adv. Johny De Lange

For inquiries or interviews with the Chairperson, please contact:Mava Lukani (Mr)  
Phone: +27 (0) 21 403 8738 / Cell: +27 (0) 72 589 9355

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#### **Comment: Land Reform Green Paper**

The Department of Rural Development & Land Reform has published the [Land Reform Green Paper](#) for public comment.

Comments can be emailed to Mr Mtobeli Mxotwa at [mmxotwa@ruraldevelopment.gov.za](mailto:mmxotwa@ruraldevelopment.gov.za) or [landreformgreenpaper@ruraldevelopment.gov.za](mailto:landreformgreenpaper@ruraldevelopment.gov.za) by no later than 29 November 2011.

Enquiries tel Mr Mtobeli Mxotwa: cell: 083 578 9023

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#### **Comment: Protection of State Information Bill**

Latest version of the bill: [Protection of State Information Bill \[B6B-2010\]](#)

The ANC has set up a committee to consider further public submissions on the Protection of State Information Bill after postponing the parliamentary vote on the bill last week.

“The committee will be responsible for co-ordinating public engagement with representatives from civil society, non-governmental and community-based organisations and interested individuals on the draft bill,” the office of ANC chief whip Mathole Motshekga said on Tuesday.

The committee would hold public meetings across the country to hear people's views on the bill.

A special ANC study group would consider written and oral submissions from interested parties in Parliament.

Submissions should be e-mailed to [infobill@parliament.gov.za](mailto:infobill@parliament.gov.za), faxed to 086-731-6737 or mailed to ANC Information Bill Office, Parliament of the Republic of South Africa, PO Box 15, Cape Town, 8001.

Enquiries about the process could be directed to Silverton Ntushelo on 021-403-2643.

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#### **Comment: 2011 Medium Term Budget Policy Statement (MTBPS)**

The Standing Committee on Finance and the Select Committee on Finance invites stakeholders and interested parties to submit written submissions on the 2011 [Medium Term Budget Policy Statement](#) (MTBPS) that will be tabled on 25 October 2011.

The Minister of Finance will table the 2011 Medium Term Budget Policy Statement (MTBPS) before Parliament on 25 October 2011. In tabling the MTBPS, the Minister will meet his obligation under section 28 of the Public Finance Management Act 1 of 1999 (PFMA) that requires the Minister to table multi-year budget projections for revenue, expenditure and key macro-economic projections on an annual basis. In addition to that, the Minister will also meet his obligation under section 6(1) of the Money Bills Amendment Procedure and Related Matters, Act 9 of 2009, that requires the Minister to submit the MTBPS to Parliament.

Public hearings will be conducted at Parliament on 1 & 2 November 2011.

Comments can be emailed to the Committee Secretaries, Mr Allen Wicomb at [awicomb@parliament.gov.za](mailto:awicomb@parliament.gov.za) or Mr Zolani Rento at [zrento@parliament.gov.za](mailto:zrento@parliament.gov.za) by no later than 12:00 on Wednesday, 27 October 2011.

Enquiries tel Mr Allen Wicomb: (02) 403 3759; cell: 083 412 1475 or Mr Zolani Rento: 021 403 8071 or cell: 083 707 2188

Issued by Hon. TA Mufamadi, MP, Chairperson: Standing Committee on Finance (National Assembly) and Hon. CJ De Beer, MP, Chairperson: Select Committee on Finance (National Council of Provinces).

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### **Comment & Public Hearings: Skills Development Amendment Bill [B16-2011]**

The Portfolio Committee on Higher Education and Training invites stakeholders and interested parties to submit written submissions on the [Skills Development Amendment Bill \[B16-2011\]](#)

**The purpose of the Skills Development Amendment Bill [B16-2011] is to:** amend the Skills Development Act, 1998, so as to define certain words or expressions and to delete certain obsolete definitions; to amend provisions relating to the establishment, amalgamation and dissolution of SETAs; to provide for the incorporation of a subsector of one SETA into another SETA; to provide for the composition of an Accounting Authority for each SETA; to regulate the eligibility to become a member of an Accounting Authority; to provide for the approval of a constitution for every SETA; to regulate the conduct of a member of an Accounting Authority, or of a member of the staff, of a SETA when engaging in business with the SETA; to require members of Accounting Authorities to disclose any conflict of interest with the relevant SETA; and to repeal certain provisions which became obsolete as a result of the transfer of the administration of the said Act to the Minister of Higher Education and Training; and to provide for matters connected therewith.

**Public hearings** on the Bill will be held at Parliament on Tuesday, 8 and Wednesday, 9 November 2011. Comments can be emailed to the Committee Secretary Mr Anele Kabingesi at [akabingesi@parliament.gov.za](mailto:akabingesi@parliament.gov.za) by no later than **12:00 on Thursday, 3 November 2011**. Please indicate your interest in making a verbal presentation.

Enquiries tel Mr Anele Kabingesi: (021) 403 3760; cell: 083 412 1585

**Issued by: Adv I Malale, MP Chairperson: Portfolio Committee on Higher Education and Training.**

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### **Comment: National Climate Change Response White Paper**

***THE GROWING POTENTIAL RAVAGES OF CLIMATE CHANGE: CONTINUED POSSIBLE CATASTROPHE OR FUTURE HOPE? A CALL FOR RESPONSES TO GOVERNMENT'S [National Climate Change Response White Paper](#)***

***Have your say in averting potential adverse consequences of climate change in South Africa  
Let your voice be heard in strengthening a national climate change policy for South Africa***

***Parliament invites you to be a solution in managing climate change  
Call for all-hands-on deck for tackling potential threats of climate change in South Africa***

Climate change is a major potential threat to sustainable growth and development in South Africa and to the achievement of the Millennium Development Goals. The potential impacts of climate change, in terms of diminished natural resources, increased flooding and drought, reduced agricultural production, worsening food insecurity and spreading diseases, are already evident in our country, with many of our poor communities with the fewest choices and least access to resources bearing the full brunt of these challenges. The potential risks and challenges of climate change for the country and future generations are potentially colossal; needing urgent mitigation and adaptation measures. The need for all South Africans to have a shared understanding of climate change and the mechanisms for transforming its threats into opportunities for sustainable development cannot be over-emphasised, particularly as South Africa has the unique opportunity to host the 17<sup>th</sup> Conference of the Parties (COP17) to the United Nations Framework Convention on Climate Change (UNFCCC), in November /December 2011, in Durban.

The Portfolio Committee on Water and Environmental Affairs in the Parliament of the Republic of South Africa held public hearings, in March 2011, on the National Climate Change Response Green Paper 2010 that was released for written comment by Ms. Ednah Molewa MP, the Minister of Water and Environmental Affairs, in Government Gazette 33801 Notice 1083 of 2010, dated 25 November 2010. The substantive insights offered at these hearings provided departmental officials an opportunity to incorporate substantial changes to the Green Paper and formulate an informed and improved White Paper.

The Portfolio Committee invites all interested stakeholders to submit written comments on the [National Climate Change Response White Paper](#), by not later than 16h00, on 20 October 2011. Public hearings are targeted for October/November 2011 and will probably commence around 25 October to 11 November 2011, with the Departmental briefings taking place on 18 and 19 October 2011. Kindly note that the Portfolio Committee on Water and Environmental Affairs retains the right to regulate its own proceedings, including the right to decide whether to allow oral representations in respect of any submission, and the format, procedure and duration of any oral representation.

Electronic submissions can be made at: [tmadubela@parliament.gov.za](mailto:tmadubela@parliament.gov.za)  
For enquiries, contact Ms Madubela: 021 403 3713 or 083 304 9586.

**Issued by Adv Johnny de Lange, MP: Chairperson: Portfolio Committee on Water and Environmental Affairs on 30 September 2011**

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**Comment: Digital Terrestrial Television Draft Regulations**

The Independent Communications Authority of South Africa has published [Amended Digital Terrestrial Television Draft Regulations](#) for public comment.

This is in accordance of section 4(4) of the Electronic Communications Act, 2005 (Act No. 36 of 2005). Comments can be emailed to Ms Refilwe Ramatlo at [rramatlo@icasa.org.za](mailto:rramatlo@icasa.org.za) or [hmashapha@icasa.org.za](mailto:hmashapha@icasa.org.za) by no later than 16h00 on 10 November 2011.

Enquiries tel Ms Refilwe Ramatlo: 011 566 3251 10h00 and 16h00, Monday to Friday only.

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**Comment: Final Report on Humanities & Social Sciences Charter**

The Department of Higher Education and Training invites interested persons and stakeholders to submit written comments on the [Final Report to Department of Higher Education and Training on Charter for Humanities and Social Sciences](#).

In 2010, the Minister of Higher Education and Training, Dr BE Nzimande, appointed a Task Team to develop a Charter aimed at affirming the importance of human and social forms of scholarship. The final Report of the Charter was submitted to the Minister on 04 August 2011, and has now been published for public comments. The purpose of soliciting written comments on this Report is to afford the wider public an opportunity to respond critically to the content and recommendations of the Charter and to receive advice on how to effect these going forward.

Written comments/submissions on the Report can be emailed to Mr Victor Mathonsi at [mathonsi.v@dhet.gov.za](mailto:mathonsi.v@dhet.gov.za) by no later than 31 October 2011.

Enquiries tel Mr Victor Mathonsi: (012) 312 5553

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### **Comment: Public Hospitals Management Policy; Hospital Categories regulations**

The Department of Health intends, in terms of sections 3(1)(c) and 23(1) of National Health Act, 2003, after consultation with the National Health Council, to determine a Policy on the Management of Public Hospitals.

Here is the [Draft Policy on Management of Public Hospitals](#)

The Department has also in terms of section 35 read together with section 90 of National Health Act, 2003, after consultation with the National Health Council, published [Draft Regulations relating to categories of Hospitals](#) for public comment.

Here is the [Draft Regulations relating to categories of Hospitals](#).

Interested persons are invited to submit any substantiated comments or representations on the documents to Dr Thabo Lekalakala at [lekala@health.gov.za](mailto:lekala@health.gov.za) (cc [modisk@health.gov.za](mailto:modisk@health.gov.za), [mabuee@health.gov.za](mailto:mabuee@health.gov.za)) by no later than 12 October 2011.

Enquiries tel Dr Thabo Lekalakala: (012) 395 8269/ (012) 395 8269

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### **Comment: Criminal Procedure & Magistrates Courts Acts: Determinations of Amounts Criminal Procedure Act (51/1977) and Magistrate's Courts Act (32/1944): Invitation to comment on determination of amounts**

Invitation to comment on determination of amounts for purposes of -

(a) sections 9(1)(a), 56(1), 57(1)(a) and (5)(b), 57A(1), 112(1)(a) and (b), 300(1)(a) and 302(1)(a)(ii) of the Criminal Procedure Act, 1977 (Act 51 of 1977); and

(b) section 92(1)(b) of the Magistrates' Courts Act, 1944 (Act 32 of 1944)

The Department of Justice and Constitutional Development invites interested parties to submit any comments they might have on the [Draft Determinations of Amounts](#).

Comments can be emailed to S J Robbertse at [srobbertse@justice.gov.za](mailto:srobbertse@justice.gov.za) on or before **15 October 2011**.

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### **Comment: National Evaluation Draft Policy Framework**

The Presidency has published [National Evaluation Draft Policy Framework](#) for public comment

Comments can be emailed to Dr Ian Goldman at [ian@psppd.org.za](mailto:ian@psppd.org.za) by **30 September 2011**

Enquiries tel Dr Ian Goldman: (012) 308 1918

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### **Comment: Dangerous Weapons Draft Bill**

Following the decision of the Constitutional Court in the matter of S v Thunzi and S v Mlonzi (Case CCT/81/09), the Minister of Police intends to introduce a [Draft Dangerous Weapons Bill](#), 2011, to Parliament, in order to repeal and substitute the Dangerous Weapons Acts in operation in the areas of the erstwhile Republics of South Africa, Transkei, Bophuthatswana, Venda and Ciskei, and to provide for matters connected therewith.

The attached draft Dangerous Weapons Bill is submitted for public comments, in order to finalise it for submission to Cabinet to obtain approval to introduce the Bill to Parliament.

Comments can be emailed to Major General PC Jacobs at [jacobspc@saps.org.za](mailto:jacobspc@saps.org.za) by no later than **3 October 2011**.

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### **Comment & Public Hearings: Constitution Eighteenth Amendment Bill [B8- 2011]**

The Portfolio Committee on Justice and Constitutional invites stakeholders and interested persons to submit written submissions on the [Constitution Eighteenth Amendment Bill \[B8- 2011\]](#).

#### **The purpose of the Constitution Eighteenth Amendment Bill [B8-2011] is to:**

- Amend the Constitution of the Republic of South Africa, 1996, so as to remove legislative competence in respect of further education and training and adult education and training from the functional areas of concurrent national and provincial legislative competence; and
- Provide for matters connected therewith.

Public hearings will be held in Parliament on 14 September 2011.

Comments can be emailed to Mr V Ramaano at [vramaano@parliament.gov.za](mailto:vramaano@parliament.gov.za) by no later than **13 September 2011**. Please indicate your interest in making a verbal presentation.

Enquiries tel Mr V Ramaano, tel: (021) 403-3820 or 083 709 8427.

Issued by Hon. LT Landers, MP, Chairperson: PC on Justice and Constitutional Development

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### **Comment & Public Hearings: Government Employees Pension Law Amendment Bill**

The Standing Committee on Finance invites all interested institutions, organisations and individuals to submit written comments on the [Government Employees Pension Law Amendment Bill](#).

The Bill was tabled in Parliament on 30 June 2011.

According to the rules of Parliament in processing the legislation, Parliament is expected to conduct public hearings and report back.

#### **The purpose of the Bill is to:**

- amend the Government Employees Pension Law, 1996, so as to insert a definition and amend a definition;
- to provide for the payment of a pension interest to a former spouse of a member on divorce, or the dissolution of a customary marriage;
- to amend the powers of the Board to make rules;
- to amend the provisions providing for the recognition of pensionable service of former members of non-statutory forces or services; and to provide for matters connected therewith.

Public Hearings are scheduled to take place on 14 September 2011.

Interested individuals, organisations and institutions wishing to comment are kindly requested to email written submissions to the Committee secretary Mr A Wicomb at [awicomb@parliament.gov.za](mailto:awicomb@parliament.gov.za) **by no later than Monday, 12 September 2011.**

Enquiries tel Mr A Wicomb: (021) 403 3759, cell: 083 412 1475

**Issued by: Honourable T Mufamadi MP, Chairperson: Standing Committee on Finance**

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#### **Comment: National Environmental Health Draft Policy**

The National Department of Health invites interested parties to submit written comments on the [Draft National Environmental Health Policy](#).

Comments can be emailed to Ms A Cele at [CeleA@health.gov.za](mailto:CeleA@health.gov.za) or [helmc@health.gov.za](mailto:helmc@health.gov.za) **by not later than 30 September 2011.**

Enquiries tel Ms A Cele: (012) 395 8521 or Ms C Boyiatjis at (012) 395 8524.

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#### **Comment: National Environmental Management Laws Amendment Draft Bill**

The Department of Water and Environmental Affairs has published the [National Environmental Management Laws Amendment Draft Bill](#), 2011 for public comment.

Comments can be emailed to Mr Milton Ntwana at [mntwana@environment.gov.za](mailto:mntwana@environment.gov.za) **by no later than 26 September 2011.**

Enquiries tel Mr Sibusiso Shabalala at (012) 310 3449

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#### **Comment: Recommendations of the Report by Gambling Review Commission**

##### **Final report submitted to the Minister of Trade and Industry - September 2010)**

The Portfolio Committee on Trade and Industry will hold public hearings on the Report by the Gambling Review Commission "[Review of the South African Gambling Legislation & its Regulation](#)".

Relevant documents:

[National Gambling Act](#)

### [International Study of Gambling Jurisdiction](#)

Interested individuals and organizations are invited to submit written comments on the Recommendations of the Report by the Gambling Review Commission.

Public hearings have been scheduled for Friday, 16 September 2011 and Wednesday, 21 September 2011.

Comments can be emailed to the Committee Secretary Mr Andre Hermans at [ahermans@parliament.gov.za](mailto:ahermans@parliament.gov.za) by no later than 9 September 2011.

Enquiries: tel Mr Andre Hermans (021) 403 3776 / cell 083 709 8482

Issued by: Ms J. Fubbs, Chairperson of the Portfolio Committee of Trade and Industry (National Assembly).

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### **Comment: Icasa Regulatory Framework for Broadcasting Transmission Services Discussion Document**

The purpose of the [Icasa Regulatory Framework for Broadcasting Transmission Services Discussion Document](#) is to outline the initial views of the Independent Communications Authority of South Africa (ICASA) on a number of aspects of the broadcasting transmission market in South Africa. ICASA accordingly seeks the views of interested stakeholders on these issues.

Comments can be emailed to Lufuno Sigwavhulimu at [Lsigwavhulimu@icasa.org.za](mailto:Lsigwavhulimu@icasa.org.za) ( cc [PCokie@icasa.org.za](mailto:PCokie@icasa.org.za)) by no later than 13 September 2011.

Enquiries tel Lufuno Sigwavhulimu: (011) 566 3683

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### **Comment: Ministerial Committee for Review of Funding of Universities**

The Department of Higher Education and Training has established a Ministerial Committee to assess the experiences of the past six years of partial and full implementation of the 2003 [Funding Framework for Universities](#). Here is the 2003 [Funding Framework and the Terms of Reference of the Committee](#) (Gov Gazette 34347 dated 3 June 2011)

In pursuance of its mandate, the Ministerial Committee invites written submissions from individuals, universities, institutions and organisations with an interest in the funding of universities. The submissions should focus on the strengths and shortcomings of the current Funding Framework, funding historically black universities, and meeting objectives set out in the Higher Education White Paper, 1997. Submissions should also propose policy changes in addition to setting out what the new Funding Framework should accomplish.

Submissions on other specific issues highlighted in the TOR such as the funding of experiential learning, distance education etc. are also welcome.

The Committee may invite formal presentations based on the submissions received.

Comments can be emailed to [fundingreview.submissions@dhet.gov.za](mailto:fundingreview.submissions@dhet.gov.za) by no later than 30 September



**2011.**

Enquiries tel Mr S Makgoba on 012 312 5284 or Ms B Swart on 012 312 5262

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### **Nomination for SABC Board Member Appointment**

Institutions and/or individuals are hereby invited to nominate a person to fill one (1) vacancy of non-executive member to the Board of the South African Broadcasting Corporation Limited, of which arise from the resignation of a member of the board, for the remainder of the term of office of the current board, as stipulated in section 13 clause 8 of the Broadcasting Act, No 4 of 1999.

The South African Broadcasting Corporation was established in terms of the Broadcasting Act of 1936 as a government enterprise to provide radio and television broadcasting services to South Africa.

**Requirements:** Members of the Board, when viewed collectively, must be persons who: • are suited to serve on the board by virtue of their qualifications, expertise and experience in the fields of broadcasting policy and technology, broadcasting regulation, media law, business practice and finance, marketing, journalism, entertainment and education, as well as social and labour issues • are committed to fairness, freedom of expression, the right of the public to be informed, as well as openness and accountability on the part of those holding public office • are representative of a broad cross-section of the population of the Republic • are committed to the objectives and principles as enunciated in the Charter of the SABC. Nominees must also be South African citizens permanently resident in the Republic.

Nominations and enquiries can be emailed to Mr Thembinkosi Ngoma at [tngoma@parliament.gov.za](mailto:tngoma@parliament.gov.za) / Ms Albertina Kakaza at [akakaza@parliament.gov.za](mailto:akakaza@parliament.gov.za) by no later than **30 September 2011**.

Enquiries tel Mr Thembinkosi Ngoma: (021) 403 3733; cell 083 709 8407 / Ms Albertina Kakaza: (021) 403 3765; cell 083 709 839.

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### **Nomination for MDDA Board Member Appointment**

Institutions and/or individuals are hereby invited to nominate persons to fill two (2) vacancies of non-executive members to the Board of the Media Development and Diversity Agency (MDDA), of which will arise from the expiring of two board members' term of office on 31 December 2011 at the MDDA Board, in terms of the Media Development and Diversity Agency Act, 2002 (Act No 14 of 2002).

The Media Development and Diversity Agency was created to enable "historically disadvantaged communities and persons not adequately served by the media" to gain access to the media. Its beneficiaries are community media and small commercial media.

**A board member will be:** • a person who is committed to fairness, freedom of expression, openness and accountability • representative of a broad cross-section of the population of the Republic and possess suitable qualifications, expertise and experience in the fields of, amongst others: • community media • social, labour and development issues • media economics, financial management and funding • advertising and marketing • journalism and broadcast programming • media research • media training, literacy and education • media Law • information and communication technology policy; or any other related expertise or qualifications. Nominees must also be South African citizens permanently resident in the Republic.

Nominations and enquiries can be emailed to Mr Thembinkosi Ngoma at [tngoma@parliament.gov.za](mailto:tngoma@parliament.gov.za) / Ms Albertina Kakaza at [akakaza@parliament.gov.za](mailto:akakaza@parliament.gov.za) by no later than **30 September 2011**.

Enquiries tel Mr Thembinkosi Ngoma: (021) 403 3733; cell 083 709 8407 / Ms Albertina Kakaza: (021)



403 3765; cell 083 709 839.

**Issued by: Mr S.E. Kholwane, MP: Chairperson, PC on Communications.**

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**Comment: National Health Insurance Draft Policy**

**PLEASE NOTE DEADLINE FOR PUBLIC COMMENTS HAS BEEN EXTENDED TO 30 DECEMBER 2011**

The Department of Health intends, in terms of section 85 of the Constitution of the Republic of South Africa, 1996 and section 3 of the National Health Act, 2003, after consultation with the National Health Council, to determine the [National Health Insurance Draft Policy](#).

Comments can be emailed to Dr Aquina Thulare at [nhi@health.gov.za](mailto:nhi@health.gov.za) **by no later than 11 October 2011.**

Enquiries tel: Dr Aquina Thulare: (012) 395 9248 or Mr Moremi Nkosi: (012) 395 8169

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**Comment: Draft Road Accident Fund Amendment Bill**

The Department of Transport has published [Draft Road Accident Fund Amendment Bill](#) for public comment.

Comments can be emailed to Adv AM Masombuka at [masombuA@dot.gov.za](mailto:masombuA@dot.gov.za) on or before 20 September 2011.

Enquiries tel Adv AM Masombuka: (012) 309 3888

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**Comment: Tourism Draft Bill**

The Department of Tourism has published for comment, the [Tourism Draft Bill](#).

Comments can be emailed to Ms Mmaditlonki Setwaba at [msetwaba@tourism.gov.za](mailto:msetwaba@tourism.gov.za) **by no later than 4 October 2011.**

Enquiries tel Ms Mmaditlonki Setwaba: 012 444- 6312

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**Comment: Implementation of the Geneva Conventions Bill [B10-2011]**

The Portfolio Committee on Defence and Military Veterans invites interested persons and stakeholders, to submit written comments on the [Implementation of the Geneva Conventions Bill \[B10-2011\]](#).

The Bill seeks to:

- Enact the Geneva Conventions and their Additional Protocols to the Convention
- Provide for measures in prevention and punishment of any breaches of this Convention and its Additional Protocols.

South Africa is a State Party to the Geneva Conventions and their Additional Protocols, and is legally obliged, in terms of Section 231 of the Constitution, to enact provisions into South African law. The

Geneva Conventions and their Additional Protocols regulate the conduct of armed conflict and seeks to limit its effects, aimed at the protection of people who are not, taking part in and those who are no longer active in, armed conflict.

Comments can be emailed to the Committee Secretary Mandy Balie at [mbalie@parliament.gov.za](mailto:mbalie@parliament.gov.za) by no later than **29 August 2011**. Please indicate your interest in making a verbal presentation.

Enquiries tel Mandy Balie: (021) 403 3673 or cell 078 341 3643

**Issued by: Mr M.S. Motimele, MP and Chairperson of the Portfolio Committee on Defence and Military Veterans**

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#### **Comment: Financial Markets Draft Bill**

#### **PLEASE NOTE DEADLINE FOR PUBLIC COMMENTS HAS BEEN EXTENDED TO 6 OCTOBER 2011**

Cabinet has approved the release of the [Financial Markets Draft Bill](#) for public comment, as announced in the Statement on the Cabinet meeting of 26 July 2011. The Bill builds on existing policy for the financial markets as defined through the Securities Services Act of 2004, No 36 of 2004. This Act will be repealed and replaced.

Please find relevant documents here: [Financial Markets Bill: Policy document: Reviewing the Regulation of Financial Markets in SA](#)

The Securities Services Act took effect on 1 February 2005. It governs the regulation of securities services in South Africa to include securities exchanges, central securities depositories, clearing houses, and their respective members. It consolidated the South African regulatory framework for capital markets and aligned the regulation and supervision of South African financial markets with the prevailing international developments and regulatory standards.

In recognition of the need for financial regulatory reform following the recent financial crisis, President Jacob Zuma has committed South Africa to a global regulatory reform agenda, which for the financial sector - including financial markets - includes a stronger regulatory framework, more effective supervision, improved crisis resolution, and enhanced accountability through international assessments and peer reviews.

The Financial Markets Bill gives effect to this agenda by:

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- Strengthening the Self Regulatory Organisation model of supervision (which has proven efficient and effective in delivering on the objectives of securities regulation)
- Aligning financial markets regulation with international best practice
- Giving effect to recommendations made by the 2008 World Bank and International Monetary Fund Financial Sector Assessment Programme
- Implementing South Africa's commitment to the UNIDROIT Convention to improve investor protection in cross-border transactions
- Ensuring alignment between legislation that governs financial markets and the wider legislative framework, including the new Companies Act and the Consumer Protection Act

Comments on the Financial Markets Bill are invited from all interested stakeholders. After consideration of submissions made on the Bill, it will be tabled in Parliament. Implementation is expected to take place in 2012.

Draft subordinate regulation to be issued in terms of the Bill will also shortly be released for public

comment.

Written comments can be emailed to Linda van Zyl at [Linda.vanzyl@treasury.gov.za](mailto:Linda.vanzyl@treasury.gov.za) on or before **5 September 2011**.

**Issued by: National Treasury Thursday, 4 August 2011**

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### **Comment: Credit Ratings Services Draft Bill**

## **PLEASE NOTE DEADLINE FOR PUBLIC COMMENTS HAS BEEN EXTENDED TO 16 SEPTEMBER 2011**

Cabinet has approved the release of the [Credit Ratings Services Draft Bill](#) for public comment, as announced in the Statement on the Cabinet meeting of 26 July 2011.

Please find relevant documents here: [Media Statement: Credit Ratings Services Draft Bill](#)

Credit ratings agencies are important actors in financial markets, and are designed to play a critical role in providing independent advice to investors, including on sovereign debt, equities and other investment products. By providing the market with independent, consistent and easy to- use measures of credit risk, credit ratings agencies reduce the costs of investment and enhance market efficiency.

During the global financial crisis, weaknesses in the way these agencies rated particularly “sub-prime” securitised instruments highlighted the need to re-examine the way in which such agencies operate, especially given that such agencies were not appropriately regulated. In particular, given that globally financial institutions and institutional investors rely heavily on external ratings, such ratings should be constructed in an independent, transparent and rigorous way. Any weaknesses in this respect can generate uncertainty and exacerbate volatile markets, which can trigger general financial instability.

As these agencies operate at a global level, it became clear a global response was required. As a result, the G-20 jointly committed to regulating these agencies. Introducing a regulatory framework for credit ratings agencies is thus one of South Africa’s G-20 commitments. The Bill being released today seeks to align the South African regulation of CRAs with international best standards and practice, including the International Organisation of Securities Commissions Principles, G-20 countries’ regulation and the European Union’s equivalency requirement.

The Bill aims to:

- ensure that South African authorities can work with their international counterparts to ensure responsible and accountable credit rating agencies at a global level;
- protect the independence, integrity, transparency and reliability of the credit rating process and credit ratings;
- improve investor protection;
- improve the efficiency and transparency of financial markets; and
- reduce systemic risk.

National Treasury and the Financial Services Board have finalised the accompanying notices and regulations.

Comments on the Credit Rating Services Bill are invited from all interested stakeholders. A workshop will also be held in the course of August.

Written comments can be emailed to Roy Havemann at [financial.policy@treasury.gov.za](mailto:financial.policy@treasury.gov.za) or on or before **5 September 2011**. Participants for the workshop should send their details to the same address by 12

August 2011.

**Issued by: National Treasury 4 August 2011**

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**Comment & Public Hearings: Tax Administration Bill [B11-2011]**

The Standing Committee on Finance invites all interested institutions, organisations and interested individuals to submit written comments on the [Tax Administration Bill \[B11-2011\]](#).

The purpose of the Bill is to:

- provide for the effective and efficient collection of tax;
- provide for the alignment of the administration provisions of tax Acts and the consolidation of the provisions into one piece of legislation to the extent practically possible;
- determine the powers and duties of the South African Revenue Service and officials;
- provide for the delegation of powers by the Commissioner;
- provide for the authority to act in legal proceedings;
- determine the powers and duties of the Minister of Finance;
- provide for the establishment of the office of the Tax Ombud;
- determine the powers and duties of the Tax Ombud;
- provide for registration requirements;
- provide for the submission of returns and the duty to keep records;
- provide for reportable arrangements;
- provide for the request for information;
- provide for the carrying out of an' audit or investigation by the South African Revenue Service;
- provide for inquiries;
- provide for powers of the South African Revenue Service to carry out searches and seizures;
- provide for the confidentiality of information;
- provide for the South African Revenue Service to issue advance rulings;
- make provision in respect of tax assessments;
- provide for dispute resolution;
- make provision for the payment of tax;
- provide for the recovery of tax;
- provide for the South African Revenue Service to recover interest on outstanding tax debts;
- provide for the refund of excess payments;
- provide for the write-off and compromise of tax debts;
- provide for the imposition and remittance of administrative non-compliance penalties;
- provide for the imposition of understatement penalties;
- provide for a voluntary disclosure programme;
- provide for criminal offences and sanctions;
- provide for the reporting of unprofessional conduct by tax practitioners;
- and to provide for matters connected therewith.

Public hearings are scheduled to take place on the 16 - 17 August 2011.

Comments can be emailed to the Committee Secretary Mr A Wicomb at [awicomb@parliament.gov.za](mailto:awicomb@parliament.gov.za) by **no later than Thursday 11 August 2011**.

Enquiries tel Mr A. Wicomb (021) 403 3759, cell: 083 412 1475

Issued by: Honourable T. Mufamadi MP, Chairperson: Standing Committee on Finance

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**Comment & Public Hearings: Further Education Colleges & Training Amendment Bill [B13-2011] & Higher Education Amendment Bill [B14-2011]**

The Portfolio Committee on Higher Education and Training invites stakeholders and interested parties to submit written submissions on the following bills: [Further Education Colleges and Training Amendment Bill \[B13-2011\]](#) and [Higher Education Amendment Bill \[B14-2011\]](#).

**The purpose of the Further Education Colleges and Training Amendment Bill [B13-2011] is to:**

- Amend the Further Education and Training Colleges Act, 2006, so as to remove all references to provincial authority;
- Assign functions previously assigned to the Member of the Executive Council to the Minister;
- Remove all references to 'Head of Department' and replace them with 'Director-General';
- regulate the conduct of members of the council and staff of a public further education and training college engaging in business with the relevant public college;
- Provide afresh for the appointment of staff;
- Provide transitional arrangements; and to provide for matters connected therewith.

**The purpose of the Higher Education Amendment Bill [B14-2011] is to:**

- Amend the Higher Education Act, 1997, so as to regulate the conduct of members of the council and staff of a public higher education institution engaging in business with the relevant public higher education institution;
- Adjust the period within which an independent assessor appointed by the Minister must finalise an investigation;
- Amend the National Student Financial Aid Scheme Act, 1999, so as to empower the Minister to intervene in the case of poor or nonperformance or maladministration by the Board of the National Student Financial Aid Scheme;
- Provide for the dissolution of the Board, as well as the procedure for such removal;
- Provide for the appointment of an administrator to temporarily take over the management, governance and administration of the Board;
- Repeal the provisions placing an obligation on the employer of a borrower to make deductions from the remuneration of the borrower; and to provide for matters connected therewith.

**Public hearings on the Bills will be held at Parliament on Tuesday 23 August 2011 and Wednesday 24 August 2011.**

Comments can be emailed to the Committee Secretary Mr Anele Kabingesi at [akabingesi@parliament.gov.za](mailto:akabingesi@parliament.gov.za) by no later than 12:00 on Thursday 18 August 2011. Please indicate your interest in making a verbal presentation.

Enquiries tel Mr Anele Kabingesi: (021) 403 3760; cell: 083 412 1585

Issued by: Adv I Malale, MP Chairperson: Portfolio Committee on Higher Education and Training.

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**Comment: Walmart/Massmart merger**

Portfolio Committee on Economic Development invites interested stakeholders and persons to submit written comments on Walmart/Massmart merger

The Competition Tribunal approved the merger between Wal-Mart Stores Inc. of the United States

("Walmart") and South African retailer Massmart Holdings Limited ("Massmart"), on 31 May 2011, subject to conditions. Because the undertakings are made as conditions for the approval of the merger they are enforceable. The Competition Tribunal indicated that the companies must uphold existing labour agreements for three years, ensure that no jobs are cut for two years and added that it accepted the condition proposed by the merging companies to set up a R100 million supplier development fund.

It is in the light of the abovementioned, the Portfolio Committee on Economic Development is calling on all interested persons to make submissions. Submissions may cover the likely impact of the merger, particularly on employment, industrial development, local manufacturing and economic development; as well as comment on the conditions imposed by the Competition Tribunal.

Comments can be emailed to the Committee Secretary Mr Arico Kotze at [akotze@parliament.gov.za](mailto:akotze@parliament.gov.za) by **Friday 15 July 2011**. Please indicate your interest in making an oral presentation.

Enquiries tel Mr Arico Kotze: (021) 403 3662 or cell: 083 709 8470

Issued by: Honourable E.M. Coleman, Chairperson: Portfolio Committee on Economic Development

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### **Comment & Public Hearings: Judges' Remuneration and Conditions of Employment Amendment Bill [B12-2011]**

The Portfolio Committee on Justice and Constitutional invites stakeholders and interested persons to submit written submissions on the [Judges' Remuneration and Conditions of Employment Amendment Bill \[B12-2011\]](#)

The purpose of the Judges' Remuneration and Conditions of Employment Amendment Bill is to:

- Amend the Judges' Remuneration and Conditions of Employment Act, 2001, so as to provide for a minimum period of active service as Chief Justice of South Africa and President of the Supreme Court of Appeal; and
- To provide for matters connected therewith.

Comments can be emailed to Mr V Ramaano at [vramaano@parliament.gov.za](mailto:vramaano@parliament.gov.za) by **no later than 22 July 2011**. Please indicate your interest in making a verbal presentation. Public hearings will be held in Parliament on 26 July 2011

Enquiries tel Mr V Ramaano, tel: (021) 403-3820 or 083 709 8427.

Issued by Hon. LT Landers, MP, Chairperson: PC on Justice and Constitutional Development

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### **Comment: Military Ombudsman Bill [B9-2011]**

The Portfolio Committee on Defence and Military Veterans invites interested persons and stakeholders to submit written comments on the [Military Ombudsman Bill \[B9-2011\]](#).

The Military Ombudsman Bill [B9-2011] seeks to:

- Establish the Office of the Military Ombudsman
- Provide for the appointment and functions of the Military Ombudsman.

**This Office of the Military Ombudsman will attend to complaints emanating from members of the South African National Defence Force and members of the public for speedy resolution.**

Comments can be emailed to the Committee Secretary Mandy Balie at [mbalie@parliament.gov.za](mailto:mbalie@parliament.gov.za) by no later than **15 July 2011**. Please indicate your interest in making a verbal presentation.

Enquiries tel Mandy Balie on tel: (021) 403 3673 or cell: 083 709 8431 / 078 341 36:43

Issued by: Mr M.S. Motimele, MP and Chairperson of the Portfolio Committee on Defence and Military Veterans

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**Comment & Public Hearings: Constitution Seventeenth Amendment [B6-2011] & Superior Courts Bill [B7-2011]**

The Portfolio Committee on Justice and Constitutional invites stakeholders and interested persons to submit written submissions on the [Constitution Seventeenth Amendment \[B6-2011\]](#) and the [Superior Courts Bill \[B7-2011\]](#)

**The purpose of the Constitution Seventeenth Amendment is to:**

- Amend the Constitution of the Republic of South Africa, 1996, so as to further define the role of the Chief Justice as the head of the judiciary;
- Change references to “Magistrates’ Courts” to “Lower Courts”;
- Provide for a single High Court of South Africa;
- Provide that the Constitutional Court is the highest court in all matters;
- Further regulate the jurisdiction of the Constitutional Court and the Supreme Court of Appeal;
- Provide for the appointment of an Acting Deputy Chief Justice;
- Further regulate the composition and the functions of the Judicial Service Commission; and
- Provide for matters connected therewith.

The purpose of the Superior Courts Bill is to:

- To rationalise, consolidate and amend the laws relating to the Constitutional Court, the Supreme Court of Appeal and the High Court of South Africa;
- Make provision for the administration of the judicial functions of all courts;
- Make provision for administrative and budgetary matters relating to the Superior Courts; and
- Provide for matters incidental thereto.

Comments can be emailed to Mr V Ramaano, at [vramaano@parliament.gov.za](mailto:vramaano@parliament.gov.za) by no later than **22 July 2011**. Please indicate your interest in making a verbal presentation. Public hearings will be held in Parliament in August 2011.

Enquiries tel Mr V Ramaano: (021) 403-3820; or cell 083 709 8427.

Issued by Hon. LT Landers, MP, Chairperson: PC on Justice and Constitutional Develop



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## **Comment & Public Hearings: Criminal Procedure Amendment Bill [B39- 2010]**

The Portfolio Committee on Justice and Constitutional invites stakeholders and interested persons to submit written submissions on the [Criminal Procedure Amendment Bill \[B39– 2010\]](#).

### **The purpose of the Criminal Procedure Amendment Bill is to:**

- amend the Criminal Procedure Act, 1977, so as to substitute and align the provisions relating to the use of force in effecting arrest of a suspect with a judgment of the Constitutional Court; and
- provide for matters connected therewith.

Comments can be emailed to Mr V Ramaano at [vramaano@parliament.gov.za](mailto:vramaano@parliament.gov.za) by no later than **22 July 2011**. Please indicate your interest in making a verbal presentation. Public hearings will be held in Parliament August 2011.

Enquiries tel Mr V Ramaano, tel: (021) 403-3820; or cell 083 709 8427

Issued by Hon. LT Landers, MP, Chairperson: PC on Justice and Constitutional Development

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## **Comment: Conversion of Medical Deductions to Medical Tax Credits - Tax Policy Discussion Document**

### **EXECUTIVE SUMMARY**

The [Conversion of Medical Deduction to Medical Tax Credits – Tax Draft Policy Discussion Document](#) is published for public comment, and gives effect to the 2011 Budget tax announcement by the Minister of Finance to reform the current medical deduction allowances by replacing them with medical tax credits. Whilst this reform will be implemented in phases, it forms part of a comprehensive reform proposal – this document aims to facilitate consultation over the comprehensive proposal, and contextualises the phases for such reform.

The first phase of this reform is set out in the legislative amendments contained in the 2011 Draft Taxation Laws Amendment Bill (TLAB) published on 2 June 2011 Whilst these legislative amendments will be open to the normal public comment process for the TLAB, this document explains the underlying rationale for the entire medical reform, explains the first phase, and then focuses on the tougher questions for consideration in subsequent phases, including for catastrophic and out-of-pocket medical expenses. There is a two-phase process for public comments: Firstly, public comment for the TLAB proposals on medical scheme contributions are invited by 22 July 2011, and a second round of comments for future options on out-of-pocket expenses by 31 October 2011, to cover the proposals in the second and later phases that are not covered in the 2011 Draft TLAB. The key features of the present arrangements are discussed below.

Relief in the form of deductions from income is afforded to taxpayers for medical scheme contributions and out-of-pocket medical expenses. Medical scheme contributions by an employer on behalf of an employee are included as fringe benefits in the hands of the employee (taxpayer). Contributions to registered medical schemes are allowed as a deduction up to prescribed monthly capped amounts. Medical scheme contributions in excess of the caps, plus qualifying out-of-pocket medical expenses, can be claimed as a further deduction to the extent that they exceed 7.5 per cent of taxable income. Taxpayers aged 65 and above, or who have a disability or have an immediate family member with a disability, may deduct their medical expenses in full.



While the current deductions regime serves both to provide relief for those taxpayers contributing to medical schemes and protects families against catastrophic health expenditure, it is inequitable in that it affords a greater benefit to higher income taxpayers for necessary services like health, through the effect of the progressive marginal rate structure. It is proposed that deductibility of medical expenses should be replaced by tax credits, the value of which will be unrelated to a taxpayer's income bracket. The principle difference between a tax deduction and tax credit is that medical tax credits reduce a taxpayer's tax liability, whereas deductions reduce a taxpayer's taxable income. Lower income taxpayers will therefore gain from such change, whereas higher income earners will benefit less than at present. The underlying principle behind the proposed change is fairness, and the new system is proposed as a step towards an equitable fiscal contribution to health insurance for all South Africans. In this respect, this proposal also facilitates the longer term goal of universal National Health Insurance.

In proposing policy options National Treasury aims to achieve the following policy objectives:

- Equity and proportionality, particularly in enabling taxpayers across income groups to access healthcare
- Fairness
- Alignment with National Health Insurance objectives
- Affordability and fiscal sustainability
- Administrative simplicity

### **Conversion of Medical Deductions to Medical Tax Credits – Discussion Document 3**

#### **Proposals relating to Medical Scheme Contributions (for adoption in 2012)**

This discussion document explains the 2010 proposals which are intended to take effect on 1 March 2012. These are incorporated in the 2011 Draft Taxation Laws Amendment Bill (available on the treasury website at [www.treasury.gov.za](http://www.treasury.gov.za)), and comprise:

- A medical scheme contribution credit will be available to taxpayers who belong to a medical scheme, set at a fixed amount per month for the taxpayer and first dependant, and two-thirds of this amount for additional dependants, adjusted annually for inflation. In 2011/12 values, amounts of R216 each a month for the taxpayer and first dependant, and R144 a month for each additional dependant, are proposed.
- A supplementary medical scheme contribution credit of R216 a month is proposed for members or dependants aged 65 and above, and members or dependants with a disability.

In addition, this document also seeks to explore the way forward on the tax treatment of out-of-pocket medical expenditures. Some of the key considerations are:

- When and how these expenses should be converted into credits;
- What should the phase-in period be for converting such deductions to credits;
- To what extent taxpayers and particularly vulnerable groups will be adversely affected by policy changes, and how these could be mitigated; and
- What the level of thresholds for credits should be, and what thresholds should be considered for taxpayers aged 65 years and older or those with disabilities.

In order to facilitate public comment on these important issues, three options are presented in this document for illustration. A few examples of policy options are evaluated according to how well they adhere to key policy objectives.

The current system, by way of medical scheme contribution and expense tax benefits (deductions), cost the fiscus an estimated R15.7 billion in 2008/09 terms. The proposals contained in this document are designed to maintain this level of tax expense benefit and seek to spread the benefit more evenly across

income groups.

Medical tax credits will be non-refundable. It is envisaged that once the proposed Risk Equalisation Fund is in place as part of National Health Insurance reform, consideration will be given to the possibility of extending the benefit of the medical scheme contribution tax credit to those who fall below the tax threshold or who qualify for credits that exceed their tax liability, subject to practicality and affordability.

The public is invited to comment on the proposals contained in the discussion document.

Comments can be emailed to Suzan Papo at [suzan.papo@treasury.gov.za](mailto:suzan.papo@treasury.gov.za) by no later than 8 July 2011

Enquiries tel Suzan Papo: 012 395 6546

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### **Comment & Public Hearings: Acid Mine Drainage**

The South African mining sector is one of the critical drivers of the economy in South Africa. However, mining activities are also associated with environmental contamination such as acid mine drainage (AMD). AMD is highly acidic water, usually containing high concentrations of metals, sulphides and salts because of mining activity. The major sources of AMD include drainage from underground mine shafts, runoff and discharge from open pits and mine waste dumps, tailings and one stockpile, which make up nearly 80% of all waste produced in South Africa.

AMD has been described as the largest single environmental problem facing the mining industry, particularly because it is persistent and costly, and tends to be a liability for mines long after they cease to operate. AMD is a worldwide environmental problem.

AMD on the Witwatersrand has reached a crisis point. This is because some mining companies to allow untreated acid mine water to flow into streams, dams and sources of groundwater.

In response to the crisis, in August 2010, the South African Cabinet convened a special Task Team on Acid Mine Drainage, and in February 2011, the South African Cabinet approved the recommendations made by a team of experts on the acid mine drainage (AMD) situation in the Witwatersrand. Some of the recommendations from the team of experts are:

- Implementing ingress control measures to reduce the rate of flooding and the eventual decanting and pumping volume;
- Reducing costs to deal with AMD;
- Improving water quality management, including neutralisation and metal removal in the short-term;
- Removal of salt loads from river systems to be considered in the medium to long term; and
- Monitoring and undertaking research to inform decision making and managing and monitoring other AMD sources within the Witwatersrand basin.

The Portfolio Committee on Water and Environmental Affairs (the Committee) intends holding public hearings dealing with Acid Mine Drainage. The Department of Water Affairs (the Department), including some of the experts who drafted the report, will commence the hearings by explaining the contents of the report and its findings and especially the recommendations, to the Committee. Thereafter, the Department will in detail outline the actions and steps government (not only the Department) intends to take in response to the report, its findings and its recommendations, including how the R 400 million government has budgeted to this end will be spent.

This will take place on Tuesday 21 and Wednesday 22 June 2011, from 09:30-17:00, Committee Room S12A, NCOP Building, in Parliament.

Then, on Tuesday 28 June 2011, from 09:30 until 17:00, the Chamber of Mines and the owners of the mines operating in the affected areas are expected to appear before the Committee to explain the steps taken or lack of action taken to ameliorate the problems identified in the report.

Members of the public may attend and observe the hearings. If any person wishes to bring to the attention of the Committee any matter relating to AMD, he/she is free to submit a WRITTEN REPRESENTATION to the Committee, which will be distributed for information purposes to all members.

Comments can be emailed to [tmadubela@parliament.gov.za](mailto:tmadubela@parliament.gov.za) or hand-delivered at Room 0/88, 3rd Floor, 90 Plein Street, Cape Town.

For enquiries, contact Ms Madubela on (021) 403 3713; cell or 083 304 9586.

**Issued by Adv. Johnny de Lange, M.P., Chairperson: Portfolio Committee on Water and Environmental Affairs on 15 June 2011.**

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#### **Comment: Municipal Property Rates Amendment Draft Bill**

The Department of Cooperative Governance and Traditional Affairs intends introducing the Local Government: [Municipal Property Rates Amendment Draft Bill](#) in the National Assembly. The Bill is published for public comment in terms of section 154(2) of the Constitution.

Any person wishing to comment on the Bill can email comments to: [mpra@cogta.gov.za](mailto:mpra@cogta.gov.za) by no later than **22 July 2011**.

Enquiries tel: Veronica Mafokho: 012-334-4932/ 33

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#### **Comment: ICT Sector Charter for BEE (The Draft Code)**

The Department of Trade and Industry has issued for public comment the [Draft Information & Communication Technology Sector Charter for BEE](#) as provided for in Code 000 Statement 003 of the Codes of Good Practice under Section 9(5) of the Broad Based Black Economic Empowerment Act (No 53 of 2003).

Comments on the Draft Code can be emailed to Xolisile Zondo and Jacob Maphutha at [bee-ict@thedti.gov.za](mailto:bee-ict@thedti.gov.za) by no later than **9 August 2011**.

Enquiries: 012 394 3430

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#### **Comment: Taxation Laws Amendment Draft Bills**

National Treasury releases for public comment the 2011 [Taxation Laws Amendment Draft Bill](#) and [Taxation Laws Second Amendment Draft Bill](#) that give effect to most of the 2011 Budget Review tax

proposals, as well as to additional urgent measures.

Please find also relevant documents here: [Media Statement & Explanatory Memorandum](#)

The National Treasury and SARS are scheduled to brief the Parliament's Standing Committee on Finance regarding the draft legislation on 15 June 2011 (subject to confirmation by Parliament).

Comments can be emailed to the National Treasury via Nomfanelo Mpotulo at [Nomfanelo.mpotulo@treasury.gov.za](mailto:Nomfanelo.mpotulo@treasury.gov.za) and to SARS via Adele Collins at [acollins@sars.gov.za](mailto:acollins@sars.gov.za) **by no later than 5 July 2011**.

Comments can also be emailed to the Parliamentary Standing Committee on Finance Secretary Mr Allen Wicomb at [awicomb@parliament.gov.za](mailto:awicomb@parliament.gov.za) **by no later than 15h00 Monday, 20 June 2011**, with informal hearings currently scheduled for 21 and 22 June 2011 (subject to confirmation by Parliament).

Enquiries contact Allen Wicomb: (021) 403 3759 cell: 083 412 1475. To assist with the processing of comments in regard to all of the above submissions, comments should be given in the order listed as per the explanatory memorandum.

**Issued by: National Treasury**

**Date: 2 June 2011**

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**Comment: process of reviewing the State Owned Entities**  
**[Presidential State-owned Enterprises \(SOE\) Review Committee calls for public submissions](#)**

The Presidential Review Committee (PRC) on State Owned Entities is calling on the public to make submissions which will contribute to the process of reviewing the SOEs in the country.

The Review Committee led by the Chairperson, Ms Riah Phiyega is calling for individual South African citizens, government departments (national, provincial, and local government), State-Owned Entities, organised business, labour, political parties, civil society, professional bodies, educational institutions, and industry associations to make submissions which will input into the review process.

President Jacob Zuma established the PRC in response to the acknowledgement that there is a need to strengthen the role of SOEs to ensure that they respond to a clearly defined public mandate and support the developmental state aspirations of government.

The broad objectives of the review are to:

- Review transformation and development aspects encompassing definition of what constitutes state owned entities and revisitation of the current classification. This shall also include contextualisation of the role of SOEs in a developmental state within a South African context balancing socio-economic, and political imperatives.
- Review the contribution of SOEs to human capital development with a particular reference to the development of scarce skills.
- Propose viable shareholder and governance models for SOEs taking into account enabling legislative and regulatory framework. Review of reporting and accounting practices and standards accounting is scoped in.
- Proposing sustainable SOE business models that strike a balance between commercial, developmental and shareholder objectives.

- Propose appropriate strategic framework or policies on board recruitment, performance and remuneration.
- Review collaboration between government Ministries and SOEs, as well as consider proposals for strategic management and operational effectiveness of SOEs.
- Review of SOEs on matters relating to strategic importance, value creation, viability and funding aspects.

The PRC has held seminars with domestic and international partners including consultations with SOEs, government departments and other role players and is now in a position to receive public submissions which will contribute to the successful completion of the report to the President.

These submissions should address issues/challenges/distortions that are either broad or specific and relate to the area(s) of the role-players' or stakeholders' operations. Overall, the input should seek to address the following three key challenges:

1. Are SOE(s) currently viable, effective, and adding value to development and transformation; and/or are they likely to in future? If not, what could be done, or what should be enhanced?
2. Are the governance, ownership model, policy, and legislation appropriate to enable SOEs to be effective in their delivery? If not, how can it be improved?
3. Is the mandate and agenda for SOEs clearly articulated and is there sufficient alignment with the State's Development and Transformation Plans? If not, how can it be improved?

Comments can be emailed to Dr Godwin Ounoha at [gonuoha@hsrc.ac.za](mailto:gonuoha@hsrc.ac.za) or Dr Bheki Mfeka at [bheki@soereview.co.za](mailto:bheki@soereview.co.za) or [bheki@christpro.co.za](mailto:bheki@christpro.co.za) **by no later than Friday, 31 July 2011.**

**NOTE:** All information and documentation submitted will remain confidential and will be solely used by the PRC for the review process only.

Media Enquiries: tel Harold Maloka, Spokesperson Ministry in The Presidency: 082 847 9799 or by email [harold@po.gov.za](mailto:harold@po.gov.za) or [Maloka.harold@gmail.com](mailto:Maloka.harold@gmail.com)

Issued by: The Presidency  
6 Jun 2011

### **Comment: A safer financial sector to serve South Africa better**

Public consultation deadline for the draft financial sector policy document "A safer financial sector to serve South Africa better"

National Treasury published for public comment a draft financial sector policy document entitled "[A safer financial sector to serve South Africa better](#)" on Budget Day this year (23 February 2011).

The document sets out government's vision for the continued development of the financial sector in South Africa, including on the regulation of the sector after the 2008 global financial crisis, and a shift to a twin peaks model. It outlines reform priorities in four policy areas: financial stability, consumer protection & market conduct, access to financial services, and combating financial crime.

Given the complexity of the proposed reforms, the National Treasury will be accepting comments on the document until 30 June 2011. Public comments are invited from all interested stakeholders.

Written comments should be sent to: [financial.policy@treasury.gov.za](mailto:financial.policy@treasury.gov.za) **on or before 30 June 2011.**

**Issued by: National Treasury**

**23 May 2011**

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**Comment & Public Hearings: Transformation of the Fishing Industry**

The Portfolio Committee on Agriculture, Forestry and Fisheries will hold public hearings on transformation of the fishing industry.

The primary objectives of the public hearings will be to assess the following:

- Current status of transformation in the fisheries sector within the developmental agenda of the country
- Draft Fisheries Charter, which provides the framework to address the inequities prevalent in the fisheries sector

The way in which current initiatives in the sector empower black South Africans to partake in fisheries activities and enterprises along the entire sector value chain.

The following will be the focus areas of the public hearings:

- An overview of the policy environment with specific reference to achievements, policy challenges, legislation and budget in the Sector
- The economics of transformation of the fisheries sector
- Small farmers' development and sustainability
- Food safety and security - achievements and challenges

Fisheries support with specific reference to pre and post settlement support, funding models and market accessibility.

The public hearings will be conducted at Parliament on 14 June 2011.

Comments can be emailed to the Committee Secretary Ms Dineo Martin at [dmartin@parliament.gov.za](mailto:dmartin@parliament.gov.za)

Enquiries tel Ms Dineo Martin: (021) 403 3601 / 083 7098462

Issued by Mr Mlungisi Johnson, Chairperson: Portfolio Committee on Agriculture, Forestry and Fisheries.

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**Comment: Independent System and Market Operator Draft Bill**

The Department of Energy requests comment on the following draft Bill: [Independent System and Market Operator Draft Bill](#) before it submits it to Parliament.

Comments on this Bill can be emailed to Mathews Bantsijang or Maduna Ngobeni at [epar@energy.gov.za](mailto:epar@energy.gov.za) no later than 13 June 2011.

Enquiries tel Mathews Bantsijang or Maduna Ngobeni: (012) 4444 081 or (012) 4444 231

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**Comment: TRC Draft Regulations on Educational Assistance and Medical Benefits**

The Department of Justice and Constitutional Development invites interested parties to submit written comments on the proposed [Draft Regulations](#):

**A: The Promotion of National Unity and Reconciliation Act, 1995: Regulations relating to Assistance to Victims in respect of Basic Education;**

**B: The Promotion of National Unity and Reconciliation Act, 1995: Regulations relating to Assistance to Victims in respect of Higher Education and Training; and**

**C: The Promotion of National Unity and Reconciliation Act, 1995: Regulations relating to **Medical Benefits for Victims.****

The comments on the draft Regulations can be emailed to **Ms F Bhayat** at [fbhayat@justice.gov.za](mailto:fbhayat@justice.gov.za) or **Ms I Botha** at [inbotha@justice.gov.za](mailto:inbotha@justice.gov.za) by not later than **8 June 2011**.

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**Comment: Spatial Planning and Land Use Management Draft Bill**

The Department of Rural Development and Land Reform invites any interested person or body to provide comments on the [Draft Spatial Planning and Land Use Management Bill](#), 2011

The objects of the Bill are to-

(a) provide for a uniform, effective, efficient and integrated regulatory framework for spatial planning, land use and land use management in a manner that promotes the principles of co-operative government and public interest;

(b) provide for and determine development principles, compulsory norms and standards for land use management;

(c) maintain essential standards for land use management, spatial development and land use;

(d) promote-

(i) co-operative governance;

(ii) socio-economic benefits; and

(iii) sustainable and efficient use of land;

(e) establish planning tribunals; and

(f) redress the imbalances of the past and ensure that there is equity in land use and land use management.

Written comments and consultative inputs on the Bill can be emailed to Sunday Ogunronbi at [SOgunronbi@ruraldevelopment.gov.za](mailto:SOgunronbi@ruraldevelopment.gov.za) / Rajesh Makan at [RMakan@ruraldevelopment.gov.za](mailto:RMakan@ruraldevelopment.gov.za) by no later than 06 June 2011:

Enquiries: tel Sunday Ogunronbi: (012) 312 9371 or Rajesh Makan: (012) 312 9548

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**Comment: Municipal Waste Sector Draft Plan**

The Department of Water and Environmental Affairs has published the [Draft Municipal Waste Sector Plan](#) for public comment.

Interested and affected parties are invited to email written comments to Mrs. Khashiwe Masinga at [kmasinga@environment.gov.za](mailto:kmasinga@environment.gov.za) no later than 30 May 2011

Comments received after the closing date may not be considered.

BUYELWA SONJICA: MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS

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### **Comment on the Executive Members' Ethics Amendment Draft Bill, 2011**

The purpose of the [Executive Members' Ethics Amendment Draft Bill](#) is to amend the Executive Members' Ethics Act, 1998, so as to further regulate the procedure to be followed by the Public Protector when reporting on conduct of the President, as discussed in the (draft) Memorandum on the Objects of the Bill.

Any person wishing to comment on the Bill is invited to submit written comments to Mr J A de Lange at [idelange@justice.gov.za](mailto:idelange@justice.gov.za) on or before 3 June 2011.

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### **Comment: Further Education & Training Colleges Amendment Draft Bill; Higher Education Laws Amendment Draft Bill & Skills Development Amendment Draft Bill**

#### **Please Note: – SUBMISSION DATE FOR COMMENTS EXTENDED to 22 MAY 2011**

The Department of Higher Education and Training, after consultation with the Council of Education Ministers in respect of the FETCA Bill, has published the [Further Education & Training Colleges Amendment Draft Bill, 2011](#); [Higher Education Laws Amendment Draft Bill, 2011](#); & [Skills Development Amendment Draft Bill, 2011](#), for comment.

All interested persons and organisations can email comments on the draft Bills to Mr V L Rikhotso at [Rikhotso.v@dhet.gov.za](mailto:Rikhotso.v@dhet.gov.za)

Kindly provide the name, address, telephone number, fax number and email address of the person or organisation submitting the comments.

**DR BONGINKOSI EMMANUEL NZIMANDE, MP, MINISTER OF HIGHER EDUCATION AND TRAINING**

**SIGNED 13 APRIL 2011**

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### **Comment: Muslim Marriages Draft Bill**

#### **Please Note: – SUBMISSION DATE FOR COMMENTS EXTENDED to 31 MAY 2011**

The Minister of Justice and Constitutional Development invites interested parties to submit any comments they might have on the [Muslim Marriages Draft Bill](#).  
Comments on the Bill can be emailed to **Mr T Matibe** at [TMatibe@justice.gov.za](mailto:TMatibe@justice.gov.za)

By way of background, the following:

The Bill emanates from an investigation by the South African Law Reform Commission (the SALRC) on Islamic Marriages and Related Matters. Its report on the matter contains legislative proposals in the form of a Muslim Marriages Bill. The aim of these legislative proposals is to provide statutory recognition of Muslim marriages in order to redress inequities and hardships arising from the non-recognition of these marriages.

The Bill is applicable to persons who adhere to the Muslim faith and who elect to be bound by its provisions. In other words, it contains an opting out provision for persons who do not wish to be bound by it. The need for this legislation finds support in section 15(3) of the Constitution. This section provides that the right to freedom of religion, belief and opinion does not preclude legislation recognising –



(a) marriages concluded under any tradition, or a system of religious, personal or family law; or  
(b) systems of personal and family law under any tradition, or adhered to by persons professing a particular religion.

The Bill sets out a statutory framework for the legal recognition of Muslim marriages and their consequences.

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**Comment: "Review Framework for Cross-Border Direct Investment in South Africa" & "Prudential Regulation of Foreign Exposure for South African Institutional Investors"**

**Please Note: – SUBMISSION DATE FOR COMMENTS EXTENDED to 31 MAY 2011**

The Department of National Treasury has published the following documents for public comment:

[Review Framework for Cross-Border Direct Investment in South Africa](#) and "[Prudential Regulation of Foreign Exposure for South African Institutional Investors](#)"

Comments can be emailed to [financial.policy@treasury.gov.za](mailto:financial.policy@treasury.gov.za)

After the close of the comment period, Treasury will host workshops on the two papers on dates to be advised in June 2011.

Enquiries tel Mr Unathi Kamlana: 012 315 5765

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**Comment: Spatial Planning and Land Use Management Draft Bill**

The Department of Rural Development and Land Reform invites any interested person or body to provide comments on the [Draft Spatial Planning and Land Use Management Bill](#), 2011

The objects of the Bill are to-

- (a) provide for a uniform, effective, efficient and integrated regulatory framework for spatial planning, land use and land use management in a manner that promotes the principles of co-operative government and public interest;
- (b) provide for and determine development principles, compulsory norms and standards for land use management;
- (c) maintain essential standards for land use management, spatial development and land use;
- (d) promote-
  - (i) co-operative governance;
  - (ii) socio-economic benefits; and
  - (iii) sustainable and efficient use of land;
- (e) establish planning tribunals; and
- (f) redress the imbalances of the past and ensure that there is equity in land use and land use management.

Written comments and consultative inputs on the Bill can be emailed to Sunday Ogunronbi at

[SOGunronbi@ruraldevelopment.gov.za](mailto:SOGunronbi@ruraldevelopment.gov.za) / Rajesh Makan at [RMakan@ruraldevelopment.gov.za](mailto:RMakan@ruraldevelopment.gov.za) by no later than 06 June 2011:

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#### **Comment: Municipal Waste Sector Draft Plan**

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Interested and affected parties are invited to email written comments to Mrs. Khashiwe Masinga at [kmasinga@environment.gov.za](mailto:kmasinga@environment.gov.za) no later than 30 May 2011

Comments received after the closing date may not be considered.

#### **BUYELWA SONJICA: MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS**

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#### **Comment: Further Education & Training Colleges Amendment Draft Bill; Higher Education Laws Amendment Draft Bill & Skills Development Amendment Draft Bill**

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All interested persons and organisations can email comments on the draft Bills to Mr V L Rikhotso at [Rikhotso.v@dhet.gov.za](mailto:Rikhotso.v@dhet.gov.za)

Kindly provide the name, address, telephone number, fax number and email address of the person or organisation submitting the comments.

**DR BONGINKOSI EMMANUEL NZIMANDE, MP, MINISTER OF HIGHER EDUCATION AND TRAINING**

**SIGNED 13 APRIL 2011**

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#### **Comment: Muslim Marriages Draft Bill**

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Comments on the Bill can be emailed to **Mr T Matibe** at [TMatibe@justice.gov.za](mailto:TMatibe@justice.gov.za)

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The Bill is applicable to persons who adhere to the Muslim faith and who elect to be bound by its provisions. In other words, it contains an opting out provision for persons who do not wish to be bound by it. The need for this legislation finds support in section 15(3) of the Constitution. This section provides that the right to freedom of religion, belief and opinion does not preclude legislation recognising –

(a) marriages concluded under any tradition, or a system of religious, personal or family law; or  
(b) systems of personal and family law under any tradition, or adhered to by persons professing a particular religion.

The Bill sets out a statutory framework for the legal recognition of Muslim marriages and their consequences.

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**Comment: "Review Framework for Cross-Border Direct Investment in South Africa" & "Prudential Regulation of Foreign Exposure for South African Institutional Investors"**

**Please Note: – SUBMISSION DATE FOR COMMENTS EXTENDED to 31 MAY 2011**

The Department of National Treasury has published the following documents for public comment: [Review Framework for Cross-Border Direct Investment in South Africa](#) and ["Prudential Regulation of Foreign Exposure for South African Institutional Investors"](#)

Comments can be emailed to [financial.policy@treasury.gov.za](mailto:financial.policy@treasury.gov.za)

After the close of the comment period, Treasury will host workshops on the two papers on dates to be advised in June 2011.

Enquiries tel Mr Unathi Kamlana: 012 315 5765

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**Comment: Draft Administrative Adjudication of Road Traffic Offences Regulations, 2011**

The Department of Transport intends to make regulations on the Administrative Adjudication of Road Traffic Offences Act, 1998.

Interested persons are invited to comment on the [Draft Administrative Adjudication of Road Traffic Offences Regulations, 2011](#)

Comments can be emailed to Adv A Masombuka at [MasombuA@dot.gov.za](mailto:MasombuA@dot.gov.za) by no later than 16 May 2011.

Enquiries tel Adv A Masombuka: (012) 309 3289

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**Comment & Public Hearings: Appropriation Bill [B3-2011]**

The Money Bills Amendment Procedure and Related Matters Act requires Parliament to conduct public hearings on the Appropriation Bill. This Bill provides for the appropriation of money from the National

Revenue Fund for the requirements of the State for the 2011/12 financial year.

The Standing Committee on Appropriations invites you to make written submissions on the [Appropriation Bill \[B3-2011\]](#). The Bill was tabled together with the 2011/2012 Budget on 23 February 2011.

Public hearings will be conducted at Parliament on 24 - 25 May 2011. Submissions must be received by no later than 12:00 on Tuesday 3 May 2011.

Submissions can be directed to the Committee Secretaries, Mr Darrin Arends at [daarends@parliament.gov.za](mailto:daarends@parliament.gov.za) and Mr Tebello Maleeme at [tmaleeme@parliament.gov.za](mailto:tmaleeme@parliament.gov.za)

Enquiries tel Mr Darrin Arends:(021) 403 8105 cell 071 363 2273; or Mr Tebello Maleeme (021) 403 3716 cell 083 709 8489

Issued by Hon. E M Sogoni, MP, Chairperson: Standing Committee on Appropriations (National Assembly).

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**Comment: Proposed Regulations: Independent Police Investigative Directorate Bill, 2010**

The Independent Complaints Directorate requests comment on the [Proposed Regulations](#) for the Independent Police Investigative Directorate Bill, 2010, with a view to submitting these to the Minister of Police for consideration when the Act comes into operation.

Comments can be emailed to Mr F Beukman at [FBeukman@icd.gov.za](mailto:FBeukman@icd.gov.za) by no later than 22 April 2011. Enquiries tel: (012) 399 0000

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**Comment: Confronting Youth Unemployment - Policy options for SA**

The Department of National Treasury has published a discussion document on [Confronting Youth Unemployment - Policy options for SA](#) for public comment

Comments can be emailed to [ria@treasury.gov.za](mailto:ria@treasury.gov.za) on or before the 30 April 2011. Enquiries tel Mr Jabulani Sikhakhane: on 012 315 5944.

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**Comment: National Health Amendment Draft Bill**

The Department of Health intends to table the [National Health Amendment Draft Bill](#), 2011 in Parliament this year, 2011.

Interested persons are invited to email comments to Ms Hyldia Phasha at [phashah@health.gov.za](mailto:phashah@health.gov.za) by not later than 22 April 2011.

Enquiries tel Ms Hyldia Phasha: (012) 395 8492

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**Comment: Draft Guidelines for accreditation of Ombud-Schemes (Consumer Protection Act)**

The National Consumer Commission has published [Draft Guidelines for the accreditation of Ombud-Schemes](#) as provided for in Section 82(6) of the Consumer Protection Act (No 68 of 2008).

Comments can be emailed to Ms Prudence Moilwa at [pmoilwa@thedti.gov.za](mailto:pmoilwa@thedti.gov.za) on or before 07 April 2011

Enquiries tel Ms Prudence Moilwa: (012) 394 1544

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### **Comment: Co-operatives Amendment Draft Bills**

The Department of Trade and Industry invites interested parties to submit written comments on the [Co-operatives Amendment Draft Bill](#) and [Co-operative Second Amendment Draft Bill](#) (Section 75 and Section 76).

The comments on the draft Bills can be emailed to Mr Jeffrey Ndumo at [jndumo@thedti.gov.za](mailto:jndumo@thedti.gov.za) or [mcronje@thedti.gov.za](mailto:mcronje@thedti.gov.za) **by not later than 22 March 2011**.  
Enquiries tel: Mr Jeffrey Ndumo at (012) 012 394 1608/31.

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### **Comment & Public Hearings: Mining Charter**

The [Mining Charter](#) was established in terms of section 100 of the Mineral and Petroleum Resources Development Act 2002 (MPRDA). The purpose of the Charter was to set the framework, targets and timetables for the implementation of the government's transformation policies through its power to regulate and grant prospecting and mining rights. Its objectives were to inter alia, promote equitable access to South Africa's mineral wealth; increase opportunities for historically-disadvantaged South Africans to benefit from mining; expand the skills base; job creation; improve living standards, particularly in regard to the conversion of single sex hostels into family units; and promote beneficiation of mineral resources.

Stakeholders recognised that the achievement of the objectives set out in the Charter entails continuous engagement on reporting, monitoring and evaluation and further agreed to review the Charter if required. The Department of Mineral Resources had recently reviewed the Mining Charter. The review looked at various elements of the charter including ownership, procurement and enterprise development, beneficiation, employment equity and human resource development.

In line with Parliament's core objective of facilitating public participation, the Portfolio Committee on Mineral Resources together with the Select Committee on Economic Development (the Committees) therefore invite the public to submit written submissions on the results of the review of the old Mining Charter and proposals on the new Mining Charter.

Based on the written submissions, the Committees will invite selected stakeholders to come and make oral representations on 23 March 2011 in Parliament. The Committees will also conduct public hearings in Gauteng (Carltonville) on 30 March and North West (Klerksdorp) on 31 March 2011.

Interested individuals and organisations wishing to comment on this subject are kindly requested to forward written submissions to the Committee Secretary Ms Noluthando Skaka [nskaka@parliament.gov.za](mailto:nskaka@parliament.gov.za) **by no later than Friday, 11 March 2011 at 12.00 noon**.

Enquiries tel Ms Noluthando Skaka (021) 403-3751 cell 083 709 8520

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### **Comment & Public Hearings: Division of Revenue Bill [B4-2011]**

The Select Committee on Appropriations invites stakeholders and interested parties to make written submissions on the [Division of Revenue Bill \[B4-2011\]](#) that was tabled together with the 2011/2012 Budget on 23 February 2011.

The Money Bills Amendment Procedure and Related Matters Act, Act No 9 of 2009 requires Parliament to conduct public hearings and to report on the Division of Revenue Bill. This Bill provides for the equitable division of revenue raised, nationally among the national, provincial and local spheres of government for the 2011/12 financial year and the responsibilities of all three spheres pursuant to such division; and provides for matters connected therewith.

**Public hearings will be conducted at Parliament on 22 & 23 March 2011.**

Comments can be emailed to the Committee Secretaries, Ms Estelle Grunewald at [egrunewald@parliament.gov.za](mailto:egrunewald@parliament.gov.za) and Mr Lubabalo Nodada at [lnodada@parliament.gov.za](mailto:lnodada@parliament.gov.za) by no later than 16:00 on Friday, 11 March 2011.

Enquiries tel Ms Estelle Grunewald 021 403 3843; cell 071 363 2257 or Mr Lubabalo Nodada 021 403 3669; cell 083 412 1526

Issued by: Hon. TE Chaane, MP, Chairperson: Select Committee on Appropriations (National Council of Provinces).

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**Comment: Military Veterans Bill [B1-2011]**

The Portfolio Committee on Defence and Military Veterans invites interested persons and stakeholders to submit written comments on the [Military Veterans Bill \[B1-2011\]](#).

The Military Veterans Bill [B1-2011] seeks to

- Repeal the Military Veterans Act, 1999;
- Give effect to the recommendations made by the Ministerial Task Team on Military Veterans to Cabinet;
- Set out benefits available to military veterans and their dependents;
- Set out certain functions of the Department of Military Veterans; and
- Establish an Advisory Council on Military Veterans and a Military Veterans Appeal Board.

Comments can be emailed to the Committee Secretary Mandy Balie at [mbalie@parliament.gov.za](mailto:mbalie@parliament.gov.za) by no later than 11 March 2011. Please indicate your interest in making a verbal presentation.

Enquiries tel Mandy Balie 021 403 3673 or cell: 083 709 8431

Issued by: Mr M.S. Motimele, MP and Chairperson of the Portfolio Committee on Defence and Military Veterans

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**Comment: National Consumer Commission Draft Enforcement Guidelines**

The National Consumer Commission, has published [Draft Enforcement Guidelines](#) for the National Consumer Commission, in terms of the Consumer Protection Act, 2008 (Act No 68 of 2008) for public comment.

Comments can be emailed to Mr Sipho Tleane at [STleane@thedti.gov.za](mailto:STleane@thedti.gov.za) by no later than 10 March 2011. Kindly provide the name, address, telephone, fax numbers and/or email address of the person or organization submitting the comments.

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**Comment: Constitution Amendment Draft Bill, 2011**

The Department of Justice and Constitutional Development intends introducing the [Constitution Amendment Draft Bill](#) of 2011, in the National Assembly.

Comments on the draft Bill can be emailed to Ms C van Vuuren at [cvanvuuren@justice.gov.za](mailto:cvanvuuren@justice.gov.za) by not later than 15 March 2011.

Enquiries tel: Mrs. C van Vuuren 012 315 1706

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**Comment: Land Tenure Security Draft Bill**

**Please Note Deadline for Public Comments has been extended to 18 March 2011**

The [Land Tenure Security Draft Bill](#), that has been published heralds a new dawn and hope for a better life for millions of farm dwellers throughout South Africa, many of whom have fallen victim to arbitrary evictions, perpetual inhuman treatment and denial of basic human rights by some land owners.

The Bill seeks to address loopholes in the current two Acts, the Extension of Security of Tenure Act 62 of

1997 (ESTA) and the Land Reform (Labour Tenants) Act 3 of 1996, which were passed to provide security of tenure to persons residing on farms

The Bill however, goes beyond providing for basic human rights as promised by the Constitution of South Africa, but also addresses the need for productive use of agricultural land to meet the vision of sustainable, equitable and vibrant rural communities and food security for all. Amongst others, the Bill seeks to provide for:

- the continued protection of the rights of persons living and working on farms;
- a support framework for sustainable livelihoods for persons living and working on farms that would, amongst other things,
- address the need for sustained food production and production discipline;
- state assistance in the settlement, on alternative land, of interested and affected persons
- the acquisition of rights in land for resettlement;

Public outcry, petitions by farm dwellers, civil society and by rural service organisations as well as media reporting and documentation of perpetual human rights abuses by some farmers clearly pointed to the inadequacy of ESTA and LTA to curb arbitrary evictions. The Bill will, in the long term, achieve the separation of farm workers' labour related rights / obligations from those relating to residence on farm land. It also seeks to achieve the creation of harmonious relations on farms, the establishment of Agri-villages to deal with tenure security within the context of sustainable human settlement and food production.

Comments can be emailed to [Landtenuresecuritybill@ruraldevelopment.gov.za](mailto:Landtenuresecuritybill@ruraldevelopment.gov.za) or [SOgunronbi@ruraldevelopment.gov.za](mailto:SOgunronbi@ruraldevelopment.gov.za) by no later than **Thursday, 24 February 2011**.

Public consultations will also be conducted early in 2011 and a communication plan will be implemented to inform interested stakeholders about dates and venue of consultations.

Enquiries tel Mr Eddie Mohoebi – Head of Communications, 082 550 1445

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### **Comment: Second Land Transport Draft Regulations**

The Department of Transport requests the public to comment on the [Draft Second Land Transport Regulations](#) (in terms of section 8 of the National Land Transport Act, 2009).

Comments can be emailed to Mr Muzi Simelane at [simelanm@dot.gov.za](mailto:simelanm@dot.gov.za) or Mr Hament Patel at [patelh@dot.gov.za](mailto:patelh@dot.gov.za) by no later than **7 March 2011**.

Enquiries tel Mr Muzi Simelane: 012 309 3002 / Mr Hament Patel: 012 309 3276.

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### **Comment & Public Hearings: State Liability Amendment Bill [B2 - 2011]**

The Portfolio Committee on Justice and Constitutional invites stakeholders and interested persons to submit written submissions on the [State Liability Amendment Bill \[B2 – 2011\]](#):

The purpose of the State Liability Amendment Bill is to:

- Amend the State Liability Act, 1957, so as to regulate the manner in which a final court order sounding in money against the State must be satisfied; and
- To provide for matters connected therewith.

Submissions can be emailed to the Committee Secretary Mr V Ramaano at [vramaano@parliament.gov.za](mailto:vramaano@parliament.gov.za) by no later than **4 March 2011**. Please indicate your interest in making a verbal presentation. Public hearings will be held in Parliament 9 March 2011.

Enquiries tel Mr V Ramaano: (021) 403-3820 or cell 083 709 8427.

Issued by Hon. LT Landers, MP, Chairperson: PC on Justice and Constitutional Development



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**Comment: Fiscal Framework and Revenue Draft Proposals**

The Standing Committee on Finance and the Select Committee on Finance invites stakeholders and interested parties to submit written submissions on the Fiscal Framework and Revenue Proposals, that will be tabled together with the 2011/2012 Budget on 23 February 2011.

The Money Bills Amendment Procedure and Related Matters Act, Act No 9 of 2009 requires Parliament to conduct public hearings and to report on the [Fiscal Framework and Revenue Draft Proposals](#). This Act defines the fiscal framework as follows:

The framework for a specific financial year that gives effect to the national executive's macro-economic policy and includes-

- (a) estimates of all revenue, budgetary and extra-budgetary specified separately, expected to be raised during that financial year;
- (b) estimates of all expenditure, budgetary and extra-budgetary specified separately, for that financial year;
- (c) estimates of borrowing for that financial year;
- (d) estimates of interest and debt servicing charges; and
- (e) an indication of the contingency reserve necessary for an appropriate response to emergencies or other temporary needs, and other factors based on similar objective criteria.

Public hearings will be conducted at Parliament on 1 & 2 March 2011.

Comments can be emailed to Submissions and your indication to make oral presentation must be received

Comments can be emailed to the Committee Secretaries, Mr Allan Wicomb (Standing Committee on Finance) at [awicomb@parliament.gov.za](mailto:awicomb@parliament.gov.za) and Mr Zolani Rento (Select Committee on Finance) at [zrento@parliament.gov.za](mailto:zrento@parliament.gov.za) by no later than 12:00 on Monday, 28 February 2011.

Enquiries tel Mr Allan Wicomb 021 403-3759; cell 083 412 1475 / Mr Zolani Rento 021 403-8071; cell 083 707 2188

**Issued by: Hon. TA Mufamadi, MP, Chairperson: Standing Committee on Finance (National Assembly) and Hon. CJ De Beer, MP, Chairperson: Select Committee on Finance (National Council of Provinces).**

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**Comment: Promotion of Access to Information Amendment Draft Bill**

The Department of Justice and Constitutional Development invites interested parties to submit written comments on the [Draft Promotion of Access to Information Amendment Bill](#), 2011 (the draft Bill).

The comments on the draft Bill can be emailed to Ms T Skhosana at [thskhosana@justice.gov.za](mailto:thskhosana@justice.gov.za) by not later than 28 February 2011.

Enquiries tel: Ms T Skhosana at (012) 315 1724 or Ms I Botha at 012 315 1702.

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**Comment: Carbon Tax Discussion Draft Paper**

Please note the following National Treasury request for comment:

As indicated in the 2010 Budget Review, the National Treasury publishes the [Carbon Tax Discussion Draft Paper](#) for public comment. This paper seeks to complement the regulatory efforts of the South African government in addressing environmental challenges.

The paper follows the announcement by South Africa at the 2009 Copenhagen conference of our



intention to reduce greenhouse gas emissions by 34 per cent by 2020 and 42 per cent by 2025 below the business as usual scenario. The Long Term Mitigation Scenarios and the recently published National Climate Change Response Green Paper (2010) recognise the use of market-based policy measures, such as an escalating carbon tax, to price carbon so that the cost of climate change can be reflected in the price of goods and services.

### **Carbon Tax Discussion Paper**

The carbon tax discussion paper, "Reducing Greenhouse Gas Emissions: The Carbon Tax Option", follows the 2008 announcement of an electricity generation levy of 2c per kWh, which was the first explicit carbon tax to be introduced in South Africa.

A carbon tax seeks to reflect the external costs of greenhouse gas emissions causing climate change, and should help to create a level playing field between high- and low-carbon emitting sectors. The early adoption of a low-carbon growth path can also result in competitive advantages in low-carbon technologies and create incentives for research, development, and increased levels of innovation.

The paper discusses the economics of climate change, the role of carbon taxes in reducing emissions at the least cost possible, and compares regulatory and market-based policy measures as well as carbon taxes and emissions trading schemes. The design of a carbon tax is best addressed by focussing on the definition of an appropriate tax base and measures to mitigate potential adverse impacts on low-income households and on the trade competitiveness of certain sectors. The paper argues that the gradual phasing in of a carbon tax is the best way to deal with competitiveness concerns.

Three options for imposing a carbon tax are explored:

1. An emissions tax applied directly on measured carbon dioxide emissions;
2. An upstream tax on fossil fuel inputs based on the carbon content of the fuel (for example, coal); or
3. A downstream tax imposed on the outputs or products generated from fossil fuels (for example, electricity or liquid fuels).

A carbon tax imposed directly on all measured emissions of carbon dioxide appears to be the most appropriate. The second best option is to tax fossil fuel inputs such as coal, crude oil and natural gas, based on the carbon content of these fuels. Both options create adequate incentives to encourage behavioural changes. A tax on actual measured emissions would require appropriate institutional capacity to measure, monitor and verify actual emissions. An upstream tax would be based on the estimated carbon content of the fuel in question and could piggyback on the existing tax administrative system. In the case of an upstream tax, its design could also include a crediting system to encourage the development and adoption of technologies such as carbon capture and storage.

Other design considerations include:

- To provide certainty to taxpayers, the level of the tax should be phased in.
- That the tax rate should over time be equivalent to the marginal external damage costs of carbon dioxide emissions to effect the appropriate incentives.
- Distributional concerns need to be dealt with in a transparent and targeted manner (for example, improved targeted provision of free basic electricity and improved subsidised public passenger transport).
- The tax should as far as possible cover all sectors.
- Relief measures to deal with competitiveness concerns, if any, should be limited and of a temporary nature. The proposed tax incentive for energy efficiency savings might be an appropriate intervention in this regard.

The phased introduction of the tax at initial low rates, with a commitment to phase-in increased levels of taxation over a specific time period, would provide certainty and an opportunity for taxpayers to adjust to the new tax. This will also provide a strong price signal to both producers and consumers to change their behaviour over the medium to long term.

Comments on the carbon tax discussion paper can be emailed to Sharlin Hemraj at [sharlin.hemraj@treasury.gov.za](mailto:sharlin.hemraj@treasury.gov.za) by **28 February 2011**.

*Issued by: National Treasury: 13 December 2010*

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#### **Comment: Labour Law Amendments**

The Department of Labour has published amendment bills for the [Labour Relations Act \(LRA\)](#), the [Employment Equity Act \(EEA\)](#), the [Basic Conditions of Employment Act \(BCEA\)](#) and a new [Employment Services Bill](#), for public comment. Each bill is accompanied by an Explanatory Memorandum.

Comments can be emailed to Mr. Thembinkosi Mkalipi at [Thembinkosi.Mkalipi@labour.gov.za](mailto:Thembinkosi.Mkalipi@labour.gov.za) or [Maria.Briedenhann@labour.gov.za](mailto:Maria.Briedenhann@labour.gov.za) by **no later than 17th February 2011**.

Enquiries tel Thembinkosi Mkalipi: cell 082 8544 358

Please find more details here: [www.pmg.org.za/bills/details-labourlaws.htm](http://www.pmg.org.za/bills/details-labourlaws.htm)

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#### **Comment: Proposed Consumer Protection Regulations**

The Department of Trade and Industry, pursuant to the signing of the Consumer Protection Act, 2008 by the President, give notice in terms of section 120 (2)(a) of the Consumer Protection Act, 2008, as follows:

1. The [Proposed Consumer Protection Regulations](#), 2010 are published for public comment with effect from date of publication to 31 January 2011.

2. Members of the public are requested to send their comments to [cparegs@thedti.gov.za](mailto:cparegs@thedti.gov.za) by **no later than 31 January 2011**.

Enquiries tel Mr. Ntutuzelo Vananda at (012) 394 1383.

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#### **Comment: Merchant Shipping (Safe Containers Convention) Bill [B31-2010]**

The Portfolio Committee on Transport invites interested people and stakeholders to submit written comments on the [Merchant Shipping \(Safe Containers Convention\) Bill \[B31-2010\]](#). The Bill seeks to give effect to the International Convention for Safe Containers by:

- maintaining a high level of safety of human life in the transport industry and handling of containers by providing generally acceptable test procedures and related strength requirements;
- facilitating international transport of containers by providing uniform international safety regulations, equally applicable to all modes of surface transport in order to avoid proliferation of divergent national safety regulations; and
- repealing the International Convention for Safe Containers Act, 1985, and to provide for matters connected therewith.

Written submissions can be emailed to Valerie Carelse at [vcarelse@parliament.gov.za](mailto:vcarelse@parliament.gov.za) by **no later than 25 February 2011**. In addition to the written comments, please indicate your interest in making a verbal presentation.

Enquiries tel Valerie Carelse: (021) 403 3272, cell 083 709 8445

Issued by: Ms N Bhengu, MP, Chairperson of the Portfolio Committee on Transport

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#### **Comment: Immigration Amendment Bill [B32 - 2010]**

The Portfolio Committee on Home Affairs encourages interested individuals and organisations to submit written comments on the [Immigration Amendment Bill \[B32 – 2010\]](#)

The Bill seeks to:

- Amend the Immigration Act, 2002, so as to substitute certain words of the Preamble to the Act;
- Delete, insert or substitute certain definitions;
- Revise provisions relating to the Immigration Advisory Board;
- Revise provisions relating to the making of regulations;
- Provide for the designation of ports of entry;
- Revise provisions relating to visas for temporary sojourn in the Republic and for the procedures with regard thereto;
- Provide for the mandatory transmission and use of information on advance passenger processing;
- Provide for the transmission of passenger name record information;
- Revise provisions relating to permanent residence;
- Revise penal provisions;
- Correct certain important technical aspects.

Public hearings will take place at Parliament on 25, 26 and 27 January 2011.

Written submissions can be emailed to the Committee Secretary Mr Eddy Mathonsi at [emathonsi@parliament.gov.za](mailto:emathonsi@parliament.gov.za) **by no later than 20 January 2011 at 12:00**. In addition to written comments, please indicate your interest in making a verbal presentation.

Enquiries: Mr Eddy Mathonsi, tel: ( 021) 403-3826, cell: 084 630 1992/ 083 709 8523

Issued by Ms M Maunye, MP, Acting Chairperson of the Portfolio Committee on Home Affairs.

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### **Comment: Second -Hand Goods Draft Regulations**

The South African Police Service is consulting on regulations under section 41 (1)(c) of the Second-Hand Goods Act, 2009 (Act No. 6 of 2009), with a view to submitting [Second –Hand Goods Draft Regulations](#) to the Minister of Police for consideration when the Act comes into operation.

Comments can be emailed to Mr J A van der Walt at [vanderwaltja@saps.org.za](mailto:vanderwaltja@saps.org.za) **by no later than 19 January 2011**.

Enquiries tel Mr J A van der Walt (012) 393 7231

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### **Comment & Public Hearings: Code of Judicial Conduct and Regulations on Judges' Registrable Interests**

The Ad Hoc Joint Committee on Code of Judicial Conduct and the Regulations on Judges' Disclosure of Registrable Interests invites stakeholders and interested persons to submit written submissions on the [Code of Judicial Conduct](#) and [Regulations on Judges' Registrable Interests](#).

- Section 12(1) of the Judicial Service Commission Act, 1994 (Act No 9 of 1994), provides that the Chief Justice, acting in consultation with the Minister, must compile a Code of Judicial Conduct, which must be tabled by the Minister in Parliament for approval.
- Section 12(5) of the Act, specifically provides that the Code shall serve as the prevailing standard of judicial conduct to which judges must adhere.
- Section 13(1) of the Act requires the Minister, acting in consultation with the Chief Justice, to appoint a senior official in the Office of the Chief Justice as the Registrar of Judges' Registrable Interests.

The Minister, acting in consultation with the Chief Justice, must make regulations regarding the content and management of the Register. The Registrar must open and keep a register, called the Register of Judges' Registrable Interests. Every judge must disclose to the Registrar, in the prescribed form, particulars of all his or her registrable interests and those of his or her immediate family members.

PMG is notifying subscribers late as the advert appeared in **December with the deadline set for Friday 14 January**. However, contact Mr V. Ramaano if you would like to comment and he will be flexible and

accommodate your submission. Please indicate if you are interested in making a verbal presentation. Public hearings will be held in Parliament on Wednesday 19 January 2011.

Enquiries tel Mr V. Ramaano (Committee Secretary) on tel. (021) 403 3820 or cell 083 709 8427 or [vramaano@parliament.gov.za](mailto:vramaano@parliament.gov.za)

Issued by: Hon. JB Sibanyoni and Hon. AG Matila, Co-Chairpersons: Ad hoc Joint Committee on Code of Judicial Conduct and the Regulations on Judges' Disclosure of Registrable Interests.

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## **PUBLIC PARTICIPATION: 2010**

### **Comment: Companies Draft Regulations, 2011**

The Department of Trade and Industry intends to publish the [Companies Draft Regulations, 2011](#), after due consideration of stakeholder comments and inputs. The draft Regulations are premised on the Companies Act, No. 71 of 2008 and the Companies Amendment Bill, 2010, as published in the Government Gazette, No. 33695, dated 27 October 2010. The draft Regulations deal with the functions of the Companies Commission, the Takeover Regulation Panel and the Companies Tribunal, as well as other matters relating to the regulation of companies, to take effect upon enactment of the Companies Act, 2008.

Comments on the draft Regulations can be emailed to Mr Desmond Ramabulana at [companiesregulations@thedti.gov.za](mailto:companiesregulations@thedti.gov.za) on or before 31 January 2011

The Department of Trade and Industry, pursuant to the signing of the Consumer Protection Act, 2008 by the President, give notice in terms of section 120 (2)(a) of the Consumer Protection Act, 2008, as follows:

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### **Comment: Proposed Consumer Protection Regulations**

1. The [Proposed Consumer Protection Regulations](#), 2010 are published for public comment with effect from date of publication to 31 January 2011.

2. Members of the public are requested to send their comments to [cparegs@thedti.gov.za](mailto:cparegs@thedti.gov.za) by no later than 31 January 2011.

Enquiries tel Mr. Ntutuzelo Vananda at (012) 394 1383

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### **Comment: Rural Development and Land Reform General Amendment Bill [B33-2010]**

The Portfolio Committee on Rural Development and Land Reform (National Assembly) invites stakeholders and interested parties to submit written comments on the **Rural Development and Land Reform General Amendment Bill [B33 - 2010]**

The Bill seeks to amend various laws under the administration of the Minister of Rural Development and Land Reform, so as to:

- substitute certain obsolete definitions to ensure legal certainty
- effect certain consequential amendments in this regard
- provide for matters connected therewith.

**Public hearings will be conducted at Parliament on Tuesday, 25 and Wednesday, 26 January 2011**

Comments can be emailed to the Committee Secretary, Ms Phumla Nyamza at [panyamza@parliament.gov.za](mailto:panyamza@parliament.gov.za) by no later than **17:00 on Friday 14 January 2011**. Please indicate your interest in making a verbal presentation.

Enquiries tel: Ms Phumla Nyamza at: 021 403 3852, 083 709 8492  
Issued by Hon Sizani Mr PS, Chairperson: PC on Rural Development and Land Reform

The Bill is also here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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**Comment: Basic Education Laws Amendment Bill [B36-2010]**

The Portfolio Committee on Basic Education invites institutions, organisations and interested individuals to submit written comments on the [Basic Education Laws Amendment Bill \[B36-2010\]](#)

The purpose of the Bill is to align existing laws to the new education dispensation that came about in 2009 when the former Department of Education was split into two distinctive, independent yet interrelated departments. The split has necessitated the alignment of the new education dispensation with the existing legislation, which includes National Education Policy Act, the South African Schools Act, the Employment of Educators Act, the South African Council for Educators Act and the General and Further Education and Training Quality Assurance Act as follows:

- From the National Education Policy Act, the Bill seeks to amend the definitions of "Director-General", "Minister" and "education institution" in order to reflect the new dispensation. The Bill also proposes the deletion of the definition of "student" and the replacement of the word "Student" in sections 3 and 4 of the Act with the word "learner".
- The Bill further proposes an amendment to section SA (1) of the South African Schools Act in order to provide that the Minister of Basic Education must first consult the Minister of Finance before prescribing a regulation on minimum norms and standards for school infrastructure.
- From the South African Council for Educators Act, the Bill proposes an amendment to section 5 of the Act, to ensure that the South African Council for Educators promotes in-service training of educators at the request of their employers upon the payment of an agreed fee by the employers of the educators concerned.
- An amendment is also proposed from section 1 of the General and Further Education and Training Quality Assurance Act, to draw a distinction between institutions administered by the Department of Higher Education and Training and those administered by the Department of Basic Education.

Comments can be emailed to the Committee Secretary, Mr L Brown at [lbrown@parliament.gov.za](mailto:lbrown@parliament.gov.za) by no later than Monday, **11 January 2011**. Please indicate your interest in making a verbal presentation.

Enquiries tel: Mr L A Brown at: 021 403-3764, cell: 083 709 8450, fax: 086 523 7591  
Issued by: Ms H Malgas MP, Portfolio Committee on Basic Education (National Assembly)

The Bill is also available here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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**Comment: Property Sector Draft Charter**

The Department of Trade and Industry has issued the [Draft Property Sector Charter](#) for public comment.

Comments can be emailed to Xolisile Zondo and Jacob Maputha at [bee-property@thedti.gov.za](mailto:bee-property@thedti.gov.za) by no later 15 December 2010.

Enquiries: tel Xolisile Zondo or Jacob Maputha: (012) 394 1609/ 3430

The document is also here: [www.pmg.org.za/policy\\_docs](http://www.pmg.org.za/policy_docs)

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### **Comment: National Climate Change Response Draft Green Paper**

The Department of Water and Environmental Affairs invite members of the public to submit written comments on the [National Climate Change Response Draft Green Paper 2010](#).

Members of the public can email written comment to Ms Joanne Yawitch at [jyawitch@environment.gov.za](mailto:jyawitch@environment.gov.za) or [dngobeni@environment.gov.za](mailto:dngobeni@environment.gov.za) by no later than 16h00 on 11 February 2011. Comments should be titled as: National Climate Change Response Green Paper 2010

Enquiries tel Ms Joanne Yawitch: (012) 310 3666 or Mr Peter Lukey at (012) 310 3710.

The document is also here: [www.pmg.org.za/policy\\_docs](http://www.pmg.org.za/policy_docs)

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### **Comment: Companies Amendment Bill [B40 -2010]**

The Portfolio Committee on Trade and Industry has published the [Companies Amendment Bill \[B40 - 2010\]](#) for public comments

Comments can be emailed to the Committee Secretary: Mr Andre Hermans at [ahermans@parliament.gov.za](mailto:ahermans@parliament.gov.za) by no later than 26 November 2010. Please also indicate if you wish to make oral presentation.

Public Hearings will be held on the 30 November and 1 December 2010.

Enquiries tel Mr Andre Hermans: (021) 403 3776; cell 083 709 8482

The Bill is also available here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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### **Comment: Correctional Matters Amendment Bill [B41-2010]**

The Portfolio Committee on Correctional Services invites interested individuals/ organisations to submit written comments on the [Correctional Matters Amendment Bill \[B41-2010\]](#)

The Correctional Matters Amendment Bill [B41-2010] seeks to:

- amend the Correctional Services Amendment Act, 2008 in order to repeal provisions establishing an incarceration framework;
- amend the Correctional Services Act, 1998 in order to insert new definitions;
- provide for a new medical parole system;
- strengthen the parole system;
- provide for the management and detention of remand detainees; and
- provide for matters connected therewith.

Comments can be emailed to the Committee Secretary, Cindy Balie at [cbalie@parliament.gov.za](mailto:cbalie@parliament.gov.za) by no later than Friday 3 December 2010.

Enquiries tel Cindy Balie: (021) 403 3667; cell: 083 709 8444

Issued by Mr VG Smith MP, Chairperson of the Portfolio Committee on Correctional

The Bill is also here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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## **Pardons: Invitation to Victims and Interested Parties to make Representations**

### **Please Note: Deadline for representations has been extended to 5 December 2010**

The President is considering the applications of the 149 applicants mentioned in this **Schedule** who have been recommended for pardon by the Reference Group and who are relying on a political motive and/or political objective for the offences for which they seek a pardon. Within the context of the national reconciliation and unity objectives of the special dispensation process of 2007, the President must make a final decision on whether to grant or refuse a pardon to these applicants.

The Department of Justice and Constitutional Development invites the victims of offences committed by the applicants for pardon and any parties with a direct or substantial interest in the applications for pardon under consideration by the President in terms of the special dispensation process of 2007, to make written representations on whether or not a pardon ought to be granted to a particular applicant.

Any person or party who wishes to make representations to The Presidency must notify the Secretariat at [PoliticalPardons@justice.gov.za](mailto:PoliticalPardons@justice.gov.za) by 14 November 2010. On receipt of communication from a victim or interested party the Secretariat will respond by way of a letter to the victim or interested party requesting that they, within a 30 day period:

- State in appropriate detail, whether or not, in his or her view, the offence(s) was/were politically motivated.
- Indicate, with reasons, whether they support the application for pardon.
- Indicate, with reasons, whether they object to the granting of a pardon.

Comments can be emailed to the head of the Secretariat: Mr Frederik Heyns at

[PoliticalPardons@justice.gov.za](mailto:PoliticalPardons@justice.gov.za)

Enquiries tel: Liana Nieuwoudt: Tel (012) 315 1278 / Thulani Khambule: Tel (012) 315 4822; / Fritz Willmot: Tel (012) 3151412

The document is also here: [\*\*SCHEDULE: LIST OF APPLICANTS BEING CONSIDERED FOR A PARDON BY THE PRESIDENT\*\*](#)

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## **Nominations Requested: Appointment of Members to Board of South African Broadcasting Corporation (SABC)**

Institutions and/or individuals are hereby invited to nominate persons to fill four vacancies of non-executive members of the Board of the South African Broadcasting Corporation Limited, for the remainder of the exiting member's terms of office, in the above-mentioned entity, as established in terms of the Broadcasting Act, No 4 of 1999 (as amended).

**A Board Member will be:** • Suited to serve on the board by virtue of their qualifications, expertise and experience in the fields of broadcasting policy and technology, broadcasting regulation, media law, business practice and finance, marketing, journalism, entertainment and education, as well as social and labour issues • Committed to fairness, freedom of expression, the right of the public to be informed, as well as openness and accountability on the part of those holding public office • Representative of a broad cross-section of the population of the Republic • Committed to the objectives and principles as enunciated in the Charter of the SABC • South African citizens permanently resident in the Republic.

Written nominations must contain: • The full name, contact number and address of the institution and/or



individual making the nomination, the nominee's signed acceptance of the nomination and his/her Curriculum Vitae, providing at least the following information: • Full name, ID number and gender • Contact address, telephone and fax numbers, e-mail address • Previous experience (quoting dates and organisations concerned) • Academic qualifications • Completed and signed Questionnaire for Candidates for SABC Appointment (available here: [Questionnaire for Candidates for SABC Appointments](#))

**Note:** Nominations without the completed and signed questionnaire will not be considered.

**Appointment process: The Committee intends to short-list candidates, conduct interviews and present its findings to the National Assembly for recommendation to the President.**

Nominations can be emailed to Mr TK Ngoma at [tngoma@parliament.gov.za](mailto:tngoma@parliament.gov.za) or Ms A Nel at [anel@parliament.gov.za](mailto:anel@parliament.gov.za) by no later than 09:00 on 15 November 2010.

Enquiries tel Mr TK Ngoma: (021) 403 3733; cell: 083 709 8407 / 079 498 8913 or Ms A Nel: (021) 403 3782; cell: 083 709 8391

Issued by the Hon I Vadi, MP: Chairperson, PC on Communications.

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### **Nominations Requested: Appointment of Members to Board of Media Development and Diversity Agency (MDDA)**

Institutions and/or individuals are hereby invited to nominate persons to fill three [3] vacancies, arising as from 31 December 2010, in the above-mentioned Agency, as established in terms of the Media Development and Diversity Act, No 14 of 2002 as amended by the Prevention and Combatting of Corrupt Activities Act, No 12 of 2004.

The Media Development and Diversity Agency was created to enable "historically disadvantaged communities and persons not adequately served by the media" to gain access to the media. Its beneficiaries are community media and small commercial media.

**A Board Member will be:** • A person who is committed to fairness, freedom of expression, openness and accountability • Representative of a broad cross-section of the population of the Republic and possess suitable qualifications, expertise and **experience in the fields of, amongst others:** n Community Media • Social, labour and development issues • Media economics, financial management and funding • Advertising and marketing • Journalism and broadcast programming • Media research • Media training, literacy and education • Media Law • Information and communication technology policy; or any other related expertise or qualifications. Nominees must also be South African citizens permanently resident in the Republic.

**Written nominations must** contain the full name and address of the institution and/or individual making the nomination, the nominee's signed acceptance of the nomination and his/her Curriculum Vitae, **providing at least the following information:** n Full name, ID number and gender • Contact address, telephone and fax numbers, e-mail address • Previous experience (quoting dates and organisations concerned) • Academic qualifications • Completed and signed Questionnaire (available here: [Questionnaire for Candidates for MDDA Appointments](#)) **Note:** Nominations without the completed and signed questionnaire will not be considered.

Nominations can be emailed to Mr TK Ngoma at [tngoma@parliament.gov.za](mailto:tngoma@parliament.gov.za) or Ms A Nel at [anel@parliament.gov.za](mailto:anel@parliament.gov.za) by no later than 16:00 on 8 November 2010.

Enquiries tel Mr TK Ngoma: (021) 403 3733; cell: 083 709 8407 / 079 498 8913 or Ms A Nel: (021) 403 3782; cell: 083 709 8391

Issued by the Hon I Vadi, MP: Chairperson, PC on Communications.

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## **Deadline Extended: Comment: National Curriculum and Assessment Policy Statements**

**Please note the deadline for public comments has been extended to 18 October 2010**

The Minister of Basic Education invites stakeholder bodies and members of the public to comment on the newly developed [National Curriculum and Assessment Policy Statements](#) .

The National Curriculum and Assessment Statements are single, comprehensive, and concise policy documents to replace the current Subject and Learning Area Statements, Learning Programme Guidelines and Subject Assessment Guidelines for all subjects listed in the National Curriculum Statement Grades R – 12.

Comments can be emailed to [CAPScomments@dbe.gov.za](mailto:CAPScomments@dbe.gov.za) by no later than 18 October 2010.

[Please see the Media Statement](#)

The document is also here: [www.education.gov.za/CAPS.asp](http://www.education.gov.za/CAPS.asp)

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## **Comment: Refugees Amendment Bill [B30 - 2010]**

The Portfolio Committee on Home Affairs (National Assembly) encourages interested individuals and organisations to submit written comments on the [Refugees Amendment Bill \[B30 - 2010\]](#)

The Bill seeks to:

- Amend the Refugees Act, 1998, so as to amend, insert or delete certain definitions;
- Clarify how applications for refugee status rejected as manifestly unfounded and unfounded must be dealt with;
- Empower the Director-General to establish the Status Determination Committee
- Revise the provisions relating to withdrawal of refugee status.

**Public hearings will take place on 26 October 2010 at Parliament.**

**Written submissions can be emailed to Committee Secretary: Mr. Eddy Mathonsi at [emathonsi@parliament.gov.za](mailto:emathonsi@parliament.gov.za) by no later than 22 October 2010 at 12:00. Please indicate your interest in making a verbal presentation**

**Enquiries tel:** Mr. Eddy Mathonsi at tel. (02)1 403-3826 / cell: 084 630 1992 / 083 709 8523

Issued by: Mr B D Martins, MP, Chairperson of the Portfolio Committee on Home Affairs.

The Bill is also available here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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## **Comment: Draft Repeal of the Black Administration Act and Amendment of Certain Laws Amendment Bill, 2010**

A [Draft Repeal of the Black Administration Act and Amendment of Certain Laws Amendment Bill](#), 2010, as presented to the Speaker of the National Assembly by the Portfolio Committee on Justice and Constitutional Development has been published for comment.

Comments can be emailed to Mr Vhonani Ramaano at [vramaano@parliament.gov.za](mailto:vramaano@parliament.gov.za) before 26 October 2010

Enquiries tel Mr V Ramaano (021) 403-3820 or 083 709 8427

Issued by Hon. NA Ramatlhodi, MP, Chairperson: PC on Justice and Constitutional Development

The Bill is also here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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**Comment: Action Draft Plan to 2014: Towards the Realisation of Schooling 2025**

**Please note the deadline for public comments has been extended to 29 October 2010**

The Department of Basic Education has released an [Action Draft Plan to 2014: Towards the Realisation of Schooling 2025](#) for public comment. This is after the Department has consulted the Council of Education Ministers and in terms of the National Education Policy Act (Act 27 of 1996).

Comments can be emailed to Mr P Njobe at [Njobe.P@dbe.gov.za](mailto:Njobe.P@dbe.gov.za) by no later than Friday, 27 August 2010. All comments should clearly indicate the following information about the commentator:

Name of commentator, and organisation represented;

- postal and email addresses; and
- telephone, fax and cell numbers (if available).

The document is also here: [www.pmg.org.za/policy\\_docs](http://www.pmg.org.za/policy_docs)

Enquiries tel Mr P Njobe: 012 357 4009 / 3000

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**Comment: Deeds Registries Amendment Bill[B13-2010] & Sectional Titles Amendment Bill [B14 - 2010]**

The Select Committee on Land and Environmental Affairs (National Council of Provinces) invites stakeholders and interested parties to submit written comments on the following Bills:

[Deeds Registries Amendment Bill \[B13-2010\]](#)

The Bill seeks • to amend the: Deeds Registries Act, 1937, so as to substitute certain obsolete expressions; • to delete the reference to a registrar of mining titles or a mining commissioner acting as a registration officer; • to provide for the extension of the duties of a registrar; • to provide for the appointment of alternate members to the deeds registries regulations board; • to provide for the disclosure of the full names and marital status of persons in all deeds and documents to be executed or lodged for registration or record in a deeds registry; • to provide for the issuing of a certificate of registered title in respect of a fraction of an undivided share in land; • and to amend certain definitions; and to provide for matters connected therewith.

[Sectional Titles Amendment Bill \[B14 - 2010\]](#)

The Bill seeks • to amend the: Sectional Titles Act, 1986, so as to amend certain definitions; • to redefine the boundaries between certain sections and common property; • to regulate the substitution of bonds registered in respect of different pieces of land shown on the sectional plan; • to provide for issuing of certificates of real rights of extension and certificates of real rights of exclusive use areas at the opening of a sectional title register; • to provide for the issuing of more than one certificate of real rights of extension and more than one certificate of real rights of exclusive use areas; • to further regulate the cancellation of registered sectional plans; • to provide for the issuing of a certificate of registered sectional title in respect of a fraction of an undivided share in a section; • to provide for a notice to a mortgage for consent to proposed extension to a section in a scheme; • to provide for the extension of a scheme by the addition of rights to exclusive use areas only; • to provide for a right of extension of a scheme in respect of a building or buildings that already exist; • to provide for the deletion of a provision pertaining to certain administrative expenses payable by a developer; • to provide for the deletion of a superfluous reference

to urban immovable property; • to provide for the production of a certificate by a conveyancer regarding the payment of moneys in respect of the cession of real rights; to provide for a cession of real rights to exclusive use areas within a specific time for the benefit of owners of sections; • to further provide for the vesting of rights to exclusive use areas where an owner ceases to be a member of a body corporate; • to provide for the cancellation of exclusive use area rights with the written consent of the mortgage and holder of a registered real right; • to further provide for the regulation of consent of bondholders for the registration of servitudes; • to provide for the payment of certain contributions by a developer towards the defrayal of certain rates and taxes and the maintenance of common property; • to further provide for liability for payment of contributions where ownership in units changes; • to provide for the levying of special contributions by the trustees of a body corporate; • to provide for the use of exclusive use areas for purposes depicted on the registered sectional plan only; • to substitute obsolete references; • to delete and amend certain incompatible provisions no longer applicable; • and to provide for matters connected therewith.

Comments can be emailed to the Committee Secretary Mr Asgar Bawa at [abawa@parliament.gov.za](mailto:abawa@parliament.gov.za) by no later than 16: 00 Friday 1<sup>st</sup> October 2010.

**All correspondence should be address to the Chairperson: Hon Ms Noluthando Qikani and marked for the attention of Mr Asgar A Bawa, Committee Secretary, Select Committee on Land and Environmental Affairs**

Enquiries tel Committee Secretary Mr Asgar Bawa:( 021) 403 3762; cell: 083 709 8530

**Issued by: Hon Ms Noluthando Qikani: Chairperson: SC on land and Environmental Affairs.**

The Bills are also here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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### **Comment & Public Hearings: Protection from Harassment Bill [B1 - 2010]**

The Portfolio Committee on Justice and Constitutional invites stakeholders and interested persons to submit written submissions on the [Protection from Harassment Bill \[B1 – 2010\]](#).

The purpose of the Protection from Harassment Bill is to:

- provide for the issuing of protection orders against harassment;
- amend the Criminal Procedure Act, 1955, so as to provide for an increase of the amount which may be fixed by a magistrate in respect of a recognisance as security to keep the peace;
- effect consequential amendments to the Criminal Procedure Act, 1977;
- amend the Domestic Violence Act, 1998, so as to provide a mechanism to subpoena witnesses to attend proceedings in terms of that Act;
- to effect consequential amendments to the Firearms Control Act, 2000;
- and to provide for matters connected therewith.

Public hearings will be held in Parliament on 19 October 2010.

Comments can be emailed to Committee Secretary: Mr V Ramaano at [vramaano@parliament.gov.za](mailto:vramaano@parliament.gov.za) by no later than 30 September 2010. Please indicate your interest in making a verbal presentation.

Enquiries tel Mr V Ramaano (021) 403-3820 or 083 709 8427.

Issued by Hon. NA Ramatlhodi, MP, Chairperson: PC on Justice and Constitutional Development  
The Bill is also here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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**Comment: Magistrates' Courts Amendment Bill [B23 - 2010]**

The Portfolio Committee on Justice and Constitutional invites stakeholders and interested persons to submit written submissions on the [Magistrates' Courts Amendment Bill \[B23 – 2010\]](#).

The purpose of the Bill is to:

- To amend the Magistrates' Courts Act, 1944, so as to regulate anew the qualifications required for the appointment of a person as a magistrate, additional magistrate and magistrate of a regional division;
- To further regulate the inclusion of magistrates of regional divisions on the list of magistrates who may adjudicate on civil disputes;
- To authorise the Minister to determine the conditions relating to the authorisation of a person to serve process of court or other documents on behalf of a public body; and
- To provide for matters connected therewith.

Public hearings will be held in Parliament on 14 September 2010.

Comments can be emailed to Mr V Ramaano at [vramaano@parliament.gov.za](mailto:vramaano@parliament.gov.za) by no later than 10 September 2010. Please indicate your interest in making a verbal presentation.

Enquiries tel: Mr V Ramaano, tel: (021) 403-3820 ; cell 083 709 8427.

Issued by Hon. NA Ramatlhodi, MP, Chairperson: PC on Justice and Constitutional Development  
The Bill is also here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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**Comment: Local Government: Municipal Systems Amendment Bill [B22-2010].**

The Portfolio Committee on Co-operative Governance and Traditional Affairs invites interested stakeholders to make written submissions on the [Local Government: Municipal Systems Amendment Bill \[B22-2010\]](#).

The purpose of the Bill is to promote a more professional administration by way of better-qualified senior management, more impartial and greater efficiency. The Local Government: Municipal Systems Amendment Bill [B22-2010] is a direct response to the crisis in local government and forms part of the Department of Co-operative Governance and Traditional Affairs turn around strategy.

Comments can be emailed to Committee Secretary – PC on Co-operative: Ms Shereen Cassiem at Shereen [scassiem@parliament.gov.za](mailto:scassiem@parliament.gov.za) by no later than 12:00, Monday, 5 September 2010. Please indicate your interest to make verbal submission. There will also be public hearings in Parliament.

Enquiries tel Ms Shereen Cassiem: 021 403-3769, cell 083 709 8533

Issued by: Mr S L Tsenoli, MP Chairperson of the Portfolio Committee on Co-operative Governance and Traditional Affairs.

The Bill is also here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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**Comment: Local Government: Municipal Electoral Amendment Bill [B27-2010]**

The Committee on Home Affairs (National Assembly) encourages interested individuals and organisations to submit written comments on the [Local Government: Municipal Electoral Amendment Bill \[B27-2010\]](#).

The Bill seeks to:

- Amend the Local Government: Municipal Electoral Act, 2000, so as to supplement provisions relating to the election timetable and insert a related Schedule to the Act;
- Amend provisions relating to nomination of candidates;
- Provide for central payments of deposits by a party which contests election in more than one municipality;
- Empower presiding officers to alter boundaries of voting stations, if necessary;
- Revise provisions relating to number of party agents at a voting station;
- Clarify the rights and responsibilities relating to assistance to certain voters;
- Provide for special votes and the procedure related thereto;
- Enhance the powers and functions of the Electoral Commission and the Electoral Court in relation to the determination and declaration of the result of an election;
- Provide for further regulation of objections material to the result of an election.

Public hearings will take place on 14 September 2010 at Parliament.

Comments can be emailed to Mr Eddy Mathonsi at [emathonsi@parliament.gov.za](mailto:emathonsi@parliament.gov.za) by no later than 10 September 2010 at 12:00. Please indicate your interest in making a verbal presentation.

Enquiries: tel Mr Eddy Mathonsi: (021) 403-3826, cell: 084 630 1992 / 083 709 8523

Issued by: Mr B Martins, MP, Chairperson of the Portfolio Committee on Home Affairs.  
The Bill is also here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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**Comment: Sectional Titles Schemes Management Bill [B20-2010] and Community Scheme Ombud Services Bill [B21-2010]**

The Portfolio Committee on Human Settlements invites interested stakeholders and persons to submit written comments on the [Sectional Titles Scheme Management Bill \[B20-2010\]](#) and [Community Scheme Ombud Services Bill \[B21-2010\]](#)

The Sectional Titles Scheme Management Bill seeks to:

- Remove the scheme governance provisions currently contained in the Sectional Titles Act, 1986 (Act No. 95 of 1986) from that Act and to incorporate these provisions in the proposed Bill and in respect of the management of sectional title scheme; to give effect to Cabinet's strategy to bring all housing-related legislation currently administered by other Departments under the administration of the Department of Human Settlements ("the Department").

The Community Scheme Ombud Services Bill seeks to:

- Establish the Service as a national public entity listed in terms of the Public Finance Management Act, 1999 (Act No. 1 of 1999). The main objective of the Service is to monitor and control the administration and occupation of private and common areas in community schemes, and be involved in issues of governance in community schemes.

The Service will develop and provide a framework for the avoidance and resolution of disputes in community schemes and the custody of community scheme governance documentation determined by the Minister of Human Settlements.

Comments can be emailed to the Committee Secretary: Ms Koliswa Pasiya at [kpasiya@parliament.gov.za](mailto:kpasiya@parliament.gov.za) by no later than 12:00 on 3 September 2010.

Public hearings will be held in Parliament on 7 and 8 September 2010. Please indicate your interest in making an oral presentation.

Enquiries tel Ms Koliswa Pasiya: (021) 403-3725 or cell: 083 709 8495

Issued by: Hon BN Dambuza, Chairperson: Portfolio Committee on Human Settlements.  
The Bill is also here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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**Comment: National Draft Policy Framework on Child Justice [GovGazetteNo33461 dated 13 Aug 2010]**

The Department of Justice and Constitutional Development has published the [National Draft Policy Framework on Child Justice](#) for public comment. This is in terms of section 93(2)(b) of the Child Justice Act (Act No 75 of 2008).

Comments on the National Policy Framework on Child Justice can be emailed to Mrs C S Kok at [ckok@justice.gov.za](mailto:ckok@justice.gov.za) by 1 October 2010

Enquiries tel Mrs C S Kok: (012) 315 1259  
The document is also here: [www.pmg.org.za/policy\\_docs](http://www.pmg.org.za/policy_docs)

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**Comment: Transport Laws Repeal Bill [B19 -2010]**

The Portfolio Committee on Transport (National Assembly) invites all stakeholders and interested parties to submit written comments on the [Transport Laws Repeal Bill \[B19 -2010\]](#)

**The Bill seeks to repeal certain obsolete or redundant transport laws:** Amongst others,

Schedule 1 lists Acts that may be repealed in their entirety. For instance, the Schedule seeks to repeal some 20 Railway Construction Acts, dating back to 1939. These Acts authorised the construction of and equipment for railway lines at certain places in the country. The Schedule also seeks to repeal Acts that no longer serve any purpose. For example, the Railway and Harbours Strike and Service Amendments Act, 1914 (Act no. 7 of 1914), granted employees who did not take part in the 1914 strike, special leave, a bonus, a reward or special promotion. Since this Act no longer serves purpose it may be repealed.

**Public hearings will be conducted at Parliament on Tuesday, 7 and Wednesday, 8 September 2010.**

Comments can be emailed to the Committee Secretary Ms Dineo Martin at [dmartin@parliament.gov.za](mailto:dmartin@parliament.gov.za) by no later than 17:00 on Friday, 03 September 2010. Please indicate your interest in making a verbal presentation.

Enquiries tel Ms Dineo Martin: (021) 403 3601; cell 072 231 2337  
The Bill is also available here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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**Comment: Rental Housing Amendment Draft Bill**

The Department of Human Settlements has published the [Rental Housing Amendment Draft Bill](#), 2010 for public comment. A draft Bill together with a Memorandum on the Objects of the Bill is attached.

Interested persons and institutions can email comments to Phindile Fakude at [phindile.fakude@dhs.gov.za](mailto:phindile.fakude@dhs.gov.za) on or before the 31 August 2010

Enquiries tel Phindile Fakude : 012 421 1338

The Bill is also here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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**Please note request by Committee Secretary that Public Hearings scheduled for August 2010 has been postponed.**

**Dear Stakeholders**

Please be informed that the public hearings on the Intellectual Property Laws Bill, scheduled for August 2010, has been postponed. The Committee wishes to undertake further consultation with parties other than the Executive on deepening their understanding of this complex piece of legislation. Stakeholders will be informed timeously on the resumption of the public hearings.

**PLEASE NOTE: PUBLIC HEARINGS WILL BE SCHEDULED AT DATES YET TO BE DETERMINE.**

Our apologies for the inconvenience this may have caused. If you have any queries do not hesitate to contact me via email.

Regards,

André Hermans

PS: It would be appreciated if stakeholders can inform any other interested parties that do not appear on the mailing list

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The Portfolio Committee on Trade and Industry has published the [Intellectual Property Laws Amendment Bill \[B8-2010\]](#) for public comments

Comments can be emailed to the Committee Secretary: Mr Andre Hermans at [ahermans@parliament.gov.za](mailto:ahermans@parliament.gov.za). Please also indicate if you wish to make oral presentation.

Enquiries tel Mr Andre Hermans: 021 403 3776; cell 083 709 8482

The Bill is also available here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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**Comment: Action Draft Plan to 2014: Towards the Realisation of Schooling 2025**

The Department of Basic Education has released an [Action Draft Plan to 2014: Towards the Realisation of Schooling 2025](#) for public comment. This is after the Department has consulted the Council of Education Ministers and in terms of the National Education Policy Act (Act 27 of 1996).

Comments can be emailed to Mr P Njobe at [Njobe.P@dbe.gov.za](mailto:Njobe.P@dbe.gov.za) by no later than Friday, 27 August 2010. All comments should clearly indicate the following information about the commentator:

Name of commentator, and organisation represented;

- postal and email addresses; and
- telephone, fax and cell numbers (if available).

The document is also here: [www.pmg.org.za/policy\\_docs](http://www.pmg.org.za/policy_docs)

Enquiries tel Mr P Njobe: 012 357 4009 / 3000



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**Comment: Higher Education Laws Amendment Bill [B24 - 2010], Skills Development Levies Amendment Bill [B25 - 2010] and Higher Education and Training Laws Amendment Bill [B26 - 2010]**

The Portfolio Committee on Higher Education and Training invites stakeholders and interested parties to submit written submissions on the [Higher Education Laws Amendment Bill \[B24 – 2010\]](#), [Skills Development Levies Amendment Bill \[B25 – 2010\]](#) and [Higher Education and Training Laws Amendment Bill \[B26 – 2010\]](#).

**The purpose of the Higher Education Laws Amendment Bill [B24 – 2010]:** Amend the Higher Education Act, 1997, so as to amend certain definitions • To ensure that all higher education programmes offered in South Africa by a foreign juristic person are registered on the National Qualifications Framework • To ensure that higher education institutions may offer a degree, diploma or certificate only if it is registered on the National Qualifications Framework. The Skills Development Act, 1998, so as to amend certain definitions • To provide for the appointment of the chief executive officer of the QCTO and for the transfer to and appointment of staff to the QCTO • To further regulate the composition of the QCTO. The National Student Financial Aid Scheme Act, 1999, so as to amend certain definitions. The National Qualifications Framework Act, 2008, so as to amend a definition and delete another • To amend the application of the Act in order • To require that all qualifications offered in the Republic are registered on the National Qualifications Framework • To remove references in the said Act to the Minister of Labour; and to provide for matters connected therewith.

**The purpose of the Skills Development Levies Bill [B25 – 2010]:** To amend the Skills Development Levies Act, 1999, so as to amend the definitions of “Director-General” and “Minister”; and to provide for matters connected therewith.

**The purpose of the Higher Education Laws and Training Bill [B26 – 2010]:** Amend the Adult Basic Education and Training Act, 2000, so as to amend certain definitions • To make provision for the employment of educators at public centres by inserting provisions in the said Act with regard to employers of educators, salaries and other conditions of service of educators, the educator establishment, powers of employers, appointments and the filling of posts, the transfer of educators, the secondment of educators, the retirement of educators, the discharge of educators, incapacity and misconduct and the performance of other work by educators • To provide for transitional arrangements with regard to public centres • To make provision for the determination of national education policy for public centres, for directive principles of national education policy, for consultation on policy and legislation, for the publication of national education policy and for the monitoring and evaluation of adult education and training • To provide for quality assurance in respect of the qualifications offered by public and private centres • The Further Education and Training Colleges Act, 2006, so as to amend certain definitions • To make provision for the determination of national education policy for colleges, for directive principles of national education policy, for consultation on policy and legislation, for the publication of national education policy and for the monitoring and evaluation of further education and training • To make provision for the Council of Education Ministers and the Heads of Education Departments Committee and for their administrative functions • To provide for transitional arrangements with regard to colleges • To provide for quality assurance in respect of the qualifications offered by colleges • To provide for matters connected therewith.

Public hearings on all Bills will be conducted at Parliament on Tuesday **31 August 2010** and Wednesday **1 September 2010**.

Comments can be emailed to the Secretary of Portfolio Committee on Higher Education and Training, Mr Anele Kabingesi [akabingesi@parliament.gov.za](mailto:akabingesi@parliament.gov.za) by no later than **Thursday, 26 August 2010** at 12:00. Please indicate your interest in making a verbal presentation.

Enquiries tel Mr Anele Kabingesi: 021 403-3760 or cell 083 412 1585



The Bills are also available here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

Issued by: Mr M Fransman, MP and Chairperson: Portfolio Committee on Higher Education and Training.  
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**Comment: South African Reserve Bank Amendment Bill**

The **Select Committee on Finance** invites stakeholders and interested parties to submit written submissions on the [South African Reserve Bank Amendment Bill \[B10-2010\]](#)

- The South African Reserve Bank Amendment Bill seeks to amend the South African Reserve Bank Act (Act No 90 of 1989) in order to achieve the following objectives:
- To amend the South African Reserve Bank Act, 1989, as to provide for the amendment of certain definitions, the insertion of new definitions and the deletion of a definition;
- to provide for the establishment of a Panel for the election of directors to the Board and the functions of the Panel;
- to reinforce the requirements regarding the limitation on shareholding in the South African Reserve Bank and to prevent the abuse of those provisions
- to provide for the nomination of Directors by a broader base of the South African public and to broaden representation on the Board of the South African Reserve Bank;
- to define clear criteria regarding when persons are disqualified from serving on the Board;
- to provide for the confirmation of Board nominees against "fit and proper" and fiduciary criteria;
- to clarify the powers and functions of the Board; and
- to provide for the possibility of the Governor and Deputy Governors being re-appointed to serve terms of office of less than five years.

**Public hearings will be conducted at Parliament on the 25 August 2010.**

Submissions and your indication to make oral presentation can be emailed to the Committee Secretary, Mr Zolani Rento at [zrento@parliament.gov.za](mailto:zrento@parliament.gov.za) by no later than 12:00 on Monday, 23 August 2010.

Enquiries tel 021 403 8071 / cell 083 707 2188

The Bill is also here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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**Comment: Prevention and Combating of Trafficking in Persons Bill [B7 - 2010]**

The Portfolio Committee on Justice and Constitutional invites stakeholders and interested persons to submit written submissions on the [Prevention and Combating of Trafficking in Persons Bill \[B7 – 2010\]](#)

**The purpose of the Prevention and Combating of Trafficking in Persons Bill is to:**

- Give effect to the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children
- Supplementing the United Nations Convention against Transnational Organised Crime, 2000
- Provide for an offence of trafficking in persons and other offences associated with trafficking in persons
- Prevent and combat the trafficking in persons within or across the borders of the Republic
- Provide for measures to protect and assist victims of trafficking in persons
- Provide for the establishment of the Intersectoral Committee on Prevention and Combating of Trafficking in Persons
- Provide for matters connected therewith.

Comments can be emailed to the Secretary Mr V Ramaano at [vramaano@parliament.gov.za](mailto:vramaano@parliament.gov.za) by no later than 20 August 2010, 12:00 AM. Please indicate your interest in making a verbal presentation. Public hearings will be held in Parliament on 24 and 25 August 2010.

Enquiries tel Mr V Ramaano: (021) 403-3820 or 083 709 8427

Issued by Hon NA Ramathodi, MP, Chairperson: PC on Justice and Constitutional Development

The Bill is also here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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### **Comment: Births and Deaths Registration Amendment Bill [B18 - 2010]**

The Portfolio Committee on Home Affairs (National Assembly) encourages interested individuals and organisations to submit written comments on the [Births and Deaths Registration Amendment Bill \[B18 - 2010\]](#)

#### **The Bill seeks to:**

- Amend the South African Citizenship Act, 1995, so as to substitute, insert or delete certain definitions;
- Revise the provisions relating to acquisition of citizenship by birth, descent and naturalisation;
- Repeal or to substitute certain obsolete references;
- Effect certain technical corrections.

Public hearings on the Bill will take place on **24 August 2010** at Parliament.

Written submissions can be emailed to Committee Secretary: Mr. Eddy Mathonsi at [emathonsi@parliament.gov.za](mailto:emathonsi@parliament.gov.za) by no later than **6 August 2010 at 12:00**.

Enquiries tel : Mr. Eddy Mathonsi at tel. (021) 403-3826, cell: 084 630 1992 / 083 709 8523

Issued by: Mr B D Martins, MP, Chairperson of the Portfolio Committee on Home Affairs.

The Bill is also available here: <http://www.pmg.org.za/bill>

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### **Comment: South African Citizenship Amendment Bill [B17 - 2010]**

The Portfolio Committee on Home Affairs (National Assembly) encourages interested individuals and organisations to submit written comments on the [South African Citizenship Amendment Bill \[B17 - 2010\]](#)

#### **The Bill seeks to:**

- Amend the South African Citizenship Act, 1995, so as to substitute, insert or delete certain definitions;
- Revise the provisions relating to acquisition of citizenship by birth, descent and naturalisation;
- Repeal or to substitute certain obsolete references;
- Effect certain technical corrections.

Public hearings will take place on the 17 August 2010 at Parliament.

Written submissions can be emailed to Committee Secretary: Mr. Eddy Mathonsi at [emathonsi@parliament.gov.za](mailto:emathonsi@parliament.gov.za) by no later than **6 August 2010 at 12:00**.

**Enquiries tel :** Mr. Eddy Mathonsi at tel. (02)1 403-3826, cell: 084 630 1992 / 083 709 8523  
Issued by: Mr B D Martins, MP, Chairperson of the Portfolio Committee on Home Affairs.

The Bill is also available here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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**Please note request by Committee Secretary that Public Hearings scheduled for August 2010 has been postponed.**

**Dear Stakeholders**

Please be informed that the public hearings on the Intellectual Property Laws Bill, scheduled for August 2010, has been postponed. The Committee wishes to undertake further consultation with parties other than the Executive on deepening their understanding of this complex piece of legislation. Stakeholders will be informed timeously on the resumption of the public hearings.

**PLEASE NOTE: PUBLIC HEARINGS WILL BE SCHEDULED AT DATES YET TO BE DETERMINE.**

Our apologies for the inconvenience this may have caused. If you have any queries do not hesitate to contact me via email.

Regards,

André Hermans

PS: It would be appreciated if stakeholders can inform any other interested parties that do not appear on the mailing list

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The Portfolio Committee on Trade and Industry has published the [Intellectual Property Laws Amendment Bill \[B8-2010\]](#) for public comments

Comments can be emailed to the Committee Secretary: Mr Andre Hermans at [ahermans@parliament.gov.za](mailto:ahermans@parliament.gov.za). Please also indicate if you wish to make oral presentation.

Enquiries tel Mr Andre Hermans: 021 403 3776; cell 083 709 8482

The Bill is also available here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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**Comment: National Tourism Sector Draft Strategy**

The Department of Tourism has published the [Draft National Tourism Sector Strategy](#) for public comments.

Comments can be emailed to [strategy@tourism.gov.za](mailto:strategy@tourism.gov.za) by no later than 31 July 2010

Enquiries tel Lizzy Suping: 012 310 3310; cell 083 758 0553 / Ronel Bester: 021 465 7240; cell 083 242 7763

The document is also available here: [www.pmg.org.za/gazettes](http://www.pmg.org.za/gazettes)

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**Comment: National Waste Management Strategy**

The Department of Water and Environmental Affairs requests comment on its [Draft National Waste](#)

### Management Strategy.

Comments can be emailed to Ms Thandeka Mandigora at [tmandigora@deat.gov.za](mailto:tmandigora@deat.gov.za) by no later than 6 August 2010.

Enquiries tel Ms Thandeka Mandigora: 012 310 3220

The document is also here: [www.pmg.org.za/gazettes](http://www.pmg.org.za/gazettes)

### **Comment: Independent Police Investigative Directorate Bill [B15-2010] & Civilian Secretariat for Police Service Bill [B16-2010]**

The Portfolio Committee on Police invites interested stakeholders and persons to submit written comments on the [Independent Police Investigative Directorate Bill \[B15-2010\]](#) and [Civilian Secretariat for Police Service Bill \[B16-2010\]](#).

#### **The Independent Police Investigative Directorate Bill seeks:**

- To make provision for the establishment of the Independent Police Investigative Directorate and to regulate the functions of the directorate; to provide for the establishment of a Management Committee and Consultative forum and their respective functions; to provide for the appointment and powers of investigators; to provide for transitional arrangements, repeal and amendment of certain laws; and to provide for matters connected therewith.

#### **The Civilian Secretariat of Police Bill seeks:**

- To provide for the establishment of a Civilian Secretariat for the police service in the Republic; to define the objects, functions and powers of the Secretariat, and for this purpose, to align the operations of the Secretariat at the national and provincial spheres of government and reorganise the Secretariat into an effective and efficient organ of state; to regulate the appointment, duties and functions, powers and the removal from office of the Secretary for the police and heads of provincial secretariats; to provide for the establishment of a senior management forum and Ministerial Executive Committee, and co-operation with the Independent Police Investigative Directorate; to provide for intervention into the affairs of provincial secretariats by the Secretariat; and to provide for matters connected therewith.

Comments can be emailed to the Committee Secretary: Mr Luvo Nxelewa at [lnxelewa@parliament.gov.za](mailto:lnxelewa@parliament.gov.za) by no later than **26 July 2010**. Please indicate your interest in making a verbal presentation.

Enquiries tel Mr Luvo Nxelewa: 021 403-3734 or 074 674 1065

The Bills are also available here: <http://www.pmg.org.za/bill>

Issued by: Hon L S Chikunga, Chairperson: Portfolio Committee on Police.

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### **Comment: Defence Amendment Bill [B11-2010]**

#### **Please Note the deadline for public comments has been extended to 23 July 2010**

The Portfolio Committee on Defence and Military Veterans invites interested persons and stakeholders to submit written comments on the [Defence Amendment Bill \[B11-2010\]](#).

The Defence Amendment Bill [B11-2010] seeks to:

- Ensure that Reserve Force members can be utilised and required to perform service in the Defence Force at all times, including peacetimes, and
- Establish a permanent Defence Force Service Commission - a body that will advise the Minister of Defence and Military Veterans on the improvement of conditions of service of members of the South African National Defence Force (SANDF).

Interested stakeholders and persons are also invited to submit written comments on the proposed inclusion of an additional clause in the Defence Amendment Bill that will provide for the inclusive

definition of "Military Command". Section 202(1) of the South African Constitution requires the President to appoint the "Military Command of the Defence Force". The Defence Act (No 42 of 2002), however, does not define the concept "Military Command"; instead, sections 7(1) and 13(1) of the Defence Act only stipulate the appointment of the Secretary of Defence and the Chief of the SANDF by the President. An inclusive definition of the Military Command is therefore proposed, to include the appointment of the Chiefs of the Army, Air Force, Navy, Medical Health Services, Defence Intelligence and Joint Operations to this structure.

Comments can be emailed to the Committee Secretary: Ms Mandy Balie at [mbalie@parliament.gov.za](mailto:mbalie@parliament.gov.za) by **no later than 16 July 2010**.

Enquiries tel Ms Mandy Balie: 021 403 3673; cell 083 709 8431

The Bill is also available here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

Issued by: Mr MS Booï, MP and Chairperson of the Portfolio Committee on Defence and Military Veterans.

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**Comment: Participation of Municipal Staff Members as Candidates for National, Provincial and Municipal Elections: Regulations**

The Department of Cooperative Governance and Traditional Affairs asks you to comment on the draft regulations for [Participation of Municipal Staff Members as Candidates for National, Provincial and Municipal Elections](#), in accordance with section 71A read with sections 72 and 120 of the Local Government: Municipal Systems Act (No 32 of 2000).

Comments can be emailed to Mr Tebogo Motlashuping at [TebogoMo@cogta.gov.za](mailto:TebogoMo@cogta.gov.za) by **no later than 8 July 2010**.

Enquiries tel Mr Tebogo Motlashuping: 012 334 4900 / 012 334 4901

The document is also available here: [www.pmg.org.za/gazettes](http://www.pmg.org.za/gazettes)

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**Comment: ICASA Amendment Draft Bill [GovGazetteNo 33324 of 25 June 2010]**

The Department of Communications requests your comments on the [Independent Communications Authority of South Africa Amendment Draft Bill](#) which it intends to introduce during the course of the 2010 Parliamentary Programme.

Comments on the proposed Bill can be emailed to Lerato Monareng at [lerato@doc.gov.za](mailto:lerato@doc.gov.za) by **no later than 26 July 2010**.

Enquiries tel Lerato Monareng: (012) 427 8217 / (012) 427 8070

The Bill is also available here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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**Comment: Intellectual Property Laws Amendment Bill [B8-2010] - deadline change**

**Please not request by Committee Secretary to submit comments by 9 July 2010 as the Committee leaves for a study tour on 15 July. Public hearings have been postponed to August 2010.**

The Portfolio Committee on Trade and Industry has published the [Intellectual Property Laws Amendment Bill \[B8-2010\]](#) for public comments

Comments can be emailed to the Committee Secretary: Mr Andre Hermans at [ahermans@parliament.gov.za](mailto:ahermans@parliament.gov.za). Please also indicate if you wish to make oral presentation.

Enquiries tel Mr Andre Hermans: 021 403 3776; cell 083 709 8482

The Bill is also available here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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### **Comment: National Tourism Sector Draft Strategy**

The Department of Tourism has published the [Draft National Tourism Sector Strategy](#) for public comments.

Comments can be emailed to [strategy@tourism.gov.za](mailto:strategy@tourism.gov.za) by no later than 31 July 2010

Enquiries tel Lizzy Suping: 012 310 3310; cell 083 758 0553 / Ronel Bester: 021 465 7240; cell 083 242 7763

The document is also available here: [www.pmg.org.za/gazettes](http://www.pmg.org.za/gazettes)

### **Comment: Constitution Amendment Draft Bill, 2010, and the Superior Courts Bill, 2010**

The Department of Justice and Constitutional Development intends introducing the [Constitution Amendment Draft Bill, 2010](#), and the [Superior Courts Bill, 2010](#), in the National Assembly.

Comments can be emailed to Mr J A de Lange at [jdelainge@justice.gov.za](mailto:jdelainge@justice.gov.za) **by not later than 30 June 2010**

The Bills are also available here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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### **Comment: Sheriffs - Draft Amendment Regulations**

The Regulations relating to Sheriffs, 1990, made under section 62 of the Sheriffs Act, 1986 (Act 90 of 1986), were amended by Government Notice No. R.1293 published in Government Gazette No 31658 of 5 December 2008.

Since the commencement of the amending Regulations certain practical and other challenges have been experienced in the application thereof. Furthermore, certain views have also been expressed regarding the fact that some of the amending Regulations may possibly be *ultra vires*

The Department has considered those challenges and views and has prepared a set of [Draft Amending Regulations](#) that seeks to address those matters.

Comments on the draft amending Regulations can be emailed to Ms A van der Walt at [alvanderwalt@justice.gov.za](mailto:alvanderwalt@justice.gov.za) **by no later than 28 June 2010**

The document is also available here: [www.pmg.org.za/policy\\_docs](http://www.pmg.org.za/policy_docs)

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### **Comment: Protection of Information Bill [B6 - 2010]**

The Ad Hoc Committee on Protection of Information Legislation (National Assembly) invites interested individuals and organizations to submit written submissions on the [Protection of Information Bill \[B6 - 2010\]](#).

This Bill seeks: To provide for the protection of certain information from destruction, loss or unlawful disclosure; to regulate the manner in which information may be protected; to repeal the Protection of Information Act, 1982; and to provide for matters connected therewith.

Written submissions can be emailed to the Committee Secretary Ms Ntombe Mbuqe at [nmbuqe@parliament.gov.za](mailto:nmbuqe@parliament.gov.za) **by no later than Friday, 25 June 2010 at 12:00**

Public hearings for those selected for verbal presentations will be held at Parliament on Wednesday, 21 and Thursday, 22 July 2010.

Enquiries tel Ms Ntombe Mbuqe: 021 403-2319 / cell 083 709 8432

Issued by: Mr C V Burgess: Chairperson of the Ad Hoc Committee on the Protection of Information Legislation.

[Here is a list of Members of the Adhoc Committee](#)

The Bill is also available here: [www.pmg.org.za/bil](http://www.pmg.org.za/bil)

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### **Comment: Call Termination Draft Regulations**

The Independent Communications Authority of South Africa (herein after referred to as "the Authority")

released the Draft "Call Termination Regulations" [Part 1](#) [Part 2](#) and [Part 3](#) in Government Gazette Number 33121 of the 16th April 2010.

These draft regulations invited interested parties to submit written submissions to the Authority by the 2nd June 2010.

The Authority has received a number of requests for an extension of time for written submissions to these draft regulations.

The Authority has considered these requests and, given the intrusive nature of the price control proposal in these draft regulations, grants an extension of time for written submissions to the Draft Call Termination Regulations to the 18th June 2010.

Comments can be emailed to Peter Grootes at [pgrootes@icasa.org.za](mailto:pgrootes@icasa.org.za) or [pcokie@icasa.org.za](mailto:pcokie@icasa.org.za) **by no later than 18 June 2010.**

All written representations submitted to ICASA pursuant to this notice will be made available for inspection by interested persons at the ICASA library and copies of such representations will be obtainable on payment of the prescribed fee.

At the request of any person who submits written representations pursuant to this notice, ICASA will determine whether such representations or any portion thereof is confidential in terms of section 40 of the ICASA Act. If the request for confidentiality is refused, the licensee making the request will be allowed to withdraw such representations or portion thereof.

Persons interested in participating in public hearings must indicate such interest in their written submission.

Public hearings will be convened from the 28th to the 30th of June 2010.

Enquiries tel Peter Grootes: 011 566 3641

The document is also available here: [www.pmg.org.za/gazettes](http://www.pmg.org.za/gazettes)

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#### **Comment: Local Government: Municipal Systems Amendment Draft Bill**

The Department for Cooperative Governance and Traditional Affairs intends introducing the [Local Government: Municipal Systems Amendment Draft Bill](#) in the National Assembly in late July.

The draft Bill is published for public comment in terms of section 154(2) of the Constitution.

Comments on the Bill can be emailed to Mr J Maepa at [jackeym@cogta.gov.za](mailto:jackeym@cogta.gov.za) **by no later than 14 June 2010.**

Enquiries tel Mr J Maepa: 012 334 4943 / cell 082 775 1063

The Bill is also available here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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#### **Comment: National Strategy on Sustainable Development and Action Draft Plan**

The Department of Water and Environmental Affairs has published a [Draft National Strategy on Sustainable Development and Action Plan](#) that will operate between the years 2010 and 2014.

Comments can be emailed to Ms Dorah Nteo at [dnteo@deat.gov.za](mailto:dnteo@deat.gov.za) by no later than 14 June 2010

Enquiries tel Ms Dorah Nteo: 012 310 3813

The document is also available here: [www.pmg.org.za/gazettes](http://www.pmg.org.za/gazettes)

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#### **Comment & Public Hearings: Taxation Laws Amendment Draft Bill and Taxation Second Amendment Draft Bill**

National Treasury has published [Draft Taxation Laws Amendment Bill](#) and [Draft Taxation Second Amendment Bill](#) for public comment.

Here is a [Media Statement](#) and [Explanatory Memorandum of Taxation Laws Amendment Bill](#)

Comments can be emailed to the Committee Secretary: Bradley Viljoen at [bviljoen@parliament.gov.za](mailto:bviljoen@parliament.gov.za) **by no later than 11 June 2010**

Enquiries, tel Bradley Viljoen: 021 403 3759 / cell: 083 412 1475



[Media Statement on the Ongoing Investigation - Offshore Captives and Protected Cell Companies](#) has been published for public comment.

Comments can be emailed to Lutando Mvovo at [lutando.mvovo@treasury.gov.za](mailto:lutando.mvovo@treasury.gov.za) by no later than 16 July 2010.

**Issued by: National Treasury**

**Date: 10 May 2010**

The Bills are also available here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

Media Statements and Explanatory Memorandum are available here: [www.pmg.org.za/policy\\_docs](http://www.pmg.org.za/policy_docs)

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### **Comment & Public Hearings: Black Authorities Act Repeal Bill [B9-2010]**

In line with Parliament's objective of facilitating public participation, the Portfolio Committee on Rural Development and Land Reform will host public hearings on the [Black Authorities Act Repeal Bill \[B9-2010\]](#) on **Tuesday 20 and Wednesday 21 July 2010**. The purpose of the bill is to repeal the Black Authorities Act (Act No 68 of 1951) which:

- (a) established statutory "tribal", regional and territorial authorities to (amongst other things) generally administer the affairs of Blacks;
- (b) abolished the Black Representative Council established by section 20 of the Representative of Blacks Act, 1936 (Act No.12 of 1936);
- (c) amended the Black Affairs Act, 1920 (Act No. 73 of 1920), and the Representation of Blacks Act, 1936 (Act No.12 of 1936).

Comments can be emailed to Ms P Nyamza at [pyamza@parliament.gov.za](mailto:pyamza@parliament.gov.za) by no later than **Friday 11 June 2010**.

Stakeholders interested in making oral submissions are also requested to contact our office by no later than Friday 11 June 2010.

Enquiries tel Ms P Nyamza: 021 403 3852 cell 083 709 8492

The Bill is also here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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### **Comment: South African Reserve Bank Amendment Bill**

The Standing Committee on Finance invites stakeholders and interested parties to submit written submissions on the [South African Reserve Bank Amendment Bill \[B10-2010\]](#)

- The South African Reserve Bank Amendment Bill seeks to amend the South African Reserve Bank Act (Act No 90 of 1989) in order to achieve the following objectives:
- To amend the South African Reserve Bank Act, 1989, as to provide for the amendment of certain definitions, the insertion of new definitions and the deletion of a definition;
- to provide for the establishment of a Panel for the election of directors to the Board and the functions of the Panel;
- to reinforce the requirements regarding the limitation on shareholding in the South African Reserve Bank and to prevent the abuse. of those provisions
- to provide for the nomination of Directors by a broader base of the South African public and to broaden representation on the Board of the South African Reserve Bank;
- to define clear criteria regarding when persons are disqualified from serving on the Board;
- to provide for the confirmation of Board nominees against "fit and proper" and fiduciary criteria;
- to clarify the powers and functions of the Board; and
- to provide for the possibility of the Governor and Deputy Governors being re-appointed to serve terms of office of less than five years.

Public hearings will be conducted at Parliament from 2 to 4 June 2010.

Submissions and your indication to make oral presentation can be emailed to the Committee Secretary, Mr Bradley Viljoen at [bviljoen@parliament.gov.za](mailto:bviljoen@parliament.gov.za) by no later than **12:00 on Friday, 28 May 2010**.



Enquiries tel 021 403 3759 / cell 083 412 1475  
The Bill is also here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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### **Invitation for Public Submissions- by Constitutional Review Committee**

In terms of Section 45(1)(c) of the Constitution of the Republic of South Africa, 1996, the Constitutional Review Committee must review the [Constitution](#) annually. Members of the public are therefore invited to make written submissions to the Committee on specific sections of the Constitution that they feel need to be reviewed.

Comments can be emailed to Committee Secretary Ms Pat Jayiya at [pjayiya@parliament.gov.za](mailto:pjayiya@parliament.gov.za) by no later than 28 May 2010.

Enquiries tel Ms Pat Jayiya: 021 403-3661 / cell: 083 709 8453.

Issued by: Adv SP Holomisa, MP and Mr BA Mnguni, Mp, Co-chairpersons: Constitutional Review Committee.

The Constitution is also available here: [www.pmg.org.za](http://www.pmg.org.za)

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### **Comment: Increased inmate labour, Inmate privileges and particularly on how social reintegration can be promoted to ensure a reduction in recidivism**

Section 40 of the Correctional Services Act (1998) requires that "sufficient work must as far as is practicable be provided to keep sentenced offenders active for a (normal working day)" and that "such work must as far as practicable be aimed, at providing such offenders with skills in order to be gainfully employed in society on release".

**The Portfolio Committee on Correctional Services recognises the value work programmes can add, not only to the rehabilitation and reintegration of offenders, but also as far as increasing the Department of Correctional Services' self-sufficiency, especially at correctional centre-level, thereby contributing to more efficient use of taxes and, in line with government priorities, ensuring that all South Africans feel and are safe.**

Latest figures indicate that incarceration costs taxpayers more than R200 per offender per day. The average offender spends up to 23 hours of that day locked behind bars in 'often overcrowded cells. Such idleness not only promotes ill-discipline and despondency, but also wastes human energy that could be utilised in work activities that can develop a healthy work ethic, and a sense of social responsibility while reducing the cost of incarceration by using inmate labour to, for example, clean prison grounds, do minor repairs and prepare meals.

It is speculated that between 55% and 95% of those released from prison, 're-offend. While the DCS has a responsibility to ensure that offenders sentenced to their care are provided with the necessary programmes to address their offending behaviour, thereby ensuring that upon release they are law-abiding citizens able to positively contribute to society, broader society has a role to play in ensuring that those who have served their sentences, are given fair opportunity to reintegrate and are not discriminated against.

The Committee is cognisant of the human rights aspects to be considered when advocating for increased inmate labour and realises that given the prevalence of crime and unemployment in South Africa, the acceptance of ex-offenders, and creation of work for those in prison are thorny issues, demanding evaluation by parliamentarians, the Department of Correctional Services, relevant research and non-governmental organisations, the business sector, and especially ordinary citizens who are often most

affected by crime.

The Committee hereby calls for public comment on increased inmate labour, inmate privileges and particularly on how social reintegration can be promoted to ensure a reduction in recidivism. Public hearings will be held towards the end of May, and some contributors may be selected to present their views to the Committee at Parliament.

Written comment, indicating availability to make an oral submission, can be emailed to the Committee Secretary Cindy Balie at [cbalie@parliament.gov.za](mailto:cbalie@parliament.gov.za) by Friday, 7 May 2010 at 17:00.

Enquiries tel Cindy Balie: 021 403-3667 or 073 158 4696.

Issued by: Hon VG Smith, Mp, Chairperson: Portfolio Committee on Correctional Services.

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### **Comment and Public Hearings: Changes to Municipal Property Rates Act**

The Department of Cooperative Governance and Traditional Affairs will conduct public hearings in the nine provinces to solicit the views of the public on the Municipal Property Rates Act (Act 6 of 2004) with a view to amend the Act where necessary.

Comments can be emailed to Nkanyiso Ndadane at [NkanyisoN@cogta.gov.za](mailto:NkanyisoN@cogta.gov.za) or Veronica Mafokho at [mpira@cogta.gov.za](mailto:mpira@cogta.gov.za) by no later than 3 May 2010. Submissions received after this date will not be considered.

Enquiries tel Veronica Mafokho: 012-334-4932

#### **Here are the relevant documents:**

[Guide to the Municipal Property Rates Act Amendments](#)

[Municipal Property Rates Amendment Act, 2009](#)

[Municipal Property Rates Act \(Act 6 of 2004\)](#)

Members of the public are invited to the public hearings scheduled to take place in the various provinces as follows :

**(Note: In respect of the Free State and Western Cape valid identity documents are required for gaining access to the venue)**

| <b>PROVINCE</b>     | <b>DATE OF PUBLIC HEARING</b> | <b>VENUE</b>  | <b>TIME</b> |
|---------------------|-------------------------------|---|-------------|
| <b>EASTERN CAPE</b> | Tuesday 6 April 2010          | Provincial Legislature, Independence Avenue, Bhisho               | 09h00       |
| <b>NORTH WEST</b>   | Friday 9 April 2010           | Provincial Legislature, Dr James Moroka Drive, Mmabatho           | 09h00       |
| <b>LIMPOPO</b>      | Monday 12 April 2010          | Jack Botes Hall, corner Kerk and Bodenstien street, Polokwane     | 09h00       |
| <b>FREE STATE</b>   | Thursday 15 April 2010        | The Chamber, Fourth Raadsaal, President Brand Street Bloemfontein | 09h00       |
| <b>MPUMALANGA</b>   | Monday 19 April 2010          | Nelsville Hall, Grace street, Nelsville, Nelspruit                | 09h00       |
| <b>NOTHERN CAPE</b> | Thursday 22 April 2010        | Provincial Legislature,   | 09h00       |

|                      |                         |   |       |
|----------------------|-------------------------|---|-------|
|                      |                         | <b>Northern Noben Bula Extension, Galeshewe, Kimberly</b>                                     |       |
| <b>GAUTENG</b>       | Monday 26 April 2010    | Johannesburg City Hall, Corner Harris and President Streets, Johannesburg                     | 09h00 |
| <b>KWAZULU-NATAL</b> | Wednesday 28 April 2010 | The Chamber, KwaZulu-Natal Provincial Legislature, 239 Langalibalele street, Pietermaritzburg | 09h00 |
| <b>WESTERN CAPE</b>  | Friday 30 April 2010    | Old Assembly Chamber in Parliament, 120 Plein street, Cape Town                               | 09h00 |

Please email Mlulami Dodo at [mlulami@pmg.org.za](mailto:mlulami@pmg.org.za) if you cannot access the documents

### **Comment on Service Delivery**

The National Assembly has established the **Ad Hoc Committee on Service Delivery** to conduct co-ordinated oversight on service delivery under the theme "Working together to ensure the delivery of quality service to communities". The mandate of the Committee will be to enquire into the progress with regard to service delivery and, where protests took place, what the challenges are in order to table a report to the National Assembly with clear achievable recommendations and a proposed implementation plan.

To this end, the Committee will undertake co-ordinated visits in rural and urban areas and conduct public hearings at Parliament and in the provinces. The public hearings at Parliament will take place from 2 - 4 February 2010.

During its visit to the provinces, the Committee will undertake site inspections and meet with members of the communities, Local Government officials, Provincial Government Department officials, ward committees, civil society organisations and members of the business fraternity.

Members of the public are invited to the public hearings that are, scheduled to take place in the various provinces as follows:

| <b>Province</b> | <b>Venue</b>   | <b>Date</b>                          | <b>Time</b> |
|-----------------|--|--------------------------------------|-------------|
| Mpumalanga      | eMkhondo Local Municipality<br>Dipaleseng Local Municipality             | 22 February 2010<br>24 February 2010 | 16:00       |
| Eastern Cape    | Buffalo City Local Municipality Great Kei<br>Local Municipality          | 22 February 2010<br>24 February 2010 | 16:00       |
| Western Cape    | City of Cape Town  | 22 February 2010<br>24 February 2010 | 16:00       |
| Gauteng         | Nokeng Tsa Taemane<br>Emfuleni Local Municipality                        | 15 March 2010<br>17 March 2010       | 16:00       |
| Free State      | Kopanong Local Municipality<br>Nala Local Municipality                   | 15 March 2010<br>17 March 2010       | 16:00       |
| North West      | Greater Taung Local Municipality<br>Ramotshere Moiloa Local Municipality | 15 March 2010<br>17 March 2010       | 16:00       |
| Limpopo         | Thulamela Local Municipality   | 19 April 2010                        | 16:00       |
| Northern Cape   | Dikgatlong Local Municipality  | 19 April 2010                        | 16:00       |
| KwaZulu-Natal   | eThekweni Metro Municipality<br>Msunduzi Local Municipality              | 19 April 2010<br>21 April 2010       | 16:00       |

**Provincial submissions should be submitted by no later than dates listed below:**

| Provinces                                  | Date             |
|--|------------------|
| Mpumalanga<br>Eastern Cape<br>Western Cape | 12 February 2010 |
| Gauteng<br>Free State<br>North West        | 1 March 2010     |
| Limpopo<br>Northern Cape<br>KwaZulu-Natal  | 8 April 2010     |

Comments can be emailed to Mr L Nxelewa at [lnxelewa@parliament.gov.za](mailto:lnxelewa@parliament.gov.za) or Ms A Mtiya at [amtiya@parliament.gov.za](mailto:amtiya@parliament.gov.za) by no later than 22 January 2010

Enquiries tel Mr L Nxelewa: (021) 403 3734 or Ms A Mtiya: (021) 403 3740

**Issued by Ms SL Tsenoli (Chairperson of the Ad hoc Committee on Service Delivery)**

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**Comment: Road Accident Fund Restructuring Draft Policy (RAF No Fault Policy)**

The Department of Transport has published the [Draft Policy on the Restructuring of the Road Accident Fund on a No Fault Basis and as Compulsory Social Insurance in Relation to the Comprehensive Social Security System](#) for public comments as approved by Cabinet.

Comments can be emailed to Ms Nthabiseng Mokobodi at [rabspolicy@dot.gov.za](mailto:rabspolicy@dot.gov.za) by no later than 14 April 2010.

Enquiries: Ms Nthabiseng Mokobodi at (012) 309 3980

The document is also here: [www.pmg.org.za/policy\\_docs](http://www.pmg.org.za/policy_docs)

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**The Gambling Review Commission public hearings will take place as follows:**

| Dates         | City/Town       | Conference Venue                        | Time      |
|---------------|-----------------|---|-----------|
| 15 March 2010 | Worcester       | Protea Hotel:<br>Cumberland             | 9am – 2pm |
| 15 March 2010 | Vryburg         | Banguet Hall: Vryburg                   | 9am – 2pm |
| 16 March 2010 | Brits           | Ukuthula Lodge                          | 9am – 2pm |
| 16 March 2010 | Cape Town       | Protea Hotel: Sea Point                 | 9am – 2pm |
| 17 March 2010 | Mitchells Plein | East Reach Community<br>Centre          | 9am – 2pm |
| 18 March 2010 | Polokwane       | Protea Hotel: Landmark                  | 9am – 2pm |
| 18 March 2010 | Kimberly        | Floors Civic Hall –<br>Square Hill Park | 9am – 2pm |
| 19 March 2010 | Burgersfort     | Greater Tubatse<br>Municipal Chamber    | 9am – 2pm |
| 19 March 2010 | Kuruman         | Civic Centre<br>Wrenchville             | 9am – 2pm |
| 23 March 2010 | Pretoria        | Manhattan Hotel                         | 9am – 2pm |
| 23 March 2010 | Empangeni       | Protea Hotel: Umvubu                    | 9am – 2pm |
| 24 March 2010 | Vereneeging     | Vereneeging Town Hall                   | 9am – 2pm |
| 24 March 2010 | Durban          | Southern Sun Elangeni                   | 9am – 2pm |
| 25 March 2010 | Johannesburg    | Sandton Conventional<br>Centre          | 9am – 2pm |

|               |              |                                       |           |
|---------------|--------------|---------------------------------------|-----------|
| 25 March 2010 | Nelspruit    | Orion Hotel: Promenade                | 9am – 2pm |
| 26 March 2010 | Witbank      | Protea Hotel: Witbank                 | 9am – 2pm |
| 29 March 2010 | Umtata       | Garden Court: Umtata                  | 9am – 2pm |
| 29 March 2010 | Welkom       | Ferdie Meyer Hall:<br>Ballroom        | 9am – 2pm |
| 30 March 2010 | Bloemfontein | Protea Hotel:<br>Bloemfontein Central | 9am – 2pm |
| 30 March 2010 | East London  | Premier Hotel: Regent                 | 9am – 2pm |

The public can also forward their written submissions by 5 April 2010, to Ms. Pinky Mothabi on email: [PMothabi@thedti.gov.za](mailto:PMothabi@thedti.gov.za)

After considering all relevant aspects of gambling, including assessment of all reports from the hearings and written submissions, the Gambling Review Commission will make recommendations to Minister Rob Davies. Based on the recommendations, the Minister will table to Parliament the policy position regarding the proliferation of legal and illegal gambling activities in South Africa.

This review process will assist Government to assess whether there is a need to curtail gambling activities or consider requests to expand such activities, considering the current number of casinos, Limited Payment Machines and bingo outlets already licensed, says Ntuli.

The scope of the Gambling Review Commission covers, amongst others:

- The social effects of gambling and mechanisms in place to address them
- Commitment of the industry to social investment
- Evaluate the adequacy of the regulatory framework to accommodate and effectively deal with the impact of technology and new trends, and
- The effectiveness of current regulation, control and enforcement structures

The Gambling Review Commission is chaired by Ms Astrid Ludin and members comprise of Ms Adheera Bodasing, Professor Sipiwe Nzimande, Mr Clement Manny and Dr Stephen Louw. These members bring together different expertise and experiences in the area of gambling policy and law.

Queries: Director Media Relations and Publicity, Sidwell Moloantoa Medupe, Tel: (012) 394 1650, Mobile: 073 522 6801, E-mail: [MSMedupe@thedti.gov.za](mailto:MSMedupe@thedti.gov.za)

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#### **Comment & Public Hearings: Social Assistance Amendment Bill [B5 - 2010]**

The Portfolio Committee on Social Development (National Assembly) will conduct public hearings on the [Social Assistance Amendment Bill \[B5 - 2010\]](#)

The Social Assistance Amendment Bill aims to:

- Amend the Social Assistance Act, 2004, so as to insert a definition;
- Further regulate the eligibility for a disability grant;
- Enable applicants and beneficiaries to apply to the Agency to reconsider its decision;
- Further regulate appeals against decisions of the Agency;
- Effect certain textual corrections; and
- Provide for matters connected therewith.

Interested individuals, organisations, communities and groups can email comment in any of South Africa's official languages to Ms Zola Vice at [zvice@parliament.gov.za](mailto:zvice@parliament.gov.za) by 16 April 2010.

Those who are interested to make further oral presentations should indicate that on their submissions.

Public hearings will take place on 20 - 21 April 2010 from 09:00 to 12:30 at Old Assembly Chamber,

Ground Floor, Old Assembly Wing, Parliament, Cape Town.

Enquiries tel Ms Zola Vice, Committee Secretary: (021) 403-3755 or cell: 083 709 8397.

Issued by: Chairperson of the Portfolio Committee on Social Development, Hon Yolanda Botha, MP.

The Bill is also here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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### **Comment & Public Hearings: Appropriation Bill [B3-2010]**

The Standing Committee on Appropriations invites stakeholders and interested parties to submit written submissions on the [Appropriation Bill \[B3-2010\]](#). The Bill was tabled together with the 2010/2011 Budget on 17 February 2010.

**The Money Bills Amendment Procedure and Related Matters, Act No 9 of 2009, requires Parliament to conduct public hearings and to report on the Appropriation Bill. This Bill provides for the appropriation of money from the National Revenue Fund for the requirements of the State for the 2010/11 financial year.**

Public hearings will be conducted at Parliament on Tuesday, 4 May 2010.

Submissions can be emailed to the Committee Secretary, Ms Thoko Xaso, at [txaso@parliament.gov.za](mailto:txaso@parliament.gov.za) by no later than 12:00 on Tuesday, 27 April 2010.

Enquiries tel Ms Thoko Xaso: 021 403-3716 / cell: 083 709 8489

Issued by: Hon EM Sogoni, MP, Chairperson: Standing Committee on Appropriations (National Assembly).

The Bill is also available here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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### **Comment & Public Hearings: Division of Revenue Bill [B4 - 2010] Part 1 & Part 2**

#### **Submissions and Hearings**

The Select Committee on Appropriations invites stakeholders and interested parties to submit written submissions on the Division of Revenue Bill [B4-2010] that was tabled together with the 2010/2011 Budget on 17 February 2010.

The Money Bills Amendment Procedure and Related Matters Act No 9 of 2009 requires Parliament to conduct public hearings and to report on the Division of Revenue Bill. This Bill provides for the equitable division of revenue raised nationally among the national, provincial and local spheres of government for the 2010/11 financial year and the responsibilities of all three spheres.

Public hearings will be conducted in Parliament on Friday, 5 March 2010.

Comments can be emailed to the Committee Secretary, Mr Lubabalo Nodada at [lnodada@parliament.gov.za](mailto:lnodada@parliament.gov.za) by no later than 12:00 on Thursday, 4 March 2010.

Enquiries tel Mr Lubabalo Nodada: (021) 403-3669 / Cell 083 412 1526

Issued by: Hon. TE Chaane, MP, Chairperson: Select Committee on Appropriations (National Council of Provinces)

The Bill is also here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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## **Submissions and Public Hearings: The South African Post Office Bill (B2 – 2010)**

The Portfolio Committee on Communications invites stakeholders and interested persons to submit written submissions on the [South African Post Office Bill \(B2 – 2010\)](#).

### **The object of the South African Post Office Bill is to:**

- Provide for the continued existence of the South African Post Office Limited
- Provide for the governance of the Post Office
- Provide for the separation of accounts of the Post Office between reserved and unreserved postal services
- Ensure the provision of universal, accessible, reliable and affordable postal services
- Ensure the provision of a wide range of postal services in the interest of the economic growth and the development of the Republic
- Encourage the development of human resources and capacity building within the postal industry, especially among historically disadvantaged groups.

Submissions must be received by no later than 16:00 on 16 March 2010. Please indicate your interest in making a verbal presentation. Public hearings will be held in Parliament on 23 March 2010.

Submissions can be emailed to Mr T Ngoma at [tngoma@parliament.gov.za](mailto:tngoma@parliament.gov.za) or Ms A Nel at [anel@parliament.gov.za](mailto:anel@parliament.gov.za) by no later than 16:00 on 16 March 2010. Please indicate your interest in making a verbal presentation. Public hearings will be held in Parliament on 24 March 2010.

Enquiries tel Mr T Ngoma: (021) 403-3733 cell: 072 145 9368 or Ms A Nel: (021) 403-3782, cell: 083 709 8391

Issued by the Hon I Vadi, MP: Chairperson, PC on Communications.

The Bill is also here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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### **Comment: Criminal Procedure Amendment Bill**

The Department of Justice and Constitutional Development is requesting comment on a draft bill, the Criminal Procedure Amendment Bill, 2010

The purpose of the [Criminal Procedure Amendment Bill](#), 2010 is to amend the Criminal Procedure Act, 1977, so as to bring the provisions relating to the use of force when effecting an arrest into line with a judgment of the Constitutional Court, as discussed in the (draft) Memorandum on the Objects of the Bill. Comments can be emailed to Mr J A de Lange at [jdelange@justice.gov.za](mailto:jdelange@justice.gov.za) **on or before 24 March 2010**.

The Bill is also here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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## **Submissions and Public Hearings: The South African Postbank Bill [B14 – 2009]**

The Portfolio Committee on Communications invites stakeholders and interested persons to submit written submissions on the [South African Postbank Bill \[B14 – 2009\]](#).

The object of the South African Postbank Bill is to provide for the incorporation of the Postbank Division of the Post Office as a legal person with the aim of:

- Conducting the business of a bank that will encourage and attract savings amongst the people of the Republic;
- Rendering transactional services and lending facilities through, amongst others, the existing infrastructure of the Post Office; and
- Developing into a bank of first choice, in particular to communities that have little or no access to commercial banking services or facilities.

Submissions can be emailed to Mr TT Ngoma at [tngoma@parliament.gov.za](mailto:tngoma@parliament.gov.za) or Ms A Nel at [anel@parliament.gov.za](mailto:anel@parliament.gov.za) by no later than 16:00 on 16 March 2010. Please indicate your interest in making a verbal presentation. Public hearings will be held in Parliament on 24 March 2010.

Enquiries tel Mr TT Ngoma: (021) 403-3733 cell: 072 145 9368 or Ms A Nel: (021) 403-3782, cell: 083 709 8391

Issued by the Hon I Vadi, MP: Chairperson, PC on Communications.



The Bill is also here: [www.pmg.org.za/bill?year=2009](http://www.pmg.org.za/bill?year=2009)

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#### **Comment: Magistrates' Courts Amendment Bill, 2010**

The Department of Justice and Constitutional Development is requesting comment on a draft bill, the Magistrates' Courts Amendment Bill, 2010.

The objects of the [Magistrates' Courts Amendment Bill, 2010](#) is to amend the Magistrates' Courts Act, 1944 so as to regulate anew the qualifications required for the appointment of a person as a magistrate, additional magistrate and magistrate of a regional division; to further regulate the inclusion of magistrates of regional divisions on the list of magistrates who may adjudicate on civil disputes; and to authorise the Minister to further regulate the conditions relating to the authorisation of a person to serve process of court or other documents on behalf of a public body.

See the end of the Bill, Paragraph 3, for a discussion on the proposed amendments.

Comments on the proposed amendments can be emailed to Mr S J Robbertse at [srobbertse@justice.gov.za](mailto:srobbertse@justice.gov.za) on or **before 19 March 2010**.

The Bill is also here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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#### **Comment: Judicial Matters Amendment Bill, 2010**

The Department of Justice and Constitutional Development is requesting comment on a draft bill, the Judicial Matters Amendment Bill, 2010.

The purpose of the [Judicial Matters Amendment Bill, 2010](#) is to effect amendments to various Acts, most of which are administered by the Department and which do not require individual amendment Acts. Amendments to Acts not administered by the Department have been prepared in consultation with the relevant Departments. The Memorandum at the end of the Bill provides the reasons for these amendments.

Comments on the Bill can be emailed to Mr S J Robbertse at [srobbertse@justice.gov.za](mailto:srobbertse@justice.gov.za) on or **before 19 March 2010**.

The Bill is also here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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#### **Comment & Public Hearings: Department of Human Settlements Budget 2010/11**

##### **PUBLIC HEARINGS Budget Vote 30 of the Department of Human Settlements**

The Portfolio Committee on Human Settlements will consider the [Budget Allocated to the Department of Human Settlements](#).

Comments can be emailed to the Committee Secretary Ms Koliswa Pasiya at [kpasiya@parliament.gov.za](mailto:kpasiya@parliament.gov.za) by no later than 12:00 on Friday, 12 March 2010.

Public hearings will be held in Parliament on 17 and 19 March 2010.

Please indicate your interest in making a verbal presentation. The Committee reserves the right to decide on who should be invited to make a verbal presentation.

Enquiries tel Koliswa Pasiya: (021) 403-3725 / Cell 083 709 8495

Issued by: Ms BN Dambuza, MP and Chairperson of the Portfolio Committee on Human Settlements

The document is also here: [www.pmg.org.za/policy\\_docs](http://www.pmg.org.za/policy_docs)

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#### **Comment: SA National Cybersecurity Policy**

The Department of Communications requests comments on its Draft [South African National Cybersecurity Policy](#) made in terms of section 3(1) of Electronic Communications Act, 2005.

Comments can be emailed to Mr Jabu Radebe at [cybersecurity@doc.gov.za](mailto:cybersecurity@doc.gov.za) by 19 March 2010.

Enquiries tel Mr. Jabu Radebe: (012) 427 8038

Issued by Gen (Ret) Sipiwe Nyanda: Minister of Communications

The document is also here: [www.pmg.org.za/policy\\_docs](http://www.pmg.org.za/policy_docs)

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### **Comment: Judicial Matters Amendment Bill, 2010**

The Department of Justice and Constitutional Development is requesting comment on a draft bill, the Judicial Matters Amendment Bill, 2010.

The purpose of the [Judicial Matters Amendment Bill, 2010](#) is to effect amendments to various Acts, most of which are administered by the Department and which do not require individual amendment Acts. Amendments to Acts not administered by the Department have been prepared in consultation with the relevant Departments. The Memorandum at the end of the Bill provides the reasons for these amendments.

Comments on the Bill can be emailed to Mr S J Robbertse at [srobbertse@justice.gov.za](mailto:srobbertse@justice.gov.za) on or before **19 March 2010**.

The Bill is also here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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### **Comment: Companies Draft Regulations**

The Department of Trade and Industry has published the Companies Draft Regulations for public comment.

Comments can be emailed to Mr MacDonald Netshitenzhe at [MNetshitenzhe@thedti.gov.za](mailto:MNetshitenzhe@thedti.gov.za) by no later than 1 March 2010.

Enquiries tel Mr MacDonald Netshitenzhe: 012 394 1510

The Draft Companies Regulations are in 6 parts:

- [Notice part 1](#)
  - [Notice part 2](#)
  - [Notice part 3](#)
  - [Notice part 4](#)
  - [Notice part 5](#)
  - [Notice part 6](#)
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### **Comment: Icasa Discussion document: Ownership and Control**

The Independent Communications Authority of South Africa gives a notice of its intentions, in terms of the Electronic Communications Act, 2005 to publish its discussion document on [Ownership and Control](#) issues.

Comments can be emailed to Mrs Nkulumo Ndlovu at [nndlovu@icasa.org.za](mailto:nndlovu@icasa.org.za) or [lpholosi@icasa.org.za](mailto:lpholosi@icasa.org.za) by no later than 19 February 2009.

Enquiries: Mrs Nkulumo Ndlovu: (011) 566 3055 / (011) 566 3247

The document is also here: [www.pmg.org.za/gazettes](http://www.pmg.org.za/gazettes)

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The Authority will consider all submissions when drafting regulations for further public comment. In order to facilitate focused discussion, each section of this discussion document is accompanied by a set of questions which should be engaged by all stakeholders.

The Authority may publish all or any part of the written submissions on its website

[www.icasa.org.za](http://www.icasa.org.za). The Authority will consider stakeholders to have consented to the publishing by making a submission, unless it is clearly specified otherwise in a submission.

Stakeholders are kindly advised to indicate any objection to the release of information contained in a submission, which is considered as confidential. Motivations in this regard shall include reason(s) for such information not to be made public. The Authority will take into account all such objections when responding to requests for copies and information on submissions to this document.

Persons submitting written representations are further invited to indicate, as part of their submissions, whether they require an opportunity to make oral representations and the estimated duration thereof, which duration shall not exceed one hour.

The Authority will review and analyze all submissions received from stakeholders in response to this DISCUSSION DOCUMENT. Findings emanating from this consultation exercise will form a foundation in

the development of draft regulations for further public consultation.

## **PARIS MASHILE CHAIRPERSON**

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### **Comment: Improve Basic Education**

Parliament's Portfolio Committee on Basic Education is shifting its focus towards the delivery of, and challenges facing, quality education in South Africa.

This after the Committee noted areas of concern, particularly with regard to equal access to quality education by all categories of learners and questionable levels of learning outcomes.

The Committee is now calling for written submissions on aspects affecting quality outcomes in primary and high schools. Those aspects include the following:

- curriculum content
- teacher development
- class size
- managerial capacity at schools
- orientating schools towards specialisation
- values in education.

Submissions are also invited on the issue of access to education. This pertains to such issues as geographic location of schools and infrastructure; language barriers; homeless children/orphans; children in trouble with the law and education in prisons and inclusive education.

Through these submissions, the Committee aims to obtain first-hand information on the pressure points and to find mutual solutions that would make positive contribution towards improving areas of concern within the basic education system.

All stakeholders and teachers in particular are urged to contribute and send their submissions by 28 February 2010.

Submissions should be emailed to Committee Secretary: Mr Llewellyn Brown, Committee Secretary at [lbrown@parliament.gov.za](mailto:lbrown@parliament.gov.za) by no later than 28 February 2010

Enquiries tel Mr Llewellyn Brown: (021) 403 3764, cell 083 709 8450

*Issued by Parliamentary Communication Services*

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### **Comment: Tax Administration Draft Bill**

#### **Release of the Draft Tax Administration Bill for Public Comment**

##### **Background**

The drafting of the Tax Administration Bill (TAB) was announced in the Budget Review 2005 as a project "to incorporate into one piece of legislation certain generic administrative provisions, which are currently duplicated in the different tax Acts. These provisions include, for example, the objection and appeal procedures, search and seizure provisions, provisions relating to secrecy and collection processes." The scope of the project has since been extended so that it can now be seen as a preliminary step to the re-write of the Income Tax Act, 1962. It will assist in dividing the work of the re-write into more manageable parts, since the administrative part of the Act comprises about 25% of the Act.

##### **Objects of the TAB**

Generally, the TAB seeks to provide a single body of law that outlines common procedures, rights and remedies and to achieve a balance between the rights and obligations of both SARS and taxpayers in a transparent relationship. The TAB takes account of the constitutional rights of taxpayers but does not seek to re-codify them, since all legislation - including the TAB - must be read together with the Constitution.

The drafting of the TAB focused on reviewing the current administrative provisions of the tax Acts administered by SARS, excluding the Customs & Excise Act, 1964, and harmonising these provisions

across taxes as far as possible. The drafting of the TAB was also informed by a comparative evaluation of the tax administration laws of other countries and involved the assistance of international tax experts and local constitutional experts.

### **Presentation of the TAB**

The layout of the TAB largely follows the administrative “life cycle” of a taxpayer. The TAB begins with general provisions and registration, runs through assessment and recovery of tax, and concludes with the reporting of unprofessional conduct and transitional provisions. Measures to assist in understanding the TAB include shorter sections, shorter sub-sections and the use of less formal language.

### **Noteworthy changes in the TAB**

Apart from consolidating and harmonising existing provisions, the TAB seeks to provide a foundation for further modernisation of the administration of the tax Acts and to close certain gaps identified by the review and experts mentioned above. Some examples of the changes are as follows.

- The introduction of a framework for the single registration of taxpayers for all tax types.
- The extension of third party information reporting for purposes of, amongst others, the pre-population of returns.
- The reservation of more serious powers for senior SARS officials only.
- The extension of SARS’s information gathering powers, including interviews at SARS offices and the gathering of information in respect of identified classes of taxpayers.
- The provision of monthly audit reports to a taxpayer undergoing a field audit and notice of final conclusion of the audit, including a letter of findings a taxpayer may respond to before an assessment is issued.
- The separation of audits and criminal investigations by SARS to ensure that the rights of taxpayers who are suspects in a criminal investigation are given effect to.
- The power to conduct a search and seizure without a warrant if such warrant cannot be obtained in time to prevent the imminent removal or destruction of records.
- The insertion of a requirement that an assessment that is not issued in accordance with a return be accompanied by a statement on the grounds for the assessment
- The insertion of a number of provisions to deal with the securing of the collection of taxes that would otherwise be in jeopardy due to the actions of a taxpayer, including the right to issue an assessment in advance of the date it would normally be issued and to seize a taxpayer’s assets for up to 24 hours while a court is approached to prevent the dissipation of the assets.
- The publication of all judgments of the Tax Court in a form that does not reveal the taxpayer’s identity, whether marked reportable or not, to ensure that taxpayers and SARS are placed on an equal footing with respect to knowledge of these persuasive judgments.
- The creation of a framework to support the modernisation of SARS’s accounting system, within which—
  - a single taxpayer account with a “rolling balance” may be created,
  - instalment payment arrangements may be approved,
  - new payment allocation rules may be applied, for example the application of the First-In-First-Out rule, and
  - interest provisions may be aligned across taxes and interest due or payable may be calculated on a compound basis.

- The replacement of the discretionary system of imposing additional tax of up to 200% to penalise non-compliance with a system imposing penalties based on specific behaviours and factors. The onus to prove the grounds for the imposition of additional tax is placed on SARS
- The modification of the onus on a taxpayer, whose return reflects a false statement, in a criminal prosecution, so that the taxpayer now only has the onus to show that he or she had reasonable grounds for believing the statement to be true.

### **Explanatory notes**

An Explanatory Memorandum is provided in order to assist commentators working through the draft Tax Administration Bill.

[Click here for the Explanatory Memorandum.](#)

### **Commentary period**

The draft Public comments can be submitted on the [standardised comment sheet \(click here for the comment sheet\)](#) to the following address until the deadline of **26 February 2010**.

email: [policycomments@sars.gov.za](mailto:policycomments@sars.gov.za) , with the subject "Draft Tax Administration Bill"

The Bill is also here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

Explanatory Memorandum is also here: [www.pmg.org.za/policy\\_docs](http://www.pmg.org.za/policy_docs)

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## **Comment: Draft Customs Control Bill and Draft Customs Duty Bill**

### **Draft Customs Control Bill and Draft Customs Duty Bill**

#### **Background**

The re-write of the Customs and Excise Act, 1964, taking into consideration the increased focus on trade facilitation and customs control, regional economic integration, the distinct difference between customs and excise matters, applicable international conventions, trends linked to the globalisation of trade, etc was announced by the previous Minister of Finance.

Drafting commenced in January 2005 after the conclusion of a research and policy development phase.

#### **Objects of the Bills**

SARS, as a modern customs administration, is required to strike the appropriate balance between trade facilitation and economic growth, economic and community protection and border security. The current Customs and Excise Act, 1964, however, is no longer structurally suitable to serve as a vehicle for implementing a modern system of customs control in accordance with current international trends and best practices and needs to be replaced by a new legislative framework that

- is simpler to understand, clear and predictable;
- supports a fast-paced international trade environment;
- is aligned with international customs conventions aimed at standardising customs procedures;
- supports the enforcement of a wide variety of national policies and laws at the border relating to border security, environmental controls and the protection of the economy and the people of South Africa; and
- provides for the levying, payment and recovery of customs duties on goods imported or exported from the Republic.

#### **Presentation of the Bills**

Due to the volume and complexity involved in providing an entirely new legislative framework to replace the current Customs and Excise Act, 1964, the customs and excise components have been split into two phases. The Draft Customs Control Bill and the Draft Customs Duty Bill constitute the first phase of the project and will be followed by the drafting, in the second phase, of an Excise Bill.

Once the draft Customs Control Bill and the draft Customs Duty Bill have been enacted into law, the

current Customs and Excise Act, 1964, will be retained for the continued administration of excise duties until the drafting of the Excise Bill has been completed and it has been enacted.

### **The draft Customs Control Bill ([Click here for the draft Customs Control Bill](#))**

The draft Customs Control Bill is primarily concerned with the control of goods imported into or intended for export from the Republic. The rationale for this control is to ensure that any taxes imposed by various other laws on such goods are collected and that other laws regulating the import or export of specific goods are complied with.

As such the draft Bill can best be described as a law that will serve as a “platform” for the implementation of these other laws that are concerned with goods imported into or exported from the Republic. Laws that will rely for their implementation on the Customs Control Bill include, firstly, laws imposing taxes on goods when imported or exported, such as the proposed Customs Duty Act, the proposed Excise Act, the VAT Act, 1991, and the Diamond Export Levy Act, 2007, and, secondly, laws prohibiting or regulating the import or export of certain goods such as arms and ammunition, protected species, goods that are subject to permit control, counterfeit goods, etc. The primary aims of the draft Bill are –

- to provide systems and procedures for customs control of all goods and persons entering or leaving the Republic;
- to enable the effective collection of tax on such goods imposed in terms of the tax levying Acts; and
- to facilitate the implementation of other legislation applicable to such goods and persons.

### **The draft Customs Duty Bill ([Click here for the draft Customs Duty Bill](#))**

The scope of this Bill is confined to providing for the levying, payment and recovery of customs duties on goods imported or exported from the Republic. As such it is one of the so-called tax levying Acts which for its implementation will rely on the “platform” provided by the proposed Customs Control Act.

The draft Bill is structured around three broad topics: the imposition of duties, the assessment of duties, and the payment and collection of duties. It is also closely linked to the draft Customs Control Bill as its implementation is dependent on the implementation of the draft Customs Control Bill.

### **Noteworthy changes in the draft Customs Control Bill**

The Customs Control Bill serves as the legislative platform for the changes to policy, processes and technology that are to be delivered under the Customs Modernisation programme. It furthermore complies with the requirements of all international instruments and conventions to which the Republic is a signatory, as well as with relevant recommendations of the World Customs Organisation (WCO). Some examples of the changes are as follows:

- An emphasis on electronic reporting and declarations in order to speed up processing, reduce errors and enable effective risk assessment.
- The clearance and release of goods for home use or an internationally accepted customs procedure (transit, warehousing, temporary admission, inward processing, etc)
- Fast-tracking clearance and release procedures in respect of certain categories of persons (accredited) or goods (low-value goods).
- Complete chapters on subjects not comprehensively dealt with in the current legislation (transshipment, coastwise traffic of domestic vessels, stores, tax free shops, exports, international postal articles, security for payment of tax, detention, seizure and confiscation of goods, prohibited and restricted goods, etc).
- Comprehensive provisions relating to damaged, destroyed, lost or unaccounted for goods as well as for abandoned and unclaimed goods.
- Greater flexibility as regards extension of time periods and the granting of authorisations, permissions or approvals; and
- The introduction of advance binding rulings (private, class and general) on the interpretation or application of a provision of the Bills in order to create legal certainty.

## Noteworthy changes in the draft Customs Duty Bill

The Customs Duty Bill provides for the levying, payment and recovery of customs duties on goods imported or exported from the Republic. Some examples of the changes introduced by the Bill are the following:

- The payment and recovery of duty when goods are imported other than through places of entry or when goods are not dealt with in terms of the provisions of the customs procedure under which they were cleared and released;
- Appropriate provisions to give maximum effect to the principle of self-assessment with the role of the customs authority focused on verification of self-assessment rather than on assessing the amount of tax;
- Introduction of a flat rate of duty payable on non-commercial goods of a customs value below a certain threshold to expedite the clearance and release of such goods;
- Period of liability for duty increased from two to three years from the date of assessment in order to ensure alignment with similar periods contained in other Acts administered by the Commissioner;
- The refund without application in circumstances set out in a general directive authorising such refunds, but excluding refunds relating to duties, penalties or interest paid or overpaid as a result of errors in tariff, valuation or origin;
- Provisions relating to binding advance rulings on the tariff, value and origin determination of goods to be cleared during a future period for home use or a customs procedure.

### Explanatory notes

An Explanatory Memorandum is provided in order to assist commentators working through the draft Customs Control Bill and the draft Customs Duty Bill.

**Click here for the Explanatory Memorandum.**

### Commentary period

The draft Public comments can be submitted on the **standardised comment sheet (click here for the comment sheet)** to the following address until the deadline of **26 February 2010**.

Once that is completed, please email your comments to: **sauthar@sars.gov.za** with the subject "Draft Customs Control and Draft Customs Duty Bills". The Bills are also here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

Explanatory Memorandum is also here: [www.pmg.org.za/policy\\_docs](http://www.pmg.org.za/policy_docs)

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### Comment: Social Assistance Amendment Draft Bill & Regulations

1 The Department of Social Development intends to amend the Social Assistance Act 2004 (Act 13 of 2004). Interested parties are invited to submit comments on the proposed [Social Assistance Amendment Draft Bill](#).

Comments can be emailed to Mr Puseletso Loselo at [puseletsol@socdev.gov.za](mailto:puseletsol@socdev.gov.za) by no later than 30 December 2009

2 The [Draft Regulations relating to the Application for and Payment of Social Assistance and the Requirements or conditions in respect of Eligibility for Social Assistance](#) are also published for comment.

Comments can be emailed to Mr Puseletso Loselo at [puseletsol@socdev.gov.za](mailto:puseletsol@socdev.gov.za) by no later than 11 December 2009

Enquiries: Mr Puseletso Loselo 012 312 7106

The Bill is also here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

The Regulations are also here: [www.pmg.org.za/gazettes](http://www.pmg.org.za/gazettes)

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### Comment: Captive Elephant Management - Draft Minimum Standards

The Department of Water and Environmental Affairs has published for public comment the [Draft Minimum Standards for the Management of Captive Elephants](#) as Schedule VII of the national Norms and Standards for the Management of Elephants in South Africa, in terms of National Environmental Management: Biodiversity Act, 2004.

Comments can be emailed to Ms Olga Kumalo at [okumalo@deat.gov.za](mailto:okumalo@deat.gov.za) by no later than 30 December 2009.

Enquiries tel Ms Olga Kumalo: (012) 310 3573

The Document is also here: [www.pmg.org.za/gazettes](http://www.pmg.org.za/gazettes)

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**Comment: Chartered Accountancy Charter (Draft): Broad Based Black Economic Empowerment**

The Department of Trade and Industry has published for public comment a Draft Chartered Accountancy Charter as provided for in Code 000 Statement 003 of the Code of Good Practice under Section 9 (5) of the Broad Based Black Economic Empowerment (Act No. 53 of 2003 )

Comments can be emailed to Xolisile Zondo and Jacob Maphutha at [bee-ca@thedti.gov.za](mailto:bee-ca@thedti.gov.za) by no later than 30 December 2009

Enquiries tel 012 394 1609 / 012 394 3430

The document is here:

[Draft Chartered Accountancy Charter \(Draft Code\): Broad Based Black Economic Empowerment Part 1](#)  
[Draft Chartered Accountancy Charter \(Draft Code\): Broad Based Black Economic Empowerment Part 2](#)  
[Draft Chartered Accountancy Charter \(Draft Code\): Broad Based Black Economic Empowerment Part 3](#)

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**Comment: Basic Education Laws Amendment Draft Bill**

The Department of Basic Education after consultation with the Council of Education Ministers, has published the [Basic Education Laws Amendment Draft Bill](#) 2009, for public comment.

Comments can be emailed to Mr C Ledwaba at [ledwaba.c@doe.gov.za](mailto:ledwaba.c@doe.gov.za) by no later than **11 February 2009**

Kindly provide the name, address, telephone number, fax number and email address of the person or organization submitting the comments

Enquiries tel Mr C Ledwaba: 012 312 6314

The Bill is also here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

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**Comment: Disciplinary Code and Procedures for Senior Managers – Regulations**

The Department of Cooperative Governance and Traditional Affairs publishes the [Disciplinary Code and Procedures for Senior Managers Draft Regulations](#)

The regulations are published for public comment in accordance with section 72 and 120 of the Local Government: Municipal Systems Act, 2000

Comments can be emailed to Mr J Maepa at [jackeym@dplg.gov.za](mailto:jackeym@dplg.gov.za) or

[disciplinarycodeandprocedures@cogta.gov.za](mailto:disciplinarycodeandprocedures@cogta.gov.za) by no later than 31 January 2009

Enquiries tel Mr J Maepa: (012) 334 4943

The document is also here: [www.pmg.org.za/gazettes](http://www.pmg.org.za/gazettes)

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**Comment: Second Hand Goods [GovGazette No 32646 of 16 Oct 2009]**

The South African Police Service is consulting on regulations under section 41(1)(c) of the Second-Hand Goods Act, 2009 (Act NO.6 of 2009), with a view to submitting draft regulations to the Minister of Police for consideration when the Act comes into operation. The proposed Notice has been drafted for consultation purposes.

An invitation has been extended to any person, or private or public institution that may have an interest to comment on the [Second-Hand Goods Draft Regulations](#).

The contents of the draft regulations are for consultation purposes only at this stage and should not be regarded as reflecting any official policy or viewpoint.

Comments can be emailed to J A van der Walt Legal Support: Crime Operations South African Police Service at [vanderwaltja@saps.org.za](mailto:vanderwaltja@saps.org.za) or Du Toit Elmin at [dutoite@saps.org.za](mailto:dutoite@saps.org.za) by no later than 15 November 2009.

Enquiries Tel Snr Supt Gerhard Pretorius: 012 353 6313

The document is also here: [www.pmg.org.za/gazettes](http://www.pmg.org.za/gazettes)

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### **Comment: Review of National Gambling Legislation**

The Portfolio Committee on Trade and Industry will be holding public hearings to review the National Gambling Legislation, and invites civil society and organisations to submit written comments thereon.

The hearings will give the public an opportunity to address the Committee on the following:

The socio-economic impact of legalised gambling

The impact of misleading advertising

The regulation of cross-border gambling

The-effectiveness of the current regulatory environment with regards to gambling

Interactive gambling

Comments can be emailed to Mr Andre Hermans at [ahermans@parliament.gov.za](mailto:ahermans@parliament.gov.za) by no later than 30 October 2009

Public hearings have been scheduled for Friday, 6 November and Tuesday, 10 November 2009.

Enquiries tel Mr Andre Hermans: 021 403 3776 / cell 083 709 8482

Issued by: Ms J Fubbs, Chairperson of the Portfolio Committee of Trade and Industry (National Assembly)

Current pieces of legislation are the [National Gambling Act \[Act No 7 of 2004\]](#) and [National Gambling Amendment Act \[Act No 10 of 2008\]](#)

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### **Comment: Public Service Broadcasting Bill, Charter of the Corporation and the Charter of Community Broadcasting Services [GovGazetteNo 32663 of 28 Oct 2009]**

The Department of Communications has, in terms of section 3(1) of the Electronic Communications Act, 2005 (Act No. 36 of 2005), gazetted the [Public Service Broadcasting Bill](#), [Charter of the Corporation](#) and the [Charter of Community Broadcasting Services](#) as a process to repeal the Broadcasting Act no.4 of 1999,

Interested persons are invited to furnish comments on the Public Broadcasting Service Bill, Charter of the Corporation and Charter of Community Broadcasting Services.

Comments can be emailed to Miyelani Khosa at [miyelani@doc.gov.za](mailto:miyelani@doc.gov.za) by no later than 7 December 2009. **Please note the Deadline for public comments has been extended to 15 January 2010.**

Enquiries tel Miyelani Khosa: 012 427 8174 / Humbulani Rambau: 012 421 7046

The Bill is here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)

The charters are here: [www.pmg.org.za/gazettes](http://www.pmg.org.za/gazettes)

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### **Comment: Community Scheme Ombud Service Draft Bill [GovGazetteNo 32666 of 30 Oct 2009]**



The Department of Human Settlements has published the [Community Scheme Ombud Service Bill](#), 2009 for public comment. A draft Bill together with a Memorandum on the Objects of the Bill is attached.

Interested persons and institutions are invited to submit written comments on the draft Bill to Adv Santie Burger at [santie.burger@dhs.gov.za](mailto:santie.burger@dhs.gov.za) on or before 30 November 2009

Enquiries tel Adv Santie Burger: (012) 421 1491

The Bill is also here: [www.pmg.org.za/bill](http://www.pmg.org.za/bill)  
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**Comment: Policy Direction on Mobile Termination Rates**

The Department of Communications has published a [Policy Direction on Mobile Termination Rates](#) in terms of section 3(2)(c) of the Electronic Communications Act, 2005

This is in line with the Department of Communications' commitment to reduce the cost to communicate. Comments are invited and can be emailed to Ephraim Adom at [Ephraim@doc.gov.za](mailto:Ephraim@doc.gov.za) by 23 November 2009

Enquiries tel Ephraim Adom: 012 427 7207/ 8000 / Tiyani Rikhotso: 012 427 8010 / 083 800 9936

The document is also here: [www.pmg.org.za/policy\\_docs](http://www.pmg.org.za/policy_docs)