



# Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA  
REPUBLIEK VAN SUID-AFRIKA

*Regulation Gazette*

**No. 10431**

*Regulasiekoerant*

**Vol. 599**

Pretoria, 19 **May**  
**Mei** 2015

**No. 38801**

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



**AIDS HELPLINE: 0800-0123-22 Prevention is the cure**

# IMPORTANT

## Information

### from Government Printing Works

Dear Valued Customers,

Government Printing Works has implemented rules for completing and submitting the electronic Adobe Forms when you, the customer, submits your notice request.

Please take note of these guidelines when completing your form.



#### **GPW Business Rules**

1. No hand written notices will be accepted for processing, this includes Adobe forms which have been completed by hand.
2. Notices can only be submitted in Adobe electronic form format to the email submission address [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za). This means that any notice submissions not on an Adobe electronic form that are submitted to this mailbox will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
3. Notices brought into GPW by "walk-in" customers on electronic media can only be submitted in Adobe electronic form format. This means that any notice submissions not on an Adobe electronic form that are submitted by the customer on electronic media will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
4. All customers who walk in to GPW that wish to submit a notice that is not on an electronic Adobe form will be routed to the Contact Centre where the customer will be taken through the completion of the form by a GPW representative. Where a customer walks into GPW with a stack of hard copy notices delivered by a messenger on behalf of a newspaper the messenger must be referred back to the sender as the submission does not adhere to the submission rules.
5. All notice submissions that do not comply with point 2 will be charged full price for the notice submission.
6. The current cut-off of all Gazette's remains unchanged for all channels. (Refer to the GPW website for submission deadlines – \_\_\_\_\_)
7. Incorrectly completed forms and notices submitted in the wrong format will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za))
8. All re-submissions by customers will be subject to the above cut-off times.
9. All submissions and re-submissions that miss the cut-off will be rejected to the customer to be submitted with a new publication date.
10. Information on forms will be taken as the primary source of the notice to be published. Any instructions that are on the email body or covering letter that contradicts the notice form content will be ignored.

You are therefore advised that effective from **Monday, 18 May 2015** should you not comply with our new rules of engagement, all notice requests will be rejected by our new system.

Furthermore, the fax number **012- 748 6030** will also be **discontinued** from this date and customers will only be able to submit notice requests through the email address [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za).



**DO** use the new Adobe Forms for your notice request. These new forms can be found on our website: \_\_\_\_\_ under the Gazette Services page.

**DO** attach documents separately in your email to GPW. (In other words, your email should have an Adobe Form plus proof of payment – 2 separate attachments – where notice content is applicable, it should also be a 3<sup>rd</sup> separate attachment)

**DO** specify your requested publication date.

**DO** send us the electronic Adobe form. (There is no need to print and scan it).

**DON'T** submit request as a single PDF containing all other documents, i.e. form, proof of payment & notice content, it will be **FAILED** by our new system.

**DON'T** print and scan the electronic Adobe form.

**DON'T** send queries or RFQ's to the submit.egazette mailbox.

**DON'T** send bad quality documents to GPW. (Check that documents are clear and can be read)



**Form Completion Rules**

No.	Rule Description	Explanation/example
1.	All forms must be completed in the chosen language.	GPW does not take responsibility for translation of notice content.
2.	All forms must be completed in sentence case, i.e. No fields should be completed in all uppercase.	e.g. "The company is called XYZ Production Works"
3.	No single line text fields should end with any punctuation, unless the last word is an abbreviation.	e.g. "Pty Ltd.", e.g. Do not end an address field, company name, etc. with a period (.) comma (,) etc.
4.	Multi line fields should not have additional hard returns at the end of lines or the field itself.	This causes unwanted line breaks in the final output, e.g. <ul style="list-style-type: none"> <li><b>Do not</b> type as: 43 Bloubokrand Street Putsonderwater 1923</li> <li><b>Text should be entered as:</b> 43 Bloubokrand Street, Putsonderwater, 1923</li> </ul>
5.	Grid fields (Used for dates, ID Numbers, Telephone No., etc.)	<ul style="list-style-type: none"> <li>Date fields are verified against format CCYY-MM-DD</li> <li>Time fields are verified against format HH:MM</li> <li>Telephone/Fax Numbers are not verified and allow for any of the following formats limited to 13 characters: including brackets, hyphens, and spaces                             <ul style="list-style-type: none"> <li>o 0123679089</li> <li>o (012) 3679089</li> <li>o (012)367-9089</li> </ul> </li> </ul>
6.	Copy/Paste from other documents/text editors into the text blocks on forms.	<ul style="list-style-type: none"> <li>Avoid using this option as it carries the original formatting, i.e. font type, size, line spacing, etc.</li> <li>Do not include company letterheads, logos, headers, footers, etc. in text block fields.</li> </ul>



No.	Rule Description	Explanation/example
7.	Rich text fields (fields that allow for text formatting)	<ul style="list-style-type: none"> <li>• Font type should remain as Arial</li> <li>• Font size should remain unchanged at 9pt</li> <li>• Line spacing should remain at the default of 1.0</li> <li>• The following formatting is allowed:               <ul style="list-style-type: none"> <li>○ Bold</li> <li>○ Italic</li> <li>○ Underline</li> <li>○ Superscript</li> <li>○ Subscript</li> </ul> </li> <li>• Do not use tabs and bullets, or repeated spaces in lieu of tabs and indents</li> <li>• Text justification is allowed:               <ul style="list-style-type: none"> <li>○ Left</li> <li>○ Right</li> <li>○ Center</li> <li>○ Full</li> </ul> </li> <li>• Do not use additional hard or soft returns at the end of line/paragraphs. The paragraph breaks are automatically applied by the output software               <ul style="list-style-type: none"> <li>○ Allow the text to wrap automatically to the next line only use single hard return to indicate the next paragraph</li> <li>○ Numbered lists are allowed, but no special formatting is applied. It maintains the standard paragraph styling of the gazette, i.e. first line is indented.</li> </ul> </li> </ul>
	e.g. 1. The quick brown fox jumps over the lazy river. The quick brown fox jumps over the lazy river. The quick brown fox jumps over the lazy river. 2. The quick brown fox jumps over the lazy river. The quick brown fox jumps over the lazy river. The quick brown fox jumps over the lazy river.	



You can find the **new electronic Adobe Forms** on the website \_\_\_\_\_ under the Gazette Services page.

For any **queries or quotations**, please contact the **eGazette Contact Centre** on 012-748 6200 or email [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)

## Disclaimer

*Government Printing Works does not accept responsibility for notice requests submitted through the discontinued channels as well as for the quality and accuracy of information, or incorrectly captured information and will not amend information supplied.*

*GPW will not be held responsible for notices not published due to non-compliance and/or late submission.*



**IMPORTANT NOTICE**

The Government Printing Works will not be held responsible for faxed documents not received due to errors on the fax machine or faxes received which are unclear or incomplete. Please be advised that an "OK" slip, received from a fax machine, will not be accepted as proof that documents were received by the GPW for printing. If documents are faxed to the GPW it will be the sender's responsibility to phone and confirm that the documents were received in good order.

Furthermore the Government Printing Works will also not be held responsible for cancellations and amendments which have not been done on original documents received from clients.

**CONTENTS • INHOUD***No.**Page  
No.    Gazette  
      No.***GOVERNMENT NOTICE****Energy, Department of***Government Notice*

R. 419 Electricity Regulation Act, 2006: Amendment of the Electricity Regulations on New Generation Capacity, 2011 ..... 6 38801

**GOVERNMENT NOTICE**

---

**DEPARTMENT OF ENERGY****No. R. 419****19 May 2015****ELECTRICITY REGULATION ACT, 2006  
AMENDMENT OF THE ELECTRICITY REGULATIONS ON NEW  
GENERATION CAPACITY, 2011**

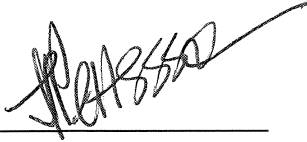
I, as Minister of Energy, acting in terms of section 35(4) of the Electricity Regulation Act, 2006 (Act No. 4 of 2006), intend to make the amendments to the Electricity Regulations on New Generation Capacity published by Government Notice R. 399 in Government *Gazette* 34262 of 4 May 2011, set out in the Schedule hereto.

The draft Amendment of the Electricity Regulations on New Generation Capacity is hereby published for public comments in terms of section 35(5) of the Electricity Regulation Act, 2006.

Interested persons who wish to comment on the draft Amendment of the Electricity Regulations on New Generation Capacity may submit their comments in writing before .....22 June..... 2015 to:

The Director-General  
Department of Energy  
Private Bag X96  
Pretoria  
0001

All comments must be marked for the attention of ... Mr Maduna Ngobeni ... and may either be posted to the above address or transmitted by fax to ..... N/A ..... or by email to [maduna.ngobeni@energy.gov.za](mailto:maduna.ngobeni@energy.gov.za)



Ms Tina Joemat-Pettersson

Minister of Energy

Date: 8/5/2015

## GENERAL EXPLANATORY NOTE

[            ] Words in bold type in square brackets indicate omissions from existing enactments.

\_\_\_\_\_ Words underlined with a solid line indicate insertions in existing enactments.

---

## SCHEDULE

### Definitions

1. In this schedule "the Regulations" means the Electricity Regulations on New Generation Capacity published by Government Notice No. R. 399 in *Government Gazette* 34262 of 4 May 2011.

### Amendment of Regulation 1

2. Regulation 1 is hereby amended by:

a) the deletion of the definition of "ancillary services";

b) the insertion of the following definitions in their alphabetical order:

“**interconnected distribution power system**” means a distribution power system that is interconnected to a transmission power system either directly or through interconnection to another distribution power system where the latter system is directly or indirectly interconnected to a transmission power system;”.

“**national transmission power system**” means the interconnected transmission power system used for the supply of electricity to customers across the territory of the Republic;”.



“**seller**” means a person who concludes a power purchase agreement with a buyer in terms of which such person undertakes to sell or make available new generation capacity to the buyer;”.

c) substituting the definition of “existing generation facilities” with the following:

“**existing generation facilities**” means generation facilities that are in operation on or immediately prior to the date of [commencement of these Regulations] the relevant determination in terms of section 34(1) of the Act;”.

d) substituting the definition of “Independent Power Producer” or “IPP” with the following:

“**Independent Power Producer**” or “**IPP**” means any person in which the Government or any organ of state does not hold a controlling ownership interest (whether direct or indirect), which undertakes or intends to undertake the development or creation of new generation capacity pursuant to a determination made by the Minister in terms of section 34(1) of the Act;”

e) substituting the definition of “new generation capacity” with the following:

“**new generation capacity**” means electricity or electricity capacity made available, or generation capacity connected, to the national transmission power system or an interconnected distribution power system, pursuant to a determination in terms of section 34(1) of the Act, which is derived from:

- (a) new generation facilities;
- (b) an expansion of existing generation facilities;
- (c) existing generation facilities not previously supplying electricity to the national transmission power system or an interconnected distribution power system;
- (d) existing generation facilities through an extension of any existing agreement for the purchase of electricity capacity or electricity for an additional supply period in excess of three years, or through entering into a

new power purchase agreement for a supply period in excess of three years; or

(e) demand side reduction measures, including aggregation or management of demand side reduction;”.

f) substituting the definition of “power purchase agreement” or “PPA” with the following:

“**power purchase agreement**” or “**PPA**” means an agreement [**concluded between a generator and the buyer**] for the sale and purchase of new [**electricity**] generation capacity [**or electricity derived there from, or both**];”.

#### **Amendment of Regulation 2**

3) Regulation 2 is amended by substituting sub-regulation (2) as follows:

“(2) These Regulations do not apply to the purchase of new [**electricity**] generation capacity [**and electricity**] by persons other than organs of state.”.

#### **Amendment of Regulation 3**

4) Regulation 3 is amended by substituting paragraph (b) as follows:

“(b) the regulation of entry by a buyer and a [**generator**] seller into a power purchase agreement;”.

#### **Amendment of Regulation 5**

5) Regulation 5 is amended by substituting paragraphs (b) and (e) of sub-regulation (2) with the following:

“(b) the proposed allocation of financial, technical and operational risk between the prospective buyer and the [**generator**] seller, and between the [**generator**] seller and the NTC or the distributor, as the case may be;”.

“(e) whether the appropriate [**generator**] seller should be Eskom as part of its services as the national electricity producer, another organ of state or an [1PP] IPP.”.

#### **Amendment of Regulation 8**

6) Regulation 8 is amended by substituting sub-paragraph (2) with the following:

"(2) The procurement process in respect of a cross border project shall be conducted with due regard to [**the**] any agreements, memoranda of understanding or arrangements referred to in regulation 6(4)."

#### **Amendment of Regulation 9**

7) Regulation 9 is amended by substituting paragraphs (b) and (d) of sub-regulation (1) with the following:

“(b) appropriate technical, operational and financial risk transfer to the [**generator**] seller.”.

“(d) satisfactory due diligence in respect of the buyer’s representative and the proposed [**generator**] seller in relation to matters of their respective competence and capacity to enter into the power purchase agreement.”.

---









# IMPORTANT

## Information

### from Government Printing Works

Dear Valued Customers,

Government Printing Works has implemented rules for completing and submitting the electronic Adobe Forms when you, the customer, submits your notice request.

Please take note of these guidelines when completing your form.

#### GPW Business Rules

1. No hand written notices will be accepted for processing, this includes Adobe forms which have been completed by hand.
2. Notices can only be submitted in Adobe electronic form format to the email submission address [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za). This means that any notice submissions not on an Adobe electronic form that are submitted to this mailbox will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
3. Notices brought into GPW by "walk-in" customers on electronic media can only be submitted in Adobe electronic form format. This means that any notice submissions not on an Adobe electronic form that are submitted by the customer on electronic media will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
4. All customers who walk in to GPW that wish to submit a notice that is not on an electronic Adobe form will be routed to the Contact Centre where the customer will be taken through the completion of the form by a GPW representative. Where a customer walks into GPW with a stack of hard copy notices delivered by a messenger on behalf of a newspaper the messenger must be referred back to the sender as the submission does not adhere to the submission rules.
5. All notice submissions that do not comply with point 2 will be charged full price for the notice submission.
6. The current cut-off of all Gazette's remains unchanged for all channels. (Refer to the GPW website for submission deadlines – [www.gpwonline.co.za](http://www.gpwonline.co.za))
7. Incorrectly completed forms and notices submitted in the wrong format will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za))
8. All re-submissions by customers will be subject to the above cut-off times.
9. All submissions and re-submissions that miss the cut-off will be rejected to the customer to be submitted with a new publication date.
10. Information on forms will be taken as the primary source of the notice to be published. Any instructions that are on the email body or covering letter that contradicts the notice form content will be ignored.

You are therefore advised that effective from Monday, 18 May 2015 should you not comply with our new rules of engagement, all notice requests will be rejected by our new system.

Furthermore, the fax number 012- 748 6030 will also be **discontinued** from this date and customers will only be able to submit notice requests through the email address [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za).



**eGazette**

