



Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

Regulation Gazette

No. 10784

Regulasiekoerant

Vol. 630

1 December
Desember 2017

No. 41288

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

ISSN 1682-5843



9 771682 584003

41288



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

IMPORTANT NOTICE:

THE GOVERNMENT PRINTING WORKS WILL NOT BE HELD RESPONSIBLE FOR ANY ERRORS THAT MIGHT OCCUR DUE TO THE SUBMISSION OF INCOMPLETE / INCORRECT / ILLEGIBLE COPY.

No FUTURE QUERIES WILL BE HANDLED IN CONNECTION WITH THE ABOVE.

Contents

<i>No.</i>		<i>Gazette No.</i>	<i>Page No.</i>
GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS			
Agriculture, Forestry and Fisheries, Department of/ Landbou, Bosbou en Visserye, Departement van			
R. 1336	Marketing of Agricultural Products Act (47/1996): Wine Industry: Implementation of statutory measures and determination of guideline prices	41288	11
Justice and Constitutional Development, Department of/ Justisie en Staatkundige Ontwikkeling, Departement van			
R. 1337	Child Justice Act (75/2008): Amendments to regulations relating to the Act	41288	23
R. 1338	Child Justice Act (75/2008): Determination of persons or category or class of persons competent to conduct evaluations of Criminal Capacity of Children and Allowances and Remuneration: Section 97 (3) of the Act	41288	35
Public Works, Department of/ Openbare Werke, Departement van			
R. 1339	Construction Industry Development Board Act (38/2000): Draft amendment regulations annexed hereto are accordingly published for public comment	41288	40

Closing times for **ORDINARY WEEKLY** **REGULATION GAZETTE** **2017**

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

- **29 December**, Thursday, for the issue of Friday **06 January 2017**
- **06 January**, Friday, for the issue of Friday **13 January 2017**
- **13 January**, Friday, for the issue of Friday **20 January 2017**
- **20 January**, Friday, for the issue of Friday **27 January 2017**
- **27 January**, Friday, for the issue of Friday **03 February 2017**
- **03 February**, Friday, for the issue of Friday **10 February 2017**
- **10 February**, Friday, for the issue of Friday **17 February 2017**
- **17 February**, Friday, for the issue of Friday **24 February 2017**
- **24 February**, Friday, for the issue of Friday **03 March 2017**
- **03 March**, Friday, for the issue of Friday **10 March 2017**
- **10 March**, Friday, for the issue of Friday **17 March 2017**
- **16 March**, Thursday, for the issue of Friday **24 March 2017**
- **24 March**, Friday, for the issue of Friday **31 March 2017**
- **31 March**, Friday, for the issue of Friday **07 April 2017**
- **06 April**, Thursday, for the issue of Thursday **13 April 2017**
- **12 April**, Wednesday, for the issue of Friday **21 April 2017**
- **20 April**, Thursday, for the issue of Friday **28 April 2017**
- **26 April**, Wednesday, for the issue of Friday **05 May 2017**
- **05 May**, Friday, for the issue of Friday **12 May 2017**
- **12 May**, Friday, for the issue of Friday **19 May 2017**
- **19 May**, Friday, for the issue of Friday **26 May 2017**
- **26 May**, Friday, for the issue of Friday **02 June 2017**
- **02 June**, Friday, for the issue of Friday **09 June 2017**
- **08 June**, Thursday, for the issue of Thursday **15 June 2017**
- **15 June**, Thursday, for the issue of Friday **23 June 2017**
- **23 June**, Friday, for the issue of Friday **30 June 2017**
- **30 June**, Friday, for the issue of Friday **07 July 2017**
- **07 July**, Friday, for the issue of Friday **14 July 2017**
- **14 July**, Friday, for the issue of Friday **21 July 2017**
- **21 July**, Friday, for the issue of Friday **28 July 2017**
- **28 July**, Friday, for the issue of Friday **04 August 2017**
- **03 August**, Thursday, for the issue of Friday **11 August 2017**
- **11 August**, Friday, for the issue of Friday **18 August 2017**
- **18 August**, Friday, for the issue of Friday **25 August 2017**
- **25 August**, Friday, for the issue of Friday **01 September 2017**
- **01 September**, Friday, for the issue of Friday **08 September 2017**
- **08 September**, Friday, for the issue of Friday **15 September 2017**
- **15 September**, Friday, for the issue of Friday **22 September 2017**
- **21 September**, Thursday, for the issue of Friday **29 September 2017**
- **29 September**, Friday, for the issue of Friday **06 October 2017**
- **06 October**, Friday, for the issue of Friday **13 October 2017**
- **13 October**, Friday, for the issue of Friday **20 October 2017**
- **20 October**, Friday, for the issue of Friday **27 October 2017**
- **27 October**, Friday, for the issue of Friday **03 November 2017**
- **03 November**, Friday, for the issue of Friday **10 November 2017**
- **10 November**, Friday, for the issue of Friday **17 November 2017**
- **17 November**, Friday, for the issue of Friday **24 November 2017**
- **24 November**, Friday, for the issue of Friday **01 December 2017**
- **01 December**, Friday, for the issue of Friday **08 December 2017**
- **08 December**, Friday, for the issue of Friday **15 December 2017**
- **15 December**, Friday, for the issue of Friday **22 December 2017**
- **20 December**, Wednesday, for the issue of Friday **29 December 2017**

LIST OF TARIFF RATES FOR PUBLICATION OF NOTICES

COMMENCEMENT: 1 APRIL 2016

NATIONAL AND PROVINCIAL

Notice sizes for National, Provincial & Tender gazettes 1/4, 2/4, 3/4, 4/4 per page. Notices submitted will be charged at R1000 per full page, pro-rated based on the above categories.

Pricing for National, Provincial - Variable Priced Notices		
Notice Type	Page Space	New Price (R)
Ordinary National, Provincial	1/4 - Quarter Page	250.00
Ordinary National, Provincial	2/4 - Half Page	500.00
Ordinary National, Provincial	3/4 - Three Quarter Page	750.00
Ordinary National, Provincial	4/4 - Full Page	1000.00

EXTRA-ORDINARY

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

The pricing structure for National and Provincial notices which are submitted as **Extra ordinary submissions** will be charged at **R3000** per page.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

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

CLOSING TIMES FOR ACCEPTANCE OF NOTICES

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

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

All notices received after the closing time will be rejected.

Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
National Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 days prior to publication
Regulation Gazette	Weekly	Friday	Friday 15h00, to be published the following Friday	Tuesday, 15h00 - 3 days prior to publication
Petrol Price Gazette	As required	First Wednesday of the month	One week before publication	3 days prior to publication
Road Carrier Permits	Weekly	Friday	Thursday 15h00, to be published the following Friday	3 days prior to publication
Unclaimed Monies (justice, labour or lawyers)	January / As required 2 per year	Any	15 January / As required	3 days prior to publication
Parliament (acts, white paper, green paper)	As required	Any		3 days prior to publication
Manuals	As required	Any	None	None
State of Budget (National Treasury)	Monthly	Any	7 days prior to publication	3 days prior to publication
Legal Gazettes A, B and C	Weekly	Friday	One week before publication	Tuesday, 15h00 - 3 days prior to publication
Tender Bulletin	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 days prior to publication
Gauteng	Weekly	Wednesday	Two weeks before publication	3 days after submission deadline
Eastern Cape	Weekly	Monday	One week before publication	3 days prior to publication
Northern Cape	Weekly	Monday	One week before publication	3 days prior to publication
North West	Weekly	Tuesday	One week before publication	3 days prior to publication
KwaZulu-Natal	Weekly	Thursday	One week before publication	3 days prior to publication
Limpopo	Weekly	Friday	One week before publication	3 days prior to publication
Mpumalanga	Weekly	Friday	One week before publication	3 days prior to publication
Gauteng Liquor License Gazette	Monthly	Wednesday before the First Friday of the month	Two weeks before publication	3 days after submission deadline
Northern Cape Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 days after submission deadline
National Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 days after submission deadline
Mpumalanga Liquor License Gazette	2 per month	Second & Fourth Friday	One week before	3 days prior to publication

GOVERNMENT PRINTING WORKS - BUSINESS RULES**EXTRAORDINARY GAZETTES**

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

NOTICE SUBMISSION PROCESS

4. Download the latest *Adobe* form, for the relevant notice to be placed, from the **Government Printing Works** website . _____
5. The *Adobe* form needs to be completed electronically using *Adobe Acrobat / Acrobat Reader*. Only electronically completed *Adobe* forms will be accepted. No printed, handwritten and/or scanned *Adobe* forms will be accepted.
6. The completed electronic *Adobe* form has to be submitted via email to submit.egazette@gpw.gov.za. The form needs to be submitted in its original electronic *Adobe* format to enable the system to extract the completed information from the form for placement in the publication.
7. Every notice submitted **must** be accompanied by an official **GPW** quotation. This must be obtained from the *eGazette* Contact Centre.
8. Each notice submission should be sent as a single email. The email **must** contain **all documentation relating to a particular notice submission**.
 - 8.1. Each of the following documents must be attached to the email as a separate attachment:
 - 8.1.1. An electronically completed *Adobe* form, specific to the type of notice that is to be placed.
 - 8.1.1.1. For *National Government Gazette* or *Provincial Gazette* notices, the notices must be accompanied by an electronic Z95 or Z95Prov *Adobe* form
 - 8.1.1.2. The notice content (body copy) **MUST** be a separate attachment.
 - 8.1.2. A copy of the official **Government Printing Works** quotation you received for your notice .
(Please see *Quotation* section below for further details)
 - 8.1.3. A valid and legible Proof of Payment / Purchase Order: **Government Printing Works** account customer must include a copy of their Purchase Order. **Non-Government Printing Works** account customer needs to submit the proof of payment for the notice
 - 8.1.4. Where separate notice content is applicable (Z95, Z95 Prov and TForm 3, it should **also** be attached as a separate attachment. (Please see the *Copy Section* below, for the specifications).
 - 8.1.5. Any additional notice information if applicable.
9. The electronic *Adobe* form will be taken as the primary source for the notice information to be published. Instructions that are on the email body or covering letter that contradicts the notice form content will not be considered. The information submitted on the electronic *Adobe* form will be published as-is.
10. To avoid duplicated publication of the same notice and double billing, Please submit your notice **ONLY ONCE**.
11. Notices brought to **GPW** by "walk-in" customers on electronic media can only be submitted in *Adobe* electronic form format. All "walk-in" customers with notices that are not on electronic *Adobe* forms will be routed to the Contact Centre where they will be assisted to complete the forms in the required format.
12. Should a customer submit a bulk submission of hard copy notices delivered by a messenger on behalf of any organisation e.g. newspaper publisher, the messenger will be referred back to the sender as the submission does not adhere to the submission rules.

GOVERNMENT PRINTING WORKS - BUSINESS RULES**QUOTATIONS**

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

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

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

CANCELLATIONS

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

AMENDMENTS TO NOTICES

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

REJECTIONS

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

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

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

GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY

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

LIABILITY OF ADVERTISER

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

CUSTOMER INQUIRIES

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

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

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

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

GOVERNMENT PRINTING WORKS - BUSINESS RULES

PAYMENT OF COST

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

PROOF OF PUBLICATION

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

GOVERNMENT PRINTING WORKS CONTACT INFORMATION

Physical Address:
Government Printing Works

149 Bosman Street

Pretoria

Postal Address:

Private Bag X85

Pretoria

0001

GPW Banking Details:
Bank: ABSA Bosman Street

Account No.: 405 7114 016

Branch Code: 632-005

For Gazette and Notice submissions: Gazette Submissions:

For queries and quotations, contact: Gazette Contact Centre:

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

Contact person for subscribers: Mrs M. Toka:

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

Fax: 012-323-9574

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES**NO. R. 1336****01 DECEMBER 2017****MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996
(ACT No. 47 OF 1996)****WINE INDUSTRY: IMPLEMENTATION OF STATUTORY MEASURES AND DETERMINATION OF
GUIDELINE PRICES**

I, Senzeni Zokwana, Minister of Agriculture, Forestry and Fisheries, acting under sections 13, 15, 18 and 19 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), hereby –

- (a) implement the statutory measures set out in the Schedule;
- (b) determine that the guideline price for –
 - (i) grapes intended for the production of wine shall be R4166.00 per ton;
 - (ii) grape juice concentrate intended for use in wine shall be 443.97 cents per litre at 17.4 degrees Balling;
 - (iii) drinking wine shall be 493.75 cents per litre;
 - (iv) distilling wine and wine spirit shall be 185.30 cents per litre at 10 per cent alcohol by volume; and
 - (v) export wine shall be 493.75 cents per litre.

S. ZOKWANA,
Minister of Agriculture, Forestry and Fisheries.

SCHEDULE**Definitions**

1. In this Schedule any word or expression to which a meaning has been assigned in the Act shall have that meaning, and unless the context otherwise indicates –

“bottler” means any person who renders services in respect of bottling, stabilising, blending, filtering, labelling or storage on behalf of wine producers or wine traders, but is not registered as such;

"Department" means the Department of Agriculture, Forestry and Fisheries;

"drinking wine" includes grape juice used in the production of drinking wine and drinking wine used in the production of other alcoholic products;

"export levy" means the statutory measure referred to in clause 8;

"export wine" means drinking wine exported from the Republic of South Africa;

"grapes" means grapes intended for the production of drinking wine or distilling wine;

"grape juice" means grape juice and grape juice concentrate intended for use in drinking wine or other alcoholic products;

"grape producer" means any producer of grapes intended for the production of drinking wine or distilling wine;

"in bulk" means a container of more than five litres;

"information levy" means the statutory measure referred to in clause 9;

"registration measure" means the statutory measure referred to in clause 5;

"research levy" means the statutory measure referred to in clause 7;

"returns measure" means the statutory measure referred to in clause 6;

"SAWIS" means the S A Wine Industry Information and Systems, a non-profit company in terms of the Companies Act, No. 71 of 2008 as amended;

"statutory measure" means –

- (a) export levy;
- (b) information measure
- (b) registration measure;
- (c) research levy;
- (d) records and returns measure; and
- (e) transformation levy.

"the Act" means the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996);

"transformation levy" means the statutory measure referred to in clause 10;

"vines" means vines intended for the production of grapes;

"Transformation Unit" means the S A Wine Industry Transformation Unit, a non-profit company in terms of the Companies Act, No. 71 of 2008 as amended;

"wine exporter" means any person who exports drinking wine who is not registered as a wine producer or wine trader;

"wine producer" means any person who crushes grapes and who is not registered as a wine trader;

“wine spirit” means any spirit derived from wine, wine lees or husks;

“WINETECH” means the Wine Industry Network of Expertise and Technology, a non-profit company in terms of the Companies Act, No.71 of 2008 as amended;

“wine trader” means any person not registered as a wine producer who purchases or otherwise acquires-

- (a) grapes;
- (b) drinking wine, distilling wine or wine spirit, in bulk from a wine producer;

“WOSA” means WOSA Export Marketing, a non-profit company in terms of the Companies Act, No.71 of 2008 as amended.

Purpose and aims of continuation of statutory measures and the relation thereof to the objectives of the Act

2. (1) (a) The purpose and aims of the registration measure are to compel the parties set out herein to register with SAWIS. Registration is necessary to assist SAWIS in ensuring that continuous, timeous and accurate information relating to the products defined, is available to all role players. Market information is deemed essential for all role players in order for them to make informed decisions. By combining compulsory registration with the keeping of information and the rendering of returns on an individual basis, market information for the whole of the industry can be processed and disseminated and will form the basis for the collection of levies.
- (b) The continuation of the registration measure will assist in promoting the efficiency of the marketing of products. The viability of the wine industry will, thus, be enhanced. The registration measure will not be detrimental to the number of employment opportunities or fair labour practice.
- (c) The registration measure will be administered by SAWIS. SAWIS will continue to implement and administer the registration measure as set out in the Schedule.
- (2) (a) The purpose and aims of the returns measure is to compel the parties set out herein to keep records and render returns to SAWIS. This is necessary to ensure that continuous, timeous and accurate information relating to the products defined, is available to all role players. Market information is deemed essential for all role players in order for them to make informed decisions. By prescribing the keeping of records with the rendering of returns on an individual basis, market information for the whole of the industry can be processed and disseminated.
- (b) The continuation of the returns measure will assist in promoting the efficiency of the marketing of products. The viability of the wine industry will, thus, be enhanced. The returns measure will not be detrimental to the number of employment opportunities or fair labour practice. Any information obtained will be dealt with in a confidential manner and no sensitive or potentially sensitive client-specific information will be made available to any party without the prior approval of the party whose rights are affected.
- (c) The returns measure will be administered by SAWIS. SAWIS will continue to implement and administer the returns measure as set out in the Schedule.
- (3) (a) The objectives of the research levy are –
 - (i) to support the wine industry with expertise, enabling it to be cost effective while producing quality wines and other grape based products through the application of environmentally friendly technologies;

- (ii) to support the training and education of individuals for the industry – at all levels in terms of skills, knowledge and insight development – in order to ensure the practical implementation of the best knowledge and most advanced technologies in viticulture, wine making and other grape based products;
 - (iii) to establish a culture of technological innovation, to ensure the ongoing utilisation of the best technology within the industry, and to facilitate its dissemination to all the sectors of the industry;
 - (iv) to facilitate the development of resource poor and previously disadvantaged producers and to improve their access to the industry by making leading edge appropriate technology available to such producers;
 - (v) to establish world leadership in selected niche areas of the wine industry through WINETECH's network of scientific and technological expertise; and
 - (vi) to commission relevant and thoroughly planned research, technology development and technology transfer in the promotion of the industry's technological capabilities and in the attainment of the other objectives.
- (b) The research levy will not be detrimental to the number of employment opportunities or fair labour practice.
- (c) The research levy will be administered by WINETECH. WINETECH will continue to implement and administer the research levy as set out in the Schedule.
- (d) The research levy will be collected by SAWIS, who will act on behalf of WINETECH in this regard. WINETECH is the actual beneficiary of the levy who will utilise it in accordance with their business plan.
- (4) (a) The objective of the export levy aims at increasing the profit margin for the industry for each focus market. This promotion will enhance the image of South Africa as a quality wine producer and increase opportunities for growth in new markets. It will assist South Africa to remain competitive in the global market place. In addition, it will assist in capacity building among all exporters, in particular SMME's and BEE's, and in improving the efficiency of the export process. To last-mentioned end a portion of the levy is used to fund, maintain and further develop the Wine-on-Line system, a free, user friendly, automated export certification process.
- (b) The export levy will not be detrimental to the number of employment opportunities or fair labour practice.
- (c) The export levy will be administered by WOSA. WOSA will continue to implement and administer the export levy as set out in the Schedule.
- (d) The export levy will be collected by SAWIS, who will act on behalf of WOSA in this regard. WOSA is the actual beneficiary of the levy who will utilise it in accordance with their business plan.
- (5) (a) The information levy is needed by SAWIS to fund the registration of industry role players, and ensure the collection and dissemination of information. These measures are necessary to ensure that continuous, timeous and accurate information relating to various products in the wine industry, is available to all role players in order for them to make informed decisions.

- (b) The information levy will not be detrimental to the number of employment opportunities or fair labour practice and is a necessity in view of the registration and returns measures.
- (c) The information levy will be administered by SAWIS. SAWIS will continue to implement and administer the information levy as set out in the Schedule.
- (6) (a) The objective of the transformation levy is to facilitate economic and social development and transformation in the wine industry through programmes such as economic empowerment and development, social development and upliftment and human resources development and training.
- (b) The transformation levy will not be detrimental to the number of employment opportunities or fair labour practice.
- (c) The transformation levy will be administered by the SA Wine Industry Transformation Unit. The Transformation Unit will continue to implement and administer the transformation levy as set out in the Schedule.
- (d) The transformation levy will be collected by SAWIS, who will act on behalf of the Transformation Unit in this regard. The Transformation Unit is the actual beneficiary of the levy who will utilise it in accordance with their business plan.

Products to which statutory measures shall apply

- 3. (1) The registration measure shall apply to grapes, grape juice, drinking wine, distilling wine and wine spirit.
- (2) The returns measure shall apply to vines, grapes, grape juice, grape juice concentrate, drinking wine, distilling wine and wine spirit.
- (3) The research levy shall apply to grapes, grape juice concentrate, drinking wine, distilling wine and wine spirit.
- (4) The information levy and transformation levy shall apply to grapes, grape juice concentrate and drinking wine.
- (5) The export levy shall apply to export wine.

Area in which statutory measures shall apply

- 4. The statutory measures shall apply in the geographical area of the Republic of South Africa.

Registration statutory measure

- 5. (1) (a) All bottlers, grape producers, grape juice producers, wine exporters, wine producers and wine traders shall register with SAWIS.
- (b) A person shall have a choice to register as either a wine producer or wine trader, but not both.
- (c) A person who is a grape producer as well as a wine producer or wine trader shall register as a grape producer and as a wine producer or wine trader.
- (d) Application for registration shall –
 - (i) be made within 30 days of becoming a party as contemplated in subclause (1);

- (ii) be made on the application form obtainable free of charge from SAWIS;
- (iii) be submitted, when forwarded by post, to –
SAWIS, P.O. Box 238, Paarl, 7620;
- (iv) when delivered by hand, be delivered to –
SAWIS, Main Road 312, Paarl;
- (v) when sent by telefax, be addressed to –
(021) 8711360;
- (vi) when submitted electronically, be sent to the address and in the format obtainable from SAWIS.

Records and returns statutory measure

6. (1) All bottlers, grape producers, wine exporters, wine producers and wine traders shall keep such records and render the returns as may be required by SAWIS relating to –
- (a) vines;
 - (b) grapes; and
 - (c) grape juice, grape juice concentrate, drinking wine, distilling wine and wine spirit produced, received, stored, sold, exported or otherwise utilised.
- (2) The Department shall render a copy of all export documents required by SAWIS or furnish information required by SAWIS regarding exports within the period specified in subclause (4).
- (3) The records referred to in subclause (1) shall –
- (a) be recorded on a computer or with ink in a book; and
 - (b) be kept at the registered premises of the person required to keep it for a period of at least three years.
- (4) The returns referred to in subclause (1) shall be rendered on forms obtainable free of charge for this purpose from SAWIS within 15 days after the end of each calendar month and shall –
- (a) be submitted, when forwarded by post, to –
SAWIS, P.O. Box 238, Paarl, 7620;
 - (b) when delivered by hand, be delivered to –
SAWIS, Main Road 312, Paarl;
 - (c) when sent by telefax, be addressed to –
(021) 8711360;
 - (d) when submitted electronically, be sent to the address and in the format obtainable from SAWIS.

Research statutory levy

7. (1) A research and development levy is hereby continued to be imposed on –
- (a) grapes;
 - (b) grape juice concentrate ;
 - (c) drinking wine;
 - (d) distilling wine; and
 - (e) wine spirit.
- (2) The amount of the research and development levy shall -
- a) in the case of grapes, be -
 - (i) R22.33 per ton for the period 1 January 2018 to 31 December 2018;
 - (ii) R23.59 per ton for the period 1 January 2019 to 31 December 2019;
 - (iii) R24.92 per ton for the period 1 January 2020 to 31 December 2020; and
 - (iv) R26.32 per ton for the period 1 January 2021 to 31 December 2021;
 - (b) in the case of grape juice concentrate, be -
 - (i) 3.19 cent per litre at 17,4 degrees Balling for the period 1 January 2018 to 31 December 2018;
 - (ii) 3.37 cent per litre at 17,4 degrees Balling for the period 1 January 2019 to 31 December 2019;
 - (iii) 3.56 cent per litre at 17,4 degrees Balling for the period 1 January 2020 to 31 December 2020; and
 - (iv) 3.76 cent per litre at 17,4 degrees Balling for the period 1 January 2021 to 31 December 2021;
 - (c) in the case of drinking wine, be -
 - (i) 3.19 cent per litre for the period 1 January 2018 to 31 December 2018;
 - (ii) 3.37 cent per litre for the period 1 January 2019 to 31 December 2019;
 - (iii) 3.56 cent per litre for the period 1 January 2020 to 31 December 2020; and
 - (iv) 3.76 cent per litre for the period 1 January 2021 to 31 December 2021; and
 - (d) in the case of distilling wine and wine spirit, be -
 - (i) 2.74 cent per litre at 10 per cent alcohol by volume for the period 1 January 2018 to 31 December 2018;
 - (ii) 2.89 cent per litre at 10 per cent alcohol by volume for the period 1 January 2019 to 31 December 2019;

- (iii) 3.05 cent per litre at 10 per cent alcohol by volume for the period 1 January 2020 to 31 December 2020; and
 - (iv) 3.22 cent per litre at 10 per cent alcohol by volume for the period 1 January 2021 to 31 December 2021.
- (3) The research and development levy shall –
- (a) be payable by a wine producer in respect of –
 - (i) drinking wine and wine spirit packaged in containers of 5 litres or less;
 - (ii) wine spirit sold to another wine producer; and
 - (iii) wine spirit produced by a wine producer and used for fortification of that wine producer's own drinking wine.
 - (b) be payable by a wine trader in respect of -
 - (i) grapes purchased;
 - (ii) grapes used for production of his or her own drinking wine or distilling wine; and
 - (iii) grape juice concentrate, drinking wine, distilling wine and wine spirit, in containers of more than 5 litres, acquired from a wine producer.
- (4) The research and development levy shall be payable to SAWIS, acting on behalf of WINETECH, in accordance with subclause (5).
- (5) (a) Payment of the research and development levy shall be made not later than sixty days following the month of delivery of a quantity of grapes, grape juice concentrate, drinking wine, distilling wine or wine spirit sold, purchased or otherwise acquired.
- (b) Payment shall be made by means of a cheque or electronic transfer in favour of SAWIS, and shall –
- (i) when paid by cheque, be addressed to –
SAWIS, P O Box 238, Paarl, 7620;
 - (ii) when electronically transferred, be paid to the bank account obtainable from SAWIS on request.

Export statutory levy

8. (1) A wine export generic promotion levy is hereby continued to be imposed on export wine.
- (2) The amount of the wine export generic promotion levy shall –
- (a) in the case of export wine in bulk, be -
 - (i) 11.24 cent per litre for the period 1 January 2018 to 31 December 2018, of which 0,47 cent per litre shall be used to fund, maintain and further develop the Wine-on-Line system;
 - (ii) 12.07 cent per litre for the period 1 January 2019 to 31 December 2019, of which 0,47 cent per litre shall be used to fund, maintain and further develop the Wine-on-Line system;

- (iii) 12.96 cent per litre for the period 1 January 2020 to 31 December 2020, of which 0,47 cent per litre shall be used to fund, maintain and further develop the Wine-on-Line system; and
 - (iv) 13.92 cent per litre for the period 1 January 2021 to 31 December 2021, of which 0,47 cent per litre shall be used to fund, maintain and further develop the Wine-on-Line system; and
 - (b) otherwise, be -
 - (i) 14.18 cent per litre for the period 1 January 2018 to 31 December 2018, of which 0,47 cent per litre shall be used to fund, maintain and further develop the Wine-on-Line system;
 - (ii) 15.24 cent per litre for the period 1 January 2019 to 31 December 2019, of which 0,47 cent per litre shall be used to fund, maintain and further develop the Wine-on-Line system;
 - (iii) 16.38 cent per litre for the period 1 January 2020 to 31 December 2020, of which 0,47 cent per litre shall be used to fund, maintain and further develop the Wine-on-Line system; and
 - (iv) 17.61 cent per litre for the period 1 January 2021 to 31 December 2021, of which 0,47 cent per litre shall be used to fund, maintain and further develop the Wine-on-Line system.
- (3) The wine export generic promotion levy shall be paid by the exporter.
- (4) The wine export generic promotion levy shall be payable to SAWIS, acting on behalf of WOSA, in accordance with subclause (5).
- (5) (a) Payment of the wine export generic promotion levy shall be made not later than 60 days following the month of export.
- (b) Payment shall be made by means of a cheque or electronic transfer in favour of SAWIS, and shall –
 - (i) when paid by cheque, be addressed to –
SAWIS, P.O. Box 238, Paarl, 7620;
 - (ii) when electronically transferred, be paid to the bank account obtainable from SAWIS on request.
- (6) WOSA may, in accordance with criteria determined by it, grant exemption from the payment of the wine export generic promotion levy for a consignment of wine exported if satisfied that such exemption will not frustrate the purpose and aims of this statutory measure.

Information statutory levy

- 9. (1) An information levy is hereby continued to be imposed on –
 - (a) grapes;
 - (b) grape juice concentrate; and
 - (c) drinking wine.

- (2) The amount of the information levy shall –
- a) in the case of grapes, be -
 - (i) R13.93 per ton for the period 1 January 2018 to 31 December 2018;
 - (ii) R14.70 per ton for the period 1 January 2019 to 31 December 2019;
 - (iii) R15.54 per ton for the period 1 January 2020 to 31 December 2020; and
 - (iv) R16.38 per ton for the period 1 January 2021 to 31 December 2021;
 - b) in the case of grape juice concentrate, be -
 - (i) 1.99 cent per litre at 17,4 degrees Balling for the period 1 January 2018 to 31 December 2018;
 - (ii) 2.10 cent per litre at 17,4 degrees Balling for the period 1 January 2019 to 31 December 2019;
 - (iii) 2.22 cent per litre at 17,4 degrees Balling for the period 1 January 2020 to 31 December 2020; and
 - (iv) 2.34 cent per litre at 17,4 degrees Balling for the period 1 January 2021 to 31 December 2021; and
 - c) in the case of drinking wine, be -
 - (i) 1.99 cent per litre for the period 1 January 2018 to 31 December 2018;
 - (ii) 2.10 cent per litre for the period 1 January 2019 to 31 December 2019;
 - (iii) 2.22 cent per litre for the period 1 January 2020 to 31 December 2020; and
 - (iv) 2.34 cent per litre for the period 1 January 2021 to 31 December 2021.
- (3) The information levy shall –
- (a) be payable by a wine producer in respect of drinking wine packaged in containers of 5 litres or less;
 - (b) be payable by a wine trader in respect of -
 - (i) grapes;
 - (ii) grape juice concentrate in containers of more than 5 litres, acquired from a wine producer; and
 - (iii) drinking wine in containers of more than 5 litres, acquired from a wine producer.
- (4) The information levy shall be payable to SAWIS in accordance with subclause (5).
- (5) (a) Payment of the information levy shall be made not later than sixty days following the month of delivery of a quantity of grapes, grape juice concentrate or drinking wine sold, purchased or otherwise acquired.

- (b) Payment shall be made by means of a cheque or electronic transfer in favour of SAWIS, and shall –
 - (i) when paid by cheque, be addressed to –
SAWIS, P O Box 238, Paarl, 7620;
 - (ii) when electronically transferred, be paid to the bank account obtainable from SAWIS on request.

Transformation statutory levy

10. (1) An empowerment and transformation levy is hereby continued to be imposed on –
- (a) grapes;
 - (b) grape juice concentrate; and
 - (c) drinking wine.
- (2) The amount of the empowerment and transformation levy shall –
- a) in the case of grapes, be -
 - (i) R3.01 per ton for the period 1 January 2018 to 31 December 2018;
 - (ii) R3.22 per ton for the period 1 January 2019 to 31 December 2019;
 - (iii) R3.43 per ton for the period 1 January 2020 to 31 December 2020; and
 - (iv) R3.64 per ton for the period 1 January 2021 to 31 December 2021;
 - (b) in the case of grape juice concentrate, be -
 - (i) 0.43 cent per litre at 17,4 degrees Balling for the period 1 January 2018 to 31 December 2018;
 - (ii) 0.46 cent per litre at 17,4 degrees Balling for the period 1 January 2019 to 31 December 2019;
 - (iii) 0.49 cent per litre at 17,4 degrees Balling for the period 1 January 2020 to 31 December 2020; and
 - (iv) 0.52 cent per litre at 17,4 degrees Balling for the period 1 January 2021 to 31 December 2021; and
 - (c) in the case of drinking wine, be -
 - (i) 0.43 cent per litre for the period 1 January 2018 to 31 December 2018;
 - (ii) 0.46 cent per litre for the period 1 January 2019 to 31 December 2019;
 - (iii) 0.49 cent per litre for the period 1 January 2020 to 31 December 2020; and
 - (iv) 0.52 cent per litre for the period 1 January 2021 to 31 December 2021.

- (3) The empowerment and transformation levy shall –
- (a) be payable by a wine producer in respect of drinking wine packaged in containers of 5 litres or less; and
 - (b) be payable by a wine trader in respect of-
 - (i) grapes;
 - (ii) grape juice concentrate in containers of more than 5 litres, acquired from a wine producer; and
 - (iii) drinking wine in containers of more than 5 litres, acquired from a wine producer.
- (4) The empowerment and transformation levy shall be payable to SAWIS, acting on behalf of the Transformation Unit, in accordance with subclause (5).
- (5) (a) Payment of the empowerment and transformation levy shall be made not later than sixty days following the month of delivery of a quantity of grapes, grape juice concentrate or drinking wine sold, purchased or otherwise acquired.
- (b) Payment shall be made by means of a cheque or electronic transfer in favour of SAWIS, and shall –
- (i) when paid by cheque, be addressed to –
SAWIS, P O Box 238, Paarl, 7620;
 - (ii) when electronically transferred, be paid to the bank account obtainable from SAWIS on request.

Period of validity

11. The statutory measures shall be implemented on 1 January 2018 and lapse on 31 December 2021.

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. R. 1337

01 DECEMBER 2017

CHILD JUSTICE ACT, 2008:
AMENDMENTS TO REGULATIONS RELATING TO CHILD JUSTICE ACT

The Minister of Justice and Correctional Services has, under section 97 of the Child Justice Act, 2008 (Act No. 75 of 2008) and after consultation, where appropriate, with the Cabinet members responsible for social development, safety and security and health, made the Regulations in this Schedule.

SCHEDULE

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.

In this Schedule "the Regulations" means the Regulations published by Government Notice No. R.251 of 31 March 2010.

Amendment of regulation 21 of Regulations

1. Regulation 21 of the Regulations is hereby amended –
- (a) by the substitution for paragraph (d) of subregulation (1) of the following paragraph:

“(d) The police official who received the complaint or made the observation must, upon completion of the actions required in terms of this regulation, ensure that the following details are entered in the register referred to in section 28(3) of the Act:

- (i) The number allocated to the complaint;
- (ii) the date on which the complaint was lodged;
- (iii) the nature of the injury sustained or severe psychological trauma suffered;
- (iv) the circumstances surrounding the injury or trauma;
- (v) the signature and particulars of the complainant;
- (vi) the date on which the report was handed to the station commissioner;
- (vii) the particulars of the medical treatment which the child received, if any;

- (viii) the date on which the report referred to in subregulation (1)(a) was submitted to the **[National] Provincial** Commissioner of Police and a copy thereof to the National Commissioner;
- (ix) the nature of the instructions, if any, given by the **[National] Provincial** Commissioner of Police; and
- (x) the steps taken to comply with the instructions of the **[National] Provincial** Commissioner of Police.”;
- (b) by the substitution for subregulation (4) of the following subregulation:
 - “(4) The station commissioner must—
 - (a) after having investigated the matter and, if necessary, after ensuring that the child received medical treatment, submit the report together with the medical report, if any, to the **[National] Provincial** Commissioner of Police and a copy thereof to the National Commissioner of Police in an appropriate manner;
 - (b) ensure that the **[National] Provincial** Commissioner of Police has received the report and that the National Commissioner of Police has received a copy of the report; and
 - (c) file a copy of the report and its attachments in the docket.”;
- (c) by the substitution for subregulation (5) of the following subregulation:
 - “(5) The **[National] Provincial** Commissioner of Police may, after considering the report and recommendations made by the station commissioner, issue any instruction he or she deems fit.” ; and
- (d) by the substitution for subregulation (6) of the following subregulation:
 - “(6) (a) The station commissioner must, upon submission to the **[National] Provincial** Commissioner of Police of the documents referred to in subregulation (4), submit a copy thereof to the Independent Complaints Directorate, established by section 50(1) of the South African Police Service Act, 1995 (Act No. 68 of 1995).
 - (b) The station commissioner may submit the documents in any manner he or she deems fit but must keep proof of the manner of submission.”.

Amendment of regulation 50 of Regulations

2. Regulation 50 of the Regulations is hereby amended by the substitution for subregulation (1) of the following subregulation:

- “(1) An official of the Department of Justice and Constitutional Development who **[has been designated to deal with]** is responsible for processing applications relating to the expungement of convictions and sentences in terms of the Act may, if the information in Form 13 is inadequate or not clear, request further information from the applicant or any organ of state.”.

Amendment of Annexure to Regulations

3. The Annexure to the Regulations is hereby amended -

- (a) by the substitution for Form 2 of the following Form:

Form 2

**ORDER FOR THE EVALUATION OF CRIMINAL CAPACITY OF CHILD
SECTION 11 OF THE CHILD JUSTICE ACT, 2008 (ACT NO. 75 OF 2008)
REGULATIONS RELATING TO CHILD JUSTICE**

[Regulation 13]

At the Preliminary Inquiry / In the Child Justice Court	
Held at	
Case no/File no.	

1. Particulars of the child

Full names and surname:..... Date of birth/ID.No:.....Age:.....Sex.....
--

2. Particulars of parent, appropriate adult or guardian/ Child and Youth Care Centre

(State particulars of person or centre where the child is placed)

Full names and surname of parent, appropriate adult or guardian /Name of Child and Youth Care Centre:..... Physical address of parent, appropriate adult or guardian / Child and Youth Care Centre:..... Contact details of parent, appropriate adult or guardian / Child and Youth Care Centre:.....

3. Order by presiding officer

To:.....
.....
.....

....
(Particulars of person / institution to conduct evaluation)

In view of the fact that there is doubt about the criminal capacity of the abovementioned child, I hereby make the following order:-

(a) You are ordered to evaluate the following aspects of the criminal capacity of

.....;

- (i) Cognitive development
 - (ii) Moral development
 - (iii) Emotional development
 - (iv) Psychological development
 - (v) Social development
- and

(b) to provide the court with a written report on the evaluation within 30 days of this order.

.....
Signature: Presiding officer

.....
Date

Full names of Presiding officer:.....
Official Stamp

Note: 1. In terms of section 11(4) of the Act, you are required to furnish the inquiry magistrate or child justice court with a written report of the evaluation within 30 days of this order.

2. The written report referred to in paragraph (b) above must contain a brief description of how the evaluation of the cognitive, moral, emotional, psychological and social development of the child was done, and include findings and supporting reasons.”;

(b) by the substitution for Form 7 of the following Form:

“Form 7

**CERTIFICATE OF ACCREDITATION OF DIVERSION SERVICE PROVIDER
SECTION 56 OF THE CHILD JUSTICE ACT, 2008 (ACT NO. 75 OF 2008)
REGULATIONS RELATING TO CHILD JUSTICE**

[Regulation 31]

This is to certify that:

(Name and physical address)

Reg No:-----

Accreditation Certificate No: -----

is an accredited diversion service provider to provide diversion programmes, provided that the service provider continues to comply with the minimum standards referred to in section 55 of the Act.

This certificate of accreditation is valid for a period of **[four]** years, commencing on and expiring on

[Minister] Member of the Executive Council: Social Development

Date:

Official Stamp”; and

(c) by the substitution for Form 8 of the following Form:

“Form 8

**CERTIFICATE OF ACCREDITATION OF DIVERSION PROGRAMME
SECTION 56 OF THE CHILD JUSTICE ACT, 2008 (ACT NO. 75 OF 2008)
REGULATIONS RELATING TO CHILD JUSTICE
[Regulation 31]**

This is to certify that:

-----,

an accredited service provider,

Accreditation Certificate No.-----

is accredited to provide the following diversion programme-

-----,

provided that the diversion programme/s continue to comply with the minimum standards referred to in section 55 of the Act.

This certificate of accreditation is valid for a period of **[four]** years, commencing onand expiring on

[Minister] Member of the Executive Council: Social Development

Date:

Official Stamp”.

KITSISO YA PUSO**LEFAPHA LA BOSIAMISI LE TLHABOLOLO YA MOLAO THEO****NMR. R****2017****MOLAO WA BOSIAMISI WA NGWANA, 2008:****DITLHABOLOLO TSA MELAWANATAOLO E E AMANANG LE MOLAO WA BOSIAMISI WA NGWANA**

Tona ya Bosiamisi le Ditirelo tsa Kgopololo o, ka fa tlase ga karolo 97 ya Molao wa Bosiamisi wa Ngwana, 2008 (Molao 75 wa 2008) le morago ga therisano, fa go tlhokega, le maloko a Kabinete a a rwalang maikarabelo a tlhabolololoago, pabalesego le tshireletsego le boitekanelo, dirile Melawanataolo mo Šejuleng eno.

ŠEJULE**NTLHATLHALOSO YA KAKARETSO:**

[] Mafoko a a kwetsweng ka bontsho mo masakaneng a sekwere a bontsha tseo di tlogetsweng go tswa mo go dirweng ga melao e e leng teng.

_____ Mafoko a a thaletsweng ka mola o o kitlaneng a bontsha tseo di tsentsweng mo go dirweng ga melao e e leng teng.

Mo Šejuleng eno “Melawanataolo” e kaya Melawanataolo e e phasaladitsweng ka Kitsiso ya Puso Nmr. R.251 ya 31 Mopitlwe 2010.

Tlhabololo ya Molawanataolo 21 wa Melawanataolo

1. Molawanataolo 21 wa Melawanataolo o tlhabololwa jaana –
(a) ka kemisetso ya temana (d) ya molawanataolotlaleletso (1) ka temana e e latelang:

“(d) Motlhankedi wa sepodisi yo o amogetseng ngongorego kgotsa yo o beileng leitlho o tshwanetse, fa a fetsa go konosetsa dikgato tse di tshwanetseng go tsewa go latela molawanataolo ono, go netefatsa gore dintlha tse di latelang di tsenngwa mo rejisetareng e e kailweng mo karolong 28(3) ya Molao:

- (xi) Nomoro e e filweng mongongoregi;
- (xii) letlha le ngongorego e dirilweng ka lona;
- (xiii) mofuta wa kgobalo e e bonweng kgotsa kgobalo e e tseneletseng ya monagano e e bonweng;
- (xiv) mabaka a kgobalo kgotsa letshogo le ikaegileng ka ona;
- (xv) tshaeno le dintlha tsa mongongoregi;
- (xvi) letlha le pegelo e neetsweng mokhomišenara wa seteišene ka lona;
- (xvii) dintlha tsa kalafo ya bongaka e ngwana a e abetsweng, fa e le teng;

- (xviii) letlha le pegelo e e kailweng mo molwananataolong (1)(a) e rometsweng go Mokhomišenara wa **[Bosetšhaba] Porofense** wa Mapodisi le kgatiso ya yona kwa go Mokhomišenara wa Bosetšhaba;
- (xix) mofuta wa ditaello, fa di le teng, tse di neetsweng ke Mokhomišenara wa **[Bosetšhaba] Porofense** wa Mapodisi le
- (xx) dikgato tse di tserweng go obamela ditaello tsa Mokhomišenara wa **[Bosetšhaba] Porofense** wa Mapodisi.”;
- (b) ka kemisetso ya molwananataolotlaleletso (4) ka molwananataolotlaleletso o latelang:
- “(4) Mokhomišenara wa seteišene o tshwanetse—
- (a) morago ga go batlisisa morero le, fa go tlhokega, morago ga go netefatsa gore ngwana o amogetse kalafo ya bongaka, go romela pegelo mmogo le pegelo ya bongaka, fa e le teng, kwa go Mokhomišenara wa **[Bosetšhaba] Porofense** wa Mapodisi le kgatiso ya yona go Mokhomišenara wa Bosetšhaba wa Mapodisi ka mokgwa o o maleba;
- (b) go netefatsa gore Mokhomišenara wa **[Bosetšhaba] Porofense** wa Mapodisi o amogetse pegelo le gore Mokhomišenara wa Bosetšhaba wa Mapodisi o amogetse kgatiso ya yona; le
- (c) go faela kgatiso ya pegelo le dimamettlelelo tsa yona mo toketeng.”;
- (c) ka kemisetso ya molwananataolotlaleletso (5) ka molwananataolotlaleletso o latelang:
- “(5) Mokhomišenara wa **[Bosetšhaba] Porofense** wa Mapodisi o ka, morago ga go sekaseka pegelo le dikatlanegiso tse di dirilweng ke mokhomišenara wa seteišene, rebola taelo nngwe le nngwe e a e bonang e le matshwanedi.” ; le
- (d) ka kemisetso ya molwananataolotlaleletso (6) ka molwananataolotlaleletso o latelang:
- “(6) (a) Mokhomišenara wa seteišene o tshwanetse, fa a romela dikwalo tse di kailweng mo molwananataolotlaleletsong (4) kwa go Mokhomišenara wa **[Bosetšhaba] Porofense** wa Mapodisi, go romela kgatiso ya tsona kwa Bokaeding jo bo Ikemetseng jwa Dingongorego (Independent Complaints Directorate), jo bo thomilweng ka karolo 50(1) ya *South African Police Service Act, 1995* (Molao 68 wa 1995).
- (b) Mokhomišenara wa seteišene o ka romela dikwalo ka mokgwa o a bonang o le matshwanedi e bile o tshwanetse go tshola bosupi jwa mokgwa wa thomelo.”.

Tlhabololo ya molwananataolo 50 wa Melawanataolo

2. Molwananataolo 50 o tlhabololwa ka kemisetso ya molwananataolotlaleletso (1) ka molwananataolotlaleletso o o latelang:

“(1) Motlankedi wa Lefapha la Bosiamisi le Tlhabololo ya Molaotheo yo o **[thapetsweng go samagana le]** o rwala maikarabelo mabapi le tiragatso ya dikopo tse di amanang le phimolo ya diponomolato le dikatholo go ya ka Molao o ka, fa tshedimosetso e e mo Foromong 13 e sa lekana kgotsa e

sa tihapa, kopa tshedimosetso e nngwe go tswa mo modirakopong kgotsa mo setheong sengwe le sengwe sa puso.”.

Tlhabololo ya Mametlelelo ya Melawanataolo

3. Mametlelelo ya Melawanataolo e tlhabololwa jaana-
(a) ka kemisetso ya Foromo 2 ka Foromo e e latelang:

“Foromo 2

**TAELO MABAPI LE TSHEKATSHEKO YA KITSO YA BOSENYI YA NGWANA
KAROLO 11 YA MOLAO WA BOSIAMISI WA NGWANA, 2008 (MOLAO 75 WA 2008)
MELAWANATAOLO E E AMANANG LE BOSIAMISI JWA NGWANA**

[Molawanataolo 13]

Kwa Ntlhapatlisong ya Pele / Kwa Kgotlatshekelong ya Bosiamisi jwa Ngwana	
E e tshwaretsweng kwa	
Nomoro ya kgetse/nomoro ya faele	

1. Dintlha tsa ngwana

<p>Maina ka botlalo le sefane:.....</p> <p>Letlha la matsalo/Nomoro ya Lokwaloitshupo:..... Dingwaga:..... Bong.....</p>
--

2. Dintlha tsa motsadi, mogolo yo o matshwanedi kgotsa motlhokomedi/ Senthara ya Tlhokomelo ya Bana le Bašwa

(Neela dintlha tsa motho kgotsa senthara e ngwana a beilweng kwa go yona)

<p>Maina ka botlalo le sefane sa motsadi, mogolo yo o matshwanedi kgotsa motlhokomedi / Leina la Ngwana le Senthara ya Tlhokomelo ya Bana le Bašwa:.....</p> <p>.....</p> <p>Aterese ya bonno ya motsadi, mogolo yo o tshwanetseng kgotsa motlhokomedi /</p>
--

Senthara ya Tlhokomelo ya Bana le

Bašwa.....

Dintlha tsa kgokagano tsa motsadi mogolo yo o tshwanetseng kgotsa motlhokomedi /

Senthara ya Tlhokomelo ya Bana le

Bašwa:.....

3. Taelo ka motlhankedimokaedi

Go:.....

....
(Dintlha tsa motho / setheo se se tla dirang tshekatsheko)

Ka kelotlhoko go ntlha ya gore go na le ketsaetsego ya kitso ya bosenyi ya ngwana yo o kailweng fa godimo, **ke dira taelo e e latelang:-**

(a) O laelwa go sekaseka dintlha tse di latelang ka kitso ya bosenyi ya ga

-;
- (vi) Nonofo ya thaloganyo
 - (vii) Nonofo ya maitsholo
 - (viii) Nonofo ya maikutlo
 - (ix) Nonofo ya bosaekholoji
 - (x) Nonofo ya loago
- le

(b) go tlamela kgotlatshekelo ka pegelo e e kwetseng ka ga tshekatsheko mo matsatsing a le 30 a taelo eno.

.....
Tshaeno: Motlhankedimokaedi

.....
Letlha

Maina ka botlalo a

Motlhankedimokaedi:.....

Setempe sa Semmuso

Ela tlhoko: 1. Go ya ka karolo 11(4) ya Molao, o tshwanetse go tlamela magiseterata wa ntlhapatlisiso kgotsa kgotlatshekelo ya bosiamisi jwa ngwana ka pegelo e e kwetsweng ya tshekatsheko mo matsatsing a le 30 a taelo eno.

2. Pegelo e e kwetsweng e e kailweng mo temaneng (b) fa godimo e tshwanetse go tsenyeletsa tlhaloso e khutshwane ya ka moo tshekatsheko ya nonofo ya tlhaloganyo, maitsholo, maikutlo, bosaekholoji le loago e dirilweng ka teng, le go akaretsa diphitlhelelo le mabaka a tshegetso.”;

(b) ka kemisetso ya Foromo 7 ka Foromo e e latelang:

“Foromo 7

SETIFIKEITI SA KAMOGELOSEMUSO YA MOTLAMELADITIRELO TSA PHAPOSO

KAROLO 56 YA MOLAO WA BOSIAMISI WA NGWANA, 2008 (MOLAO 75 WA 2008)

MELAWANATAOLO E E AMANANG LE BOSIAMISI JWA NGWANA

[Molawanataolo 31]

Seno ke go netefatsa gore:

(Leina le aterese ya lefelo)

Nomorokwadiso:-----

Nomoro ya Setifikeiti sa Kamogelosemmuso: -----

Ke motlamedi yo o amogetsweng semmuso wa ditirelo tsa phaposo go tlamela ka mananeo a phaposo, fa fela motlamedi wa ditirelo a tswelela go obamela ditekanyetso tsa maemo a boleng tse di kailweng mo karolong 55 ya Molao.

Setifikeiti seno sa kamogelosemmuso se amogelesega sebaka sa paka ya dingwaga tse [nne], go simologa ka le go ya bokhutlong ka

[Tona] Mokhuduthamaga: Tlhabolololoago

Letha:

Setempe sa Semmuso”; le

(c) ka kemisetso ya Foromo 8 ka Foromo e e latelang:

“Foromo 8

**SETIFIKEITI SA KAMOGELOSEMMUSO YA POROGRAMA YA PHAPOSO
KAROLO 56 YA MOLAO WA BOSIAMISI WA NGWANA, 2008 (MOLAO 75 WA 2008)
MELAWANATAOLO E E AMANANG LE BOSIAMISI JWA NGWANA**

[Molawanataolo 31]

Seno ke go netefatsa gore:

-----,

Motlamedi yo o amogetsweng semmuso wa ditirelo,

Nomoro ya Kamogelosemmuso ya Setifikeiti.-----

O amogetswe semmuso go tlamela ka porograma ya phaposo e e latelang-

-----,

fa fela di/porograma di tswelela go obamela ditekanyetso tsa maemo a boleng tse di kailweng mo karolong 55 ya Molao.

Setifikeiti seno sa kamogelosemmuso se amogelesega sebaka sa paka ya dingwaga tse [nne], go simologa kale go ya bokhutlong ka

[Tona] Mokhuduthamaga: Tlhabolololoago

Letha:

Setempe sa Semmuso”.

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. R. 1338

01 DECEMBER 2017

DETERMINATION OF PERSONS OR CATEGORY OR CLASS OF PERSONS COMPETENT TO CONDUCT EVALUATIONS OF CRIMINAL CAPACITY OF CHILDREN AND ALLOWANCES AND REMUNERATION: SECTION 97(3) OF THE CHILD JUSTICE ACT, 2008

I, Tshililo Michael Masutha, Minister of Justice and Correctional Services, acting under section 97(3) of the Child Justice Act, 2008 (Act No. 75 of 2008) ("the Act"), hereby-

1. withdraw Government Notice No. R.273 dated 1 April 2010;
2. (a) determine that the category or class of persons listed in Column 1 of the Table in paragraph 1 of the Schedule are competent to assess the elements of development of a child listed in Column 2 of the Table in paragraph 1 of the Schedule for purposes of evaluating the criminal capacity of a child; and
 - (b) in consultation with the Minister of Finance, determine the allowances and remuneration set out in paragraph 2 of the Schedule in respect of the persons mentioned in paragraph (a) above.

T M MASUTHA
MINISTER OF JUSTICE AND CORRECTIONAL SERVICES

SCHEDULE

1. **Determination of categories or classes of persons competent to conduct evaluation of criminal capacity**

COLUMN 1	COLUMN 2
Category or class of persons competent to conduct evaluation of criminal capacity of a child	Element of development of a child
A medical practitioner who is registered as such in terms of the	Cognitive, emotional, moral, psychological and social

Health Professions Act, 1974 (Act No. 56 of 1974), and against whose name the speciality psychiatry is also registered.	
A psychologist who is registered as a clinical, educational or counselling psychologist in terms of the Health Professions Act, 1974.	Cognitive, emotional, moral, psychological and social

2. Determination of Remuneration and Allowances

2.1 Determination of Remuneration

- (a) A psychiatrist who, in terms of section 11(3) of the Act, is ordered by the court to evaluate the criminal capacity of a child and who is not in full-time service of the State is remunerated for the evaluation and preparation of the report at the rate of R1000,00 per hour or part thereof.
- (b) A clinical, educational or counselling psychologist who, in terms of section 11(3) of the Act, is ordered by the court to evaluate the criminal capacity of a child and who is not in full-time service of the State is remunerated for the evaluation and preparation of the report at the rate of R765,00 per hour or part thereof.

2.2 Determination of Allowances

Definitions

For the purposes of this paragraph -

“**court manager**” means a person in control of the administration of the magistrate’s court and includes a court manager appointed in terms of section 11 of the Superior Courts Act, 2013 (Act No. 10 of 2013);

“**registrar**” means a registrar of any regional division or of any division the High Court, and includes an assistant registrar.

Transport and travelling expenses

- (a) For purposes of conducting the evaluation, a competent person referred to in paragraph (1) to the Schedule, if necessary, may make use of a public or private transport.
- (b) A competent person who uses public transport is entitled to an amount equal to the fare for the least expensive means of transport along the shortest route.
- (c) A competent person who uses private motor vehicle is entitled to a transport allowance as prescribed from time to time for the Public Service.
- (d) A competent person may only use air transport at State expense, if the court manager or the registrar –
- (i) is satisfied that the use thereof is warranted; and

- (ii) has, prior to the flight, approved that the competent person may make use of the air transport.
- (e) A competent person is entitled to be reimbursed for reasonable actual expenses incurred in respect of parking and toll fees.

TLHOMAMISO YA BATHO KGOTSA MOFUTA KGOTSA MAEMO A BATHO BA BA NANG LE BOKGONI JWA GO DIRA TSHEKATSHEKO YA KITSO YA BOSENYI YA NGWANA LE DITUELOTETLA LE MEGOLO: KAROLO 97(3) YA MOLAWANA WA BOSIAMISI WA NGWANA, 2008

Nna, Tshililo Michael Masutha, Tona ya Bosiamisi le Ditirelo tsa Kgopololo, ka go dira ka fa tlase ga karolo 97(3) ya Molao wa Bosiamisi wa Ngwana, 2008 (Molao 75 wa 2008) ("Molao"), ke-

- 3. gogela morago Kitsiso ya Puso ya Nomoro R.273 ya letlha la 1 Moranang 2010;
- 4. (a) tlhomamisa gore mofuta kgotsa maemo a batho a a neetsweng mo Kholomong 1 ya Tafole e e mo temaneng 1 ya Šejule a siametse go lekola dipopi tsa nonofo ya ngwana tse di neetsweng mo Kholomong 2 ya Tafole e e mo temaneng 1 ya Šejule mabapi le maitlomo a go sekaseka kitso ya bosenyi ya ngwana; le
- (b) ka therisano le Tona ya Matlotlo, tlhomamisa dituelotetla le megolo e e tlhagisitsweng mo temaneng 2 ya Šejule mabapi le batho ba ba kailweng mo temaneng (a) fa godimo.

T M MASUTHA
TONA YA BOSIAMISI LE DITIRELO TSA KGOPOLOLO

ŠEJULE

1. Tlhomamiso ya mefuta kgotsa maemo a batho ba ba nang le bokgoni jwa go dira tshekatsheko ya kitso ya bosenyi ya ngwana

KHOLOMO 1	KHOLOMO 2
Mofuta kgotsa maemo a batho ba ba nang le bokgoni jwa go dira tshekatsheko ya kitso ya bosenyi ya ngwana	Popi ya nonofo ya ngwana
Modiri wa tsa kalafi yo o kwadisitsweng jalo go ya ka <i>Health Professions Act, 1974</i> (Molao 56 wa 1974), le yo kगतलhanong le leina la gagwe saekhaeteri ya kgethego e kwadisitsweng .	Tlhaloganyo, maikutlo, maitsholo, bosaekholoji le loago
Mosaekholoji yo o kwadisitsweng jaaka mosaekholoji wa tliliniki, wa tsa thuto kgotsa yo o gakololang go ya ka <i>Health Professions Act, 1974</i> .	Tlhaloganyo, maikutlo, maitsholo, bosaekholoji le loago

2. Tlhomamiso ya Megolo le Dituelotetla

2.1 Tlhomamiso ya Megolo

- (a) Mosaekhaeteri yo, go ya ka karolo 11(3) ya Molao, o laelwa ke kgotlatshekelo go sekaseka kitso ya bosenyi ya ngwana le yo o seng mo tirelong ya Puso ya leruri o duelwa mabapi le tshekatsheko le paakanyo ya pegelo ka seelo sa R1000,00 ura nngwe le nngwe kgotsa karolo ya sona.
- (b) Mosaekholoji wa tsa tliliniki, tsa thuto kgotsa yo o gakololang yo, go ya ka karolo 11(3) ya Molao, o laelwa ke kgotlatshekelo go sekaseka kitso ya bosenyi ya ngwana le yo o seng mo tirelong ya Puso ya leruri o duelwa mabapi le tshekatsheko le paakanyo ya pegelo ka seelo sa R765,00 ura nngwe le nngwe kgotsa karolo ya sona.

2.2 Tlhomamiso ya Dituelotetla

Ditlhaloso

Mabapi le maitlhommo a temana eno -

“**molaodi wa kgotlatshekelo**” o kaya motho yo o laolang tsamaiso ya kgotlatshekelo ya magiseterata le go akaretsa molaodi wa kgotlatshekelo yo o thapilweng go ya ka karolo 11 ya *Superior Courts Act, 2013* (Molao 10 wa 2013);

“mokwadisi” o kaya mokwadisi wa lekala lengwe le lengwe la kgaolo kgotsa wa lekala lengwe le lengwe la Kgotlatshekelokgolo, le go akaretsa mothusamokwadisi.

Sepalangwa le ditshenyegelo tsa mosepele

- (a) Mabapi le maitlhomo a go dira tshekatsheko, motho yo o nang le bokgoni yo o kailweng mo temaneng (1) ya Šejule, fa go tlhokega, o ka dirisa sepalangwa sa botlhe kgotsa sa poraefete.
- (b) Motho yo o nang le bokgoni yo o dirisang sepalangwa sa botlhe o tshwanetswe ke madi a go palama a boleng jo bo lekanang le jwa sepalangwa sa tuelo e e kwa tlase mo tseleng ya sekgala se se khutshwane.
- (c) Motho yo o nang le bokgoni yo o dirisang koloi ya poraefete o tshwanetswe ke tuelotetla ya sepalangwa jaaka e tlhalositswe nako le nako mabapi le Tirelosetšhaba.
- (d) Motho yo o nang le bokgoni o ka dirisa fela sepalangwa sa mo moweng ka ditshenyegelo tsa Puso, fa motsamaisi wa kgotlatshekelo kgotsa mokwadisi—
 - (i) a kgotsofaditswe ke gore tiriso ya sona e a tlhokega; le
 - (ii) o, pele ga go namela sefofane, netefaditse gore motho yo o nang le bokgoni o ka dirisa senamelwa sa mo moweng.
- (e) Motho yo o nang le bokgoni o tshwanetswe ke go busetswa mabapi le ditshenyegelo tsa nnete ka mabaka tse di bonweng mabapi le go paka le dituelelo tsa makgetho.

DEPARTMENT OF PUBLIC WORKS**NO. R. 1339****01 DECEMBER 2017****CONSTRUCTION INDUSTRY DEVELOPMENT BOARD ACT, 2000 (ACT NO. 38 OF 2000)**

The Minister of Public Works intends to amend the Construction Industry Development Regulations, 2004 published under GN 692 in GG 26427 of 9 June 2004, as amended. The draft amendment regulations annexed hereto are accordingly published for public comment.

Interested persons are invited to submit their written comments on the proposed regulations to the Director- General of the Department of Public Works within **30 days** of the date of publication of this notice by-

- (a) Posting it to: Department of Public Works, Private Bag X65, Pretoria, 0001; or
- (b) Delivering it by hand at: Central Government Building, Corner Madiba Drive and Bosman Streets, Pretoria, 0001; or
- (c) Emailing it to: gugu.mgwebi@dpw.gov.za

Comments must be marked for the attention of Gugu Mgwebi.

Comments received after the closing date may not be considered.

N P T NHLEKO (MP)

MINISTER OF PUBLIC WORKS

DEPARTMENT OF PUBLIC WORKS**CONSTRUCTION INDUSTRY DEVELOPMENT BOARD ACT, 2000**

I, Nkosinathi Phiwayinkosi Thamsanqa “Nathi” Nhleko, Minister of Public Works, under section 33 of the Construction Industry Development Board, Act, 2000 (Act No. 38 of 2000), make the Regulations in the Schedule.

N P T NHLEKO (MP)
MINISTER OF PUBLIC WORKS

SCHEDULE**Definition**

1. In these regulations, “the Regulations” means the Regulations published under Government Notice No. R. 692 in Government Gazette No. 26427 of 9 June 2004, as amended by Government Notice No. R. 1333 published in Government Gazette No. 26991 of 12 November 2004, Government Notice No. R. 751 published in Government Gazette No. 27831 of 22 July 2005, Government Notice No. R. 842 published in Government Gazette No. 29138 of 18 August 2006, Government Notice No. R. 1121 published in Government Gazette No. 30510 of 23 November 2007, Government Notice No. R. 1224 published in Government Gazette No. 31603 of 14 November 2008 and Government Notice No. R. 464 published in Government Gazette No. 36629 of 2 July 2013.

Amendment of Regulation 1 of Regulations

2. Regulation 1 of the Regulations is hereby amended-

(a) by the insertion after the definition “financial sponsorship” of the following definition:

“**indirect targeting**” means to facilitate contractor development through the procurement model which targets developmental outcomes, excluding direct targeting; and

(b) by the insertion after the definition of “programme” of the following definitions:

“**Standard for Contractor Performance Reports (Grades 2 to 9)**’ means the Standard for Contractor Performance Reports (Grades 2 to 9) published by Board Notice No. 181 of 2013 published in Gazette No. 36760 of 23 August 2013 as amended from time to time”;

“**Standard for Developing Skills through Infrastructure Contracts**’ means the Standard for Developing Skills through Infrastructure Contracts published by Board Notice No. 180 of 2013 published in Gazette No. 36760 of 23 August 2013 as amended from time to time”;

“**Standard for Indirect Targeting for Enterprise Development**’ means the Standard for Indirect Targeting for Enterprise Development through Construction Works Contracts published by Board Notice No. 21 of 2013 published in Gazette No. 36190 of 25 February 2013 as amended from time to time”;

Substitution of heading to PART III of Regulations

3. The following heading is hereby substituted for the heading to Part III of the Regulations:

“PART III A REGISTER OF PROJECTS”

Insertion of heading in Regulations

4. The following heading is hereby inserted after regulation 21 of the Regulations:

“PART III B BEST PRACTICE PROJECT ASSESSMENT SCHEME”

Insertion of regulations 22A, 22B and 22C in Regulations

5. The following regulations are hereby inserted in the Regulations after regulation 22:

“22A. Contractor Performance Reports (Grades 2 to 9)

- (1) From the date and in relation to a project determined by the Minister in terms of section 23(2) of the Act, a client or employer must, on a date referred to in regulation 21(1) and on the approved form, notify the Board of the compliance of such project with the Standard for Contractor Performance Reports (Grades 2 to 9).
- (2) Where the contractor does not dispute the findings of the Contractor Performance Report, a client or employer must, on the date referred to in subregulation (1) and on the approved form, submit to the Board the relevant Contractor Performance Report (Grades 2 to 9).
- (3) Where a contractor dispute the findings of the Contractor Performance Report, a client or employer must within one calendar month of the resolving of the dispute in terms of the

Standard for Contractor Performance Reports (Grades 2 to 9) and on the approved form, submit to the Board the relevant Contractor Performance Report (Grades 2 to 9)".

“22B. Indirect Targeting for Enterprise Development

From the date and in relation to a project determined by the Minister in terms of section 23(2) of the Act, a client or employer must, on a date referred to in regulation 21(1), on payment of the fees set out in Schedule 2 and on the approved form:-

- (a) notify the Board of the compliance of such project with the Standard for Indirect Targeting for Enterprise Development; and
- (b) submit to the Board the Targeted Enterprise Declaration Affidavits as specified in the Standard for Indirect Targeting for Enterprise Development through Construction Works Contracts pertaining to the developing enterprises concerned” and

“22C. Developing Skills through Infrastructure Contracts

(1) From the date and in relation to a project determined by the Minister in terms of section 23(2) of the Act, a client or employer must, on a date referred to in regulation 21(1), on payment of the fees set out in Schedule 2 and on the approved form, notify the Board of:

- (a) the compliance of such project with the Standard for Developing Skills through Infrastructure Contracts; and
- (b) the contract skills development achieved”.

Amendment of Schedule 2 of the Regulations

6. Table 1: Registration and Renewal Fees of Schedule 2 of the Regulations is hereby amended by the insertion of the following item:

6. Best Practice Project Assessment Scheme; Assessment Fee; Projects of Tender Grades 7 to 9	0.2% of total value of project on the date of award of that project, but not more than R2 000 000.00	Section 22(3)
--	--	---------------

Short title and commencement

7. These Regulations are called the Construction Industry Development Amendment Regulations, 2017 and commence on the date of publication thereof.

