



# Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA  
REPUBLIEK VAN SUID AFRIKA

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

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**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>
<b>GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS</b>			
<b>Agriculture, Land Reform and Rural Development, Department of / Landbou, Grondhervorming en Landelike Ontwikkeling, Departement van</b>			
2286	Restitution of Land Rights Act (22/1994), as amended: Portion 7 of the Farm Valschspruit 458 JR.....	47019	13
2287	Restitution of Land Rights Act (22/1994) as amended: Portion 7 (remaining extent) of the Farm Valschspruit 458 JR .....	47019	15
2288	Restitution of Land Rights Act (22/1994) as amended: Portion 14 of the Farm Valschspruit 458 JR.....	47019	16
2289	Section 8 of the Land Survey Act (8/1997): Prescription of the fees set out in the Annexures, as the fees which shall be charged for products and services provided by the offices of the Chief Surveyor-General, Surveyors-General and Chief Directorate: National Geospatial Information.....	47019	18
<b>Forestry, Fisheries and the Environment, Department of / Bosbou, Visserye en die Omgewingsake, Departement van</b>			
2290	National Environmental Management: Integrated Coastal Management Act (24/2008): General Discharge Authorisation in terms of section 69(2) .....	47019	27
<b>South African Reserve Bank / Suid-Afrikaanse Reserwebank</b>			
2291	Financial Intelligence Centre Act (38/2001), as amended: FATF Electronic Funds Transfers Directive No. 1 of 2022	47019	54
<b>GENERAL NOTICES • ALGEMENE KENNISGEWINGS</b>			
<b>Trade, Industry and Competition, Department of / Handel, Nywerheid en Kompetisie, Departement van</b>			
1152	Competition Act (89/1998), as amended: Notification of Complaint Referral: Canasia Fibreglass Marketing (Pty) Ltd, Respondent.....	47019	65
<b>BOARD NOTICES • RAADSKENNISGEWINGS</b>			
306	Pan South African Language Board Act (59/1995 as amended by Act No. 10 of 1999): Call for comment: Provincial Language Committee.....	47019	66
307	Architectural Profession Act (44/2000): Guideline for Professional Fees in terms of section 34 (2) of the Act .....	47019	67



government  
printing

Department:  
Government Printing Works  
REPUBLIC OF SOUTH AFRICA

## HIGH ALERT: SCAM WARNING!!!

### TO ALL SUPPLIERS AND SERVICE PROVIDERS OF THE GOVERNMENT PRINTING WORKS

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

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

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

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

Example of e-mails these fraudsters are using:

[PROCUREMENT@GPW-GOV.ORG](mailto:PROCUREMENT@GPW-GOV.ORG)

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

*GPW* has an official email with the domain as [@gpw.gov.za](mailto:@gpw.gov.za)

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

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

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

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

## Fake Tenders

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

### How tender scams work

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

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

OR

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

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

Protect yourself from being scammed

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

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

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

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

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

## Closing times for ORDINARY WEEKLY GOVERNMENT GAZETTE 2022

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

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

## LIST OF TARIFF RATES FOR PUBLICATION OF NOTICES

**COMMENCEMENT: 1 APRIL 2018**

### NATIONAL AND PROVINCIAL

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

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

### EXTRA-ORDINARY

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

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

### IMPORTANT NOTICE:

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**NO** FUTURE QUERIES WILL BE HANDLED IN CONNECTION WITH THE ABOVE.

## GOVERNMENT PRINTING WORKS - BUSINESS RULES

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

### CLOSING TIMES FOR ACCEPTANCE OF NOTICES

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

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

**All notices received after the closing time will be rejected.**

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

## GOVERNMENT PRINTING WORKS - BUSINESS RULES

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

### EXTRAORDINARY GAZETTES

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

### NOTICE SUBMISSION PROCESS

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



## GOVERNMENT PRINTING WORKS - BUSINESS RULES

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

### QUOTATIONS

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

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

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

**CANCELLATIONS**

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

**AMENDMENTS TO NOTICES**

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

**REJECTIONS**

24. All notices not meeting the submission rules will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email [info.egazette@gpw.gov.za](mailto: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](mailto:info.egazette@gpw.gov.za) before publication.
35. Overpayment resulting from miscalculation on the part of the advertiser of the cost of publication of a notice will not be refunded, unless the advertiser furnishes adequate reasons why such miscalculation occurred. In the event of underpayments, the difference will be recovered from the advertiser, and future notice(s) will not be published until such time as the full cost of such publication has been duly paid in cash or electronic funds transfer into the **Government Printing Works** banking account.
36. In the event of a notice being cancelled, a refund will be made only if no cost regarding the placing of the notice has been incurred by the **Government Printing Works**.
37. The **Government Printing Works** reserves the right to levy an additional charge in cases where notices, the cost of which has been calculated in accordance with the List of Fixed Tariff Rates, are subsequently found to be excessively lengthy or to contain overmuch or complicated tabulation.

### PROOF OF PUBLICATION

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

## GOVERNMENT PRINTING WORKS CONTACT INFORMATION

**Physical Address:**
**Government Printing Works**

149 Bosman Street

Pretoria

**Postal Address:**

Private Bag X85

Pretoria

0001

**GPW Banking Details:**
**Bank:** ABSA Bosman Street

**Account No.:** 405 7114 016

**Branch Code:** 632-005

**For Gazette and Notice submissions:** Gazette Submissions:

**For queries and quotations, contact:** Gazette Contact Centre:

**E-mail:** [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za)
**E-mail:** [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)
**Tel:** 012-748 6200

**Contact person for subscribers:** Mrs M. Toka:

**E-mail:** [subscriptions@gpw.gov.za](mailto:subscriptions@gpw.gov.za)
**Tel:** 012-748-6066 / 6060 / 6058

**Fax:** 012-323-9574

## GOVERNMENT NOTICES • GOEWERMENSKENNISGEWINGS

### DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. 2286

15 July 2022

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

**WHEREAS** a land claims were lodged by the late Mr. John Butana Sepeng, which claim was published in terms of Section 11(1) of the Restitution of Land Rights Act, No. 22 of 1994 (as amended), hereinafter referred to as "the Act".

and

**WHEREAS** during further investigation of the land claims in so far as it relates to the property referred to below, the Regional Land Claims Commissioner, has reason to believe that the criteria set out in Section 11(1) (b) of the Act, has not been met.

**NOW THEREFORE NOTICE** is hereby given in terms of Section 11A (2) of the Act that at the expiry of 30 days from the date of the publication of this notice in the Government Gazette, the notice of these claims previously published in terms of section 11(1) of the Act in Gazette No 30537, under Notice 1729 of 2007, dated 07<sup>th</sup> of December 2007, to the extent that it relates to the land claim, will be withdrawn unless cause to the contrary is shown to the satisfaction of the Regional Land Claims Commissioner.

The details of the Gazette No 30537, under Notice 1729 of 2007, dated 07<sup>th</sup> of December 2007, relevant for this notice include the following:

<b>Reference No:</b>	<b>Z 0173 (KRP 12363)</b>
<b>Claimant:</b>	<b>Mr. John Butana Sepeng</b>
<b>Property Description:</b>	<b>Portion 7 of the farm Valschspruit 458 JR</b>
<b>Owner:</b>	<b>National Government of the Republic of South Africa</b>
<b>Date Submitted:</b>	<b>23 December 1998</b>

Ref No.	Property Description	Title Deed Number	Extent Ha	Land Owner
Z 0173 (KRP 12363)	Portion 7 (RE) of the farm Valschspruit 458 JR	T23924/1985	465.63 56 ha	National Government of the Republic of South Africa

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

- (a) The published gazette notice reflects various properties and names of other claimants, and it makes it difficult to identify/link same with the claimant or his/her land claim.
- (b) The claimed land relating to the above claim is undivided 1/19<sup>th</sup> share of Portion 7 (RE) of the farm Valschspruit 458 JR situated in the City of Tshwane Metropolitan Municipality of Gauteng Province.

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

The representations must be forwarded to the Regional Land Claims Commissioner



**MR L H MAPHUTHA**

**The Regional Land Claims Commissioner**

Private Bag X 03

ARCADIA

0007

Tel: (012) 310-6500

Fax: (012) 323-2961

## DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. 2287

15 July 2022

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

Notice is hereby given in terms of section 11(1)(c) of the Restitution of Land Rights Act, 1994 as amended) that a claim has been lodged for restitution of land rights on:

REF NO	CLAIMANT	PROPERTY DESCRIPTION	CURRENT LANDOWNERS	BONDS / NO BONDS	DEED OF TRANSFER	INTERESTED PARTIES
Z 0113 (KRP 12368)	Mr. Sonnyboy Micheal Randa  Mr. Noah Ranta	Portion 7 (remaining extent) of the farm Valschspruit 458 JR	National Government of the republic of South Africa	None	T23924/1985MPU T28328/1995MPU T51541/2018 T51541/2018	Land Claimant, the current landowners and the City of Tshwane Metropolitan Municipality

have been submitted to the Regional Land Claim Commission and that the Commission on Restitution of Land Rights will investigate these claims in terms of the provisions of the Act in due course. Any interested person who has an interest in the above-mentioned land claims is hereby invited to submit, within thirty (30) working days from the publication any comments/information to:

Chief Directorate: Land Restitution Support Gauteng Province

Private Bag X03

**ARCADIA**

0007.

Tel: (012) 310-6500

Fax: (012) 324-5812



**MR. L.H. MAPHUTHA**  
**REGIONAL LAND CLAIMS COMMISSIONER**  
DATE: 31/03/2022

## DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. 2288

15 July 2022

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

**WHEREAS** a land claims were lodged by the late Bengwabo Daniel Mahlangu, which claims were published in terms of Section 11(1) of the Restitution of Land Rights Act, No. 22 of 1994 (as amended), hereinafter referred to as "the Act".

and

**WHEREAS** during further investigation of the land claims in so far as it relates to the property referred to below, the Regional Land Claims Commissioner, has reason to believe that the criteria set out in Section 11(1) (b) of the Act, has not been met.

**NOW THEREFORE NOTICE** is hereby given in terms of Section 11A (2) of the Act that at the expiry of 30 days from the date of the publication of this notice in the Government Gazette, the notice of these claims previously published in terms of section 11(1) of the Act in Gazette No 30537, under Notice 1729 of 2007; dated 07<sup>th</sup> of December 2007, to the extent that it relates to these claims, will be withdrawn unless cause to the contrary is shown to the satisfaction of the Regional Land Claims Commissioner.

The details of the Gazette No 30537, under Notice 1729 of 2007, dated 07<sup>th</sup> of December 2007, relevant for this notice include the following:

**Reference No:** Z0374 (KRP 10095)  
**Claimant:** Mr. Bengwabo Daniel Mahlangu  
**Property Description:** Portion 14 of the farm Valschspruit 458 JR  
**Owner:** National Government of the Republic of South Africa  
**Date Submitted:** 14 December 1998

Ref No.	Property Description	Title Deed Number	Extent Ha	Land Owner
Z 0374 (KRP 10095)	Portion 14 of the farm Valschspruit 458 JR	T49575/1985 T11790/2012	242.74 02 ha	National Government of the Republic of South Africa

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

- (a) The published gazette notice reflects various properties and names of other claimants, and it makes it difficult to identify/link same with the claimant or his/her land claim.
- (b) The claimed land relating to the above claim is Portion 14 of the farm Valschspruit 458 JR situated in the City of Tshwane Metropolitan Municipality of Gauteng Province.



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

The representations must be forwarded to the Regional Land Claims Commissioner



**MR L H MAPHUTHA**

**The Regional Land Claims Commissioner**

Private Bag X 03

ARCADIA

0007

Tel: (012) 310-6500

Fax: (012) 323-2961

## DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. 2289

15 July 2022

I, **Mooketsa Ramasodi**, Director-General of the Department of Agriculture, Land Reform and Rural Development, in terms of Section 8 of the Land Survey Act, No 8 of 1997, hereby prescribe the fees set out in the Annexures, as the fees which shall be charged for products and services provided by the offices of the Chief Surveyor-General, Surveyors-General and Chief Directorate: National Geospatial Information. The fees shall be payable from a date 30 days after the publication of this Notice and shall replace the scales of fees promulgated by **Government Notice No 1541 of 2019** in **Government Gazette No. 42861**, dated 29 November 2019, which are hereby repealed as from that date.

## SCALE OF FEES TO BE CHARGED IN BRANCH NATIONAL GEOMATICS MANAGEMENT SERVICE

<b>A. OFFICES OF THE CHIEF SURVEYOR-GENERAL AND THE SURVEYORS-GENERAL</b>	
<b>FOR PRODUCTS AND SERVICES PROVIDED IN TERMS OF SECTIONS 3 AND 6 OF THE LAND SURVEY ACT, NO 8 OF 1997, AND IN TERMS OF SECTION 7 OF THE SECTIONAL TITLES ACT, NO 95 OF 1986</b>	
<b>STANDARD PRODUCT AND SERVICES</b>	
<b>Note that the prescribed fees do not include packaging and postage. The fee for packaging and delivery services will be in line with SA Postal services</b>	
<b>1.1 SUBMISSIONS</b>	
The fees below cover the supply, by the Surveyor-General in the prescribed circumstances, of the registration copies of approved documents, as well as all survey-related services in connection with or incidental to such registration which are not specified else-where in this scale of fees.	
It however excludes the costs involved in the printing of any document submitted as required by the Acts or Regulations in support of lodgements referred to in paragraphs 1.1.1 – 1.1.4 and necessary for record, examination, or archival purposes. Such exclusions are addressed under paragraph 1.1.5.	
<b>For the total processing of lodgements: -</b>	
<b>1.1.1 Diagram</b>	<b>R425</b>
<b>Provided that in the case of a servitude diagram, depicting a servitude(s) over two or more pieces of land, an additional fee is payable for each additional piece of land in excess of one (1)</b>	<b>R64</b>
<b>1.1.2 General Plan</b> (Basic fee + additional amount per piece of land depicted on such plan)	
<b>a) 2 to 50 pieces:</b>	<b>R1330 / R80</b>
<b>b) 51 to 300 pieces:</b>	<b>R1765 / R75</b>
<b>c) 301 to 500 pieces</b>	<b>R4670 / R70</b>

1

<b>d) 501 and upwards:</b>	<b>R6370 / R90</b>
<b>1.1.3 Sectional Plan (Basic fee)</b> (Including a plan of cession of real rights)	<b>R480</b>
<b>Additional fee for each Section, Exclusive Use Area, newly created Servitude or Real Right shown or recorded on such plan</b>	<b>R70</b>
<b>1.1.4 Administration fee for re-submission</b>	<b>R85</b>
<b>In addition for each: ~</b>	
<b>a) Reframed Diagram</b>	<b>R210</b>
<b>Provided that in the case of a servitude diagram, depicting a servitude(s) over two or more pieces of land, an additional fee is payable for each additional piece of land in excess of one (1)</b>	<b>R32</b>
<b>b) Reframed General Plan</b> (per sheet and for each erf appearing on the reframed sheet)	<b>R640 / R43</b>
<b>c) Reframed Sectional Title Plan</b> (per sheet)	<b>R225</b>
<b>Additional fee for each Section, Exclusive Use Area, newly created Servitude or Real Right shown or recorded on such reframed sheet</b>	<b>R32</b>
<b>1.1.5 Multimedia / Digital Submissions</b>  The printing of any document submitted as required by the Acts or Regulations in support of lodgements referred to in paragraphs 1.1.1 – 1.1.4 and necessary for record, examination, or archival purposes, including the preparation of office copies of diagrams, general plans or sectional plans on any media, shall be consistent with the cost of the specific hardcopy as specified in paragraph 1.7 in addition to the examination fees.	
<b>1.2 AMENDMENTS OR ENDORSEMENTS</b>	
For each amendment or endorsement of a diagram, general plan or sectional plan, in terms of any law.	<b>R180</b>
<b>Provided that if in the opinion of a Surveyor-General, the necessary work is of a complicated nature, the fee prescribed in paragraph 2.2 shall apply.</b>	
<b>Provided further that this fee shall not cover the certification and supply by a Surveyor-General of copies of such diagram, general plan or sectional plan necessary for registration or any other purposes</b>	
<b>1.3 WITHDRAWALS</b>	
Withdrawing a diagram, general plan or sectional plan, per document.	<b>R180</b>
<b>Provided that, where a large number of documents are to be withdrawn simultaneously, the work relating to such withdrawals can</b>	

be done with the consent of the Surveyor-General on a time charge as prescribed in paragraph 2.2	
<b>1.4 CERTIFICATION</b>	
Certification of diagrams, general plans or sectional plans, per document. Plus the cost of the required number of prints as prescribed in paragraph 1.7.	R48
<b>1.5 PREPARATION OF CERTIFICATES, REPORTS TO COURT, AFFIDAVITS AND ALPHABETICAL LISTS</b>	
a) Each hour or portion thereof spent on the preparation of a: -	
(i) Certificate.	R275
(ii) Report to Court or Affidavit.	R380
b) A hard copy of an alphabetical list containing the names of townships, agricultural holdings, farms or sectional title schemes, per list.	R180
Provided that an additional fee per A4-size page shall be charged for each page of an alphabetical list in excess of 100 A4-size pages.	R11
<b>1.6 ACCESS TO INFORMATION</b>	
In terms of section 15(1) of the Promotion of Access to Information Act and the Spatial Data Infrastructure Act - Policy on the Pricing of Spatial Information Products, these standard products and services are available free of charge and only the direct costs of copy and supply, such as transfer medium, printing, paper, ink, postage and packaging are recovered.	
<b>1.7 SUPPLY OF SCANNED CADASTRAL DOCUMENTS</b>	
<b>1.7.1 Paper prints</b>	
i. A4 size.	R11
ii. A3 size.	R16
iii. A2 size.	R21
iv. A1 size.	R32
v. A0 size.	R42,50
<b>1.7.2 Film prints</b>	
i. A2 size. (or portion thereof)	R32
ii. A1 size.	R64
iii. A0 size.	R106

<b>1.7.3</b>	<b>Client self-downloads</b> from URL: <a href="http://csg.dla.gov.za">http://csg.dla.gov.za</a>	R0
<b>1.7.4</b>	<b>Auto Emailer use</b>	R0
<b>1.7.5</b>	<b>E-mail supply of scanned cadastral documents</b> (excluding bulk extraction addressed in paragraph 2.1)	R0
Provided that the supply, nature, scale and material used for any print will be at the discretion of the Chief Surveyor-General or a Surveyor-General as the case may be		
<b>1.8</b>	<b>DIGITAL CADASTRAL AND RELATED INFORMATION</b>	
<b>1.8.1</b>	<b>Digital cadastral spatial database</b> (where available as a standard product)	
i)	Copy of national cadastral spatial database supplied in shape file format only	R0.00
ii)	Copy of any provincial cadastral spatial database supplied in shape file format only	R0.00
<b>2.</b>	<b>NON-STANDARD PRODUCTS</b>	
Note that the prescribed fees do not include packaging and postage. The fee for packaging and delivery services will be in line with SA Postal services		
<b>2.1</b>	<b>BULK EXTRACTIONS FROM THE DATABASES, DATA MANIPULATION OR PROCESSING</b>	
<b>2.1.1</b>	For each half-hour or portion thereof spent on the extraction of the information and/or data manipulation (Computer processing time will not be considered)	R185
<b>2.1.2</b>	<b>Prints of cadastral spatial data</b> (A1 and larger paper sizes)	
a)	<b>Per print.</b> Printing fee prescribed in paragraph 1.7 plus extraction and/or manipulation fee prescribed in paragraph 2.1.1 for each half-hour or portion thereof spent	
The above fee will apply to prepare the digital information in a format other than the format in which the information is captured, provided that the required format is supported by the software in use and subject to the discretion of the Chief Surveyor-General or Surveyor-General, as the case may be.		
<b>2.1.3</b>	Compact disk (if not supplied by clients)	R24,50
<b>2.2</b>	<b>MISCELLANEOUS</b>	
The charge per hour or portion thereof for any work or services not specified elsewhere in this scale of fees.		R370

<b>2.3 PACKAGING AND POSTAGE</b>	
The fee for packaging and services will be in line with the SA Postal Services fees. No Packaging and delivery fee if the required digital information is dispatched via e-mail.	
<b>B. THE OFFICE OF THE CHIEF DIRECTOR: NATIONAL GEO-SPATIAL INFORMATION</b>	
Note that fees prescribed do not include packaging and postage. The fee for packaging and postage is reviewed from time to time in line with the SA Postal Services fees and published on the Chief Directorate: National Geo-spatial Information website: <a href="http://www.ngi.gov.za">http://www.ngi.gov.za</a> for easy reference.	
<b>3. STANDARD PRODUCTS AND SERVICES</b>	
<b>3.1 MAPS OF THE NATIONAL SERIES</b>	
<b>3.1.1 Maps of the 1:10 000 Orthophoto:</b>	
a) Paper print	R23 per map
b) Black and white orthophotos HP coated paper	R26 per map
<b>3.1.2 1:50 000 topographical, South Africa</b>	R25,50 per map
<b>3.1.3 1:250 000 topo-cadastral, South Africa</b>	R25,50 per map
<b>3.1.4 1:500 000 topo-admin edition</b>	R25,50 per map
<b>3.2 OTHER MAPS</b>	
<b>3.2.1 Aeronautical edition (ICAO symbols)</b>	R25,50 per map
<b>3.2.2 1:1 000 000 world aeronautical chart (ICAO)</b>	R25,50 per map
<b>3.2.3 1:1 100 000 South Africa</b>	R98 per map
<b>3.2.4 1:2 000 000 South Africa (2015 edition)</b>	R28 per map
<b>3.2.5 1:250 000 topographical (Southern Africa)</b>	R28 per map
<b>3.2.6 Provincial Map (various scales), South Africa</b>	R25,50 per map
<b>3.2.7 Maps of the Regional Series (various scales)</b>	R25,50 per map
<b>3.3 AERIAL PHOTOGRAPHY – AND IMAGERY RELATED PRODUCTS</b>	
Availability is subject to the following condition: Research and/or preparation requirements for aerial photography products or imagery will be free for the first hour, thereafter an hourly rate in terms of paragraph B5 will apply to research and preparation of the information.	
<b>3.3.1 Prints produced from Aerial Imagery products:</b>	

<b>Prints on HP coated satin photo paper not exceeding:</b>	
a) 125mm x 250 mm per sheet	R12
b) 250mm x 250mm per sheet	R17
c) 450mm x 500mm per sheet	R36
d) 700mm x 900mm per sheet	R87
e) 900mm x 1000mm per sheet	R115
<b>3.3.2 Flight Plans</b>	
a) Paper copy	R23
<b>3.4 PRODUCTS OF THE NATIONAL CONTROL SURVEY SYSTEM</b>	
<b>3.4.1 Co-ordinates and/or heights of trigonometrical stations, town survey marks and benchmarks:</b>	
a) Output in digital format, also available on internet, per point	R0
b) Plans of the national control survey network per paper print for every half square metre or portion thereof:	
i) Trigonometrical stations, town survey marks or benchmarks	R22
ii) Reconnaissance reports or locality reports	R9
<p><b>Note 1:</b> The Chief Director, National Geo-spatial Information cannot guarantee that any trigonometrical station, town survey mark or benchmark for which data have been supplied has not been disturbed or removed.</p> <p><b>Note 2:</b> Co-ordinates based on the Cape Datum (Modified Clarke 1880) are no longer kept up to date and may not represent the current position of trigonometrical beacons and town survey marks.</p>	
<b>3.4.2 TrigNet (GPS) Data</b>	
<b>a) Post Processing Data only</b>	
i) Standard suit of products available for download directly via http or ftp server (internet).	R0.00
<b>ii) Non-standard products</b> Charged at the standard hourly rate for preparation and dispatch (Refer to paragraph 4.5.a))	
<b>b) Real time differential and kinematic GNSS services</b>	R0.00
(Disseminated as live data streams via Networked Transport of RTCM via Internet Protocol (NTRIP))	
<b>3.5 DIGITAL SPATIAL INFORMATION</b>	
Digital data is available, only cost to be paid is the medium onto which the data is written.	

<b>3.5.1 Digital topographical and related information</b>		
a) <b>Off-the-shelf products</b> (listed digital spatial information available as a standard product) Only cost to be paid is the medium onto which the data is written.		
i)	<b>High resolution elevation data</b> available as a 25 metre grid in '.ort' and shapefile format	R0.00
ii)	<b>High resolution topographic information</b> , all features, supplied as provincial file-geodatabases or GML.	R0.00
iii)	<b>1:50 000 map series and 1:250 000 map series</b> , supplied in jpeg format	R0.00
iv)	<b>Contours</b> , where available, supplied in shape file format only.	R0.00
v)	<b>Ortho-rectified image</b> , panchromatic or colour, per image, where available	R0.00
vi)	<b>Low resolution aerial photographic imagery</b> , panchromatic or colour where available supplied in jpeg format.	R0.00
b) <b>Digital information not contained in the off-the-shelf products and/or required in any other format</b>  Charged at the standard hourly rate for preparation and dispatch (Refer to paragraph 4.5.a))		
<b>4 NON-STANDARD PRODUCTS AND SERVICES</b>		
<b>4.1 NON-STANDARD PRODUCTS</b>		
<b>4.1.1 Prints on paper, per sheet:</b>		
a)	A4 size	R11
b)	A3 size	R16
<b>4.1.2 Colour grid index guide</b> (includes 1:50 000 and 1:250 000 map series)		
a)	Paper copy	R21
b)	Digital (Jpeg file format) Only cost to be paid is the medium onto which the data is written.	R0
<b>4.1.3 Previous edition maps</b>		
a)	Paper copies	R25,50
b)	Digital copies (Jpeg file format)	R0



Only cost to be paid is the medium onto which the data is written.	
<b>Provided that the supply, nature, scale and material used for any print shall be at the discretion of the Chief Director: National Geo-spatial Information.</b>	
<b>4.2 MOSAICS OF AERIAL PHOTOGRAPHY (DIGITAL PROCESS)</b>	
In addition to the cost of the output medium, which shall be according to fees under Standard Products paragraph 3.3, the cost of producing each mosaic from	
a) 2 unrectified aerial photographs/images	R370
b) Thereafter for each additional aerial photograph/image, add	R16
<b>Provided that the supply and nature of mosaics shall be at the discretion of the Chief Director: National Geo-spatial Information.</b>	
<b>4.3 SCANNING OF HISTORICAL AERIAL PHOTOGRAPHY</b>	
4.3.1 1-20 scans at 1200 dots per inch	R0.00
4.3.2 Prioritisation of scans at a rate of 4 per hour	R370
<b>4.4 LAMINATION SERVICES</b>	
4.4.1 At 75 micron thickness, per square metre or portion thereof	R32
<b>4.5 SPECIALISED SERVICES</b>	
For any work or service not specified elsewhere in this scale of fees, the charge shall be on a time basis per hour or portion thereof, <b>provided that searches in the office shall be made subject to such conditions as the Chief Director: National Geo-spatial Information may from time to time determine. Requests for customized products or services shall be dealt with on a quotation basis, including but not limited to MapAware workshops and the production of specialized maps, as follows:</b>	
a) Customised mapping services, professional advisory services: per hour or portion thereof	R370
<b>4.6 DIGITAL DATA IN NON-SPECIFIED FORMATS</b>	
4.6.1 For each hour or portion thereof spent on the <b>extraction of digital products</b> into non-specified formats, which are indicated below	R370
<b>Provided that the Chief Director: National Geospatial Information is able to support the exchange format, the digital information could be supplied in one of the following file formats:</b>	
Topographical Vector data: Map Infor (.mif), Microstation (.dgn), Autocad (.dwg) and (.dxf),	
Topographical Raster data: TIFF.	

<b>4.6.2 RSA Geographical Names</b>	<b>R0</b>
Both gazette and non-gazette names are available from the integrated topographical information system (ITIS). Queries may be referred to the South African Geographical Names Committee (SAGNC) @ <a href="http://sagna.dac.gov.za">http://sagna.dac.gov.za</a>	
<b>4.6.3 Software</b>	
<b>Note:</b> Software is prepacked on server; only cost to be recovered is medium onto which data is written.	
a) <b>Transformation software WGSTRN ver 2.12 plus</b> Transformation parameters covering RSA i) Transform between Cape Datum and Hartebeesthoek94 or vice versa ii) Transformation parameters covering RSA	<b>R53</b>
b) <b>Conversion software GEOTRAN98</b> i) To convert Y X co-ordinates to geographical co-ordinates (phi)(Lamba) and vice versa To convert UTM to geographical co-ordinates	<b>R53</b>
c) <b>Geoid Interpolation software</b> To interpolate geoidal heights from SA Geoid models.	<b>R53</b>
<b>4.6.4 Digital coastline high resolution of RSA</b>	<b>R53</b>
<b>Note:</b> Digital data is prepacked on server, cost to be recovered is medium onto which data is written.	
<b>4.7 PACKAGING, POSTAGE AND COST OF TRANSFER MEDIA</b>	
<b>4.7.1 Courier cost</b> to collect from Chief Directorate: National Geospatial Information counter, other than SA Postal Services To be arranged and paid for by the client	
<b>4.7.2 PACKAGING</b>	
a) Packaging tube	<b>R17</b>
b) Packaging box	<b>R17</b>
<b>4.7.3 TRANSFER MEDIA</b>	
a) CD	<b>R24,50</b>
b) DVD	<b>R24,50</b>



**MR M RAMASODI**  
**DIRECTOR-GENERAL: AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT**  
**DATE: 2022-04-25**

**DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT**

NO. 2290

15 July 2022

**NATIONAL ENVIRONMENTAL MANAGEMENT: INTEGRATED COASTAL  
MANAGEMENT ACT, 2008 (ACT NO. 24 OF 2008)****GENERAL DISCHARGE AUTHORISATION IN TERMS OF SECTION 69(2)**

I, Barbara Dallas Creecy, Minister of Forestry, Fisheries and the Environment, hereby publish a General Discharge Authorisation in terms of section 69(2) of the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008), as set out in the schedule attached to this notice.



**BARBARA DALLAS CREECY  
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT**

## SCHEDULE

### 1. DEFINITIONS

A word or expression defined in the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) has the same meaning in this document, and—

**“influent water”** means coastal waters which is drawn into or abstracted into, a facility or process;

**“neutrally-buoyant”** means when the effluent’s buoyancy is such that solid matter within the effluent does not sink to the bottom of the body of effluent nor rises to the top of that body of effluent, but will remain suspended and hang freely;

**“offshore”** means the area in coastal waters—

- (a) starting from the 10-meter isobath; or
- (b) starting at 500 meters in distance from the low-water mark,

whichever is further in distance from the low-water mark;

**“offshore discharge”** means a discharge of effluent into the offshore environment;

**“port”** means the defined area of a port described in Annexure 3;

**“positively-buoyant”** means where solid matter within the effluent will float towards the surface and stay there;

**“proclaimed fishing harbours”** means those fishing harbours regulated in terms of the Marine Living Resources Act;

**“SANAS”** means the South African National Accreditation System established in terms of the Accreditation for Conformity Assessment, Calibration and Good Laboratory Practice Act, 2006 (Act No. 19 of 2006); and

**“the Act”** means the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008).

### 1. Scope of applicability of this General Discharge Authorisation

1.1. This General Discharge Authorisation is applicable to discharges of effluent from land-based sources into coastal waters of the Republic, except for those areas set out in Annexure 2.

1.2. This General Discharge Authorisation also applies to—

- 1.2.1. the ports listed in Annexure 3; and
- 1.2.2. proclaimed fishing harbours, except to those fishing harbours located within a marine protected area governed under the Protected Areas Act.

## 2. Application of Duty of Care

- 2.1 In terms of section 58(1) of the Act, the duty of care contained in section 28 of the National Environmental Management Act applies to any impact caused by any person which has an adverse effect on the coastal environment.
- 2.2 Among others, section 58(2) of the Act prescribes that the duty of care specifically applies to—
  - (a) the owner, occupier, person in control of or user of land or premises on which an activity that caused or is likely to cause an adverse effect occurred, is occurring or is planned;
  - (b) an operator of a pipeline which ends in the coastal zone; and
  - (c) a producer or discharger of a substance which caused, is causing or is likely to cause, an adverse effect on the coastal environment.

## 3. Description of General Discharge Authorisation

Where this General Discharge Authorisation refers to a “discharge” of effluent, the authorisation means the discharge of effluent *per* pipeline or *per* point of discharge into coastal waters. Where a facility comprises of multiple discharge points, this authorisation’s requirements pertain to each point of discharge independently.

Table 1 and Table 2 is set out in Annexure 1 of this authorisation.

A General Discharge Authorisation in terms of section 69(2) of the Act is hereby granted to any person discharging effluent into coastal waters from a land-based source where the effluent meets **ALL** of the following requirements.

- 3.1. The effluent will be neutrally-buoyant or positively-buoyant with respect to the coastal waters into which the effluent is being discharged.
- 3.2. In Table 1—
  - 3.2.1. for offshore discharges, the effluent’s constituents do not exceed the General Limits specified in that table; and

- 3.2.2. in respect of discharges into coastal waters other than the offshore environment, the effluent does not exceed the Special Limits specified in that table.
- 3.3. In addition to the requirements in 3.2 above, where the volume of effluent being discharged exceeds—
- (a) 10000m<sup>3</sup> per day in the case of an offshore discharge, the General Limits specified in Table 2 apply; or
  - (b) 2000m<sup>3</sup> per day in the case of discharges into coastal waters other than the offshore environment, the Special Limits specified in Table 2 apply.
- 3.4. Where the influent water's constituent quantities exceed the General Limits or the Special Limits of Table 1, and where applicable, Table 2, the difference between the constituent quantities of the influent water, and that of the effluent, must not exceed the General Limits or the Special Limits in Table 1, and where applicable, Table 2.
- 3.5. In addition to the requirements in 3.1 to 3.4, a discharge of effluent into coastal waters will only be lawful under this General Discharge Authorisation if the requirements of sections 4, 5 and 6 are complied with.

#### **4. Obligation to notify in writing**

- 4.1. A person intending to discharge effluent in terms of this General Discharge Authorisation must notify the Department in writing of the intended discharge in compliance with 4.2 prior to undertaking the discharge.
- 4.2. A notification in terms of 4.1 must contain the following information:
- (a) the full name of the person, legal entity or organ of state responsible for the discharge;
  - (b) the name of a contactable person and their contact details;
  - (c) a description of the facility and the process which is undertaken at the facility;
  - (d) GPS coordinates of the land-based operation (facility responsible for the generation of the effluent being discharged);

- (e) GPS coordinates of the points of location of the discharge into coastal waters;
- (f) the volume of effluent being discharged per day;
- (g) the analysis results of the screened effluent-constituents as required in paragraph 6.1;
- (h) the province and the municipal area in which the discharge will occur; and
- (i) confirmation as to whether or not the discharge will be continuous, a once-off or an intermittent discharge.

4.3. The person, or the representative of the legal entity or organ of state, must date and sign the notification submitted to the Department.

## **5. Discharges not authorised in terms of this General Discharge Authorisation**

Discharges of effluent into the receiving environments listed below are not authorised in terms of this General Discharge Authorisation:

- 5.1. the bays set out in Annexure 2;
- 5.2. estuaries, except for those estuaries inside a port as set out in Annexure 3;
- 5.3. marine protected areas governed under the Protected Areas Act; and
- 5.4. special management areas declared in terms of section 23 of the Act.

## **6. Monitoring requirements**

- 6.1. Effluent must be screened for constituents which are anticipated by the process or sector producing the effluent and be measured against the constituents and their limits listed in Table 1 and where applicable, Table 2.
- 6.2. The analysis of all effluent samples must be undertaken at a SANAS-accredited laboratory.
- 6.3. In respect of a once-off discharge, the person responsible for the discharge must, within 15 calendar days after the date of the discharge, submit a once-off analysis report to the Department of samples taken of the effluent discharged.

- 6.4. **For discharges other than a once-off discharge**, the quality of the effluent discharged into coastal waters must be monitored and sent to a SANAS-accredited laboratory on a quarterly basis by taking effluent samples of the effluent at a location-point prior to its discharge into coastal waters, for the first year only. Those analysis reports must be sent to the Department every quarter. After the first year, the person responsible for the discharge must continue to take effluent samples at a location-point prior its discharge into coastal waters and have those samples analysed at the laboratory once every six months. These analysis reports must be sent to the Department bi-annually.
- 6.5. In addition, the person in charge of a discharge must submit a report setting out the quantity of effluent discharged into coastal waters together with each effluent analysis report submitted in accordance with the requirements set out above.
- 6.6. All reports must be submitted to the Department by hand, by post or by email, to the following address:

**By hand:** National Department of Forestry, Fisheries and the Environment  
**Attention:** Director: Coastal Pollution Management  
Branch: Oceans & Coasts  
2 East Pier Building, East Pier Road  
Victoria & Alfred Waterfront, Cape Town

**By Post:** National Department of Forestry, Fisheries and the Environment  
**Attention:** Director: Coastal Pollution Management  
Branch: Oceans & Coasts  
Private Bag x4390  
CAPE TOWN  
8002

**By e-mail:** [GDA@dffe.gov.za](mailto:GDA@dffe.gov.za)



**Annexure 1 - Tables****Table 1: General and Special effluent limits for organic and inorganic constituents in effluent**

<b>Organic and inorganic constituents</b>	<b>Unit</b>	<b>General limit</b>	<b>Special limit</b>
Ammonia (ionised and un-ionised) as N	mg/l	10	2
Arsenic	mg/l	0.8	0.04
Cadmium	mg/l	0.02	0.001
Total Chlorine Residual	mg/l	0.2	0.01
Chromium (VI)	mg/l	0.2	0.01
Copper	mg/l	0.3	0.015
Cyanide	mg/l	0.1	0.005
Fluoride	mg/l	150	7.5
Lead	mg/l	0.2	0.01
Mercury	µg/l	1.6	0.08
Nickel	mg/l	0.5	0.025
Nitrate as Nitrogen	mg/l	20	3.5
Nitrogen (Total Kjeldahl Nitrogen)	mg/l	100	10
Polychlorinated Biphenyls (PCBs)	µg/l	0	0
Chlorophenols	mg/l	0	0
Ortho-Phosphate as Phosphorus	mg/l	20	1
Radioactivity	µC/ml	0	0
Pesticides (Dieldrin, Endrin, DDT)	µg/l	0	0
Soap, oil or grease	mg/l	20	10
Hydrogen sulphide	mg/l	0.2	0.01
Total Suspended Solids (TSS)	mg/l	50	10
Tributyltin	µg/l	0	0
Zinc	mg/l	2	0.1

**Note:** In Table 1, the value "0" means that the constituent in question must not be present in the effluent at all.

**Table 2: General and Special effluent limits for physico-chemical properties of the effluent**

<i>Physico-chemical properties</i>	<i>Unit</i>	<i>General limit</i>	<i>Special limit</i>
Biological Oxygen Demand (BOD)	mg/l	50	10
Chemical Oxygen Demand (COD)	mg/l	250	75
Dissolved oxygen	mg/l	50% saturation	75% saturation
pH	pH	7.1 - 8.3	7.3 - 8.2
Temperature	°C	±3 of ambient	±2 of ambient
Salinity	psu	37	36

**Annexure 2 – List of bays where this General Discharge Authorisation is not applicable**

Name of bay	Location on map	Seaward GPS boundary for purposes of this GDA
Saldanha Bay	A	33° 4'17.10"S; 17°58'26.09"E to
	B	33° 2'19.16"S ;17°56'8.50"E
False Bay	C	34°21'27.01"S; 18°49'19.92"E to
	D	34°21'37.50"S; 18°29'50.97"E
Table Bay	E	33°53'57.26"S; 18°24'41.24"E to
	F	33°51'00.2196"S; 18°29'16.2132"E
Hout Bay	G	34° 4'36.07"S; 18°21'18.26"E to
	H	34° 3'42.98"S; 18°20'25.00"E
Gansbaai	I	34°34'42.82"S; 19°20'31.44"E to
	J	34°35'6.45"S; 19°20'22.31"E
Mossel Bay	K	34°11'6.34"S; 22° 9'30.87"E to
	L	34° 4'58.93"S; 22° 9'52.34"E
Plettenberg Bay	M	34° 6'28.78"S; 23°24'39.67"E to
	N	34° 0'24.01"S; 23°27'12.10"E
St Francis Bay	O	34°11'51.74"S; 24°52'25.55"E to
	P	34° 6'10.81"S; 24°53'26.82"E

**General exception:** Where a port is located within the territory of a bay as set out in this annexure, that port is excluded from the prohibited bays in this annexure and that port must be regarded as a port listed in Annexure 3, while the rest of the bay remains excluded from this General Discharge Authorisation.

**Annexure 3 List of ports to which this General Discharge Authorisation is applicable**

Name of port	Location on map	Seaward GPS boundary of Port for purposes of this General Discharge Authorisation
Port Nolloth	Q	29°15'51.55"S; 16°52'6.24"E to
	R	29°15'49.10"S; 16°52'7.21"E
Port of East London	S	33° 1'39.18"S; 27°55'2.40"E to
	T	33° 1'41.08"S; 27°55'30.29"E
Port of Ngqura (Coega)	U	33°48'33.50"S; 25°41'25.94"E to
	V	33°49'5.49"S 25°41'37.82"E
Port of Port Elizabeth	W	33°57'18.29"S; 25°38'19.63"E to
	X	33°57'10.80"S; 25°38'36.69"E
Port of Cape Town	Y	33°54'11.11"S; 18°26'20.06"E to
	Z	33°53'51.69"S; 18°26'3.99"E
Port of Mossel Bay	AA	34°10'30.22"S; 22° 8'49.24"E to
	AB	34°10'34.25"S; 22° 8'43.52"E
Port of Durban	AC	29°51'59.85"S; 31° 3'27.12"E to
	AD	29°51'55.60"S; 31° 3'50.25"E
Port of Richards Bay	AE	28°48'51.81"S; 32° 5'51.90"E to
	AF	28°48'22.63"S; 32° 5'53.34"E
Port of Saldanha	AG	33°02'9.20"S; 17°58'58.06"E to
	AH	33°02'12.21"S; 17°58'23.89"E

# General Discharge Authorisation Not Applicable: Table Bay



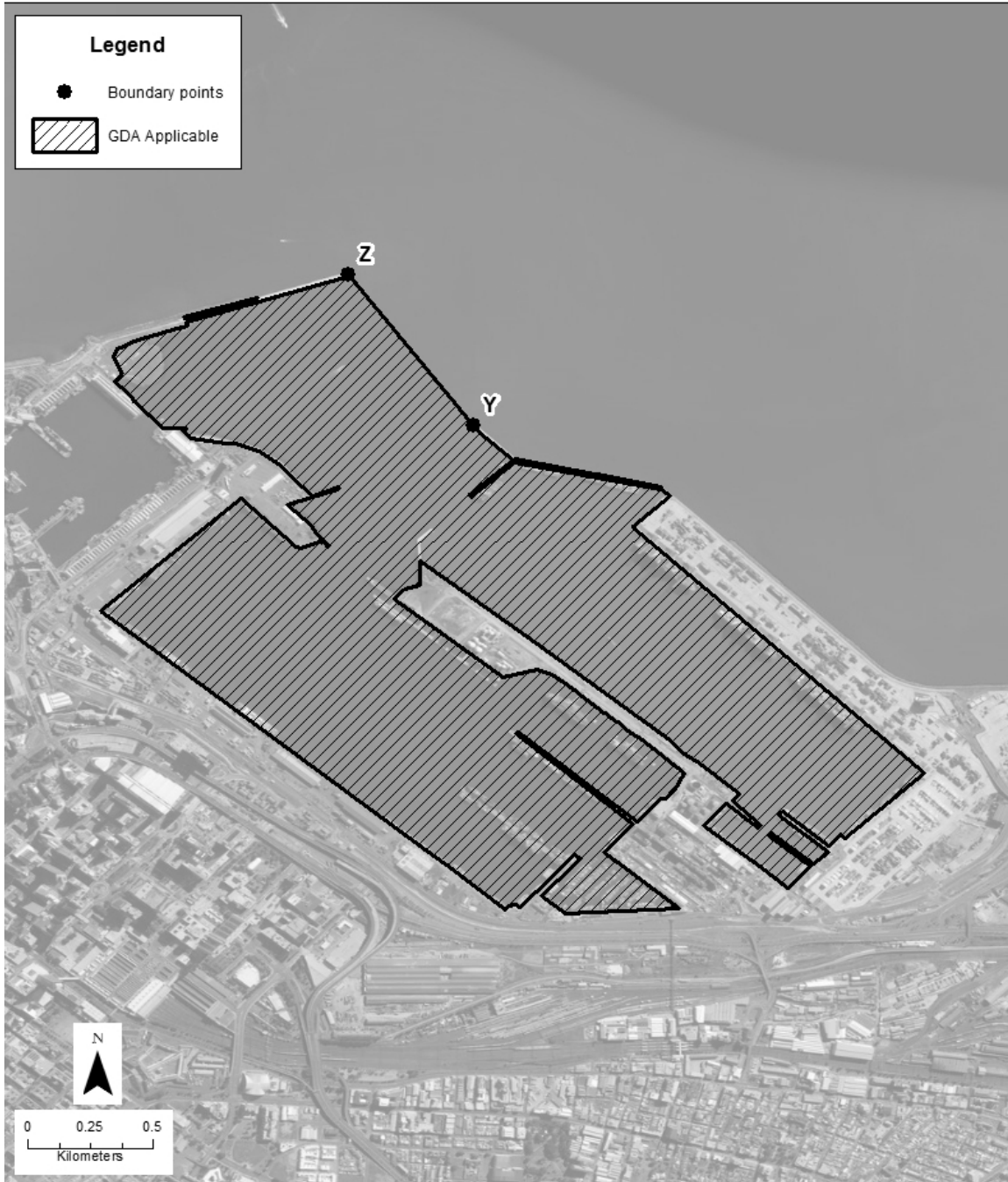
# General Discharge Authorisation Applicable: Port Nolloth



### General Discharge Authorisation Applicable: Port of Port Elizabeth

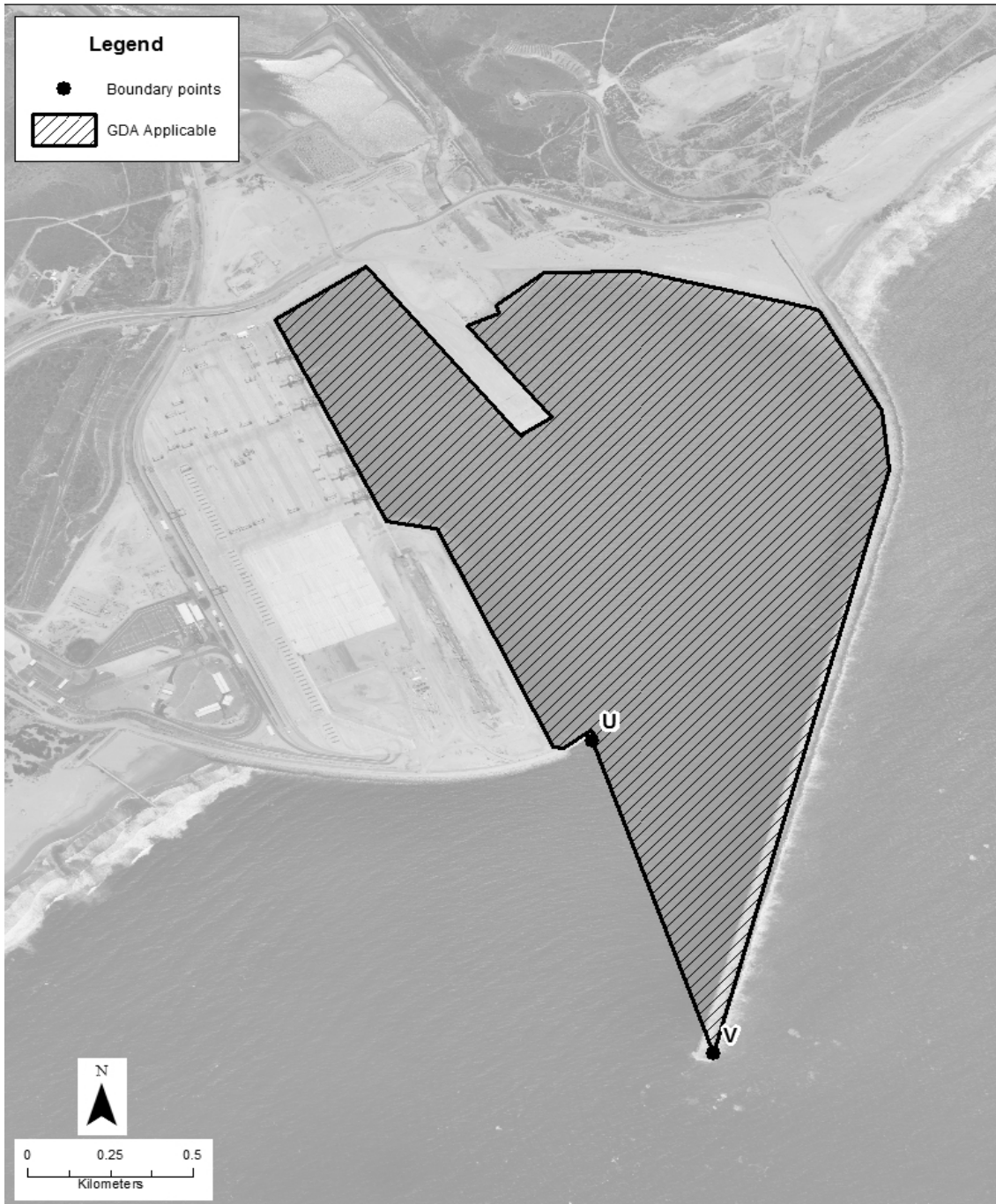


### General Discharge Authorisation Applicable: Port of Cape Town

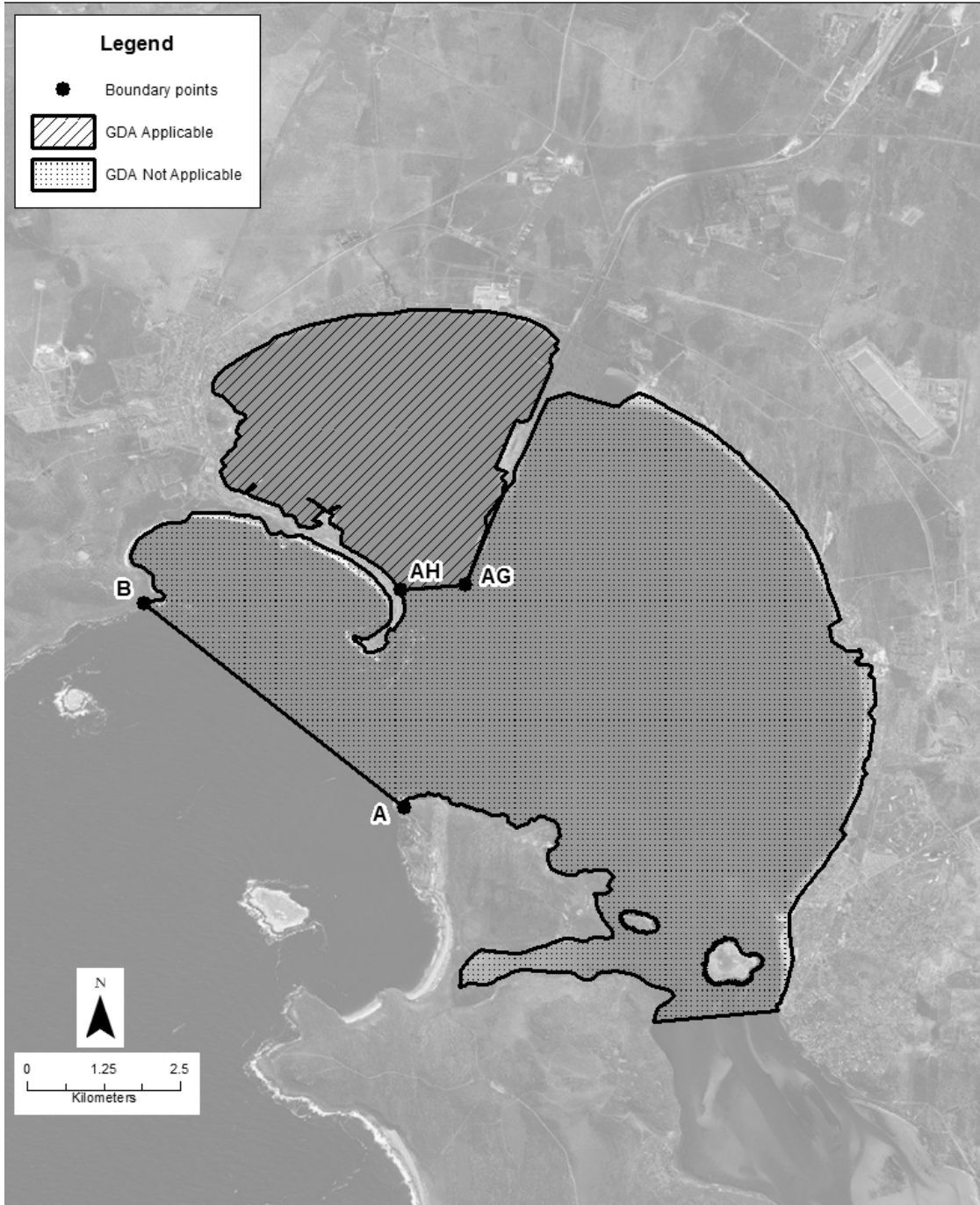




### General Discharge Authorisation Applicable: Port of Ngqura (Coega)



### General Discharge Authorisation Not Applicable: Saldanha Bay



### General Discharge Authorisation Applicable: Port of East London



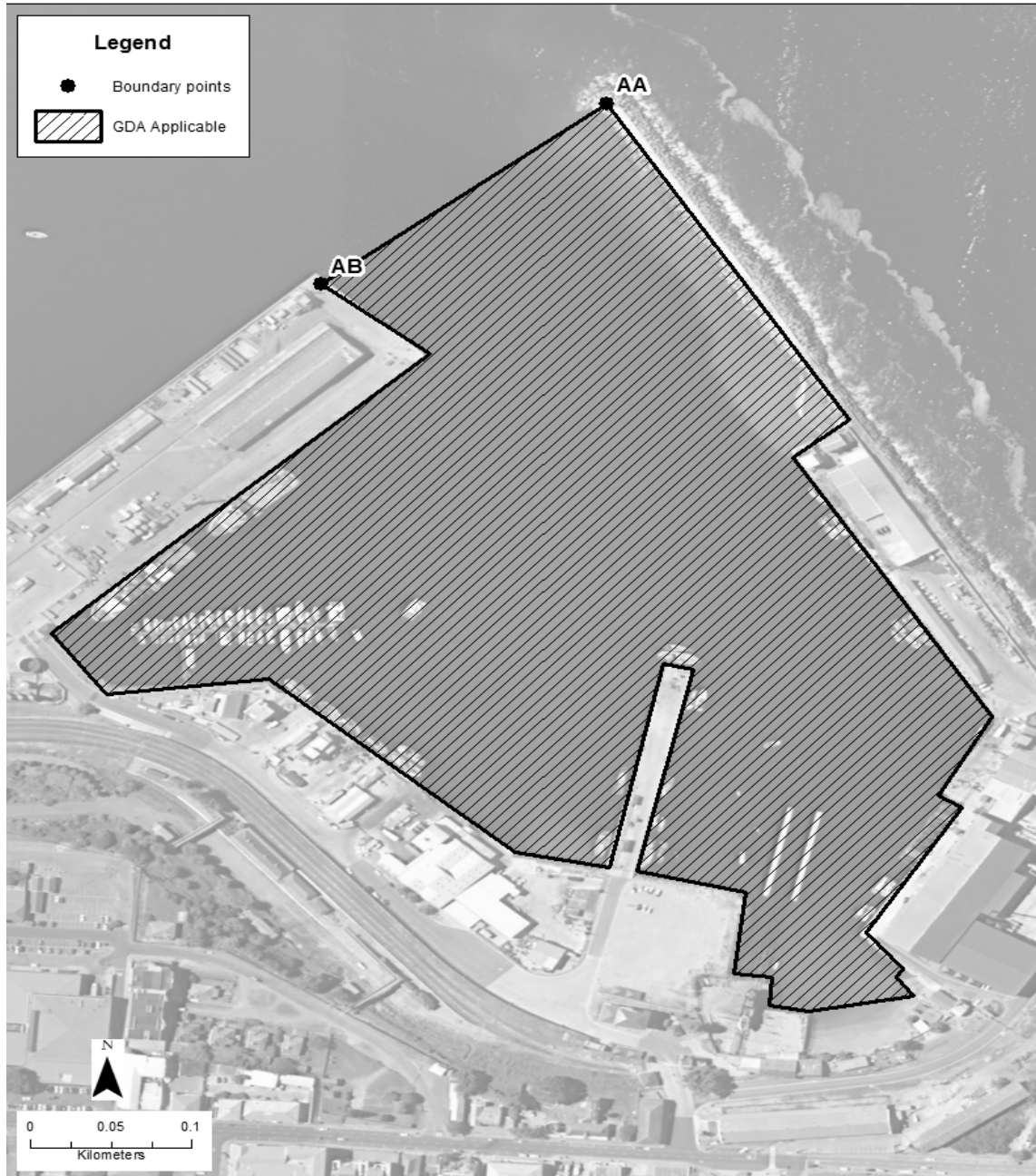
### General Discharge Authorisation Applicable: Port of Durban



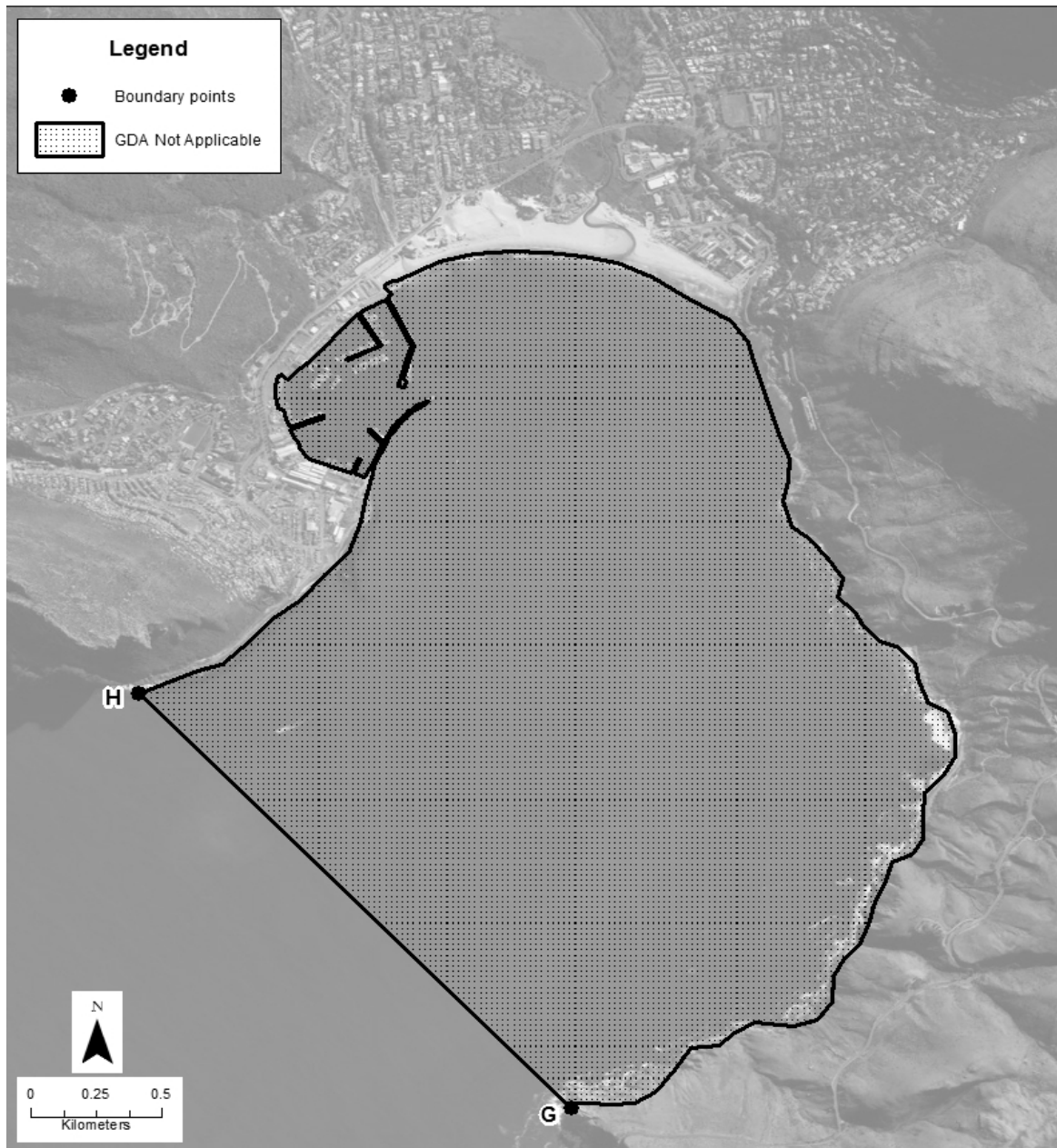
## General Discharge Authorisation Applicable: Port of Richards Bay



### General Discharge Authorisation Applicable: Port of Mossel Bay



## General Discharge Authorisation Not Applicable: Hout Bay

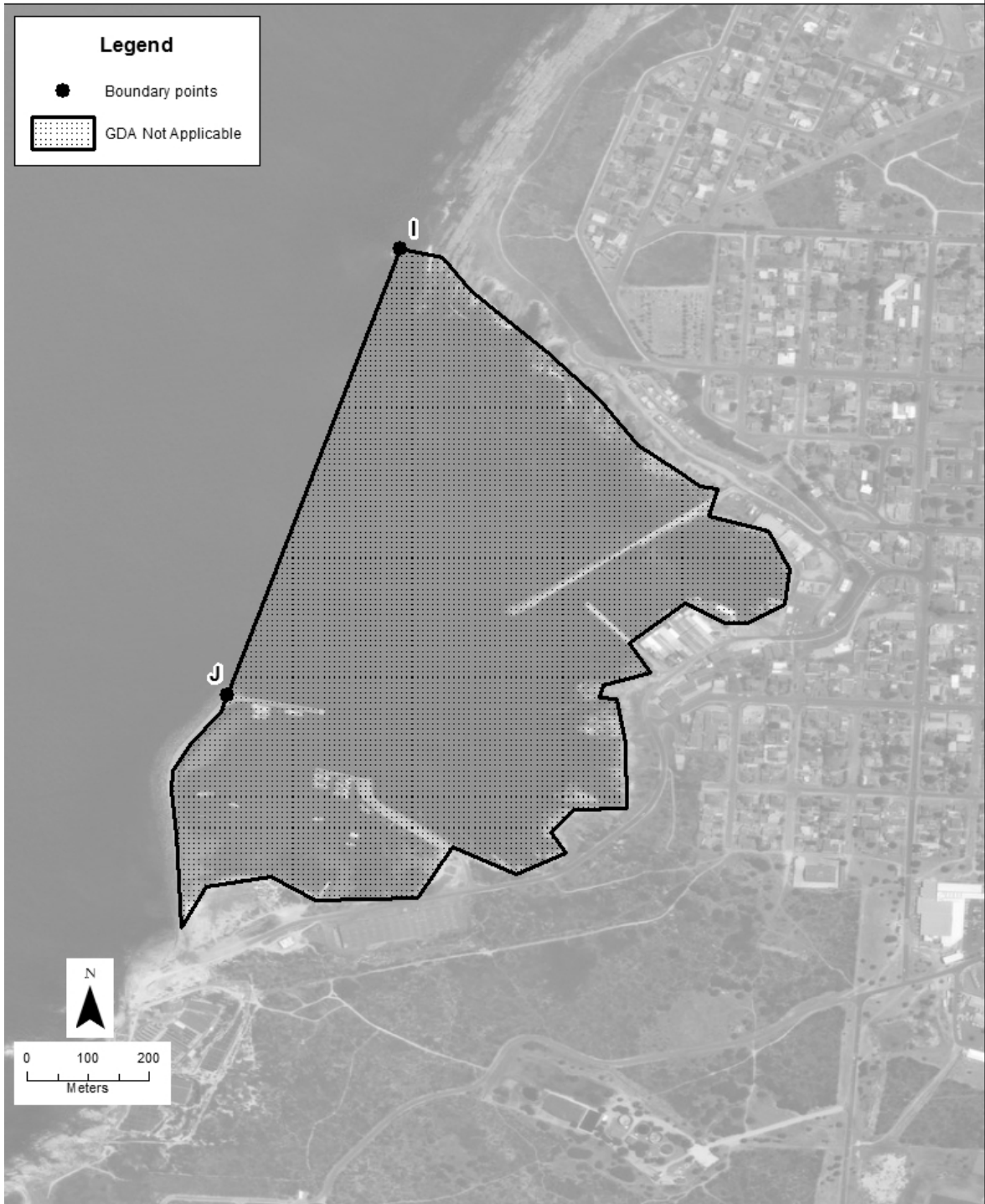


# General Discharge Authorisation Not Applicable: False Bay

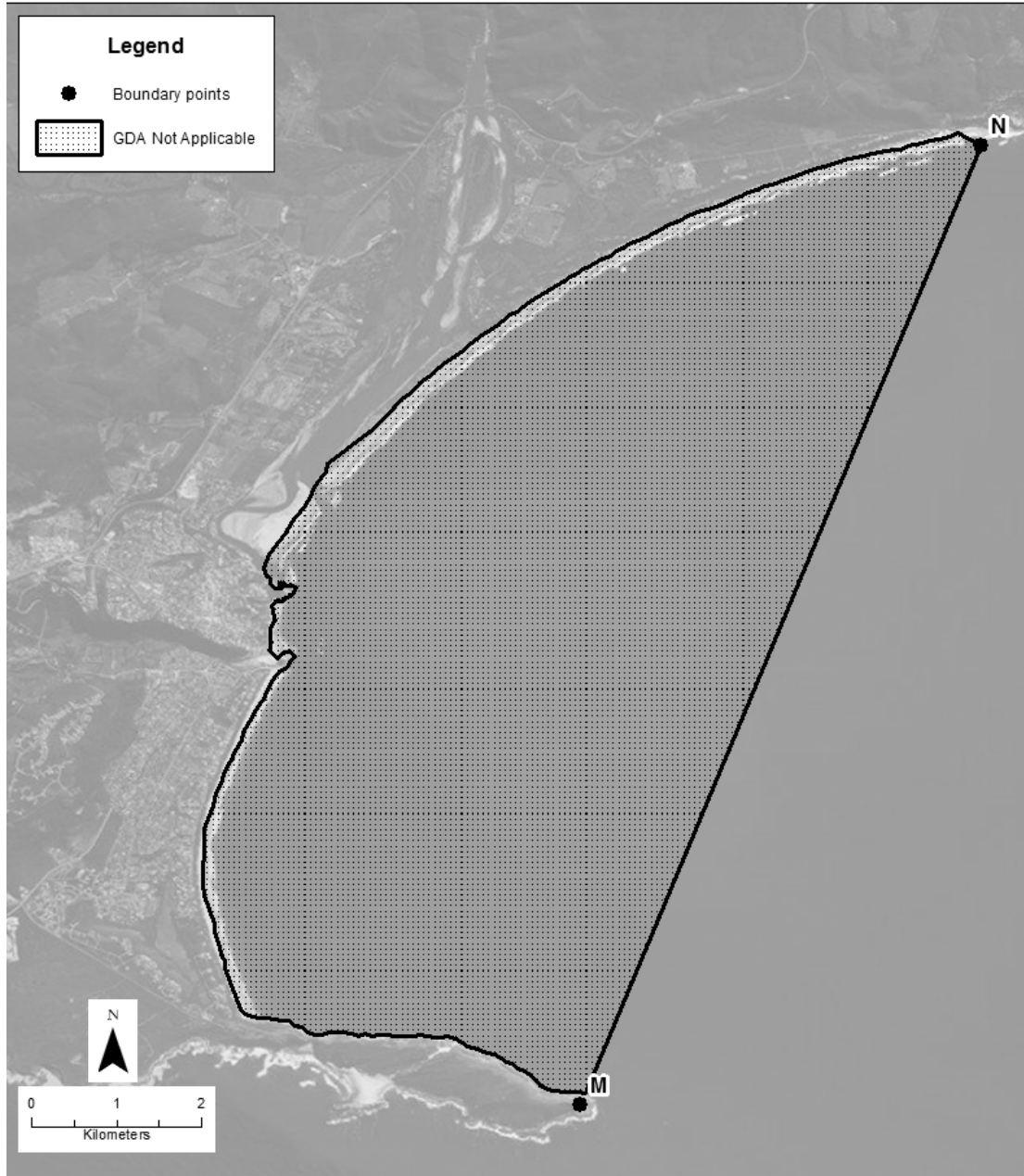




# General Discharge Authorisation Not Applicable: Gansbaai



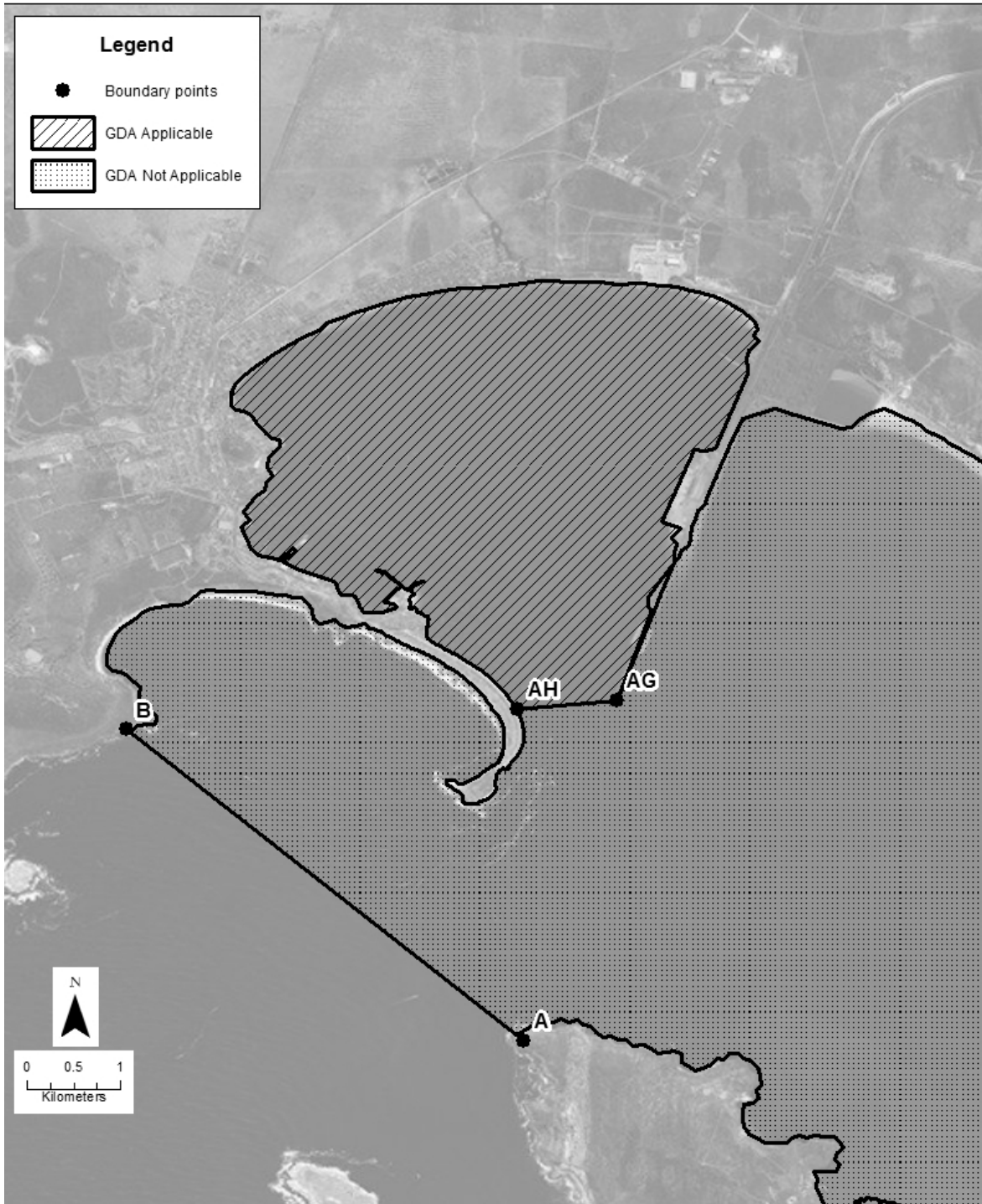
### General Discharge Authorisation Not Applicable: Plettenberg Bay



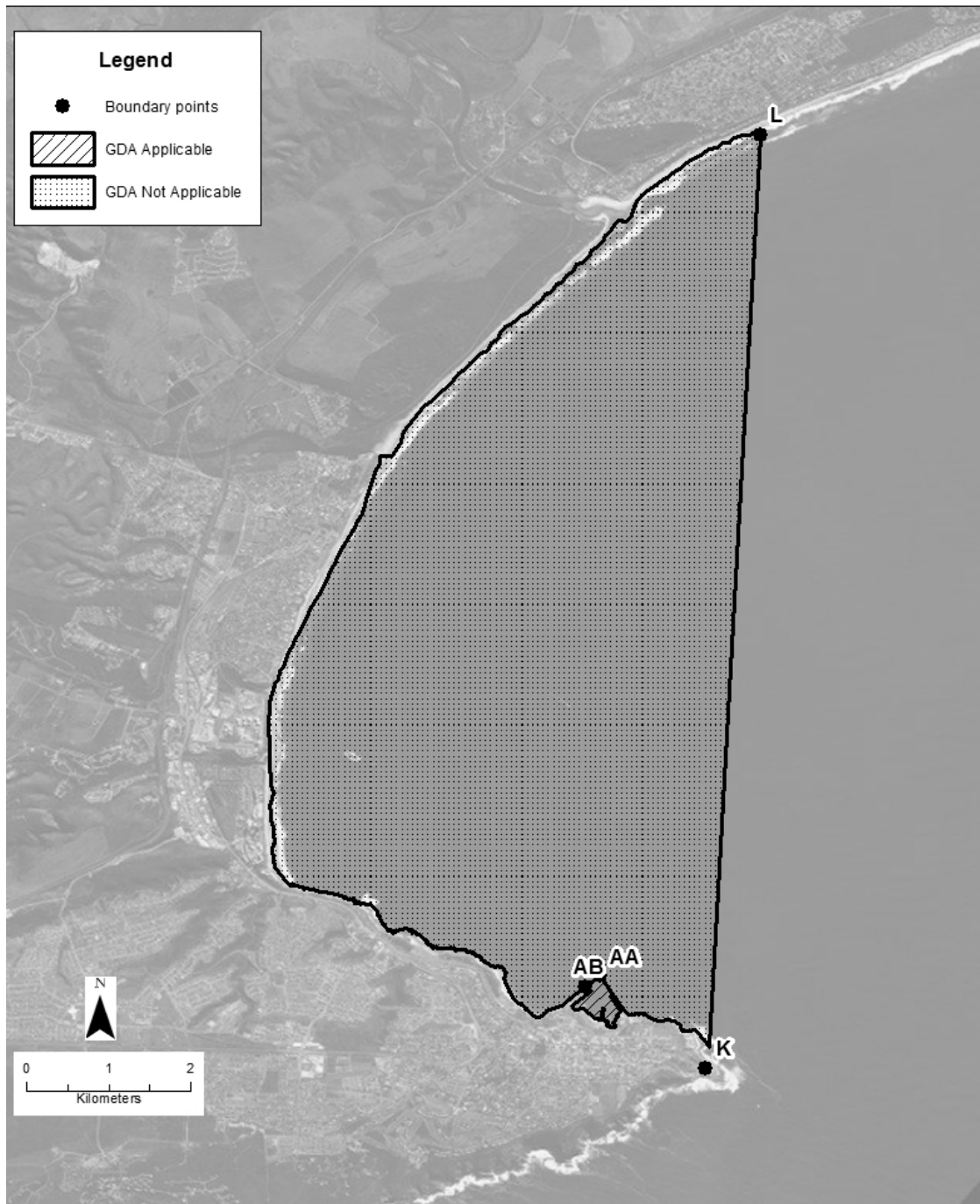
### General Discharge Authorisation Not Applicable: St Francis Bay



### General Discharge Authorisation Applicable: Port of Saldanha



### General Discharge Authorisation Not Applicable: Mossel Bay



**SOUTH AFRICAN RESERVE BANK**

**NO. 2291**

**15 July 2022**



**SOUTH AFRICAN RESERVE BANK**

**Directive for conduct within the national payment system in respect of the  
Financial Action Task Force Recommendations for electronic funds transfers**

**Directive No. 1 of 2022**

- 1. Purpose**
- 2. Definitions**
- 3. Scope of this directive**
- 4. Directive**
- 5. Compliance declarations and inspections**
- 6. Effective date and non-compliance**
- 7. Conclusion**

## 1. Purpose

- 1.1 The South African Reserve Bank (SARB) hereby issues this directive in terms of section 43A(2) of the Financial Intelligence Centre Act 38 of 2001, as amended (FIC Act), to provide for the conduct of accountable institutions relating to 'wire transfers' or electronic funds transfers as prescribed by Financial Action Task Force (FATF) Recommendations.

## 2. Definitions

- 2.1 In this directive, 'FIC Act' means the Financial Intelligence Centre Act 38 of 2001, as amended (FIC Act), and the 'NPS Act' means the National Payment System Act 78 of 1998 (NPS Act) and, unless the context indicates otherwise, any word or expression to which a meaning has been assigned in the FIC Act or the NPS Act, has that meaning, and
- 2.1.1 'beneficiary' refers to a person or entity that is identified by the originator as the receiver of the funds associated with the electronic funds transfer;
- 2.1.2 'beneficiary financial institution' refers to an accountable institution that receives electronic funds transfer from an ordering financial institution, directly or through an intermediary financial institution, and makes the funds associated with the electronic funds transfer available to the beneficiary;
- 2.1.3 'cross-border electronic funds transfer' means an electronic funds transfer where either the ordering financial institution or the beneficiary financial institution is located outside the Republic of South Africa;
- 2.1.4 'domestic electronic funds transfer' means an electronic funds transfer where the ordering financial institution and beneficiary financial institution are both located in the Republic of South Africa;
- 2.1.5 'electronic funds transfer' means a payment instruction carried out by electronic means on behalf of an originator, with a view to making an amount

of funds available to a beneficiary, irrespective of whether the originator and the beneficiary are the same person;

- 2.1.6 'FATF' refers to the Financial Action Task Force;
- 2.1.7 'intermediary financial institution' means an accountable institution in a serial or cover payment chain that receives and transmits an electronic funds transfer on behalf of an ordering financial institution and beneficiary financial institution or another intermediary financial institution;
- 2.1.8 'NPSD' means the National Payment System Department of the SARB that is responsible for the execution of the functions contemplated in section 10(1)(c) of the South African Reserve Bank Act 90 of 1989 (SARB Act), and powers and duties contemplated in the NPS Act;
- 2.1.9 'ordering financial institution' means an accountable institution that initiates an electronic funds transfer and transfers the associated funds upon receiving the request for an electronic funds transfer from or on behalf of the originator;
- 2.1.10 'originator' refers to a person or entity that initiates a payment instruction to the ordering financial institution to execute the electronic funds transfer;
- 2.1.11 'qualifying electronic funds transfer' means an electronic funds transfer above the applicable threshold prescribed in this directive;
- 2.1.12 'SARB' means the South African Reserve Bank as referred to in section 223 of the Constitution of the Republic of South Africa, 1996 and established in terms of the SARB Act;
- 2.1.13 'unique customer identifier' means a numeric or alphanumeric combination that an ordering financial institution assigns to an originator that uniquely identifies the originator in respect of the electronic funds transfer. A unique customer identifier must refer to a record held by the ordering financial



institution, which contains at least one of the following: the customer address, a national identity number or a date and place of birth; and

- 2.1.14 'unique transaction reference number' refers to a combination of letters, numbers or symbols, determined by the accountable institution, in accordance with the protocols of the payment and settlement systems or messaging systems used for the electronic funds transfer.

### **3. Scope of this directive**

- 3.1 This directive applies to accountable institutions that facilitate or enable the origination or receipt of domestic and cross-border electronic funds transfers and/or act as an intermediary in receiving or transmitting electronic funds transfers.

- 3.2 Further, this directive applies to domestic and cross-border electronic funds transfers initiated or processed through:

3.2.1 immediate settlement payment clearing house (PCH);

3.2.2 electronic funds transfer credit PCH;

3.2.3 real-time clearing PCH;

3.2.4 Society for Worldwide Interbank Financial Telecommunications (SWIFT) network;

3.2.5 a credit, debit or prepaid card used to effect an electronic funds transfer; and

3.2.6 any other arrangement, system and/or product that can initiate or process domestic and cross-border electronic funds transfers, as may be determined by the SARB from time to time.

- 3.3 This directive does not apply to:

- 3.3.1 payment clearing house system operator as defined in the NPS Act;
- 3.3.2 settlement system as defined in the NPS Act;
- 3.3.3 any transfer that flows from a transaction carried out using a credit, debit or prepaid card for purchasing goods or services, so long as the credit, debit or prepaid card number accompanies all transfers flowing from the transaction. However, when a credit, debit or prepaid card is used as stated in paragraph 3.2.5 above, the transaction is covered by this directive;
- 3.3.4 any transfers and settlements between financial institutions, where both the originator and the beneficiary are financial institutions acting on their own behalf; and
- 3.3.5 electronic funds transfer debits.

#### **4. Directive**

- 4.1 An ordering financial institution must include, subject to paragraphs 4.5 to 4.11 below, the following information concerning the originator of a qualifying electronic funds transfer in the funds transfers:
  - 4.1.1 the name of the originator;
  - 4.1.2 originator account number (if the transaction is processed from an account);  
and
  - 4.1.3 the originator's:
    - 4.1.3.1 identity number, if the originator is a South African citizen or resident; or
    - 4.1.3.2 passport number if the originator is not a South African citizen or resident; or

- 4.1.3.3 address, if such an address is readily available; or
- 4.1.3.4 unique customer identifier assigned by the ordering financial institution to the originator, that uniquely identifies the originator to the ordering financial institution in respect of all transactions that the originator performs with that ordering financial institution.
- 4.2 An originator of an electronic funds transfer is the client of the ordering financial institution, as contemplated in the FIC Act, for the purposes of the execution of the electronic funds transfer. The ordering financial institution is required to comply with the FIC Act in relation to the originator of the electronic funds transfer.
- 4.3 The ordering financial institution of an electronic funds transfer is required to comply with the record-keeping requirements as contemplated in the FIC Act.
- 4.4 An ordering financial institution must ensure that all information pertaining to the originator, referred to in paragraph 4.1 above, is included in the electronic funds transfer. All the required information must be obtained and verified in accordance with section 21 of the FIC Act and the accountable institution's Risk Management and Compliance Programme in terms of section 42 of the FIC Act.
- 4.5 An ordering financial institution must include the account number that the originator of an electronic funds transfer holds with the ordering financial institution in the electronic funds transfer, if such an account is used to process the transaction. In the absence of an account number, the ordering financial institution must assign a unique transaction reference number that permits traceability of the transaction to the originator in the ordering financial institution's records. The transaction reference number must be included in the electronic funds transfer.
- 4.6 An ordering financial institution must include, in the electronic funds transfers, the following information concerning the beneficiary:

- 4.6.1 the name of the beneficiary; and
- 4.6.2 the account number that the beneficiary holds with the beneficiary financial institution, if such an account is used to process the transaction.
- 4.7 In respect of a cross-border electronic funds transfer that is a single transaction of less than R10 000, the ordering institution must include the following information, at a minimum, in the electronic funds transfer:
- 4.7.1 the name of the originator referred to in paragraph 4.1.1 above;
- 4.7.2 the account number or unique transaction reference number referred to in paragraph 4.5 above; and
- 4.7.3 the name of the beneficiary and account number referred to in paragraph 4.6 above.
- 4.8 The information in paragraphs 4.7.1, 4.7.2 and 4.7.3 in respect of cross-border electronic funds transfer that is a single transaction of less than R10 000 need not be verified for accuracy, unless there is a suspicion of money laundering or terrorist financing, in which case, the accountable institution should verify the information pertaining to its client. The cross-border electronic funds transfer threshold of R10 000 shall be reviewed by the SARB as and when appropriate.
- 4.9 In respect of an inward cross-border electronic funds transfer that is a single transaction of less than R10 000 from an originator in a high risk or other monitored jurisdiction as listed by FATF, a beneficiary financial institution must verify the accuracy of the beneficiary information.
- 4.10 If an ordering financial institution bundles more than one cross-border electronic funds transfer from a single originator in a batch file for transmission to beneficiaries:

- 4.10.1 the ordering financial institution in respect of the originator's information is permitted to include only the account number or a unique transaction reference number referred to in paragraph 4.5 above;
- 4.10.2 the information concerning a beneficiary referred to in paragraph 4.6 above for each beneficiary in the electronic funds transfers; and
- 4.10.3 the batch file containing the required and accurate originator information and full beneficiary information should be fully traceable within the beneficiary country.
- 4.11 In the case of domestic electronic funds transfers, an ordering financial institution is permitted to substitute the information pertaining to the originator that is referred to in paragraph 4.1 above, with the originator's account number at the ordering financial institution or other unique customer identifier for the originator, provided that the required information referred to in paragraph 4.1 can be made available, within three business days, to the beneficiary financial institution and to appropriate authorities or supervisory bodies upon request or demand in accordance with any law.
- 4.12 An ordering financial institution may not execute an electronic funds transfer if it cannot comply with the requirements referred to in paragraphs 4.1 to 4.11 above.
- 4.13 An ordering financial institution is required to comply with the record-keeping requirements as contemplated in the FIC Act.
- 4.14 An intermediary financial institution must ensure that all originator and beneficiary information that accompanies cross border and domestic electronic funds transfers remains with the electronic funds transfer throughout the payment chain.
- 4.15 Notwithstanding paragraph 4.8 above, an intermediary financial institution must ensure that the account number or a unique transaction reference

number referred to in paragraph 4.5, concerning the originator and the required information concerning a beneficiary referred to in paragraph 4.6, remain with the electronic funds transfer throughout the payment chain.

- 4.16 An intermediary financial institution must take reasonable measures to identify cross-border electronic funds transfers that lack any of the information referred to in paragraphs 4.1 and 4.4 to 4.11 above.
- 4.17 An intermediary financial institution must develop, document, maintain and implement effective risk-based policies and procedures for determining:
- 4.17.1 when to execute, reject or suspend a cross-border electronic funds transfer that lack any of the information referred to in paragraphs 4.1 and 4.4 to 4.11 above; and
- 4.17.2 the appropriate follow-up action that the intermediary financial institution will take in each instance where it executes, rejects or suspends a cross-border electronic funds transfer referred to in paragraph 4.17.1 above.
- 4.18 An intermediary financial institution is required to comply with the record-keeping requirements as contemplated in the FIC Act.
- 4.19 A beneficiary financial institution must take reasonable measures to identify cross border and domestic electronic funds transfers that lack any of the information referred to in paragraphs 4.1 and 4.4 to 4.11 above.
- 4.20 A beneficiary financial institution must develop, document, maintain and implement effective risk-based policies and procedures for determining:
- 4.20.1 when to execute, reject or suspend a cross border and domestic electronic funds transfer that lacks any of the information referred to in paragraphs 4.1 and 4.4 to 4.11 above; and

- 4.20.2 the appropriate follow-up action that the beneficiary financial institution will take in each instance where it executes, rejects or suspends a cross border and domestic electronic funds transfer referred to in paragraph 4.20.1 above.
- 4.21 A beneficiary of an electronic funds transfer is the client of the beneficiary financial institution, as contemplated in the FIC Act, for the purposes of the execution of the electronic funds transfer. Subject to paragraph 4.8 above, the beneficiary financial institution is required to comply with the FIC Act in relation to the beneficiary of the electronic funds transfer.
- 4.22 The beneficiary financial institution of an electronic funds transfer is required to comply with the record-keeping requirements as contemplated in the FIC Act.

## **5. Compliance declarations and inspections**

- 5.1 An accountable institution to which this directive applies must submit, to the NPSD, an annual declaration by the Chief Executive Officer or equivalent, together with the Anti-Money Laundering Compliance Officer of an accountable institution, with the assistance of the internal audit function, confirming the level of compliance of the systems and/or products and processes employed by that accountable institution to meet the requirements of this directive.
- 5.2 The compliance declaration shall be submitted by no later than 31 March each year, in the format and manner prescribed by the SARB, and sent to the prescribed address.
- 5.3 Further, each accountable institution to which this directive applies must permit and assist any person(s) appointed by the SARB to inspect the transactions, products, arrangements and the systems employed in initiating and processing the above-mentioned electronic funds transfers.

**6. Effective date and non-compliance**

- 6.1 This directive cancels and replaces the 'Directive for conduct within the national payment system in respect of the Financial Action Task Force Recommendations for electronic funds transfers, Directive 1 of 2015'.
- 6.2 This directive becomes effective after 30 business days from the date of publication hereof.
- 6.3 Failure to comply with this directive may result in the imposition of an administrative sanction by the SARB, in accordance with section 45C of the FIC Act.

**7. Conclusion**

- 7.1 This directive is not exhaustive and may be supplemented or amended from time to time, as required by the SARB and/or the FIC.
- 7.2 Accountable institutions that are uncertain if their current or future business practices are aligned with this directive should initiate discussions with the NPSD to clarify the matter.
- 7.3 Compliance declarations as well as any enquiry or clarification concerning this directive should be sent to the following email address: [npsdirectives@resbank.co.za](mailto:npsdirectives@resbank.co.za).



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**GENERAL NOTICES • ALGEMENE KENNISGEWINGS**

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**DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION****NOTICE 1152 OF 2022****COMPETITION TRIBUNAL****NOTIFICATION OF COMPLAINT REFERRAL**

The Competition Tribunal gives notice in terms of Section 51(3) & (4) of the Competition Act 89 of 1998 as amended, that it received the following complaint referrals listed below. The complaint(s) alleges that the respondent(s) engaged in a prohibited practice in contravention of the Competition Act 89 of 1998.

Case No.	Complainant	Respondent	Date received	Sections of the Act
CR053Jun22	Competition Commission	Canasia Fibreglass Marketing (Pty) Ltd	08/06/2022	4(1)(b)(ii)

**The Chairperson  
Competition Tribunal**

## BOARD NOTICES • RAADSKENNISGEWINGS

### BOARD NOTICE 306 OF 2022

PAN SOUTH AFRICAN LANGUAGE BOARD ACT OF 1995

(ACT No. 59 OF 1995 as amended by Act No. 10 of 1999)

CALL FOR COMMENT

#### PROVINCIAL LANGUAGE COMMITTEE

The Pan South African Language Board (PanSALB) herewith declares that the following persons have been duly co-opted as members of the Mpumalanga Provincial Language Committee terms of Section 8(8) (a) of the PanSALB Act (Act No. 95 of 1995 as amended, and in accordance with Board Notice No. 94 of 2005 Government Gazette No. 28053 of 30 September 2005) (Norms and Rules for Provincial Language Committee).

Co-opted members are hereby published for public comment. Members of the public are invited to submit written 15 December 2021.

Should no comments or objections be received by the stipulated due date, then the co-opted person's name will be deemed to be confirmed for co-option.

	<b>PROVINCIAL LANGUAGE COMMITTEE</b>	
<b>TITLE, NAME/S AND SURNAME</b>	<b>AREA OF SPECIALIZATION</b>	<b>PROVINCE REPRESENTED</b>
1. Mr Leonard Mokitimi Rabalao	Setswana	Mpumalanga
2. Mr Ntokozo Simon Mngomezulu	South African Sign Language (SASL)	Mpumalanga
3. Mr Piet Jan Masilela	IsiNdebele	Mpumalanga

Comments and/or objections should be sent to:

The Chief Executive Officer

For the attention of: Mr JJ Dantile

Private Bag X08

Arcadia

0007

Email: ehl@pansalb.org

Tel: 012 341 9638

Fax: 012 341 5938

**BOARD NOTICE 307 OF 2022****Guideline for Professional Fees in terms of Section 34 (2) of the Architectural Profession Act, 2000 Act 44 of 2000 (“the Act”)**

The guideline for professional fees indicated in table 1, 2, 3 and 4 below must be read in the context of the Framework Guideline for Professional Fees. The guidelines for professionals’ fees repeal the Board Notice 172 of 2021. Guidelines for professional fees describes the two methods of fee calculation: project cost based and time based. Both methods use the definitions of complexity of the project type derived from the SACAP Identification of Work (IDOW) as set out below:

- 1) **“Low complexity projects”** means simple buildings or groups of buildings in an uncomplicated grouping with low impact on the environment:

These are structures with low performance requirements. Structures of simple utilitarian character, design and detail. The structures are constructed utilizing standard low technology building methods. They require a minimum of mechanical and electrical services or equipment, and basic civil works infrastructure;

- 2) **“Medium complexity projects”** means buildings or groups of buildings in a relatively uncomplicated grouping with a medium impact on its environs:

These are structures with medium performance requirements. The structures are of average character and design or detail. The structures require non-complex structural and civil works and an average level of mechanical or electrical equipment as could normally be handled by design- supply specialist contractors;

- 3) **“High complexity projects”** means a building or buildings in a large or complicated grouping with a significant impact on its environs:

These are structures with high performance requirements and demanding a sophisticated level of design and detail content to respond to specialized requirements. Complex buildings will usually incorporate comparatively large or specialised mechanical, electrical and other specialist installations, or be of complex structural or civil design;

**METHOD 1: Project Cost Based Fee**

The project cost-based fee in Tables 1-3 is based on the full scope of standard services provided.

**Table 1: Low Complexity**

<b>LOW COMPLEXITY</b>					
Cost Bracket	Value of works		Primary Fee	Plus, secondary fee	
	From	To		Add %	On balance over
	A	B	C	D	E
1.	1,00	200 000,00	10 230,18	15,81%	<b>1,00</b>
2.	200 001,00	650 000,00	41 846,10	15,20%	<b>200 001,00</b>
3.	650 001,00	2 000 000,00	110 217,17	11,21%	<b>650 001,00</b>
4.	2 000 001,00	4 000 000,00	261 510,57	9,77%	<b>2 000 001,00</b>
5.	4 000 001,00	6 500 000,00	456 909,51	9,52%	<b>4 000 001,00</b>
6.	6 500 001,00	13 000 000,00	694 755,35	8,26%	<b>6 500 001,00</b>
7.	13 000 001,00	40 000 000,00	1 231 500,08	7,99%	<b>13 000 001,00</b>
8.	40 000 001,00	130 000 000,00	3 387 334,84	7,98%	<b>40 000 001,00</b>
9.	130 000 001,00	260 000 000,00	10 568 956,99	7,47%	<b>130 000 001,00</b>
10.	260 000 001,00	520 000 000,00	20 272 787,12	7,29%	<b>260 000 001,00</b>
11.	520 000 001,00	1 040 000 000,00	39 237 652,49	7,11%	<b>520 000 001,00</b>
12.	1 040 000 001,00	-	76 203 068,03	6,57%	<b>1 040 000 001,00</b>

**Table 2: Medium Complexity**

<b>MEDIUM COMPLEXITY</b>					
Cost Bracket	Value of works		Primary Fee	Plus, secondary fee	
	From	To		Add %	On balance over
	A	B	C	D	E
1.	1,00	200 000,00	12 240,00	18,91%	<b>1,00</b>
2.	200 001,00	650 000,00	50 067,17	18,18%	<b>200 001,00</b>
3.	650 001,00	2 000 000,00	131 870,39	13,41%	<b>650 001,00</b>
4.	2 000 001,00	4 000 000,00	312 886,84	11,69%	<b>2 000 001,00</b>
5.	4 000 001,00	6 500 000,00	546 673,78	11,38%	<b>4 000 001,00</b>
6.	6 500 001,00	13 000 000,00	831 246,74	9,88%	<b>6 500 001,00</b>
7.	13 000 001,00	40 000 000,00	1 473 440,14	9,56%	<b>13 000 001,00</b>
8.	40 000 001,00	130 000 000,00	4 052 809,42	9,55%	<b>40 000 001,00</b>
9.	130 000 001,00	260 000 000,00	12 645 330,47	8,94%	<b>130 000 001,00</b>
10.	260 000 001,00	520 000 000,00	24 255 571,57	8,73%	<b>260 000 001,00</b>
11.	520 000 001,00	1 040 000 000,00	46 946 267,55	8,51%	<b>520 000 001,00</b>
12.	1 040 000 001,00	-	91 173 895,32	7,86%	<b>1 040 000 001,00</b>

**Table 3: High Complexity**

HIGH COMPLEXITY					
Cost Bracket	Value of works		Primary Fee	Plus, secondary fee	
	From	To		Add %	On balance over
	A	B	C	D	E
1.	1,00	200 000,00	14 249,82	22,02%	1,00
2.	200 001,00	650 000,00	58 288,24	21,17%	200 001,00
3.	650 001,00	2 000 000,00	153 523,63	15,61%	650 001,00
4.	2 000 001,00	4 000 000,00	364 263,10	13,61%	2 000 001,00
5.	4 000 001,00	6 500 000,00	636 438,07	13,25%	4 000 001,00
6.	6 500 001,00	13 000 000,00	967 738,13	11,51%	6 500 001,00
7.	13 000 001,00	40 000 000,00	1 715 380,21	11,12%	13 000 001,00
8.	40 000 001,00	130 000 000,00	4 718 284,00	11,12%	40 000 001,00
9.	130 000 001,00	260 000 000,00	14 721 703,95	10,39%	130 000 001,00
10.	260 000 001,00	520 000 000,00	28 238 356,02	10,16%	260 000 001,00
11.	520 000 001,00	1 040 000 000,00	54 654 882,62	9,90%	520 000 001,00
12.	1 040 000 001,00		106 144 722,59	9,16%	1 040 000 001,00

**Method of Fee Calculation**

- Primary Fee (C) for applicable Cost Bracket of Value of Works.
- Secondary Fee (D) for applicable Cost Bracket of Value of Works.
- Calculated as (Applicable Value of Works minus Column E) x % in terms of Column D.

**Example:** Fee Calculations – From tables above.

Complexity	Low Complexity	Medium Complexity	High Complexity
Value of Works	R3 000 000	R3 000 000	R3 000 000
Primary Fee	R261 510,57	R312 886,84	R364 263,10
Secondary Fee	(R 3 000 000 - R 2 000 001) x 9,77% R 999 999 x 9,77% R97 699,90	(R 3 000 000 - R 2 000 001) x 11,69% R 999 999 x 11,34% R116 899,88	(R 3 000 000 - R 2 000 001) x 13,61% R 999 999 x 13,48% R136 099,86
Professional Fee	Primary Fee + Secondary Fee R261510,57 + R97699,9 R359 210,47	Primary Fee + Secondary Fee R312886,84 + R116899,88 R421 353,00	Primary Fee + Secondary Fee R364263,1 + R136099,86 R490 539,66

**METHOD 2: Time Based Fee**

Description – Estimate the number of hours needed to carry out the agreed scope of work using the table below and the preferred method.

**Table 4: Hourly Rates Table**

Principal / Staff Category	Experience/ Work Context	Rate Per Hour (excluding VAT)	Rate Per Hour (excluding VAT)	Rate Per Hour (excluding VAT)
		Method 1 - Gross Annual Remuneration	Method 2 - Guideline Rate Calculated by SACAP	Method 3 - DPSA Hourly Fee Rates for Consultants

1. Principal; Partners & Equity Holders	Specialist	22.5% per R100.00 or part thereof of total annual cost of employment	R2 695	Commensurate with Level 14, 15 and 16 salary bands
	>10 years' experience	20% per R 100.00 or part thereof of total annual cost of employment	R2 166	Commensurate with Level 14 and 15 salary bands
	<10 years' experience	18.5% per R100.00 or part thereof of total annual cost of employment	R 1 620	Commensurate with Level 12, 13, 14 salary bands.
2a. Salaried Staff	Associates and managers	17.5% per R100.00 or part thereof of total annual cost of employment	R 1 155	Commensurate with Level 11, 12, 13 salary bands
2b. Salaried Staff	Registered architectural professionals performing work of an architectural nature and carrying direct responsibilities for activities related to a project	16.5% per R100.00 or part thereof of total annual cost of employment	R 781	Commensurate with Level 9, 10, 11, 12 salary bands
2c. Salaried Staff	Registered architectural professionals performing work of an architectural nature under direction and control.	15% per R 100.00 or part thereof of total annual cost of employment	R 465	Commensurate with Level 7, 8, 9, 10 salary bands
2d. Salaried Staff	Staff performing work under direction and control to support architectural work outputs	12.5% per R100.00 or part thereof of total annual cost of employment	R 332	Commensurate with Level 6, 7, 8 salary bands

**Guidelines for Professional Fees reimbursement of expenses**

<b>Disbursement Expense Item</b>	<b>Guiding Principle for disbursements expenses</b>
<b>Specialised Professional and other services</b>	
Payments made on behalf of client for fees and other charges for specialized professional and other services.	At cost plus, a minimum of 10% for attendance where a project cost-based fee applies and/or where there is no time-based reimbursement for attendance.
<b>Travel</b>	
<b>Travel time</b>	For a time-based fee, rates issued by the Department of Public Works, or similar.
	For a project cost-based fee, 100% of hourly rate for travel greater than 30 minutes and 50km per trip (being 1 hours and 100km per return trip) or as negotiated between the client and the architectural professional.
<b>Travel mileage</b>	Rates for reimbursable expenses issued by the National Department of Public Works and Infrastructure, or the disbursement tariffs issued by the National Department of Transport, or employee guidelines issued by the South African Revenue Services, or the vehicle rates calculator of the Automobile Association (AA), or similar.
Parking	At cost
Toll fees	
Car hire	
Airfare	
Train	
Bus	
Taxi	
<b>Substance</b>	
Accommodation	At cost, as per the standard prescribed by the client, at least a 3 stars hotel/lodge
Subsistence allowance	Rates for Reimbursable Expenses issued by the National Department of Public Works and Infrastructure, or the disbursement tariffs issued by the
Special daily allowance	

	National Department of Transport, or employee guidelines issued by the South African Revenue Services, or similar.
<b>Postage</b>	
Postage	At cost
Special postage	At cost plus a minimum of 10% attendance where project cost-based fee applies and/or where there is no time-based reimbursement for attendance.
Courier	
<b>Documentation</b>	
Typing of original/master per A4	Rates for Reimbursable Expenses issued by the National Department of Public Works and Infrastructure, or the disbursement tariffs issued by the National Department of Transport, or similar.
Duplicating on white paper (A3 & A4 sizes)	
Duplicating on colored paper (A3 & A4 sizes)	
Duplicating in colour (A3 & A4 sizes)	
Document binding	
Duplicating of drawings (A3 to A0 sizes)	
Plotting on 80g plain paper (A3 to A0 sizes)	
Plotting on 80g plain paper in colour (A3 to A0 sizes)	
Plotting on quality paper (A3 to A0)	
Plotting on quality paper in colour (A3 to A0)	
Purchase of document required for the project	
Removal, portable data storage medium with project-related information	
<b>Special Quotes</b>	
Maps	At cost, plus a minimum of 10% for attendance where a project cost base fee applies and/or where there is no time-based reimbursement for attendance.
Models	
Presentation materials	
Photography	
Artwork	
<b>Other</b>	
Any other disbursement requested by and/or agreed to by the client.	At cost, plus a minimum of 10% for attendance where a project cost base fee applies and/or where there is no time-based reimbursement for attendance.



**Framework for guidelines for professional fees in respect of architectural services rendered by the registered architectural professionals published in terms section 34 (2) of the Act.**

**1. Introduction**

- a) In terms of section 34 (2) of the Act, the South African Council for the Architectural Profession, hereafter referred to as SACAP, must annually, after consultation with the Voluntary Associations, determine guideline for professional fees and publish those fees in the *Gazette*.
- b) The Guidelines for professional fees shall be in line with the principles referred to in section 4(k)(v) of the Council for the Built Environment Act 43 of 2000 which stipulate that “the principles upon which Council must base guideline for professional fees should be in accordance with any legislation relating to the promotion of competition”.
- c) The guideline for professional fees is published annually in the Government Gazette as a guideline only and does not amount to direct or indirect price fixing. The guideline professional fees are deemed as a guide to provide a fair and reasonable remuneration to the architectural professional in order to provide for an appropriate level and quality of service in terms of the Standard of Service.

**2. Purpose**

- a) The Council of the Built Environment (CBE) Policy Framework on determination and review of guideline for professional fees for built environment professions stipulates that the guideline for professional fees is determined and published as a guide only and not as prescribed fees which registered professionals are entitled to charge.
- b) Guideline for professional fees is, for the purpose of guidance required to promote market efficiency and redress consumers and the public information deficit, relative to the professional’s knowledge and expertise. The guideline for professional fees is not prescribed or set as maximum or minimum mandatory fees to be charged for professional services rendered, but serve as guideline.

### 3. Principles

- a) The guideline for professional fees is based on cost of works as per fee survey undertaken by SACAP and Voluntary Associations in May 2021. As per the CBE Policy Framework on determination and review of guideline for professional fees for built environment professions, the guideline for professional fees takes into consideration reasonable rate of return on investment, intellectual capital, effort and, most importantly, risk.
- b) The guideline for professional fees tables have been split into 3 complexities to align with the Identification of Work.
- c) The guideline for professional fee tables represents the fees for a full service by a hypothetical average sized architectural practice, practising in a responsible and sustainable manner. This means that the tables are not meant to fit any one specific project perfectly and, in almost all cases, should be adjusted up or down in relation to specific project conditions.
- d) Unless otherwise agreed, in writing, by the architectural professional, the information produced in relation to a single project is authorised for use only on that project and may not be used for another project, in whole or in part.
- e) The guideline for professional fees is expressly not suitable for use in a basket of professional fees calculation, where all professional fees are reduced to fit a required overall fee basket. Reduction of fees in this manner, without due regard to a concurrent agreed reduction of service, is strongly discouraged because the quality of service will be impacted negatively to the detriment of a client.

### 4. General provisions

The guideline for professional fees published under Gazette No. 45554 board notice 172 of 2021 is hereby repealed. The provisions of the board notice shall only apply in respect of existing projects. The new board notice shall apply to all new projects.

## 5. Definitions and interpretations

In this document, unless the context otherwise indicates, an expression or word hereunder shall mean:

**SACAP** means the South African Council for the Architectural Profession;

**Act** means the Architectural Profession Act 44 of 2000;

**Agreement** means a written agreement between a client and the registered professional;

**Alteration** in terms of Clause 23 means a change in a building or facility that affects or could affect the usability of a building or facility or portion thereof;

**Addition** in terms of Clause 24 means projects that increase, expand, or extend a facility's gross floor area or height of a facility are considered additions.

**Registered Person** means a person registered in one of the categories of professionals and candidates referred to in section 18 of the Act;

**Architectural professional** means a person registered in one of the categories of professionals referred to in section 19(2)(a) and (b);

**Architectural Practice** means a juristic person appointed to provide the architectural service for the project;

**Board notice** means the notice containing the guidelines for professional fees which, in terms of section 34(2) of the act, is published annually by SACAP in the Government Gazette;

**Budget** means the anticipated cost of the project and/or works, provided that estimates on which the budget is based shall be deemed to be valid for a period not exceeding 3 months;

**Building contract** means the Joint Building Contracts Committee (JBCC) Principal Building Agreement or any other building contract entered into between the client and the contractor;

**Client** means the party appointing the architectural professional or practice to perform the services or any part thereof referred to in this document

**Consultant** means a professional person/s or entity/entities appointed by the client to provide services in respect to the project;

**Construction documentation** means graphic representations, plans, sections, elevations, site plans, specifications, construction details, service co-ordination information, schedules and such other details and descriptions as are within the reasonable competence of an architectural professional which are sufficient to indicate the scope of the works;

**Contract** means an agreement entered into by the client with a contractor for the execution of the works or part thereof; it may also be referred to as the building contract;

**Contractor** means the entity or entities contracting with the client for the execution of the works or part thereof;

**Inspection** means such periodic visits to, or in connection with the works, by the architectural professional as are necessary to establish conformity of the work to the contract documentation and quality in terms of the acceptable industry standards, and to provide on-site clarification and further information during the progress of the work. **Inspect** shall carry the same meaning;

**Practical completion** means the stage of completion where the works or a section thereof are certified by the principal agent as substantially complete, free of patent defects other than minor defects and can effectively be used for the purpose intended;

**Principal Agent** means the person appointed and authorised to fulfil the obligations of the principal agent in the agreed form of construction contract;

**Principal consultant** means the person appointed and authorised by the client to lead the consultants in all matters including design and technical co-ordination;

**Project** means the development for which the architectural professional and consultants are appointed and may not be limited to the works;

**Specialist** means an architectural professional highly skilled in a specific and restricted field;

**Principal** means the proprietor, partner, director or member who bears the risks of practice and takes full responsibility for the potential liabilities of practice;

**Works** means all work executed or intended to be executed according to the building contract.

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**South African Council for the Architectural Profession****6. Interpretation**

**The hourly rates** shall be deemed to include establishment charges and charges for time expended by clerical staff;

**The words** "advise", "appoint", "approve", "authorise", "certify", "consent", "decide", "delegate", "designate", "instruct", "issue", "notify", "object", "reply", "request", and "specify" shall indicate an act required to be carried out in writing;

**All monetary amounts** exclude VAT which shall be added to any amounts which become due and payable, provided the service provider is registered for VAT.

**Notice in terms of service agreements** shall be deemed to have been duly received when delivered by hand on the day of the delivery; sent by registered post 7 (seven) days after posting; and sent by e-mail on delivery/read receipt confirmation or 3 (three) days after transmission.

**7. The Architectural professional service**

**7.1** A client appoints an architectural professional to provide a service for a project as contemplated by the Architectural Profession Act, the National Building Regulations and Building Standards Act 103 of 1977 as amended and the South African National Standards SANS 10 400 and other applicable statutory legislation.

**7.2** The architectural professional accepts the appointment to exercise reasonable professional skill, care and diligence in the performance of obligations, for a fee as defined in a written agreement.

**7.3** Registered persons may be appointed for a standard service as architectural professionals, principal consultants and principal agents. Furthermore, services additional to the standard service may be included, and these non-exhaustive additional services may be included as the parties may deem appropriate.

**8. Fees description**

The calculation of fees based on a percentage of project cost is the standard basis for determining professional fees and represents the accepted basis by the Built Environment Professions for remuneration of professional services. Such fees are referred to as project

**South African Council for the Architectural Profession**

cost-based fees. An alternative to project cost-based fee can be negotiated; for example, time-based fees or cost per building area fees.

**9. Project cost-based fee**

**9.1** A project cost-based fee is appropriate when there is a well-defined scope of service for the architectural professional. Such fee is based on a budget for the works for fee calculation purposes, and shall be adjusted on the final cost of the works.

**9.2** The project cost-based fee results in a sliding scale, which arises from the series of percentages related to the value of the works and its complexity – low, medium or high – as defined in guideline profession fees board notice. The primary fee is stated as an appropriate value to smooth the sliding scale.

**9.3** The adjustment provided for in the guidelines for professional fee is based on the reduced aggregate of the value of the works and/or project from which the budget for the works for fee purposes is derived. This arises from the provision that fees for architectural services are calculated on the total value of the works and represent an average over all elements of the works and/or project.

**9.4** Where a fee is calculated as a project cost-based fee, the fee consists of a primary fee (Column C) plus a secondary fee. The secondary fee is calculated as a percentage (Column D) of the value of the works per cost bracket indicated in Column E. *Refer to guideline for professional fees.*

**9.5** The formula and examples thereof are in the guidelines for professional fee.

**9.6** Where an architectural professional has undertaken work, to change the agreed design and the fee is not covered by an increase in fees relative to the construction cost, a time-based fee may be agreed for this change.

**10. Time-based fee**

**10.1** Where the scope of service is not clearly defined, or the service relates to small scale projects, or the service is of an unusual or specialised nature, a time-based fee is recommended to be used as the basis of remuneration. Where fees for architectural professional services are time based, such fees may be based on an hourly rate as set out in the guidelines for professional fee board notice.

**South African Council for the Architectural Profession**

**10.2** Where an architectural professional has undertaken work to change the agreed design and the fee is not covered by the agreed time-based fee, additional fees may be agreed upon.

**10.3** Where the Architectural Professional is required to redo or alter work already completed in order to give effect to a cost saving, there shall be an additional fee for this work calculated on a time charge basis. This additional fee shall be agreed prior to the carrying out of the work.

**11. The Standard Service is generally divided into 6 work stages.**

The essential functions of each work stage relevant to the service are identified hereafter as follows:

**Stage 1: Inception**

- a) Receive, appraise and report on the client's requirements with regard to the client's brief;
- b) Determine the site and rights and constraints;
- c) Determine budgetary constraints;
- d) Determine the need for consultants;
- e) Determine indicative project timelines;
- f) Determine methods of contracting; and
- g) whether other statutory authority applications are required or desirable.

**Stage 2: Concept and viability (concept design)**

- a) Prepare an initial design concept and advise on:
  - i the intended space provisions and planning relationships;
  - ii proposed materials and intended building services; and
  - iii the technical and functional characteristics of the design.
- b) Check for conformity of the concept with the rights to the use of the land.
- c) Consult with local and statutory authorities.
- d) Review the anticipated costs of the project.
- e) Review the project programme.

**Stage 3: Design Development**

- a) Develop all aspects of the design from concept to full development including, but not limited to, construction systems, materials, fittings, and finishes selections;
- b) Review the programme and budget with the client, principal consultant or other consultants;
- c) Coordinate other consultants designs into building design;

**South African Council for the Architectural Profession**

- d) Prepare design development drawings including drafting technical details and material specifications;
- e) Discuss and agree on the building plan application and approval requirements with the local authority;

**Stage 4: Documentation and procurement****Stage 4.1**

- a) Prepare documentation required for local authority building plan application submission;
- b) Co-ordinate technical documentation with the consultants and complete primary co-ordination sufficient to support building plan submission;
- c) Review the costing and programme with the consultants;
- d) Obtain the client's authority, and submit documents for approval at the local authority.

**Stage 4.2**

- a) Prepare specifications for the works;
- b) Complete technical documentation sufficient for tender;
- c) Obtain offers for the execution of the works;
- d) Evaluate offers, and recommend a successful tenderer for appointment;
- e) Prepare the contract documentation and arrange the signing of the building contract by the client and the successful tenderer;
- f) Complete all remaining technical and construction documentation and coordinate same with the consultants;

**Stage 5: Construction**

- a) Administer the building contract;
- b) Give possession of the site to the contractor;
- c) Issue construction documentation;
- d) Review sub-contractor designs, shop drawings and documentation for conformity of design intent;
- e) Inspect the works for conformity with the contract documentation and acceptable quality in terms of industry standards;
- f) Administer and perform the duties and obligations assigned to the principal agent in the building contract;
- g) Manage the completion process of the project;



**South African Council for the Architectural Profession**

- h) Assist the client to obtain the required documentation necessary for the client to obtain the occupation certificate.

**Stage 6: Close-out**

- a) Facilitate the project close-out including the collation of the necessary documentation to effect completion, handover and operational manual of the project.
- b) When the contractor's obligations with respect to the building contract have been fulfilled, the architectural professional shall issue the certificates related to the contract completion.
- c) Provide the client with construction record documentation and the relevant technical and contractual undertakings by the contractor and sub-contractors.

**12. Partial services and additional services**

- a) The Act provides for the appointment of various architectural professionals for fulfilling each or any stage of a standard service or parts thereof.
- b) Partial and additional services may be agreed on, and the options most regularly utilised are the following:
  - i. Appointment as architectural professional and principal consultant (not as principal agent);
  - ii. Appointment as a design architectural professional (design only);
  - iii. Appointment as architectural professional of record (design by others, can be principal agent);
  - iv. Appointment as principal agent only; and
  - v. Appointment to perform additional services.
  - vi. Any combination of the above appointment may also be agreed

**13. Additional services**

The following non exhaustive services are additional to the standard service and qualify for additional fees and these services may be added individually or in varying combinations, and shall be provided by prior agreement between the client and the architectural professional:

**13.1 Special design services**

The preparation of special designs within, or in relation to, the facilities which are contemplated in a standard service, may include the following:

- i. Rational design and Green Star design; participation in the preparation of rational designs and green star design and document format conversion of other consultants' designs;
- ii. Town-planning and/or urban design including participation in the application for the establishment and/or amendment of regional and local town-planning and urban design schemes and the amendment of title conditions, negotiations with interest groups and authorities;
- iii. Sectional titles plans, submissions, alteration and registration;
- iv. Master planning – defining and planning the layout of future development of buildings and/or services on the same site;
- v. Landscape design – participation in landscape planning and construction;
- vi. Interior design – the design of interiors and the selection of furnishings, fixtures and special finishes;
- vii. Specialized equipment lay-out and consequential coordination requirements;
- viii. Liaison with special designers and specialist consultants;
- ix. Purpose-made items: the design and documentation of purpose made items;
- x. Promotional material, art work and immersive digital experiences, participation in the preparation of promotional material;
- xi. Plant operation and production layouts, participation in the definition of plant operation layouts;
- xii. Building Information Modelling (BIM) services beyond design and construction documentation. This includes BIM services intended for asset maintenance and/or facilities management.

### **13.2 Special management services**

- a) Elaboration of architectural professionals' services including inter alia:
  - i. the preparation of broad project parameters;
  - ii. project scope statements;
  - iii. project milestones;
  - iv. budget and cash-flow forecasts;
  - v. tender enquiry documentation;
  - vi. contractor and supplier selection;
  - vii. adjudication and tender awards;
  - viii. progress status monitoring;
  - ix. variations management;

- x. quality management over and above the industry norms;
  - xi. communication management;
  - xii. payment processing and
  - xiii. final account close-outs.
- b) *Cost and valuation services*: participation in the administration of costs and payments where a quantity surveyor has not been appointed.
  - c) *Special inspections*: more intensive inspections and assessment of the works than the norm for assessing compliance with specifications and design intent.
  - d) *Special Project Management Functions*: more extensive project management of the works than the norm for complex projects, including the preparation of the BIM protocol document and the management thereof.

### 13.3 Special studies

- a) *Preparation of the client's brief* – assist the client in the preparation of his requirements with regard to the purpose, scope, use and operation of the project;
- b) *Site selection* –research the suitability and location of a site for a proposed project;
- c) *Feasibility studies* – participation in technical and/or economic feasibility studies;
- d) *Environmental studies* –participation in environmental studies;
- e) *Energy analysis, studies and planning* – Green Star Ratings;
- f) *Market surveys* – participation in market surveys;
- g) *Traffic studies* – participation in traffic-flow studies.
- h) *Drone studies*; specialised photography for technical application and marketing material.
- i) *Specialist survey*- Point Cloud and Liddar Survey
- j) *As built measured survey*- required for verification of portions of construction undertaken during the works

### 13.4 Special Submissions to Statutory Authorities

- a) Land Use;
- b) Environment;
- c) Heritage;
- d) Trading Licences/Liquor Licences etc.

**13.5 Work on existing premises**

- a) *Surveys and inspections* – inspect, survey, measure and prepare documentation of existing premises, with other consultants as needed;
- b) *Restorations and renovations* – services in connection with work on existing buildings;
- c) *Heritage sites* – services in connection with work on heritage buildings, structures and sites;
- d) Services in connection with demolition permits of existing buildings and structures.

**13.6 Other services**

- a) Participation in litigation and dispute resolution (where a concurrent service is provided);
- b) Additional services as may be mutually agreed on.

**14. Basis of fees agreement**

- a) The client agrees to pay the architectural professional the fees for the services as recorded in the formal agreement entered into by the parties;
- b) Where a project cost-based fee is applied, the final fee is calculated on the final cost of the works. The initial fee is based on a budget for the works for fee calculation purposes, and shall be adjusted on the final cost of the works.
- c) Where a project time-based fee is applied, the fee is based on estimate of the skills, hours, and resources necessary to complete the works. Accurate costing to be kept and reported on.

**15. Project cost-based fees for standard and partial services**

- a) The architectural professional shall refer to the annexure on the guidelines for professional fees to determine whether a project is of low, medium or high complexity. Different fee scales apply to different complexities of a project.
- b) These are derived from bracketed project values, and are determined annually by SACAP and published in the Government Gazette.
- c) For a partial service, assuming the fee is a project cost-based fee, the percentage of the fee for each complete work stage to be performed is as set out under clause 21. Where the work stage is only partially completed, the percentage of the fee shall be agreed between the parties.
- d) The budget for fee purposes excludes VAT, contingencies, fees for other consultants and specialist as well as the provision for escalation.

**16. Project cost-based fees for a reduced service**

- a) Where the architectural professional is not the principal agent, a reduction of the fee for the work not exceeding 10% of the fee for stages 5 and 6 may be considered.
- b) Where the architectural professional is not the principal consultant, a reduction of the fee for the work not exceeding 10% of the fee for stages 1 to 4 may be considered.

**17. Apportionment of fees between work stages and interim payments.**

- a) The fee applicable to each work stage is apportioned according to the table below, and may be adjusted by agreement.
- b) The architectural professional is entitled to render interim fee accounts during stages as agreed between the parties.
- c) The fees payable for stage 5 are related to the duration of the contract period and not performance of the contractor. Interim claims during this stage will be contract time lapsed and not progress made by the contractor.

Work stages 1 to 6	Proportion of fee	Cumulative total
1	2%	2%
2	15%	17%
3	20%	37%
4.1	10%	47%
4.2	20%	67%
5	30%	97%
6	3%	100%

**18. Guideline for professional fees for additional services;**

Unless otherwise agreed, the fee for additional services is time based, and it is based on hourly rates as in the current guideline for professional fees.

**19. Time-based fees**

Where fees for the architectural professional services are time-based fees, the hourly rates as set out in the guideline for professional fees may apply. Whenever these rates are revised, the new rates may apply to work performed after the effective date of such revision.

**20. Guideline for professional fees for alterations**

The fee for work that includes alterations is based on the total project cost and increased for that portion of the work comprising or affected by alterations by 30% (130% of the fee).

**21. Guideline for professional fees for additions**

The fee for work associated with an addition to an existing building may not attract additional fees, except for that portion of work associated with the parts of the addition interfacing with the existing building. The fee for this latter work is increased by 30% (130% of the fee). Should it be necessary that the architectural professional survey, assess and/or prepare documentation for the existing building, the cost of this shall be charged on a time basis.

**22. Guideline for professional fees for services provided with respect to the restoration of buildings subject to heritage legislation**

The fee for work that includes restoration of buildings subject to heritage legislation is based on the total project cost and increased for that portion of the work comprising or affected by heritage considerations by 40% (140% of the fee).

**23. Guideline for professional fees for a project that includes repeated buildings**

For a project consisting of a number of repeated buildings erected under a single building contract for a single client, the fee may be adjusted by agreement, subject to the architectural professional being retained for a full service and the repeated buildings being built on one site or a series of adjoining or closely related sites;

- a) either entirely apart from each other or linked with screen walls, common walls or other similar means; and repetitions of one or more prototype designs for units, blocks or elements and built from the repeated use of one or more sets of drawings and related documents with nominal or no modification for each re-use. This does not apply to similar floors or divisions in a multi storey building;
- b) The guideline for professional fee for repeated buildings provides for a full fee applicable to the origination of the first building/s, referred hereafter as prototypes. Thereafter the fee adjustment is applied to each of the repeated prototypes.
- c) The adjusted fee applies to work stages 1 to 4 inclusive. The adjusted fee apportionment is 35% of the guideline professional fee for stages 1 to 4 inclusive;

- d) The adjusted fee does not apply to work stages 5 and 6. The full guideline professional fee for these stages shall apply.

**24. Guideline for professional fees for buildings repeated under separate building contracts.**

An architectural professional is entitled to be paid full fees on the original building designs. Unless otherwise agreed, where repeated buildings are erected under separate building contracts and the drawings and related documents for a project are re-used for subsequent projects with nominal or no modification, the fee may be adjusted.

**25. Guideline for professional fees for an appointment where the architectural professional takes over work of another professional**

The stage of completion shall be agreed upon, and an appropriate budget for the works agreed upon, and the fee for the work stages or the stage in which the service is commencing may be subject to an increase of 25%.

**26. Guideline for professional fees for deployment of employees**

Where an employee of the architectural professional is deployed on site for extended inspection or other agreed purposes, the amount of the reimbursement shall be the total cost of employment plus 30%.

**27. Extended initial contractual contract period**

- a) In the event that the initial contract period is exceeded by more than 10% through no fault of the architectural professional, the architectural professional shall be remunerated for all additional work resulting from the extension of time at the hourly rates according to the guidelines for professional fees together with related reimbursable expenses. The architectural professional shall inform the client in writing that the allocated period for providing professional services has been exceeded by 10% and therefore the services shall be charged at the hourly rates according to the current guidelines for professional fees together with related reimbursable expenses.
- b) The fee for the services of the architectural professional during the contract period shall not be linked to a contractor performance or progress. The fees shall be assessed entirely independently.

**28. Adjustment of guideline for professional fees and disbursements**

- a) The guideline for professional fees and disbursements are based on the following parameters:
- i. Scope of services;
  - ii. Scope of the project/works;
  - iii. Project programme;
  - iv. Cost of the works;
  - v. Cost of the project;
  - vi. Appointment of other consultants;
  - vii. Appointment of contractors.
- b) Should any material variation to the parameters as stated occur, the guideline professional fees and disbursements shall be adjusted.

**29. Fast Tracking**

- a) Adjustment to the project programme, commonly known as 'fast tracking', that requires the application of additional resources by the architectural professional, may attract an additional fee. The architectural professional shall motivate to the client the additional resource needed to complete the project within the allocated time and shall be at the total cost of additional resources plus 30%.

**30. Travelling time**

- a) Where the fee is a project cost-based fee, time charges shall apply at 100% of hourly rate for travel greater than 1 hour and 50 km per trip (being 2 hours and 100 km per return trip) or as negotiated between the client and the architectural professional.
- b) Where the fee is on a time basis, time charges shall apply to the full round trip regardless of distance.

**31. Guideline for professional fees on termination by the client**

- a) Where the agreement between the client and the architectural professional is terminated, the client shall pay for that portion of the service that has been executed by the architectural professional.
- b) Termination of the project shall attract an additional fee equal to 20% of the remaining fee that would have been payable had the project not been terminated.



**32. Guideline for professional fees for dispute resolution services**

- a) For acting as expert witness, adjudicator, mediator or arbitrator, the fee shall be in line with specialists' fees charged at the hourly rates published in the guideline for professional fees.
- b) Where a project is referred to dispute resolution, architectural professionals retained on that project are to be reimbursed for the additional service required in relation to the dispute resolution processes according to the hourly rates published in the board notice as necessary.

**33. Payment of professional accounts**

- a) The architectural professional's accounts are due and payable on presentation. The architectural professional shall be entitled to render interim accounts. Fee and reimbursement invoices may be invoiced separately.

**34. Reimbursement of expenses**

- a) In addition to the fees set out in this schedule, the client shall reimburse the architectural professional for all reasonable disbursements properly incurred and accounted for.
- b) The expenses contemplated may include the following:
  - i Specialised professional and other services;
  - ii Payments made on behalf of client for fees, submission fees for local authority and other statutory approvals as well as other charges for specialised professional and other services.
  - iii **Travel**
    - Travel mileage;
    - Parking;
    - Toll fees;
    - Car hire;
    - Airfare;
    - Train;
    - Bus;
    - Taxi;
    - Uber/Bolt or the likes
  - iv **Subsistence**
    - Accommodation;
    - Subsistence allowance;

- Special daily allowance;
  - v **Postage**
    - Special postage;
    - Postage
    - Courier;
  - vi **Documentation**
    - Typing of original/master per A4;
    - Duplication in white paper (A3 & A4 sizes);
    - Duplicating in coloured paper (A3 & A4 sizes);
    - Duplication in colour (A3 & A4 sizes);
    - Document binding;
    - Scanning of drawings and documents;
    - Duplicating of drawings (A3 to A4);
    - Plotting on 80g plain paper (A3 to A0);
    - Plotting on 80g plain paper in colour (A3 to A0);
    - Plotting on quality paper (A3 to A0);
    - Plotting on quality paper in colour (A3 to A0);
    - Purchase of documents and research material required for project;
    - CD with project-related information;
  - vii **Special quotes**
    - Maps;
    - Models;
    - Presentation;
    - Photography;
    - Artwork
  - viii **Specialised computer software**
  - ix **Time limited software subscriptions incurred specifically for the project**
  - x **Other**
    - Any other disbursement requested by and/or agreed to by the client.
- c) A relevant guideline rate may be applied. Refer to Guideline for professional fees.
- d) A minimum of 10% of the cost of the disbursement may also be claimed for attendance where a project cost-based fee applies and/or where there is no time-based reimbursement for attendance

### 35. Claims to be separate and not set-off

- c) Should a client allege a claim against the architectural professional, a contractor or any other party involved in the project, such claim shall be dealt with on its own merits.
- d) A client is not entitled to withhold payment of fees or disbursements or part thereof due to the architectural professional, based on the alleged claim, the client shall make payment without any set-off and waives all rights to any such set-off.
- e) Should a professional error, omission and/or negligence be implied, dispute resolution or litigation shall be used to claim from the architectural professional.
- f) No penalties shall be applied on professional service agreement contracts.

### **36. Regular invoicing**

Invoicing in line with the completed work stages as required by the Value-Added Tax Act, 1991 (Act No. 89 of 1991) is accepted as good practice and is deemed to be the basis of the agreement between the client and architectural professional. Additionally, regular invoicing as agreed with the client may be considered.

### **37. Engagement of architectural professionals**

- a) A professional service is deemed to be subject to an appropriate formal written agreement in which the rights and obligations of the parties and the terms and conditions of service are clearly recorded.
- b) The specific service is agreed on, and the basis for the calculation of professional fees is recorded.
- c) The parties shall also agree on the following:
  - the agreed service to be provided;
  - authority of the architectural professional;
  - the architectural professional's ownership of the intellectual property or copyright;
  - limits to responsibility;
  - limit to professional liability to a term of five (5) years;
  - payment of invoices;
  - interest on overdue invoices;
  - disputed invoices;
  - suspension or deferment;
  - termination of engagement;

- damage to; or destruction of the works and
  - dispute resolution provisions.
- d) The expectation is that the agreed fees are based on a budget for the works to ensure that the fees are calculated on the anticipated final project cost. A realistic value of the work has to be done to determine fees.
- e) Where a Professional Architect registered with SACAP is employed in a standard service, such Professional Architect shall be appointed to fulfil architectural services, principal consultant and principal agent services. The services shall be described as a 'full service', partial and/or additional services as may be agreed.
- f) Where an architectural professional other than a Professional Architect is employed in a project. The services and functions to be provided should be in line with the Identification of Work. Such an appointment may be for a standard service. Partial and/or additional services may be agreed.







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