



# *The Contemporary Gazette*

*relevant new legislation for your business*



SOUTH AFRICAN INSTITUTE OF  
PROFESSIONAL ACCOUNTANTS™

■ YOUR WEALTH

## SAIPA Your Law : Volume 14 Issue 6, 8 April 2019

### **This newsletter**

This newsletter overviews new relevant National laws up to **8<sup>th</sup> April 2019**. Log-in to [www.gazette.co.za](http://www.gazette.co.za), peruse the list and follow the hyperlinks to laws that interest you. Please note that **[words in bold brackets]** in [www.gazette.co.za](http://www.gazette.co.za) show proposed deletions, and underlined words in [www.gazette.co.za](http://www.gazette.co.za) show proposed insertions - this allows you to see current and planned requirements at the same time, and helps with giving context to changes/proposed changes.

**Please note** that you can keep up to date, in-between newsletters, by visiting latest updates.

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## Financial

# 1. FINANCIAL INTELLIGENCE CENTRE ACT: UN IMPOSED FINANCIAL SANCTIONS

### Suspicious and unusual transaction reporting duty for all entities

Note that UN financial sanctions requirements are not necessarily limited to accountable institutions. [Section 29](#) suspicious and unusual transactions now also requires that a person who carries on a business or is in charge of or manages a business or who is employed by a business and:

- (i) Who knows or ought reasonably to have known or suspected that a transaction or series of transactions to which the business is a party relates to the contravention of a prohibition under [section 26B](#) (see 'prohibitions relating to identified persons and entities' below);
- (ii) Must, within the prescribed period after the knowledge was acquired or the suspicion arose, report to the Centre the grounds for the knowledge or suspicion and the prescribed particulars concerning the transaction or series of transactions.

### UN financial sanctions and the FIC

Apart from director duties (see [overview part 1](#)), customer due diligence requirements (see [overview part 2](#)), risk and compliance management programme requirements (see [overview part 3](#)), and administrative sanctions (see [overview part 4](#)), the Amendment Act also introduced measures for the implementation of United Security Council Resolutions relating to the freezing of assets. These financial sanction measures have now commenced on 1 April 2019.

These measures will apply when the Security Council adopts a resolution under Chapter 7 of the UN Charter providing for financial sanctions - in this regard please note the [gazette 42369 notice](#).

The new [section 26A](#) will be triggered if such sanctions entail the identification of persons or entities against whom UN member states must take the actions specified in the relevant resolution. The result will be that the Minister

of Finance must announce the adoption of the resolution by notice in the Gazette and other appropriate means of publication. Please note the [gazette 42365 notice](#) in this regard.

After publication of the notice the Director of the Financial intelligence Centre must from time to time, and by appropriate means of publication, give notice of:

- (i) Persons and entities in respect of whom the resolution became applicable in accordance with a decision to that effect by the Security Council; and
- (ii) A decision of the Security Council to no longer apply the resolution to previously identified persons or entities.

### **Scrutinising client information**

The new [section 28A\(3\)](#) requires that an accountable institution scrutinise its information concerning clients with whom it has business relationships when:

- (i) A notice by the Director of the Financial Intelligence Centre is given under [section 26A\(3\)](#) regarding persons and/or entities against whom the Security Council imposed financial sanctions; or
- (ii) A proclamation is published by the President under [section 25](#) of the Protection of Constitutional Democracy against Terrorism and Related Activities Act (Presidential Section 25 Proclamation).

The client information must be scrutinised in order to determine whether any client with whom the institution has a business relationship, is a person or entity mentioned in the notice or proclamation.

An accountable institution has to report to the Financial Intelligence Centre when it has in its possession or under its control property owned or controlled by or on behalf of, or at the direction of:

- (i) A person or entity identified pursuant to a resolution of the Security Council in a notice given by the Director of the Centre;
- (ii) An entity identified in a Presidential Section 25 Proclamation; or
- (iii) Any entity which has committed, or attempted to commit, or facilitated the commission of a [specified offence](#).

### Prohibitions relating to identified persons and entities

The new [section 26B\(1\)](#) prohibits the following in respect of the [property](#), services and economic support connected to identified persons or entities:

- (i) The acquisition, collection, use, possession or ownership of property;
- (ii) The provision or making available of property;
- (iii) The invitation of a person to provide or make available property;
- (iv) The provision or making available of any financial service or other service;
- (v) The invitation of a person to provide or make available any financial or other service;
- (vi) The provision or making available of economic support;
- (vii) The invitation of a person to provide or make available economic support;
- (viii) The facilitation of the acquisition, collection, use or provision of property;
- (ix) The facilitation of the provision of any financial or other service; or
- (x) The facilitation of the provision of economic support.

These actions will be prohibited if they are performed with the intention that the property, financial or other service or economic support will be used:

- (i) For the benefit of;
- (ii) On behalf of;
- (iii) At the direction of; or
- (iv) Under the control of,

an identified person or entity.

The actions will also be prohibited if the person who performs them [knows](#) or [ought reasonably to know or suspect](#) that the property, financial or other service or economic support will be so used.

[Section 26B\(3\)](#) prohibits a person who [knows](#) or [ought reasonably to know or suspect](#) that property is property to be used for the benefit, or on behalf of, or at the direction of or under the control of an identified person or entity, from entering into or becoming concerned in a certain type of arrangement.

What is prohibited is an arrangement which in any way has or is likely to have one of the following effects:

- (i) Making it possible for an identified person or entity to retain or control the property;
- (ii) Converting the property;
- (iii) Concealing or disguising the nature, source, location, disposition or movement of the property, the ownership thereof or any interest anyone may have therein;
- (iv) Removing the property from a jurisdiction; and
- (v) Transferring the property to a nominee.

Section 26B(2) also prohibits the following in respect of [property](#) connected to identified persons or entities:

- (i) Entering into any transaction;
- (ii) Facilitating any transaction; or
- (iii) Performing any other act,

in connection with such property.

These actions are prohibited if the person who performs them [knows](#) or [ought reasonably to know or suspect](#) that the property has been acquired, collected, used, possessed, owned or provided:

- (i) For the benefit of;
- (ii) On behalf of;
- (iii) At the direction of; or
- (iv) Under the control of,

an identified person or entity.

### **Consequences of contravention**

Any person who contravenes a prohibition relating to persons and entities identified by the UN Security Council will be guilty of an offence. On conviction such a person will be liable to imprisonment for up to 15 years or to a fine of up to R100m.

The Financial Intelligence Centre or a supervisory body could also impose an [administrative sanction](#) for the contravention which could include:

- (i) The restriction or suspension of specified business activities; and/or
- (ii) A financial penalty of up to R10m for natural persons and up to R50m in respect of [legal persons](#).

### **Permitted exemptions**

The Minister of Finance may permit the provision of financial services or the dealing with property in relation to identified persons or entities. This may be done on the Minister's own initiative or at the request of a person affected by a [section 26B](#) prohibition.

The Minister may permit the provision of financial services or the dealing with property if it is necessary to provide for basic expenses, including:

- (i) Foodstuffs;
- (ii) Rent or mortgage;
- (iii) Medicines or medical treatment;
- (iv) Taxes;
- (v) Insurance premiums;
- (vi) Public utility charges;
- (vii) Maintenance orders;
- (viii) Reasonable professional fees; and
- (ix) Reimbursement of expenses associated with the provision of legal services.

Permission may also be given by the Minister if it is necessary to:

- (i) Satisfy a judgment or arbitral award that was made before the date on which the person or entity was identified by the Security council;
- (ii) Make a payment to a third party which is due under a contract, agreement or other obligation made before the date on which the person or entity was identified by the Security Council;
- (iii) Accrue interest or other earnings due on accounts holding property affected by a [section 26B](#) prohibition; and

(iv) Make a payment due to a person or entity affected by a [section 26B](#) prohibition by virtue of a contract, agreement or other obligation made before the date on which the person or entity was identified by the Security Council, provided that the payment is not directly or indirectly being received by that person or entity.

The Minister's permission must be in writing and on the conditions appropriate and in accordance with the relevant resolution. Notice of the Minister's permission must be given by the Director of the Financial Intelligence Centre by appropriate means of publication.

The power to give permission may be delegated to the Director.

GN519 GG42360/29 March 2019 (Incorporated into [Financial Intelligence Centre Act](#) and [Regulations](#))



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# Information

## 2. LEGAL PRACTICE ACT: CODE OF CONDUCT

The [code of conduct](#), amongst others, makes provision for:

(i) [Specific corporate counsel duties](#) for legal practitioners that are not in private practice and are employed to give an employer a dedicated source of legal services and advice in exchange for a salary or remuneration:

- [Part 2 general duties](#) (eg maintain legal professional privilege and confidentiality regarding the affairs of present or former clients or employers, according to law) apply above [Part 7 specific corporate counsel duties](#) if there is conflict between these parts;
- Corporate counsel must at all times act ethically, including treating gaps in law in a responsible and ethical manner;
- Corporate counsel must be free of conflict of interest in discharging his or her duty to the employer;
- Corporate counsel must at all times act in a professional manner with the skill, care and diligence that may be reasonably expected of a person in his or her situation, including remaining reasonably abreast of relevant law developments; and
- Corporate counsel must protect the confidentiality and privacy of information made available and received during the course of counsel duties, unless there is a legal obligation to disclose that information.

*Note: Parts of the Code are already legal requirements under other existing law - consider, for example, the [agent corruption offence](#). Legal obligations to disclose information should not simply be heeded, but should be carefully scrutinised against further, possibly overriding, legal obligations to protect that information (or at least parts thereof not relevant to the information request). Also consider, for example, the rights of refusal sections of the [Promotion of Access to Information Act](#) when considering what may constitute confidential information in a particular circumstance.*

(ii) [Definitions](#) (eg enrolled advocate or attorney is a legal practitioner);

(iii) [General duties](#) (eg not generating unnecessary work);

- (iv) [Specific attorney duties](#) (eg take all such steps as may be necessary from time to time to ensure compliance at all times as an accountable institution with the requirements of the [Financial Intelligence Centre Act](#));
- (v) [Specific advocate duties \(attorney briefs\)](#) (eg fearlessness in the conduct of a client's case);
- (vi) [Specific advocate duties \(public or justice centre requests\)](#) (eg requirement to have a trust account);
- (vii) [Specific court or tribunal appearance duties](#) (eg not waive or purport to waive privilege in respect of privileged information as the decision to waive professional privilege is that of the client).

GN168 GG42337 / 29 March 2019 and GN198 GG42364/29 March 2019 (Incorporated into the [Legal Practice Act and Regulations](#))



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## General

### 3. NOTABLE ONE LINERS

#### Agricultural Pests Act

The Plant Improvement Act 2018 will repeal [section 20](#) (repeal of laws) of the Act, once a commencement date has been gazetted.

#### Auditing Profession Act

The Financial Matters Amendment Bill proposals that related to the [Auditing Profession Act](#) have been removed in version B of the Bill.

#### Banks Act

(i) The Financial Matters Amendment Bill proposes including a national state-owned company, as [defined in the Companies Act](#), in the definition of public company, and allowing financially sound, qualifying, state-owned companies to [apply for authorisation to establish a bank](#).

*Note the conflict of law provision, and the auditor 2 year asset certification requirements, in the proposed [section 12](#) amendment.*

(ii) The amendment dates for [section 1A](#) (relationship between Act and Financial Sector Regulation Act) and [section 90](#) (regulations) changed to 1 April 2020.

#### Collective Investment Schemes Control Act

The amendment dates for [section 1A\(8\)](#) and [114\(3\)\(d\)](#) and (6) have been changed to 1 April 2020.

#### Commission for Gender Equality Act

The Determination of Remuneration of Members of Constitutional Institutions Laws Amendment Act on 1 April 2019 amended the [remuneration and allowance provisions](#).

## **Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities Act**

The Determination of Remuneration of Members of Constitutional Institutions Laws Amendment Act on 1 April 2019 amended the [remuneration and allowance provisions](#).

## **Compensation for Occupational Injuries and Diseases Act**

[Classification of industries](#) 2014/2019 per 100 earnings notice gazetted

## **Competition Act**

(i) The [guidelines for administrative penalties for failure to notify or implement a merger](#) commenced 1 April 2019 and include, amongst others, examples of potentially aggravating circumstances (such as that the merging parties were competitors, or an unexplained delay in notification once aware), as well as examples of potentially mitigating circumstances (such as merging parties sought competition law advice on the transaction, or demonstrated willingness to expeditiously conclude settlement with the Commission).

(ii) The completion date for the [data services market inquiry](#), that started August 2017, has been further extended from 31 December 2019.

*Note: The stated intention of the inquiry is to determine what factors increase data services prices, and to make recommendations that would result in lower prices for data services. The Commission intends to release a provisional report by 30 April 2019. The Commission will invite submissions on the provisional report. It will then engage in further consultations with key stakeholders before completing its assessment. Any changes to this timetable will be communicated by the Commission.*

## **Constitution of the Republic of South Africa**

[Commission of inquiry into the Public Investment Corporation](#) final report deadline extended to 31 July 2019, and terms extended to include whether the PIC has given effect to its clients' mandates as required by the Financial Advisory and Intermediary Services Act.

### **Co-operative Banks Act**

Amendment dates to section 44(4) changed to 18 March 2019; and to [section 1A](#) (relationship between Act and Financial Sector Regulation Act) changed to 1 April 2020.

### **Credit Rating Services Act**

Amendment dates for [section 1A\(8\)](#) (relationship between Act and FSRA - fee references), [5](#) (registration for application amendment), and [28](#) (fees and penalties repeal) changed to 1 April 2020.

### **Criminal Procedure Act**

The draft Prescription in Civil and Criminal Matters (Certain Sexual Offences) Amendment Bill proposes extending the section 18 [list of offences for which prosecution may be instituted after a period of 20 years](#) has lapsed since the date of the alleged commission of the offence.

### **Electoral Commission Act**

The Determination of Remuneration of Members of Constitutional Institutions Laws Amendment Act on 1 April 2019 amended the [remuneration and allowance provisions](#).

### **Electronic Communications Act**

- (i) New [administrative fees](#) (licence application, amendment, transfer or renewal) apply as from 1 April 2019.
- (ii) New [equipment type approval fees](#) commenced 1 April 2019.
- (iii) New [radio frequency spectrum fees](#) apply as from 1 April 2019.
- (iv) The [community broadcasting services regulations](#) commenced on 22 March 2019.
- (v) The 2 April 2019 amendments to the [National and Provincial party elections broadcasts and political advertisements](#) relate to allocation of air-time in respect of party election broadcasts.
- (vi) The radio frequency migration plan 2019 is available from ICASA.
- (vii) The findings document on the inquiry into the roles and responsibilities of ICASA in cybersecurity is available from ICASA.

(viii) The ordering system specification for geographic, non-geographic and mobile number portability is available from ICASA.

(ix) The final international mobile telecommunications roadmap 2019 is available from ICASA.

### **Films and Publications Act**

New [guidelines to be used in the classification of films, interactive computer games and certain publications](#) will apply as from 3 months from 5 April 2019.

### **Financial Advisory and Intermediary Services Act**

Amendment dates for [section 1](#) (definition of Ombud Council), [3](#) (general provisions concerning Authority), [section 20](#) (office of ombud for financial service providers), [21](#) (appointment of ombud), [22](#) (funding of office), [23](#) (accountability), and [41\(1\)\(a\)](#) changed to 1 April 2020.

### **Financial Intelligence Centre Act**

[Directive 5 of 2019](#) (conditions for the use of an automated transaction monitoring system implemented by reporters to identify potentially suspicious and unusual activities or transactions or a series of transactions, and to ensure that a proper governance arrangement is in place for reporters to fully comply with all reporting obligations) commenced 29 March 2019.

### **Financial Sector Regulation Act**

(i) New commencement dates have been gazetted for sections [290](#) (amendments and repeals) and [302](#) (levy), and for [chapter 14](#) (Ombuds) and [chapter 16](#) (fees, levies and finances).

(ii) The [transitional regulations](#) were amended 29 March so that regulation 4 extended funding to Financial Services Tribunal pending Financial Sector Levies Bill, regulation 4A provides for Commissioner accounting authority status, and regulation 4B provides for Council for Medical Schemes recovery of costs related to information gathering, supervisory on-site inspections and investigations).

### **Financial Services Board Act**

Dates for [repeal](#) of section 1 (financial institution and trust property), [15A](#) and [16](#) changed to 1 April 2020. Note the [transitional provisions](#).

### **Foodstuffs, Cosmetics and Disinfectants Act**

The regulations relating to edible fats and oils were repealed on 5 April 2019.

*Note: Other [regulations under the Act](#) (such as regulations for additives, colourants, milk and dairy products, preservatives and antioxidants, salt, sodium reduction etc) and other laws (such as those listed under related laws on the [right side of the Act](#)), may apply, depending on the type of fat or oil or foodstuff containing fat or oil or process or distribution used.*

### **Friendly Societies Act**

Amendment dates for [section 1A\(4\)](#) (relationship between Act and FSRA - fee references), and [47\(1\)\(ba\)](#) (regulations - prescribed fees) changed to 1 April 2020.

### **Government Employees Pension Law**

The Financial Matters Amendment Bill 2019 proposes amending [section 24A](#) (payment of pension interest upon divorce or dissolution of customary marriage) by replacing the divorce debt approach with a service reduction approach.

### **Independent Commission for the Remuneration of Public Office-Bearers Act**

The Determination of Remuneration of Members of Constitutional Institutions Laws Amendment Act amended [the Act](#) on 1 April 2019.

### **Independent Communications Authority of South Africa Act**

The Determination of Remuneration of Members of Constitutional Institutions Laws Amendment Act on 1 April 2019 gave the Independent Commission for the Remuneration of Public Office-bearers powers regarding the determination of [salary, allowances and benefits of councillors](#).

### **Insolvency Act**

The Financial Matters Amendment Bill version B proposes amending [realization of securities for claims](#) to provide for a process to be followed when a creditor realizes his or her security and also to provide for a power for the Master of the High Court to deal with disputes regarding preference by trustees.

### **Long-term Insurance Act**

Amendment date for [section 1A](#) (relationship between Act and Financial Sector Regulation Act) changed to 1 April 2020.

### **Medical Schemes Act**

Increases for [fees](#) related to registration, rule changes, administrator or broker or managed health care organisation accreditation or renewal, name change or appeals have been proposed. Comment deadline 3 months from 29 March 2019.

### **Merchandise Marks Act**

Restrictions on the use of the words [Parma Ham](#) have been proposed. Comment deadline 30 days from 5 April 2019.

*Note: It is an [offence](#) to contravene an absolute/conditional prohibited use of a logo, figure, etc.*

### **Military Pensions Act**

The Financial Matters Amendment Bill 2019 proposes [clarifying](#) responsible department, [defining](#) spouse, [referencing](#) spouses, and providing for [registration of a spouse](#).

### **Mineral and Petroleum Resources Development Act**

The [draft Housing and Living Conditions Standard for the Minerals Industry 2019](#) has been gazetted. Comment deadline 30 days from 20 March 2019.

### **Mutual Banks Act**

Amendment dates for [section 1A](#) (relationship between Act and Financial Sector Regulation Act), and [91](#) (regulations) changed to 1 April 2020.

### **National Environmental Management Act**

[Regulations for the procedure to adopt spatial tools and environmental management instruments](#) commenced 5 April 2019.

### **National Environmental Management Waste Act**

[Draft transitional licensing notice proposed for all hazardous waste management activities](#) (such as waste disposal, landfilling, recycling, reuse, treatment and recovery of waste) so that holders of valid authorisations that commenced or were conducted before 1 July 2009 are granted 1 year to apply for a waste management licence under the Waste Act. Comment deadline 30 days from 5 April 2019.

*Note: The draft notice states that waste management activities which commenced:*

- *before 1 July 2009 without a valid permit, exemption, directive, registration certificate or environmental authorisation must apply for a waste management licence immediately; and*
- *after 1 July 2009 without a valid waste management licence are regarded as illegal activities that should apply for a NEMA [section 24G](#) approval.*

### **National Health Act**

The draft enforcement policy (in terms of regulation 22 of the [procedural regulations for the functioning of the Office of Health Standards Compliance](#)) is not reproduced by CG, and is available from the Department of Health.

### **National Minimum Wage Act**

[Section 17\(4\)](#) (that mistakenly states that [section 4\(6\)](#) takes retrospective effect from 1 May 2017) has been excluded in the commencement notice. The Bill 2019 proposes correcting the reference in section 17(4) to correctly reflect that, once a commencement date is gazetted, [section 4\(8\)](#) takes retrospective effect from 1 May 2017.

### **Pension Funds Act**

Commencement dates amended so that [section 1B](#) commenced 18 March 2019; and [section 1A\(6\)](#) and [chapter 5A](#) (consideration and adjudication of complaints) amendments will commence 1 April 2020.

### **Plant Breeders Rights Act**

The [Plant Breeders Rights Act 2018](#) will replace the [Plant Breeders' Rights Act](#), and will, amongst others, protect a larger number of plants, increase penalties for deliberate right infringement, clarify farmers privilege to save protected seeds on their own holdings for re-sowing or replanting, and improve time limits and duration.

### **Plant Improvement Act**

Once a commencement date is gazetted, the [Plant Improvement Act](#) will apply to plants as declared by Gazette, and regulate business registration, sale of plants and propagating material, quality standards, imports and exports, listing, denominations, evaluations etc.

*Note: The 2018 Act will also repeal the [1976 Act](#).*

### **Postal Services Act**

The [ICASA inquiry on unreserved postal services](#) may be a 2 year process, that may be extended.

*Note: The position paper on unreserved postal services is available from ICASA.*

### **Prescription Act**

The draft Prescription in Civil and Criminal Matters (Certain Sexual Offences) Amendment Bill proposes retrospectively adding [offences that do not prescribe](#).

### **Public Administration Act**

[The Act](#) commenced 1 April 2019, except for sections 5 (individual transfers), 6 (secondments), 7 (transfer of employees upon transfer or assignment of function), 9 (disclosure of financial interest), 11 (national school of government), 12 (directive by Minister relating to education) and 19 (repeal and amendment of laws).

Note: Also see the [updated past overview](#) (including the [provision](#) that an [employee](#) may not conduct business with the State or be a director of a public or private company conducting business with the State, and the [provision](#) regarding compulsory education).

### Public Audit Act

(i) The [Public Audit Amendment Act 2018](#) commenced on 1 April 2019.

Note: Different future commencement dates will apply for the [section 7](#) (conditions of employment) and [section 23](#) (audit fees) amendments.

(ii) The Determination of Remuneration of Members of Constitutional Institutions Laws Amendment Act, 22 of 2014 amended the [salary, allowance and benefits provisions](#) on 1 April 2019.

(iii) [Material irregularity regulations](#) (including that the Auditor-General may proceed on the basis that an accounting officer or accounting authority failed to take appropriate steps to address a suspected material irregularity if no invited submissions on the matter were made timeously) commenced 1 April 2019.

(iv) [Investigations and special audits regulations](#) (noting that special audit is defined as audit of any aspect of the performance, financial management or compliance with legislation by an auditee or a group of auditees other than an annual audit performed for the purpose of reporting in terms of [sections 20](#) or [28\(1\)](#) or an audit of procurement and the utilisation of resources in terms of [section 5\(1\)\(aA\)](#)) commenced 1 April 2019.

(v) [Regulations on audits by auditors in private practice](#) (criteria, appointment, consent withdrawal, discharge and resignation) commenced 1 April 2019.

### Public Protector Act

The Determination of Remuneration of Members of Constitutional Institutions Laws Amendment Act on 1 April 2019 amended the manner in which the salary, allowances and benefits of the [Public Protector](#) and [Deputy Public Protector](#) are determined, including letting the President making the determination (with the National Assembly to approve).

### Short-term Insurance Act

Amendment date for [section 1A](#) (relationship between Act and Financial Sector Regulation Act) changed to 1 April 2020.

### **South African Human Rights Commission Act**

The Determination of Remuneration of Members of Constitutional Institutions Laws Amendment Act on 1 April 2019 amended the [salary, allowance and benefits provisions](#).

### **South African Postbank Limited Act**

1 April 2019 has been gazetted as the [transfer date](#) of the enterprise of the former Postbank Division of the South African Post Office to the South African Postbank Company SOC Limited.

### **Special Investigating Units and Special Tribunals Act**

(i) Investigation (covering 1 July 2015 to 29 March 2019) has been launched into the affairs of the [National Health Laboratory Service](#) relating to the procurement of or contracting for end user computer hardware and related maintenance and support services; multi-protocol label switching wide area network service; leasing of motor vehicles; replacement of water, sewer and drainage pipes; renovation of the NIOH library; renovation of a virology laboratory; renovation of toilets at the National Institute for Communicable Diseases; professional services for the construction of a refectory at the National Institute for Communicable Diseases; professional services for the design, project management and the certification of renovations and structural changes to the Ermelo Laboratory; replacement of the waterproofing at the Centre for Enteric Diseases; renovation of the Centre for Respiratory Diseases and Meningitis; professional services for the design, project management and the certification of renovations and structural changes to the Diagnostic Media Products Building in terms of Tender RFQ 1351823; and the construction of a kitchen and function area.

(ii) Investigation (covering 1 January 2009 to 29 March 2019) has been launched into the affairs of the [Johannesburg Metropolitan Municipality](#) relating to the procurement of or contracting for vehicles and vehicle maintenance services, repairs and maintenance work at fire stations, closed-circuit television equipment and related services, and office accommodation and furniture for the Integrated Operations Centre.

(iii) Name reference changes have been made to three of the entities mentioned in the investigation into certain activities (between 1 January 2010 to 25 May 2018) of the [Mopani District Municipality](#).

*Note: Also see the [collection of investigations](#).*

## Standards Act

New, proposed, amended, and withdrawn [standards](#) have been gazetted for 22 and 29 March 2019.

## Unemployment Insurance Act

The Labour Laws Amendment Act 10 of 2018 amended [sections 13](#) (calculation of benefits) and [24](#) (right to maternity benefits) on 1 March 2019. Note: Once a further commencement date is gazetted, the Labour Laws Amendment Act 10 of 2018 will introduce [parental, revised adoption, and commissioning parental benefits](#) amendments related to the leave proposals made in the [Basic Conditions of Employment Act](#).

## Value-added Tax Act

[Regulations prescribing section 1 electronic services](#) substituted 1 April 2019 so that section 1 [electronic services](#) refers to any service supplied by an [electronic agent](#), [electronic communication](#) or the [internet](#) for any consideration.

*Note: Such services exclude [telecommunications services](#); certain educational services supplied from a place in an export country; and certain services supplied from a place in an export country to a company that is not a resident of the Republic.*



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## SAIPA member log-in details and support

Please DO NOT register on [www.gazette.co.za](http://www.gazette.co.za) if you are a SAIPA member (unless you wish to add a non-SAIPA member) as SAIPA has given members full access to the website.

To access [www.gazette.co.za](http://www.gazette.co.za) simply use the following:

- Username: first initial + surname + last two digits of membership number (e.g. pstassen32)
- Password: full membership number (e.g. 5432).

Contact [support@gazette.co.za](mailto:support@gazette.co.za) for log-in queries or if you wish to change your personal details. Please note that if you are **not** receiving the newsletter twice a month you may need to ask your IT department to check whether it is being blocked by your IT systems or check that SAIPA has your newest email address.

Kind regards,

SAIPA Technical and Standards Department



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