08 – 15 May 2026

Dear Subscribers,

After last week's regulatory whirlwind, this edition of the Gazette Watch is a little easier to digest—but don't be fooled, it's still packed with some important developments that deserve your attention.

COMPETITION

On the **Competition** front, amendments under the *Competition Act* introduce **new merger thresholds** (effective 1 May 2026), raising the bar for when transactions must be notified. This means that fewer deals will require regulatory approval, easing the compliance burden for many organizations—but it also places greater responsibility on companies to correctly assess whether a transaction triggers notification requirements.

Alongside this, draft amendments to the rules on **merger condition enforcement** signal a stricter approach by regulators, with enhanced powers to investigate and compel compliance. Importantly, stakeholders have an opportunity to comment on these draft rules, **with submissions due by 7 June 2026.**

NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT (NEMA)

In the environmental space, proposed amendments under the **National Environmental Management: Waste Act (NEMA)** introduce a **more structured, risk-based framework** for waste management activities.

Activities are now categorised into A, B, and C tiers, determining whether a licence, environmental assessment, or compliance with standards is required. This shift could significantly impact organizations across sectors—particularly property, manufacturing, and facilities management—by changing when licensing is triggered and how waste activities must be managed.

The proposals also aim to simplify lower-risk activities while tightening controls on hazardous waste. Organisations should take note that **comments are due within 60 days of publication**.

As always, this is just a snapshot of the key highlights. We encourage you to read the attached document for a deeper dive into these and other developments, along with practical guidance on what actions may be required.

— Alison and The Legal Team

CONTENTS

AGRICULTURAL

LAW AND TYPE OF NOTICE

FERTILIZERS, FARM FEEDS, AGRICULTURAL REMEDIES AND STOCK REMEDIES ACT:

Prohibition notice regarding the use of certain agricultural remedies

G 54627 GoN 7439

08 May 2026

APPLIES TO:

Any organisation that **manufactures, distributes, sells, applies, or handles agricultural pesticides** would be affected, with farmers and chemical supply chains bearing the most immediate operational impact.

FULL TEXT

DETAILS

DEPARTMENT OF AGRICULTURE

NO. 7439 8 May 2026

AGRICULTURE
REPUBLIC OF SOUTH AFRICA

Private Bag X250, Pretoria, 0001; 20 Steve Biko Street, Pretoria, 0001
Tel: 012 319 6000; E-mail: queries@nda.gov.za; Website: www.nda.agric.za

FERTILIZERS, FARM FEEDS, AGRICULTURAL REMEDIES AND STOCK REMEDIES ACT, 1947 (ACT NO. 36 OF 1947)

PROHIBITION NOTICE REGARDING THE USE OF CERTAIN AGRICULTURAL REMEDIES

I, John Henry Steenhuisen, Minister of Agriculture acting under section 7*bis* of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act No. 36 of 1947) hereby prohibit the acquisition, disposal, sale or use of agricultural remedies containing Terbufos as an active ingredient.

LINK TO FULL NOTICE

[Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act: Prohibition notice regarding the use of certain agricultural remedies]
G 54627 GoN 7439
08 May 2026

54627gon7439.pdf

ACTION

1. Immediate Legal & Regulatory Response

- Circulate the notice internally to all affected departments (procurement, operations, sales, SHEQ).
- Interpret the scope of the prohibition:
  - Confirm effective date
  - Check if there are transitional / grace periods
  - Identify whether possession is allowed or restricted
- Update your legal register / compliance obligations register.

2. Stock Identification & Inventory Control

- Conduct a full stock audit:
  - Warehouses
  - Retail outlets
  - On-farm storage

- Identify:
  - Products containing Terbufos
  - Batch numbers and quantities

- Segregate affected products immediately:
  - Label as "PROHIBITED – DO NOT USE OR SELL"
  - Restrict access

3. Cease All Prohibited Activities

Immediately stop:

- Purchase / procurement
- Sale / distribution
- Application / field use
- Transfers between sites

This must include:

- Suspending purchase orders
- Blocking products in ERP / inventory systems

4. Supplier and Customer Engagement

- Notify suppliers and manufacturers:
  - Demand recall instructions or return procedures

- Notify customers / farmers:
  - Issue formal communication advising:
    - Immediate cessation of use
    - Safe handling and storage

- Update contracts and SLAs if needed

5. Safe Disposal / Recall Management

Disposal is critical and regulated.

- Do NOT dispose via normal waste streams

- Follow:
  - Hazardous chemical disposal requirements (e.g. NEM: Waste Act)
  - Manufacturer take-back programmes (if available)

Actions:

- Appoint a licensed hazardous waste contractor

- Maintain:
  - Waste manifests
  - Certificates of safe disposal

6. Update Operational Practices

- Remove Terbufos from:
  - Pest management programmes
  - Standard operating procedures (SOPs)

- Implement approved alternative products

- Update:
  - Crop protection plans
  - Integrated Pest Management (IPM) strategies

7. Training & Awareness

- Train:
  - Farm workers
  - Agronomists
  - Sales staff

- Focus on:
  - Prohibition requirements
  - Health risks
  - Alternative pest control methods

8. Health, Safety & Environmental Controls

- Ensure safe handling of existing stock:
  - PPE use
  - Spill management readiness

- Conduct:
  - Environmental risk assessments (especially if stored in bulk)

- Monitor for:
  - Soil or water contamination if historically used

9. Record-Keeping & Audit Trail

Maintain evidence of compliance:
- Inventory records
- Disposal certificates
- Internal communications
- Training records
- Supplier correspondence

This is critical if inspected under:
- Act 36 of 1947
- Occupational Health and Safety Act
- COIDA (exposure risks)

10. Regulatory Reporting (if required)

Depending on the notice:

- Report:
  - Quantities held
  - Disposal actions taken

- Cooperate with:
  - Department of Agriculture inspectors
  - Environmental authorities

11. Compliance Monitoring & Internal Audit

- Add to your compliance monitoring plan

- Perform:
  - Spot checks at sites
  - ERP system audits

- Ensure no reintroduction into supply chain

12. Governance & Risk Management

Given your organisation's profile (agri + property + asset management):

- Capture this as a regulatory risk in your risk register:
  - Legal risk (non-compliance fines/penalties)
  - Operational disruption
  - Environmental liability

- Report to:
  - Risk committee
  - Board (King V governance expectations)

Key Compliance Risks if Ignored

Failure to act could result in:
- Criminal penalties under Act 36 of 1947
- Environmental liability (pollution / contamination)
- Civil claims (health impacts)
- Reputational damage
- Business interruption

END

LAW AND TYPE OF NOTICE

AGRICULTURAL PRODUCT STANDARDS ACT:

Intention to register Rooibos/Red Bush as a South African Geographical Indication: Invitation for objections

G 54627 GoN 7438

- Comment by 08 Jun 2026

08 May 2026

APPLIES TO:

This GI notice affects any organisation involved in the production, processing, sale, export, or labelling of Rooibos products, especially where the use of the name "Rooibos/Red Bush" is commercially important.

The biggest impact is:

- Protection for authentic producers, and
- Restriction + compliance burden for everyone else in the value chain.

FULL TEXT

DETAILS

DEPARTMENT OF AGRICULTURE

NO. 7438 8 May 2026

AGRICULTURAL PRODUCT STANDARDS ACT, 1990 (ACT No. 119 OF 1990)
INTENTION TO REGISTER ROOIBOS/RED BUSH AS A SOUTH AFRICAN GEOGRAPHICAL INDICATION (GI): INVITATION FOR OBJECTIONS

The Executive Officer: Agricultural Product Standards intends to register Rooibos/Red Bush as a South African Geographical Indication (GI) in terms of the "Regulations relating to the protection of geographical indications and designations of origin used on agricultural products intended for sale in the Republic of South Africa" (No.R.3023 dated 10 February 2023).

All interested parties are invited to submit any objections to the intended registration in writing within 30 days from the date of publication of this Notice to the following address:

Executive Officer: Agricultural Product Standards
Department of Agriculture
Private Bag X343, Pretoria, 0001
30 Hamilton Street, Harvest House Building, Arcadia, Room 155
Tel. no. 012 319 6106
Email: PurityM@nda.gov.za

Information regarding the proposed GI is available on the Department's website at www.nda.gov.za
https://www.nda.gov.za/index.php/publication/562-new-application sor can be forwarded via electronic mail to any interested party upon request.

B.M. MAKHAFOLA
Executive Officer: Agricultural Product Standards

LINK TO FULL NOTICE

Agricultural Product Standards Act: Intention to register Rooibos/Red Bush as a South African Geographical Indication: Invitation for objections
G 54627 GoN 7438
- Comment by 08 Jun 2026
08 May 2026

54627gon7438.pdf

ACTION

Ensure that you submit your comments before 08 June 2026

END

LAW AND TYPE OF NOTICE

PLANT IMPROVEMENT ACT:

South African Seed Potato Certification Scheme: Amendment

G 54613 RG 11992 GoN 7429

08 May 2026

APPLIES TO:

Organisation Type	Nature of Impact
Seed potato growers	Direct compliance with certification standards
Certification bodies	Implement and enforce scheme
Commercial farmers	Must use compliant certified seed
Distributors/traders	Sell only certified seed
Importers/exporters	Meet SA standards and trade rules
Labs/testing facilities	Apply updated disease/testing criteria
Storage/logistics	Maintain quality and segregation
Consultants/agronomists	Provide compliant advice

SUMMARY

This notice strengthens the rules for producing and selling certified seed potatoes, ensuring that only high-quality, disease-free planting material is used in South Africa.

FULL TEXT

DETAILS

STAATSKOERANT, 8 MEI 2026 No. 54613 13

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

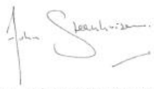
DEPARTMENT OF AGRICULTURE

NO. R. 7429 **8 May 2026**

PLANT IMPROVEMENT ACT, 2018
(ACT No. 11 OF 2018)

SOUTH AFRICAN SEED POTATO CERTIFICATION SCHEME: AMENDMENT

I, John Steenhuisen, Minister of Agriculture, acting under Section 45 of the Plant Improvement Act, 2018 (Act No. 11 of 2018), after consultation with the Minister of Finance, hereby substitute the Scheme in the Schedule for the South African Seed Potato Certification Scheme published under Government Notice No. R. 664 of 15 May 1998, as amended.



MR JOHN STEENHUISEN, MP
MINISTER OF AGRICULTURE
DATE: 23 MARCH 2026

SCHEDULE

Definition

1. In this Schedule, "the Scheme" means the South African Seed Potato Certification Scheme published by Government Notice No. R. 664 of 15 May 1998, as amended by Government Notice No. R. 1206 of 1 December 2000, as corrected by Government Notice No. R. 40 of 19 January 2001 and as amended by Government Notice Nos. R. 1382 of 8 November 2002, R. 1185 of 1 December 2006, R. 812 of 7 September 2007, R. 927 of 22 October 2010 and R. 313 of 26 April 2013.

Amendment of Table 5 of the Scheme

2. Table 5 of the Scheme as published under Government Notice No. R. 664 of 15 May 1998, is hereby amended by the insertion of "Fissure Scab" alongside "Common Scab" in the row corresponding with "*Streptomyces* spp" and under the column labelled Common name:

TABLE 5

Maximum percentage potato tuber moth damage and pathogen infected seed potatoes permissible

ORGANISM OR CONDITION		G0	G1 – G3		G4 – G6		G7		Cert. Com.**
Scientific name	Common name	-	Elite	C1*	Elite	C1*	Elite	C1*	
A									
Globodera rostochiensis	Golden Cyst nematode	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
***Ralstonia* spp.**	Bacterial wilt disease	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Synchytrium endobioticum	Wart disease	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
B									
Oospora pustulans	Skin spot	0.00	0.00	0.20	0.10	0.50	0.50	3.00	4.00
Rhizoctonia solani	Black scurf	0.00	0.50	1.00	1.00	8.00	1.00	8.00	20.00
Spongospora subterranea	Powdery scab	0.00	0.00	0.20	0.10	0.50	0.50	3.00	4.00
***Streptomyces* spp.**	Common scab/Fissure scab	0.00	0.10	0.50	0.50	1.00	1.00	3.00	8.00
Maximum joint percentage permissible for B		**0.00**	**0.50**	**1.00**	**1.00**	**8.00**	**1.00**	**8.00**	**20.00**
C									
***Fusarium* spp.**	Dry rot	0.00	0.20	0.50	0.50	1.00	1.00	3.00	5.00
	Stem-end rot	0.00	0.20	0.50	0.50	1.00	1.00	2.00	3.00
Phoma exigua	Gangrene	0.00	0.20	0.50	0.50	1.00	1.00	3.00	5.00
Phytophthora infestans	Late blight	0.00	0.10	0.10	0.10	0.10	0.10	0.10	0.20
Maximum joint percentage permissible for C		**0.00**	**0.20**	**0.50**	**0.50**	**1.00**	**1.0**	**3.00**	**5.00**
D									
***Meloidogyne* spp.**	Root knot eelworm	0.00	0.10	0.20	0.10	0.50	0.20	0.50	1.00
***Pratylenchus* spp.**	Lesion nematode	0.00	0.10	0.50	0.50	1.00	1.00	2.00	5.00
Maximum joint percentage permissible for D		**0.00**	**0.10**	**0.50**	**0.50**	**1.00**	**1.00**	**2.00**	**5.00**
E									
Phthorimaea operculella	Potato tuber moth: eye damage	0.00	0.20	0.50	1.00	2.00	1.00	2.00	3.00
	Potato tuber moth: surface damage	0.00	0.20	1.00	2.00	3.00	2.00	3.00	4.00
Maximum joint percentage permissible for E		**0.00**	**0.20**	**1.00**	**2.00**	**3.00**	**2.00**	**3.00**	**4.00**
F									
Colletotrichum coccodes	Black dot	0.00	0.50	2.00	5.00	15.00	10.00	20.00	30.00
Helminthosporium solani	Silver scurf	0.00	0.50	2.00	5.00	15.00	10.00	20.00	30.00
Maximum joint percentage permissible for F		**0.00**	**0.50**	**2.00**	**5.00**	**15.00**	**10.00**	**20.00**	**30.00**

* C1 – Class 1
** Cert. Com. – Certified Commercial

LINK TO FULL NOTICE

Plant Improvement Act: South African Seed Potato Certification Scheme: Amendment
G 54613 RG 11992 GoN 7429
08 May 2026

54613rg11992gon7429.pdf

ACTION

1. Determine Applicability

Identify if your organisation is involved in:
- Seed potato production
- Seed potato multiplication
- Seed potato certification
- Handling or trading certified seed potatoes

If yes → full compliance required.

2. Review the Scheme Amendments

- Analyse what has changed in the amendment:
  - New grading standards
  - Updated disease tolerances
  - Revised inspection procedures
  - Labelling or certification changes

Update your legal register and technical standards manual

3. Update Production Practices (Producers)

Seed potato growers must:

- Align planting, cultivation, and harvesting practices with:
  - Updated disease control thresholds
  - Isolation distances
  - Field hygiene requirements

Implement stricter:
- Pest and disease monitoring
- Crop rotation controls

4. Certification Scheme Compliance

- Ensure all seed potatoes:
  - Are produced under the official certification scheme
  - Meet the new class/grade standards

Register or maintain registration with:

- The designated certification authority (e.g. Potato Certification Service)

5. Inspection & Testing Compliance

- Allow:
    - Field inspections
    - Sampling
    - Laboratory testing

Ensure:
- Crops meet virus and disease tolerance levels
- Records are available for inspectors

6. Traceability & Record-Keeping

Maintain detailed records of:

- Seed origin (parent stock)
- Field locations
- Spray programmes
- Inspection reports
- Certification outcomes

Required for:

- Audit trails
- Certification approval

7. Labelling & Packaging Compliance

- Ensure all certified seed potatoes:
    - Carry official certification labels/tags

    - Reflect correct:
        - Class (e.g. Elite, Certified)
        - Lot number
        - Producer details

Remove or correct any non-compliant labelling

8. Stop Non-Compliant Distribution

- Do not:
    - Sell uncertified seed potatoes as certified
    - Distribute seed that fails standards

Segregate:
- Rejected or downgraded stock

9. Training & Operational Alignment

Train:
- Farm managers
- Quality controllers
- Technical staff

On:
- Updated scheme requirements
- Inspection readiness
- Disease identification

10. Supplier & Buyer Controls

- Ensure suppliers provide:
  - Certified seed potatoes

- Ensure buyers receive:
  - Correct certification documentation

Update contracts accordingly

11. Internal Audit & Monitoring

- Add the scheme to:
  - Internal audit plans

- Conduct:
  - Field compliance checks
  - Documentation audits

12. Governance & Risk (King V Alignment)

- Capture risks such as:
  - Certification failure
  - Crop rejection
  - Regulatory penalties

Report to:
- Risk committee / board (where relevant)

END

COMPETITION

LAW AND TYPE OF NOTICE

COMPETITION ACT:

Amendment of determination of merger threshold

G 54640 GoN 7458

08 May 2026

APPLIES TO:

All Companies

SUMMARY

1. Purpose of the amendment

The notice:

- Amends the financial thresholds that determine when a merger must be notified to the competition authorities
- Replaces the previous thresholds set in 2017
- Is issued under section 11 of the Competition Act

The method for calculating turnover and assets remains unchanged

2. Effective date

- The new thresholds came into effect on 1 May 2026 (even though gazetted on 8 May 2026)

3. Key change: Increased financial thresholds

The amendment raises the turnover/asset thresholds used to classify mergers.

New thresholds (simplified)

Category	Combined firms	Target firm
Intermediate mergers	R1 billion	±R175–200 million
Large mergers	R9.5 billion	R280 million

👉 These are significant increases from the previous thresholds (e.g., R600m → R1bn for intermediate mergers).

4. What this means in practice

A. Fewer mergers require approval

- Many transactions that previously required notification will now:
  - Fall below thresholds
  - Be classified as small mergers

    Small mergers do not require mandatory pre-approval

B. Reclassification of mergers

- Some mergers that were previously:
  - Large → now intermediate
  - Intermediate → now small

This reduces:
- Regulatory burden
- Approval timelines

C. Continued regulatory structure (unchanged)

Merger type	Requirement
Small merger	No mandatory notification (with limited exceptions)
Intermediate merger	Notify Competition Commission
Large merger	Notify Commission + Competition Tribunal

D. Filing fees increased

- Filing costs for:
  - Intermediate mergers
  - Large mergers
  - Have also been increased alongside thresholds

5. Policy rationale

The amendment is intended to:

- Reflect inflation and economic growth since 2017
- Reduce regulatory burden on smaller transactions

- Allow authorities to focus on:
  - Large, complex, high-impact mergers

6. Key legal takeaway

The amendment does not change merger law itself — it only changes when mergers must be notified.

FULL TEXT

DETAILS

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NO. 7458 8 May 2026

AMENDMENT OF THE DETERMINATION OF MERGER THRESHOLDS AS SET OUT IN GENERAL NOTICE 1003 OF 2017

I, Mr. Mpho Parks Tau, Minister of Trade, Industry and Competition, in consultation with the Competition Commission, hereby amend the determination of Merger Thresholds as set out in Part A of General Notice 1003 of 2017 (published in Government Notice No. 41124 of 15 September 2017) and publish in terms of section 11 of the Competition Act, a new Determination of Merger Thresholds as set out in the Schedule hereto.

The Method of Calculation set out in Part B of the General Notice 1254 of 2017 (published in Government Notice No. 41245 of 10 November 2017) shall remain unchanged.

The new Determination of Merger Thresholds shall come into effect on 1 May 2026.

MR MPHO PARKS TAU, MP
MINISTER OF TRADE, INDUSTRY AND COMPETITION
DATE: 4/5/2026

THE COMPETITION ACT, 1998 (ACT 89 OF 1998)

Determination of Merger Thresholds

Notice is hereby given that, in terms of section 11 of the Competition Act, 1998 (Act 89 of 1998), the Minister of Trade, Industry and Competition, in consultation with the Competition Commission, hereby:

a) amends the Merger Thresholds set out in General Notice 1003 of 2017 published by Government Notice No.41124 of 15 September 2017; and

b) makes a new Determination of Merger Thresholds as set out in this Notice.

The new Determination of Merger Thresholds shall come into effect on 1 May 2026.

The Method of Calculation set out in General Notice 1003 of 2017 published by Government Notice No. 41124 of 15 September 2017 shall remain unchanged.

GENERAL EXPLANATORY NOTE:

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

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

SCHEDULE

Part A

Determination of Thresholds (1 - 4)

Definitions

1. In this notice, any word or expression to which a meaning has been ascribed in the Act bears the same meaning as in the Act unless the context indicates otherwise, and -

["G.A.A.P" means generally accepted accounting practice in South Africa;]

<u>**"I.F.R.S"** means International Financial Reporting Standards</u>;

"the Act" means the Competition Act, 1998 (Act 89 of 1998); and

"transferred firm" means –

(a) a firm, or the business or assets of the firm, that as a result of a transaction in any circumstances set out in section 12 of the Act, would become directly or indirectly controlled by an acquiring firm; and

(b) any other firm, or business, or assets of the firm, the whole or part of whose business is directly or indirectly controlled by a firm contemplated in paragraph (a).

Lower thresholds

2. The lower threshold required to be determined in terms of section 11 of the Act is reached in respect of a merger if the value of that merger equals or exceeds both of the values set out in sub-items (1) and (2) –

(1) Either –

(a) the combined annual turnover in, into or from the Republic of the acquiring firms and the transferred firms valued below **[R600 million (six hundred million Rand)]** R1 billion (one billion Rand); or

(b) the combined assets in the Republic of the acquiring firms and the transferred firms are valued at less than **[R600 million (six hundred million Rand)]** R1 billion (one billion Rand); or

(c) the annual turnover in, into, or from the Republic of the acquiring firms plus the assets in the Republic of the transferred firms are valued at less than **[R600 million (six hundred million Rand)]** R1 billion (one billion Rand);

(d) the annual turnover in, into, or from the Republic of the transferred firms plus the assets in the Republic of the acquiring firms are valued at less than **[R600 million (six hundred million Rand)]** R1 billion (one billion Rand).

(2) Either -

(a) the annual turnover in, into or from the Republic, of the transferred firms is less than **[R100 million (one hundred million Rand)]** R200 million (two hundred million Rand); or

(b) the asset value of the transferred firm is less than **[R100 million (one hundred million Rand)]** R200 million (two hundred million Rand).

Higher thresholds

3. The higher threshold required to be determined in terms of section 11 of the Act is reached in respect of a merger if the value of that merger equals or exceeds both of the values set out in sub-items (1) and (2):

(1) Either -

(a) the combined annual turnover in, into, or from the Republic of the acquiring firms and the transferred firms is valued at or above **[R6.6 billion (six billion six hundred million Rand)]** R 9,5 billion (nine billion five hundred million Rand); or

(b) the combined assets in the Republic of the acquiring firms and the transferred firms are valued at or above **[R6.6 billion (six billion six hundred million Rand)]** R 9,5 billion (nine billion five hundred million Rand); or

(c) the annual turnover in, into, or from the Republic of the acquiring firms plus the assets in the Republic of the transferred firms are at or above **[R6.6 billion (six billion six hundred million Rand)]** R 9,5 billion (nine billion five hundred million Rand); or

(d) the annual turnover in, into, or from the Republic of the transferred firms plus the assets in the Republic of the acquiring firms are at or above **[R6.6 billion (six billion six hundred million Rand)]** R 9,5 billion (nine billion five hundred million Rand).

(2) Either -

(a) the annual turnover in, into, or from the Republic, of the transferred firms is valued at or above **[R190 million (one hundred and ninety million Rand)]** R 280 million (two hundred and eighty million Rand); or

(b) the asset value of the transferred firm is valued at or above **[R190 million (one hundred and ninety million Rand)]** R 280 million (two hundred and eighty million Rand).

4. The provisions of the Act in respect of:

(a) a small merger, apply to a merger if it falls below either value of the lower threshold;

(b) an intermediate merger, applies to a merger if -

i. it equals or exceeds both values of the lower threshold; but

ii. falls below either value of the higher threshold; and

(c) a large merger, apply to a merger if it equals or exceeds both values of the higher threshold.

ENDS

LINK TO FULL NOTICE [Competition Act: Amendment of determination of merger threshold] G 54640 GoN 7458 08 May 2026 54640gon7458.pdf
ACTION • Recalculate thresholds under the new rules • Notify mergers only if thresholds are met • Obtain approval before implementation • Update internal compliance and governance processes

END

LAW AND TYPE OF NOTICE

COMPETITION ACT:

Amendment of Conduct of Proceedings in the Competition

G 54626 GoN 731

- Comment by 07 Jun 2026

06 May 2026

APPLIES TO:

Companies that have received merger approval subject to conditions under the Competition Act — along with their legal and compliance teams — by strengthening how the Competition Commission enforces those conditions.

SUMMARY

The Department of Trade, Industry and Competition has published a draft amendment to Rule 39 of the Competition Commission Rules for public comment.

Key points:

- **Full replacement of Rule 39:**

  The existing rule is repealed and replaced with a new version dealing specifically with breaches of merger approval conditions.

- **Stronger enforcement powers:**

  The Competition Commission may:
  - Investigate compliance at any time
  - Issue a formal Notice Requesting Compliance (Form CC19) if a breach is found

- **Obligations on firms:**

  Firms that breach merger conditions must:
  - Comply within a specified period, or
  - Submit a plan explaining how they will comply

- **Escalation for non-compliance:**

  If the firm fails to comply or submit a plan:
  - The Commission may apply to the Competition Tribunal for an order forcing compliance

- **Right to oppose:**

  The firm can **oppose the Tribunal application**

- **Public participation:**

  Stakeholders have 30 business days from 6 May 2026 to submit comments

FULL TEXT

DETAILS

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NO. 7437 6 May 2026

NOTICE IN TERMS OF THE COMPETITION ACT NO. 89 OF 1998 (AS AMENDED)

AMENDMENT OF CONDUCT OF PROCEEDINGS IN THE COMPETITION COMMISSION RULE 39, 2026

1. I, Mr. Mpho Parks Tau, Minister of Trade, Industry and Competition, after consultation with the Competition Commission, hereby publish in terms of section 21(4) of the Competition Act, 1998 (Act No. 89 of 1998), the draft amended of Rule 39 of the Competition Commission Rules and the amended CC 19 Form for public comment.

2. The purpose of the draft amended Rule 39 is to repeal the current rule 39 in its entirety and substitute it with the amended Rule 39 as set out in the schedule hereto. The amendment of the CC19 Form is consequential to the amendment of Rule 39 of the Competition Commission Rules.

3. Any comments from the public on the draft regulations should be submitted by email to IGalodikwe@thedtic.gov.za by no later than thirty business days (30) days from the date of publication of this Notice.

SCHEDULE

Rule 39 of the Competition Commission Rules is hereby repealed in its entirety and substituted with the following rule:

"39. Breach of merger approval conditions or obligations

(1) The Commission may, at any time, investigate whether a firm has breached a merger condition.
(2) Following the investigation referred to in sub-rule (1), if the Commission finds that a firm has breached a merger condition, the Commission may issue a Notice Requesting Compliance, in the form CC19, to the firm, requiring that firm to:
(a) comply with the merger condition within such period as may be stipulated by the Commission, or
(b) submit a plan, within such period as may be stipulated by the Commission, outlining the steps to be taken to comply with the merger condition.

(3) Within the period stipulated by the Commission in the Notice Requesting Compliance, a firm referred to in sub-rule (2) must –
(a) comply with the merger condition in line with the Commission's Notice Requesting Compliance; or
(b) submit a plan outlining the steps to be taken to comply with the merger condition.

(4) If a firm has failed to comply with the Notice Requesting Compliance or failed to submit a remedial plan referred to in sub-rule (3)(b), the Commission may apply to the Tribunal for an order compelling the firm to comply with the merger condition.

(5) The firm shall be entitled to oppose the Commission's application to compel compliance with the merger condition.

LINK TO FULL NOTICE

Competition Act: Amendment of Conduct of Proceedings in the Competition
G 54626 GoN 731
- Comment by 07 Jun 2026
06 May 2026

54626-6-5-tradeindcomp.pdf

ACTION

Ensure that you submit your comments before 07 June 2026

CUSTOMS, EXCISE AND INTERNATIONAL TRADE

LAW AND TYPE OF NOTICE **INTERNATIONAL TRADE ADMINISTRATION COMMISSION:** Notice of initiation of new shipper tyres G 54643 GeN 3922 08 May 2026
SUMMARY The notice starts a formal process to determine whether a specific Chinese tyre exporter should be excluded from existing anti-dumping duties, which could affect import prices and competition in the local tyre market.
LINK TO FULL NOTICE **International Trade Administration Commission: Notice of initiation of new shipper tyres** G 54643 GeN 3922 08 May 2026 54643gen3922.pdf

END

LAW AND TYPE OF NOTICE

CUSTOMS AND EXCISE ACT:

Amendment

G 54613 RG 11992 GoN 7430

08 May 2026

APPLIES TO:

The rules mainly affect airlines (and other passenger flight operators) and any agents they appoint to handle tax compliance related to air passenger tax.

SUMMARY

1. Formal introduction of APT rules framework

- A new rule structure ("47B rules") is inserted specifically for air passenger tax administration.

2. Clear definitions added

- Important terms are formally defined, including:
    - Operator (aircraft operator)
    - Agent
    - Air passenger tax (APT)
    - Applications and forms (APT 101, 102, 201)
- This creates legal clarity on roles and responsibilities.

3. Mandatory electronic systems (digitisation)

- Most processes must now be done via:
    - eFiling, or
    - SARS electronic systems (BFE capturing)
- Paper submissions are only allowed during system downtime.

This is a major shift toward full digital compliance.

4. Revised registration requirements

- Operators must:
  - Apply for registration, non-liability confirmation, or changes/cancellation

- If required, operators must:
  - Appoint an agent and submit supporting documents

- SARS issues:
  - APT number and registration confirmation

5. Ongoing compliance obligations tightened

- Operators and agents must:

  - Submit monthly tax returns (APT 201)
  - Pay APT within 21 days after month-end
  - Notify SARS of any changes within 7 days

6. Passenger manifest requirements modernised

- Manifests must now:
  - Be submitted electronically
  - Follow a structured CSV format
  - Include detailed passenger and flight data

7. Agent regulation strengthened

- Clear rules for:
  - Appointment
  - Replacement
  - Registration and obligations of agents

- Agents are formally responsible for compliance duties where appointed.

LINK TO FULL NOTICE

Customs and Excise Act: Amendment
G 54613 RG 11992 GoN 7430
08 May 2026

54613rg11992gon7430.pdf

ACTION

Operators must register (or confirm non-liability), submit monthly returns, pay tax, file passenger data electronically, and keep SARS updated, while agents (if appointed) must carry out these obligations on their behalf.

END

LAW AND TYPE OF NOTICE **INTERNATIONAL TRADE ADMINISTRATION COMMISSION:** Notice of conclusion of clear float glass G 54644 GeN 3923 08 May 2026
SUMMARY The amendment confirms that anti-dumping duties on certain imported glass from Saudi Arabia and the UAE will continue, to protect South African manufacturers from unfairly low-priced imports.
LINK TO FULL NOTICE **International Trade Administration Commission: Notice of conclusion of clear float glass** G 54644 GeN 3923 08 May 2026 54644gen3923.pdf

END

LAW AND TYPE OF NOTICE

CUSTOMS AND EXCISE ACT:

Amendment of Schedule No.1: Correct Notice

G 54623 RG 11994 GoN 7435

06 May 2026

DETAILS

SOUTH AFRICAN REVENUE SERVICE

NO. R. 7435 **6 May 2026**

CORRECTION NOTICE

CUSTOMS AND EXCISE ACT, 1964
AMENDMENT OF SCHEDULE NO. (1/5A/187)

By the insertion of item 195.10.03/2710.12.02 above item 195.10.15/2710.12.26 in Notice No. R.7426 of Government Gazette No. 54608 dated 5 May 2026, **with effect from 6 May 2026** as follows:

Fuel Levy Item	Tariff Heading	Article Description	Rate of Fuel Levy
195.10.03	2710.12.02	Petrol, as defined in Additional Note 1(b) to Chapter 27	129c/li

LINK TO FULL NOTICE

[Customs and Excise Act: Amendment of Schedule No.1: Correct Notice (English/Afrikaans)]
G 54623 RG 11994 GoN 7435
06 May 2026

54623rg11994gon7435.pdf

END

ENVIRONMENTAL

LAW AND TYPE OF NOTICE

NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT:

Proposed amendments to waste management activities list

G 54665 GoN 7461

12 May 2026

APPLIES TO:

1. Industrial and Manufacturing Companies

These are among the most heavily impacted because they:

- Generate general and hazardous waste
- Conduct on-site recycling, treatment, or storage

Examples:

- Factories (food processing, chemicals, metals)
- Cement plants (co-processing waste)
- Plastics and packaging manufacturers

Trigger points:

- Recycling > 10 tons/day (Category A)
- Hazardous waste processing > 0.5 tons/day (Category B)

2. Waste Management and Environmental Service Providers

Companies whose core business is waste handling are directly regulated.

Examples:

- Waste collection and disposal companies
- Landfill operators
- Recycling companies
- Hazardous waste treatment facilities

These entities must:

- Obtain waste management licences (Categories A & B)
- Or comply with norms and standards (Category C)

3. Property, Real Estate, and Facilities Management Firms

(Highly relevant to your sector)

These organisations may be affected where they:
- Operate large waste storage areas
- Manage mixed-use developments, malls, or office parks
- Handle tenant waste aggregation or disposal

Examples:
- Shopping centres
- Office parks
- Residential estates
- Industrial parks

Trigger points:
- Storage of general waste > 100 m²
- Waste tyre storage > 500 m²

4. Construction and Infrastructure Developers

Affected where they:
- Dispose of construction or inert waste
- Build or decommission waste management facilities

Examples:
- Civil contractors
- Developers of landfill or waste sites
- Infrastructure project companies

Trigger points:
- Disposal of inert waste > 25 tons
- Construction/expansion of waste facilities

5. Agricultural and Agro-Processing Businesses

Relevant particularly where:
- Waste (organic or hazardous) is stored or treated
- Composting or organic waste processing occurs

Examples:
- Farms with large-scale waste handling
- Abattoirs
- Food production facilities

Category C standards apply to:
- Composting and organic waste treatment

6. Automotive and Scrapping Operations

- Businesses involved in vehicle dismantling or scrap recovery

Trigger:

- Vehicle scrapping facilities > 500 m^2

7. Municipalities and Public Sector Entities

- Responsible for:
  - Waste collection
  - Landfills
  - Public waste infrastructure

Also relevant where:

- Areas are not serviced, and on-site disposal occurs

8. Retail and Commercial Businesses

(Indirect but still important)

These organisations are affected when:

- Waste volumes exceed thresholds
- Centralised storage or handling is implemented

Examples:

- Retail chains
- Shopping centres
- Distribution centres

Key Risk Indicator

An organisation is affected if it:

Stores, treats, recycles, recovers, or disposes of waste
Exceeds defined quantity thresholds
Handles hazardous waste
Builds or operates waste facilities

SUMMARY

The proposed system divides activities into three categories:

Category A & B (Higher-risk activities)

- Require a Basic Assessment (EIA process) as part of a licence application.

Category A (General Waste Activities)

Includes:

- Storage (e.g., waste in lagoons)
- Recycling or recovery > 10 tons/day
- Treatment > 10 tons/day

- Disposal:
  - Inert waste > 25 tons
  - General waste (50–200 m² area, up to 25,000 tons)

- Certain on-site disposal of domestic waste exceeding limits
- Construction, expansion, or decommissioning of such facilities

Category B (Hazardous Waste Activities)

Includes:

- Storage in lagoons
- Recycling/recovery > 0.5 tons/day
- Treatment > 0.5 tons/day

- Any disposal of hazardous waste to land
- Construction, expansion, or decommissioning of related facilities

Category C (Lower-risk / Standard-based activities)

- Do not require a licence, but must comply with prescribed norms and standards.

Examples:

- Storage of general waste > 100 m²
- Storage of hazardous waste > 80 m²
- Waste tyre storage > 500 m²
- Composting and organic waste treatment
- Vehicle scrapping facilities (> 500 m²)
- Waste sorting, shredding, crushing, etc.

5. Important Definitions Introduced

The notice clarifies key terms such as:

- Construction vs expansion
- Facility
- Lagoon
- Temporary storage (≤ 90 days)
- Co-processing (using waste as fuel/material substitute)

6. Transitional Arrangements

- Existing lawful operators may continue until required to apply for a licence.

- Applications pending under the old system:
  - May be withdrawn if activity is no longer listed
  - Will be processed under the new framework if still relevant

- Activities moving from Category A/B → Category C:
  - Licence applications fall away
  - Must comply with standards instead

7. Repeal of Previous Regulations

- The 2013 Waste Management Activities List (GN R.921) and its amendments will be fully repealed once this notice takes effect.

Key Takeaways

- This is a major update to waste licensing requirements under the Waste Act.
- It introduces a more structured, risk-based categorisation (A, B, C).
- Hazardous waste controls remain strict, especially for disposal.
- Some lower-risk activities are shifted to compliance with standards instead of licensing.
- Transitional rules aim to avoid disruption for existing operators.

FULL TEXT

DETAILS

DEPARTMENT OF FORESTRY, FIDSHERIES AND ENVIRONMENT

NO. 7461 **12 May 2026**

NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT, 2008
(ACT NO. 59 OF 2008)

PROPOSED AMENDMENTS TO THE LIST OF WASTE MANAGEMENT ACTIVITIES THAT HAVE, OR ARE LIKELY TO HAVE, A DETRIMENTAL EFFECT ON THE ENVIRONMENT

I, Willem Abraham Stephanus Aucamp, Minister of Forestry, Fisheries and the Environment, hereby, under section 19(2), read with sections 72 and 73 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) (NEM: WA), give notice of my intention to amend, by repeal and replacement, the list of waste management activities that have, or are likely to have, a detrimental effect on the environment, published under Government Notice R.921 of Government *Gazette* No. 37083 on 29 November 2013, inclusive of all the amendments thereof, as set out in the Schedule hereto.

Members of the public are invited to submit, within 60 days from the date of publication of this notice in the Government *Gazette* or in the newspaper, whichever is the later date, written representations or objections to any of the following addresses:

By post to:	The Director General Attention: Mr Jeremia Sibande The Department of Forestry, Fisheries, and the Environment Private Bag X447 **PRETORIA** 0001
By hand at:	Ground Floor (Reception), Environment House, 473 Steve Biko Road, Arcadia, Pretoria, 0001.
By email to:	jsibande@dffe.gov.za

Any enquiries in connection with this notice can be directed to Mr Jeremia Sibande on (012) 399 9832/067 417 3844, or via email: jsibande@dffe.gov.za.

The Government Notice can be accessed at http://sawic.dffe.gov.za/, under "Draft documents for comment".

The Department of Forestry, Fisheries and the Environment comply with the Protection of Personal Information Act, 2013 (Act No. 4 of 2013). Comments received and responses thereto are collated into a comments and response report which will be made available to the public as part of the consultation process. If a commenting party has any objection to his or her name, or the name of the represented company/organisation, being made publicly available in the comments and responses report, such objection should be highlighted in bold as part of the comments submitted.

Comments received after the closing date may not be considered.

WILLEM ABRAHAM STEPHANUS AUCAMP
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT

SCHEDULE

DEFINITIONS

1. In this Schedule any word or expression to which a meaning has been assigned in the Act, will bear that same meaning, and unless the context indicates otherwise —

"construction" means the building, erection or establishment of a facility, structure or infrastructure that is necessary for the undertaking of a waste management activity, but excludes any modification, expansion, alteration or upgrading of such facility, structure or infrastructure that does not result in a change to the nature of the activity being undertaken or an increase in the range of outputs for the facility;

"co-processing" means the utilisation of alternative fuels and/or raw material processes for the purposes of energy and/or resource recovery and resultant reduction in the use of the conventional fuels and/ or raw material through substitution;

"expansion" means the modification, extension, alteration or upgrading of a facility, structure or infrastructure at which a waste management activity takes place, in such a manner that the capacity of the facility or the volume of waste recycled, used, treated, processed or disposed of, is increased;

"facility" means a place, infrastructure, structure or containment of any kind including associated structures or infrastructure, wherein, upon or at which, a waste management activity takes place and includes a waste transfer facility, a waste storage facility, container yard, waste disposal facility, incinerators, lagoons, recycling, co-processing or composting facilities;

"lagoon" means the containment of waste in excavations and includes evaporation dams, earth cells, and sludge farms;

"operational area" an area where waste is handled or processed including waste transfer, storage, treatment, recovery, reuse and waste disposal areas;

"temporary storage" means a once-off storage of waste for a period not exceeding 90 days;

"the Act" means the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008); and

"wastewater" means water containing waste or water that has been in contact with waste material.

GENERAL

2. No person may commence, undertake or conduct a waste management activity listed in this Schedule, unless a waste management licence is issued in respect of that waste management activity.

LISTED ACTIVITIES

3. **Category A and B**

(1) A person who wishes to commence, undertake or conduct a waste management activity listed under Categories A and B of this Schedule, must conduct a basic assessment process set out in the Environmental Impact Assessment Regulations made under section 24(5) of the National Environmental Management Act, 1998 (Act No. 107 of 1998), as part of the waste management licence application contemplated in section 45 read with section 20(b) of the Act.

4. **Category A**

Storage of waste

(1) The storage of general waste in lagoons.

Recycling or recovery of waste

(2) The recycling of general waste in excess of 10 tons, excluding recycling that takes place as an integral part of an internal manufacturing process within the same premises.

(3) The recovery of waste including the refining, utilisation, or co-processing of waste in excess of 10 tons of general waste per day excluding recovery that takes place as an integral part of an internal manufacturing process within the same premises.

Treatment of waste

(4) The treatment of general waste using any form of treatment at a facility that has the capacity to process in excess of 10 tons per day, excluding the treatment of organic waste using composting and any other organic waste treatment.

Disposal of waste

(5) The disposal of inert waste to land in excess of 25 tons, excluding the disposal of such waste for the purposes of levelling and building which has been authorised by or under other legislation.

(6) The disposal of general waste to land covering an area of more than $50m^2$ but less than 200m2 and with a total capacity not exceeding 25 000 tons.

(7) The disposal of domestic waste generated on premises in areas not serviced by the municipal service where the waste disposed exceeds 0.5 tons per month.

Construction, expansion or decommissioning of facilities and associated structures and infrastructure

(8) The construction of a facility for a waste management activity listed in Category A of this Schedule (not in isolation to associated waste management activity).

(9) The expansion of a waste management activity listed in Category A of this Schedule which does not trigger an additional waste management activity in terms of this Schedule.

(10) The decommissioning of a facility for a waste management activity listed in Category A of this Schedule.

5. Category B

Storage of hazardous waste

(1) The storage of hazardous waste in lagoons excluding storage of effluent, wastewater or sewage.

Reuse, recycling or recovery of waste

(2) The reuse or recycling of hazardous waste in excess of 0.5 tons per day, excluding reuse or recycling that takes place as an integral part of an internal manufacturing process within the same premises.

(3) The recovery of waste including the refining, utilisation, or co-processing of the waste at a facility that processes in excess of 0.5 tons of hazardous waste per day, excluding recovery that takes place as an integral part of an internal manufacturing process within the same premises.

Treatment of waste

(4) The treatment of hazardous waste using any form of treatment at a facility that processes in excess of 0.5 tons per day calculated as a monthly average, excluding the treatment of effluent, wastewater, sewage or organic waste using composting or any other organic waste treatment.

(5) The treatment of hazardous waste in lagoons, excluding the treatment of effluent, wastewater or sewage.

Disposal of waste on land

(6) The disposal of any quantity of hazardous waste to land.

Construction, expansion or decommissioning of facilities and associated structures and infrastructure

(7) The construction of a facility for a waste management activity listed in Category B of this Schedule (not in isolation to associated waste management activity).

(8) The expansion of a waste management activity listed in Category B of this Schedule which does not trigger an additional waste management activity in terms of this Schedule.

(9) The decommissioning of a facility for a waste management activity listed in Category B of this Schedule.

6. Category C

A person who wishes to commence, undertake or conduct a waste management activity listed under this Category, must comply with the relevant requirements or standards determined by the Minister listed below —

Storage of waste

(1) Norms and Standards for Storage of Waste, published under Government Notice R.926 of Government *Gazette* 37088 on 29 November 2013.

(2) The storage of general waste at a facility that has the capacity to store in excess of 100 m2 of general waste at any one time, excluding the storage of waste in lagoons or temporary storage of such waste.

(3) The storage of hazardous waste at a facility that has the capacity to store in excess of 80 m of hazardous waste at any one time, excluding the storage of hazardous waste in lagoons or temporary storage of such waste.

(4) The storage of waste tyres in a storage area exceeding 500 m2.

(5) Standards for Extraction, Flaring or Recovery of Landfill Gas, published under Government Notice R.924 of Government *Gazette* 37086 on 29 November 2012.

(6) Norms and Standards for the Sorting, Shredding, Crushing, Screening or Bailing of General Waste. published under Government Notice R.1094 in Government Gazette 41175 of 11 October 2017.

Treatment, Recycling, or Recovery of waste

(7) National Norms and Standards for organic waste composting published under Government Notice R.561 of Government *Gazette* 44762 on 25 June 2021.

(8) National Norms and Standards for the Treatment of Organic Waste published under Government Notice R.1984 of Government *Gazette* 46169 on 01 April 2022.

(9) The scrapping or recovery of motor vehicles at a facility that has an operational area in excess of 500 m^2.

TRANSITIONAL PROVISIONS

Definition

7. In this paragraph —

"**Previous Waste Management Activities List Notice**" contemplated in these transitional arrangements, means the previous notice published in terms of section 19(1) of the Act, under Government Notice R.921 of Government *Gazette* 37083 on 29 November 2013.

(1) A person who lawfully conducts a waste management activity listed in this Schedule on the date of the coming into effect of this Notice, may continue with the waste management activity until such time that the Minister by notice in a Gazette, calls upon such a person to apply for a waste management licence in terms of section 80(4) of the Act.

(2) An application for a waste management activity which was listed under the previous Waste Management Activities List Notice, and which is no longer listed in terms of this Schedule, and a decision on such an application is still pending on the date of coming into effect of this Notice, will be considered withdrawn.

(3) If a situation arises where waste management activities, listed under the previous Waste Management Activities List Notice, are listed differently under the current list of waste management activities, and a decision on such an application is still pending, such an application will still be processed by the licensing authority in accordance with this Notice,

(4) A person who submitted an application for a waste management licence for a waste management activity which is no longer listed in Category A or B, but listed in Category C of this Schedule on the date of coming into effect of this Notice, must consider such an application for that activity withdrawn, and must comply with the requirements or standards for that waste management activity.

(5) A person who lawfully conducted a waste management activity that is no longer listed in Category A or B, but listed in Category C of this Schedule, on the date of coming into effect of this

Notice, may continue with the waste management activity for the duration stipulated in the permit or waste management licence, until the expiry date of the permit or waste management licence whereafter such a person must comply with the requirements or standards for that waste management activity.

(6) An application submitted for a Waste Management Licence in terms of the previous Waste Management Activities List Notice, will be considered, assessed and decided by the licensing authority in terms of this Act.

REPEAL OF LAWS

8. The Notice on the List of waste management activities that have or are likely to have a detrimental effect on the environment, published in Government Notice R.921 of Government *Gazette* 37083 on 29 November 2013, inclusive of all the amendments thereof, is hereby repealed.

LINK TO FULL NOTICE

National Environmental Management: Waste Act: Proposed amendments to waste management activities list
G 54665 GoN 7461
12 May 2026

54665gon7461.pdf

ACTION

Ensure you submit your comments within 60days since publication.

MEDICAL

LAW AND TYPE OF NOTICE **DENTAL TECHNICIANS ACT:** Regulations: Registration of Dental Laboratories and Related Matters: Amendment G 54627 GoN 7443 08 May 2026
APPLIES TO: **Any entity that owns, operates, or manages a dental laboratory in South Africa is affected.**
SUMMARY Updating the cost structure and administrative requirements for registering and maintaining dental laboratories
FULL TEXT
DETAILS

DEPARTMENT OF HEALTH

NO. 7443 8 May 2026

DENTAL TECHNICIANS ACT, 1979

REGULATIONS RELATING TO THE REGISTRATION OF DENTAL LABORATORIES AND RELATED MATTERS: AMENDMENT

The Minister of Health has in terms of section 50(1)*(e)* of the Dental Technicians Act, 1979, and on the recommendation of the South African Dental Technicians Council, made the Regulations contained in the Schedule.

DR PAKISHE AARON MOTSOALEDI, MP
MINISTER OF HEALTH
DATE: 9/3/2026

SCHEDULE

Definitions

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

"the Act" means the Dental Technicians Act, 19 of 1979; and

"the Regulations" means the Regulations relating to the Registration of Dental Laboratories and Related Matters, published under Government Notice No. R. 308 of 26 February 1982, as amended by Government Notices Nos. R. 1808 of 27 August 1982, R. 196 of 4 February 1983, R. 284 of 15 February 1985, R. 854 of 9 May 1986, R. 668 of 3 April 1987, R. 2440 of 2 December 1988, R. 2914 of 14 December 1990, R. 3156 of 27 December 1991, R. 107 of 22 January 1993, R. 434 of 11 March 1994, R. 194 of 10 February 1995, R. 134 of 2 February 1996, R. 14 of 3 January 1997, R. 1717 of 19 December 1997, R. 1685 of 24 December 1998, R. 8 of 7 January 2000, R. 1363 of 15 December 2000, R. 1321 of 14 December 2001 and R. 1489 of 29 November 2002, R. 468 of 8 April 2004, R. 1380 of 3 December 2004, R 1233 of 23 December 2005, R. 119 of 16 February 2007, R. 151 of 8 February 2008, R. 182 of 3 March 2011, R. 1016 of 6 December 2011, R. 1079 of 19 December 2012, R. 355 of 12 May 2014, R. 729 of 17 June 2015,R 729 of June 2016, R. 206 of 08 March 2017 , R. 217 of 16 March 2018, R 524 of 01 April 2019 and R. 415 of 2020; R. NO. 341 of 19 April 2021, R. NO 1870 OF 11 March 2022, R. NO 3154 OF 17 March 2023, GG 50575 OF 29 April 2024, GG 52179 of 26 February 2025.

Amendment of regulation 11 of the Regulations

2. Regulation 11 of the Regulations is amended by substitution for the following:

"Registration Fees

11. (1) The registration fees for the registration of a dental laboratory under section 30 of the Act shall be R **18,395-00**: Provided that if the ownership of a dental laboratory was changed the fee will be **R 2,312-**

00 and if the ownership of a dental laboratory is transferred in terms of section 30(6) of the Act, the registration fee payable for such a dental laboratory by the new owner shall be R **18,395-00**.

(2) The registration fee for a dental laboratory which is moved by the owner(s) to new premises shall be **R 2,312-00**: Provided that if the moving of such laboratory is due to factors beyond the control of the owner(s), such owner(s) shall pay only a registration fee of **R 1,968-00**.

(2) The penalty fee for the moving of a dental laboratory without notifying Council shall be **R 13,846-00**.

(3) The registration fees referred to in sub-regulations (1) and (2) includes 15% value-added tax.".

Amendment of regulation 12 of the Regulations

3. Regulation 12 of the Regulations is hereby amended by substitution for the following:

"Annual Fees

12. (1) Every owner or partner or member of a dental laboratory must pay to the Council an amount of **R 9,657-00** as an annual fee for the period 01 March to 28 February of each financial year or part thereof.

(2) The amount referred to in sub-regulation **(1)** is due 30 days after invoice date.

Liability

4. (1) The annual fees referred to in –

(a) Regulation 12(1) is due 30 days after invoice date; and

(b) Regulation 11(1) is due on the day of the registration concerned and is payable within 90 calendar days from the date of registration.

(2) If a person referred to in regulation12)(1), does not pay the annual fees by the relevant date referred to in regulation (12)(2), the registrar shall send a reminder by email or registered post to such dental laboratory owner address, as entered in the Register.

(3) If a person referred to in regulation (12)(1) does not pay the annual fees within three (3) months after the date on which the reminder referred to in sub regulation (1) was sent to dental laboratory owner, the registration shall be removed from the register concerned in terms of section 24(1)(c) of the Act.

Short title

5. These Regulations are called the Regulations Relating to the Registration of Dental Laboratories and Related Matters: Amendment, 2026.

LINK TO FULL NOTICE **Dental Technicians Act: Regulations: Registration of Dental Laboratories and Related Matters: Amendment** G 54627 GoN 7443 08 May 2026 54627gon74430.pdf
ACTION Take note of the amended fees.

END

LAW AND TYPE OF NOTICE HEALTH PROFESSIONS ACT: Regulations: Qualifications for the Registration of Registered Dietitian Nutritionists G 54627 GoN 7441 08 May 2026
APPLIES TO: Affects education providers, healthcare employers, and professionals in dietetics/nutrition.
SUMMARY It standardises who qualifies to be registered as a dietitian nutritionist in South Africa.
FULL TEXT
DETAILS

DEPARTMENT OF HEALTH

NO. 7441 8 May 2026

HEALTH PROFESSIONS ACT, 1974 (ACT NO.56 OF 1974)

REGULATIONS RELATING TO THE QUALIFICATIONS FOR THE REGISTRATION OF REGISTERED DIETITIAN NUTRITIONISTS

The Minister of Health intends, under section 24 of the Health Professions Act, 1974 (Act No. 56 of 1974) and on the recommendation of the Health Professions Council of South Africa, to make Regulations in the Schedule.

Interested persons are invited to submit any substantiated comments or representations on the proposed regulations, to the Director-General of Health, Private Bag X828, Pretoria, 0001 (for the attention of the Director: Public Entities and Relations Management, mihloti.mushwana@health.gov.za or paul.tsebe@health.gov.za within three months of the date of publication of this Notice.

DR PAKISHE AARON MOTSOALEDI, MP
MINISTER OF HEALTH
DATE: 9/3/2026

SCHEDULE

Definitions

1. In these regulations, and any word or expression to which a meaning has been assigned in the Act has the meaning so assigned and, unless the context otherwise indicates-

"Act" means the Health Professions Act, 1974, (Act No. 56 of 1974);
"Board" means the Professional Board for Dietetics and Nutrition established in terms of section 15 (1) of the Act; and
"Registered Dietitian Nutritionist" means a person registered as such in terms of the Act.

Registration as a Dietitian Nutritionist

2. (1) The registrar may register, as a Registered Dietitian Nutritionist; any person who holds any one of the following qualifications:

Examining Authority and qualification	*Abbreviation for registration*
Nelson Mandela University BSc in Dietetics and Nutrition	BSc (Diet & Nutr)
North-West University BSc in Dietetics and Nutrition	BSc (Diet & Nutr)
Sefako Makgatho Health Sciences University BSc in Dietetics and Nutrition	BSc (Diet & Nutr)

Examining Authority and qualification	*Abbreviation for registration*
University of KwaZulu-Natal BSc in Dietetics and Nutrition	BSc (Diet & Nutr)
University of Limpopo BSc in Dietetics and Nutrition	BSc (Diet & Nutr)
University of Pretoria BSc in Dietetics and Nutrition	BSc (Diet & Nutr)
University of Stellenbosch BSc in Dietetics and Nutrition	BSc (Diet & Nutr)
University of the Free State BSc in Dietetics and Nutrition	BSc (Diet & Nutr)
University of Venda BSc in Dietetics and Nutrition	BSc (Diet & Nutr)
University of the Western Cape BSc in Dietetics and Nutrition	BSc (Diet & Nutr)

(2) Notwithstanding anything to the contrary contained in these regulations, any person who is registered as a dietitian and / or nutritionist in terms of the Act may apply to the board for registration as a registered dietitian nutritionist, and the board may at its discretion exempt such person from the requirements of regulation (1).

Short title

3. These Regulations are called the Regulations Relating to the Registration of Registered Dietitian Nutritionist, 2026.

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LINK TO FULL NOTICE

Health Professions Act: Regulations: Qualifications for the Registration of Registered Dietitian Nutritionists
G 54627 GoN 7441
08 May 2026

54627-gon7441.pdf

ACTION

Take note of the amended qualification requirements.

END

LAW AND TYPE OF NOTICE

HEALTH PROFESSIONS ACT:

Regulations: Names that may not be used in relation to the Profession of Physiotherapy

G 54627 GoN 7448

08 May 2026

APPLIES TO:

It applies to any entity using names or titles linked to physiotherapy, to prevent misleading or unauthorised use

SUMMARY

- The notice introduces regulations restricting the use of certain names and titles in relation to the physiotherapy profession.
- It aims to prevent misleading or unauthorised use of terms that could imply someone is a registered physiotherapist.
- Only properly registered practitioners may use protected physiotherapy-related names.
- Issued under the Health Professions Act with input from the HPCSA.

FULL TEXT

DETAILS

DEPARTMENT OF HEALTH

NO. 7448 8 May 2026

REGULATIONS RELATING TO THE NAMES THAT MAY NOT BE USED IN RELATION TO THE PROFESSION OF PHYSIOTHERAPY

The Minister of Health has, in terms of section 61(1) read with section 40 (c) of the Health Professions Act, 1974 (Act No. 56 of 1974), and after consultation with the Health Professions Council of South Africa, made the regulations in the Schedule.

DR PAKISHE AARON MOTSOALEDI, MP
MINISTER OF HEALTH
DATE: 5/3/2026

SCHEDULE

Definitions

1. In these regulations any expression to which a meaning has been assigned in the Act shall bear such meaning, unless the context indicates otherwise –
"the Act" means the Health Professions Act, 1974 (Act No. 56 of 1974).

Names that may not be used

2. No person who is not registered as a physiotherapist in terms of the Act may use the following appellations or derivatives -

(a) Physical therapy; or

(b) Physical therapist.

Repeal

3. The Regulations published under Government Notice No. R. 2704 in *Government Gazette* No. 7953 of 11 December 1981 are hereby repealed.

Short title

4. These Regulations are called Regulations Relating to the Names that May Not Be used in Relation to the Profession of Physiotherapy, 2026.

LINK TO FULL NOTICE **Health Professions Act: Regulations: Names that may not be used in relation to the Profession of Physiotherapy** G 54627 GoN 7448 08 May 2026 54627gon7448.pdf
ACTION • Take note of the regulation • Assess impact on your organisation (naming, branding, marketing)

END

LAW AND TYPE OF NOTICE **MEDICINES AND RELATED SUBSTANCES ACT: SCHEDULES:** Recommendation: South African Health Products Regulatory Authority (SAHPRA) G 54627 GoN 7445 08 May 2026
DETAILS Incorrect Link – The Legal Team will be on the lookout for the correct notice.
LINK TO FULL NOTICE **Medicines and Related Substances Act: Schedules: Recommendation: South African Health Products Regulatory Authority (SAHPRA)** G 54627 GoN 7445 08 May 2026 54627gon7445.pdf

END

LAW AND TYPE OF NOTICE

DENTAL TECHNICIANS ACT, 1979:

Regulations relating to Unmounted Artificial Teeth: Amendment

G 54627 GoN 7444

08 May 2026

APPLIES TO:

It applies mainly to entities involved in the manufacture, supply, or sale of unmounted artificial teeth, especially those requiring permits.

SUMMARY

It is a technical amendment adjusting fees and compliance requirements for businesses dealing in unmounted artificial teeth.

FULL TEXT

DETAILS

DEPARTMENT OF HEALTH

NO. 7444 8 May 2026

REGULATIONS RELATING TO UNMOUNTED ARTIFICIAL TEETH: AMENDMENT

The Minister of Health has, in terms of sections 33(3) and 50(1)*(p)* of the Dental Technicians Act, 1979, and on the recommendation of the South African Dental Technicians Council, made the Regulations contained in the Schedule.

DR PAKISHE AARON MOTSOALEDI, MP
MINISTER OF HEALTH
DATE: 2/4/2026

SCHEDULE

Definitions

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

"the Act" means the Dental Technicians Act, 1979 (Act No. 19 of 1979); and

"Regulations" means Regulations Relating to Unmounted Teeth, 1982 published under GN R306 of 26 February 1982, as amended by Government Notices No. R.286 of 15 February 1985, R.856 of 9 May 1986, R.669 of 3 April 1987, R.846 of 28 April 1989, R3153 of 17 March 2023, GG50292 of 15 March 2024 and GN 5919 of 28 February 2025.

Amendment of Regulation 4

2. Regulation 4 of the Regulations is hereby amended by substitution of subregulation (3) for the following:

"(3) The holder of a permit shall, in respect of each financial year, pay an annual permit fee of:

(a) **R27, 715-00** in respect of a dental trader supplying or selling unmounted artificial teeth;

(b) **R12, 601-00** in respect of a dental supplier; or

(c) a pro rata portion of the fee referred to in paragraph (a) or (b), as the case may be, calculated from the date of issue of the permit, for the unexpired portion of the financial year."

Liability

3. (1) The annual fees referred to in regulation 4(3)(a) and (b) is due 30 days after invoice date.

3. (1) The annual fees referred to in regulation 4(3)(a) and (b) is due 30 days after invoice date.

(2) If a person referred to in regulation 4(3), does not pay the annual fees referred to in the aforementioned paragraphs by the relevant date referred to in subregulation (1), the registrar shall send a reminder by e -mail and /or registered post to such permit holder's address, as entered in the Register.

(3) If a person referred to in regulation 4(3) does not pay the annual fees within three months after the date on which the reminder referred to in subregulation (1) was sent to the permit holder, the permit will be withdrawn in terms of section 33(4) of the Act.

Short title and commencement

4. These Regulations are called the to the Regulations Relating to Unmounted Teeth, 2026: Amendment.

LINK TO FULL NOTICE

Dental Technicians Act, 1979: Regulations relating to Unmounted Artificial Teeth: Amendment
G 54627 GoN 7444
08 May 2026

54627gon7444.pdf

ACTION

Take note of the amended fees.

END

LAW AND TYPE OF NOTICE

HEALTH PROFESSIONS ACT:

Regulations: Registration by Optometrists of Additional Qualifications

G 54627 GoN 7442

08 May 2026

APPLIES TO:

It mainly affects optometrists, their employers, and education/providers involved in optometry qualifications.

SUMMARY

It standardises and updates the recognition of advanced qualifications for optometrists in South Africa.

FULL TEXT

DETAILS

DEPARTMENT OF HEALTH

NO. 7442 8 May 2026

HEALTH PROFESSIONS ACT, 1974 (ACT NO.56 OF 1974)

REGULATIONS RELATING TO THE REGISTRATION BY OPTOMETRISTS OF ADDITIONAL QUALIFICATIONS

The Minister of Health has, under section 35 (2) of the Health Professions Act, 1974 (Act No. 56 of 1974) and after consultation with the Health Professions Council of South Africa, made the regulations in the Schedule.

DR PAKISHE AARON MOTSOALEDI, MP
MINISTER OF HEALTH
DATE: 9/3/2020

SCHEDULE

Definitions

1. In these regulations, any word or expression to which a meaning has been assigned in the Act has the meaning so assigned and, unless the context otherwise indicates;

"Act" means the Health Professions Act, 1974, (Act No. 56 of 1974).

Registrable Additional Qualifications

2. The following qualifications held by Optometrists are registrable as additional qualifications under section 35 of the Act:

Examining Authority	***Qualification***	***Abbreviation for registration***
University of Durban – Westville (UKZN)	Bachelor of Optometry	BOptom (Durban-Westville)
	Master of Optometry	MOptom (Durban-Westvilie)
	Doctor of Optometry	DOptom (Durban-Westville)
University of KwaZulu-Natal	Master of Optometry	MOptom (UKZN)
	Doctor of Philosophy	DPhil (UKZN)

Examining Authority	*Qualification*	*Abbreviation for registration*
University of the Free State	Master of Optometry	MOptom (UFS)
University of Johannesburg	Master's in Philosophy in Optometry	MPhil (UJ)
	Master of Health Science in Optometry	MHSc (UJ)
	Doctor of Philosophy in Optometry	DPhil (UJ)
	Doctor of Philosophy in Health Science: Optometry	DHSc (UJ)

Repeal

3. The regulations relating to the registration by optometrists of additional qualifications as published under Government Notice No. R1103 in *Government Gazette No.* 9242 of 30 May 1984 are hereby repealed.

Short title

4. These Regulations are called Regulations Relating To The Registration By Optometrists Of Additional Qualifications, 2026.

LINK TO FULL NOTICE

Health Professions Act: Regulations: Registration by Optometrists of Additional Qualifications
G 54627 GoN 7442
08 May 2026

54627gon7442.pdf

ACTION

- Take note of updated regulations
- Check if any staff hold additional optometry qualifications
- Ensure eligible qualifications are registered with HPCSA
- Update staff records / credentials where applicable
- Align marketing or profiles with registered qualifications only

END

LAW AND TYPE OF NOTICE

HEALTH PROFESSIONS ACT:

Regulations on fines for improper conduct

G 54627 GoN 7447

08 May 2026

APPLIES TO:

- All healthcare practitioners and practices registered under the Health Professions Act (e.g. doctors, dentists, physiotherapists, psychologists)
- Healthcare facilities employing such practitioners (hospitals, clinics, medical groups)
- Regulatory bodies (HPCSA and its professional boards) enforcing disciplinary action
- Entities involved in professional conduct matters (e.g. medical schemes, employers, complainants – indirect impact)

SUMMARY

- The notice sets out fines that can be imposed for improper (unprofessional) conduct under the Health Professions Act.
- It defines categories of misconduct (e.g. negligence, fraud, overcharging, unethical behaviour) with minimum and maximum fines.
- Fines are imposed by HPCSA disciplinary committees after formal inquiry.

FULL TEXT

DETAILS

DEPARTMENT OF HEALTH

NO. 7447 | 8 May 2026

HEALTH PROFESSIONS ACT, 1974 (ACT NO.56 OF 1974)

REGULATIONS RELATING TO FINES WHICH MAY BE IMPOSED BY A COMMITTEE OF ENQUIRY AGAINST PRACTITIONERS FOUND GUILTY OF IMPROPER OR DISGRACEFUL CONDUCT UNDER THE HEALTH PROFESSIONS ACT, 1974

The Minister of Health has, under section 42(1) (d) of the Health Professions Act, 1974 (Act No. 56 of 1974), made the regulations in the Schedule.

DR PAKISHE AARON MOTSOALEDI, MP
MINISTER OF HEALTH
DATE: 27/4/2026

SCHEDULE

DEFINITIONS

1. In these regulations, and any word or expression to which has been assigned in the Act shall have that meaning, unless the context indicates:-

"Act" means the Health Professions Act, 1974 (Act No. 56 of 1974),; and

"preliminary committee of inquiry" means the preliminary committee of inquiry referred to in the regulations relating to the conduct of inquiries;

"professional conduct committee" means the professional conduct committee referred to in the regulations relating to the conduct of inquiries;

"regulations relating to the conduct of inquiries" means the regulations relating to the conduct of inquiries into alleged unprofessional conduct under the Health Professions Act, 1974 as published under *Government Notice No.* R. 102 in *Government Gazette No.* 31859 of 06 February 2009.

Fines which may be imposed by a preliminary committee of enquiry and a professional conduct committee

2. A preliminary committee of inquiry and a professional conduct committee may impose a fine equal to or falling within the range of the minimum and maximum fines stipulated for each category of unprofessional conduct indicated below against a registered person who has been found guilty of unprofessional conduct under Chapter IV of the Act.

Item	Improper or disgraceful conduct relating to:	Minimum fine	Maximum fine
(1)	advertising	R5 000.00	R20 000.00
(2)	communication	R6 000.00	R30 000.00
(3)	supersession	R2 000.00	R16 000.00
(4)	itinerant practice	R5 000.00	R20 000.00

Item	Improper or disgraceful conduct relating to:	Minimum fine	Maximum fine
(5)	certificates and reports	R4 000.00	R20 000.00
(6)	reputation of colleagues	R2 000.00	R16 000.00
(7)	fees and commission	R10 000.00	R16 000.00
(8)	overcharging patients in fees	R10 000.00	R30 000.00
(9)	contravention of rule 21 of the rules	R10 000.00	R30 000.00
(10)	practicing out of scope of practice	R10 000.00	R30 000.00
(11)	practicing beyond the scope of own Profession	R10 000.00	R30 000.00
(12)	employing an unregistered person	R10 000.00	R30 000.00
(13)	withholding emergency healthcare service	R10 000.00	R30 000.00
(14)	overservicing	R40 000.00	Amount claimed for over-servicing + 5% of such amount or R40 000.00 whichever is greater
(15)	exposing a patient to danger or harm	R10 000.00	R40 000.00
(16)	providing insufficient care to a patient	R10 000.00	R30 000.00
(17)	providing treatment to a patient without the patient's or next-of-kin's informed consent	R4 000.00	R20 000.00
(18)	sharing consulting rooms with a person not registered in terms of the Act	R10 000.00	R30 000.00
(19)	allowance by a practitioner to be exploited	R10 000.00	R20 000.00
(20)	incompetence	R20 000.00	R100 000.00

Item	Improper or disgraceful conduct relating to:	Minimum fine	Maximum fine
(21)	negligence	R40 000.00	R140 000.00
(22)	fraud	R40 000.00	R140 000.00
(23)	giving or receiving perverse incentive or kickback	R40 000.00	Amount of incentive or kickback + 5% of such amount or R40 000.00 whichever is greater
(24)	unprofessional conduct emanating from criminal conviction	R20 000.00	R100 000.00
(25)	issuing of improper prescription	R10 000.00	R40 000.00
(26)	engaging in unacceptable relationship	R40 000.00	R100 000.00
(27)	contravention of rule 23 of the Ethical Rules of Conduct	R10 000.00	R30 000.00
(28)	engaging in undesirable business practices or models	R20 000.00	R60 000.00
(29)	divulging confidential information about a patient	R20 000.00	R60 000.00
(30)	defeating the ends of justice	R5 000.00	R20 000.00
(31)	defeating or obstructing the Health Professions Council of South Africa or the professional board in the performance of its duties	R5 000.00	R20 000.00
(32)	any other form of unprofessional conduct that is considered by the committee to be minor but that is not prescribed in these regulations	R5 000.00	R20 000.00

Repeal

4. The regulations relating to fines which may be imposed by a committee of enquiry against practitioners found guilty of improper or disgraceful conduct under the Health Professions Act, 1974 as published under *Government Notice* No. R. 632 in *Government Gazette* No. 33385 of 23 July 2010 are hereby repealed.

Short title

5. These Regulations are called Regulations Relating to Fines Which May Be Imposed By a Committee of Enquiry Against Practitioners Found Guilty Of Improper Or Disgraceful Conduct Under The Health Professions Act, 1974, 2026.

LINK TO FULL NOTICE **Health Professions Act: Regulations on fines for improper conduct** G 54627 GoN 7447 08 May 2026 54627gon7447.pdf
ACTION • Take note of updated fine structure • Review internal professional/ethical conduct policies • Ensure practitioners comply with HPCSA ethical rules • Provide training/awareness on misconduct risks • Monitor and manage complaints or incidents promptly

END

LABOUR

LAW AND TYPE OF NOTICE

LABOUR RELATIONS ACT 66 OF 1995 AS AMENDED:

Notice: Representations invited

G 54627 GoN 7440

- Comment by 29 May 2026

08 May 2026

APPLIES TO:

- Employers in the road freight & logistics sector (subject to the Bargaining Council)
- Businesses with mixed operations (e.g. retail/wholesale companies with transport components)
- Companies disputing bargaining council jurisdiction (seeking demarcation rulings)
- Bargaining councils & CCMA (regulatory and adjudication bodies)

SUMMARY

It is a public notice of a demarcation dispute that could impact how similar businesses are classified under labour law.

FULL TEXT

DETAILS

DEPARTMENT OF EMPLOYMENT AND LABOUR

NO. 7440 8 May 2026

NOTICE IN TERMS OF SECTION 62 (7) OF THE LABOUR RELATIONS ACT 66 OF 1995 AS AMENDED (THE LRA)

PLEASE TAKE NOTICE THAT: -

1. KK Advisors cc & Benchmark Management Services (Pty) Ltd has applied to the CCMA in terms of section 62(1) of the Labour Relations Act 66 of 1995 as amended (the

LRA) for a demarcation order to the effect that the activities of the applicant do not fall within the registered scope and jurisdiction of the National Bargaining Council for the Road Freight and Logistics Industry (NBCRFLI) (the respondent).

2. The main thrust and ambit of employers' operational activities, for all intents and purposes, are not related primarily to transport, but that transport forms a simple component thereof, ancillary to the fundamental business requirements being that of sale.

3. The respondent has served a compliance order on the applicant, necessitating this application for demarcation in terms of which the applicant shall argue that its activities and scope do not fall under the jurisdiction of the Bargaining Council.

4. The CCMA believes that the question raised by this demarcation application is potentially of substantial importance. Of relevance is the fact that the applicant believes there are other similar businesses that perform the same activities as it and which have not had compliance orders served on it by the respondent.

5. It is therefore apparent that there may be other businesses or entities that could potentially be affected by the outcome of this application. Such entities should have the right to make representations to the CCMA.

6. Written representations may be made within 21 calendar days of the date of publication of this notice, and should be clearly marked with reference number

KNDB9789-25 and directed to: -
Contact: Ms Kirsty Payne
Email: KirstyP@ccma.org.za
Hand delivery: 3rd Floor, Aqua Sky Towers, 275 Anton Lembede Street, CBD, Durban

LINK TO FULL NOTICE

Labour Relations Act 66 of 1995 as amended: Notice: Representations invited
G 54627 GoN 7440
- Comment by 29 May 2026
08 May 2026

54627gon7440.pdf

ACTION

Interested parties need to ensure that they submit their comments before 29 May 2026.

END

AGRICULTURAL ARTICLES

SOUTH AFRICA

Rooibos Now Recognized as a Geographical Indicator (Gi) by the European Commission

The European Commission Now Recognises Rooibos As A Protected Designation Of Origin (PDO) And Geographical Indicator (GI).

The authenticity and quality of rooibos has become fully visible for European and global consumers, with benefits for South African producers and the rural communities living and working on rooibos farms.

Rooibos is the first African food to join Champagne, Irish Whiskey, Porto, and other iconic products in the European Commission register of protected designations of origin (PDO) and protected geographical indications (GI).

A protected designation of origin is an indicator that identifies and links a particular product to a particular region or locality; the product quality, reputation or other unique characteristic is directly linked to that geographical area. Registered product names have the strongest links to their origin, since every aspect of production; processing and preparation must take place in that specific origin using recognised know-how.

The registration means 'Rooibos' or 'Red Bush' can only be used to refer to the dried leaves of 100% pure 'Rooibos'/'Red Bush' derived from Aspalathus linearis that has been cultivated or wild-harvested in designated local municipalities of the Western and Northern Cape. 'Rooibos'/'Red Bush' may be blended with teas, infusions or other products, whether or not for human consumption.

Food products listed on the EU register of protected designations of origins generate almost R1.24 trillion in value. Bilateral agreements between the EU and its international partners, including between the EU and China, recognise the protected designations of origin. The recognition of the products' origin empowers consumers to distinguish quality products and trust that they are enjoying authentic quality products linked to the region of origin, knowledge, and know-how of its producers.

Rooibos / Red Bush is the first African food to receive the status of a protected designation of origin in the EU register. The registration was hailed by the South African Rooibos Council, the Western Cape government, and the Delegation of the European Union to South Africa.

According to the EU's ambassador to South Africa, Dr Riina Kionka, "The Covid-19 pandemic has demonstrated that solid trade relations are critical to ensuring the continuous and uninterrupted supply of safe, nutritious, affordable and sustainable food as well as to providing essential income and jobs along food value chains. Therefore, South Africa and EU preferential trade relations are so important."

"These relations include the protection of Geographical Indications which enable a stronger connection between unique local food products and European consumer tastes. This has direct benefits for all involved in South Africa and in the EU. Geographic indications offer a valuable competitive advantage that is difficult to erode, so we are delighted that Rooibos has been approved as the first African product on the EU register of protected designation of origin (PDO)."

Western Cape Minister of Agriculture, Dr Ivan Meyer, notes: "Rooibos is one of the most iconic products of the Western Cape and its inclusion in the PDO register will signal its unique quality to consumers, not only in Europe but all over the world. We expect that this will lead to an increase in demand by discerning consumers with the benefits working their way back to farms in the designated production area."

Adds Dr Mogale Sebopetsa, Head of the Western Cape Department of Agriculture: "We have been working with the Rooibos Industry since the 1990s to prevent the name 'Rooibos' from being misused by others. The inclusion of Rooibos / Red Bush in the register recognises the fact that it can only be produced in parts of the Western Cape and Northern Cape provinces. In this way, our heritage is safeguarded for posterity and will benefit the producers in our region."

Dawie de Villiers, SA Rooibos Council legal director, says inclusion in the EU register is a "big win" for the Rooibos industry and South Africa. "The registration will allow Rooibos to use the protected designation of origins logo, which is well-recognised by consumers in Europe. The logo will identify Rooibos as a unique product." He says the registration will afford the industry greater ability to protect Rooibos' trademark worldwide.

De Villiers also notes that the registration will go a long way towards sustaining the Rooibos industry. Higher consumption of Rooibos because of increased recognition will contribute to the preservation of traditional knowledge and further uplift small-scale farmers in the indigenous communities producing Rooibos.

"As an industry, we recognise the close connection between Rooibos, the area where it grows, as well as the community and their traditions. Our goal is to protect, support and promote the sustainability of not only Rooibos but the rich heritage of the industry, which is why we so doggedly pursued the registration. Rooibos also forms part of SA's rich biodiversity, and we believe that the registration will make way for other indigenous species, such as Buchu and Aloe Ferox to also be indicated as PDOs and reap similar rewards," says De Villiers.

Click here to view the registration document.
Carmientea

ARTIFICIAL INTELLIGENCE ARTICLES

SOUTH AFRICA

Malatsi sets up team of experts after AI policy blunder

Following an embarrassing episode regarding the draft national policy on artificial intelligence, communications and digital technologies minister Solly Malatsi has assembled a team of experts to help him manage the matter.

Malatsi was left with egg on his face when he was forced to withdraw his department's draft policy after it was found it contained fictitious academic references with dubious AI-generated citations used in government policy formulation.

Presenting his department's spending and policy priorities for the 2026/27 financial year in the National Assembly on Tuesday, Malatsi told MPs he has appointed a panel of independent experts in the communications and digital space to assist in the formulation of national policy on AI.

The panel, to be chaired by Prof Benjamin Rosman, will comprise experts in AI research, law and governance.

They include Prof Vukosi Marivate, Prof Alison Gillwald, Heather Irvine, Dr Tshepo Feela, Dr Jabu Mtsweni and advocate Lufuno Tshikalange.

"This distinguished group of experts will ensure that the policy we reintroduce for public comment will be based on the best available evidence and aligned with South Africa's priorities," Malatsi said.

"We cannot discuss the issue of policy without discussing the matter of the Draft National Artificial Intelligence Policy and the revelation that generative AI was used irresponsibly during the drafting of this policy.

"This series of events adversely impacted the policy document, and withdrawing the policy was the only way to ensure that we reintroduce a credible policy for this critical area.

"We will be enforcing an internal responsible AI use policy, and review our policy development process, to ensure that this type of occurrence does not happen again. South Africa deserves better."

In his budget vote, Malatsi indicated his department had received just more than R2.5bn from the National Treasury, with more than R1.7bn transferred to portfolio entities.

"Icasa receives R505m, the Film and Publications Board R112m, and the South African Post Office R595m, allocated to the universal postal obligation. The SABC receives R234m," he said.

"Speaker, the budgetary constraints within our portfolio are clear, and have a serious impact on the department and portfolio entities' ability to deliver on our joint mandate.

"But we are not the only portfolio that is in this position. Fiscal constraints are the reality we must deal with.

"We can no longer hide behind the lack of funds to explain why we fall short of what is expected of us."

It is for this reason that Malatsi told MPs that it was time to rope in the private sector to help rescue some of the troubled SOEs in his portfolio.

"One of our greatest assets is our private sector. When working alone, our impact will always be limited. But when we partner with the private sector, we open the door to multiply our impact.

"To be clear, partnership is not the same as privatisation, but partial privatisation makes sense in certain situations.

"We must acknowledge that we find ourselves in a position that is becoming impossible to avoid the hard truth that 100% state ownership of our portfolio entities is no longer sustainable in the context of our fiscal reality.

"So we must honestly assess the need and fitness-for-purpose of some of the state-owned entities. Where we need them, they must be well run and financially sustainable.

"But partnering with the private sector is more than just about ownership. Where we can create mutually beneficial commercial agreements where private sector players leverage state-owned assets to deliver services at cost-effective prices, we will get more South Africans connected to the internet and out of poverty."

TimesLIVE

B-BBEE ARTICLES

SOUTH AFRICA

'The sharp end of a stuttering struggle to transform SA'

It is telling that 30 years after the arrival of democracy the country is still arguing about not just whether economic transformation is necessary, but what it should look like.

The standoff played out in the Gauteng High Court (Pretoria) as four of the country's big legal firms – Norton Rose Fulbright, Bowmans, Webber Wentzel and Werksmans Attorneys – challenged the introduction of a new Legal Sector Broad-Based BEE Code. They are backed by trade union Solidarity. The policy change, aimed at increasing black ownership and influencing briefing patterns in favour of black advocates, among other things, is supported by legal bodies such as the Legal Practice Council, the Pan African Bar Association of SA, the National Association of Democratic Lawyers and the Black Lawyers Association.

In a TimesLIVE analysis, Mike Siluma notes that the showdown between supporters of the new policy and its opponents might have looked like a closed-shop tussle about matters exclusive to the legal sector, perhaps best left to them to resolve. In reality, it is the sharp end of a broader, stuttering struggle to transform SA into an economically fairer, more representative society after the supposed demise of apartheid three decades ago.

'The delay is odd because B-BBEE legislation derives from the very Constitution our democracy is founded on, which all sections of SA society are presumed to have signed up to in the heady days post Codesa.

The Constitution that is claimed to be 'the best in the world'. Even those on the right wing of the political spectrum don't hesitate – when it suits them – to lean on it to advance their political objectives. Part of the resentment stems from a belief that B-BBEE is, in fact, a freestanding fetish of a rapacious black elite'.

Full TimesLIVE analysis

Court rules on law firm's recruitment policy and affirmative action

THE Gauteng High Court, Pretoria found that the candidate recruitment policy of one of the country's biggest law firms to restrict these applications to citizens of the country amounted to permissible affirmative action.

The court dismissed a review application by the Asylum Seeker Refugee and Migrant Coalition and its director Muchengezi Hiwacha (applicants) who challenged law firm Webber Wentzel's earlier policy of excluding permanent residents from its candidate attorney programme.

The application was aimed against the Legal Practice Council (LPC) who earlier investigated a complaint by the applicant in this regard against the law firm and attorney Alisdair Lawson. The LPC dismissed the professional misconduct complaint, which in turn caused the applicant to take this decision on review.

The court noted that at the core of this application that goes to the heart of South Africa's transformative duties under the Constitution. The question which came under the spotlight was whether an employer in pursuit of addressing historical inequality may lawfully exclude permanent residents (who are treated as citizens under the law) in a vocational programme as part of affirmative action.

The complaint before the LPC arose when Webber Wentzel changed its candidate attorney recruitment policy to exclude permanent residents. This was done to comply with the Broad Based Black Economic Empowerment Act and the Employment Equity Act.

The applicants, however, argued that this constituted unfair discrimination.

In the years preceding its later recruitment policy, the law firm restricted the intake of white South African citizens, while it continued to recruit non-citizens with permanent residence. This yielded positive outcomes, but not swiftly enough to meet the BBBEE targets.

By 2015, the firm encountered difficulties in retaining non-citizens who did not hold permanent residence due to the issue of obtaining work permits. It subsequently changed its policy in 2018 that only South African citizens could apply for the candidate attorney programme. The programme was later relaxed in 2020 once the law firm believed it had achieved its objectives. The applicants argued that the policy was changed due to risk factors rather than a legitimate affirmative action purpose. According to them, it amounted to unfair discrimination.

They contended that the LPC's dismissal of the complaint against Webber Wentzel and Lawson was irrational and procedurally unfair.

The court meanwhile commented that these review proceedings were not about deciding whether the recruitment policy itself was constitutionally valid, but rather whether the LPC acted lawfully when it dismissed the complaint. The court found the investigating committee adequately investigated the complaint and came to a rational decision.

The court also rejected the argument by the applicants that the LPC committed an error in law because it failed to appreciate the protected status of permanent residents under South African law. The court said it is not in dispute that permanent residents enjoy, in the main, the same rights as South African citizens.

In support of the LPC's conclusion, the court pointed out the recruitment policy was time-limited (from 2018 to 2020) and it was narrowly tailored to a single recruitment programme at one law firm. Permanent residents were not excluded from the legal profession as such, the court said.

Although the court dismissed the review application, it acknowledged that broader constitutional questions concerning permanent residents and affirmative action remain unresolved. It said this judgment does not foreclose future litigation on the important constitutional question of the extent to which permanent residents may be excluded from employment opportunities under affirmative action measures by private employers.

Zelda Venter
The Star

CONSTRUCTION ARTICLES

SOUTH AFRICA

Building council decries 'culture of non-compliance'

Black-listing of 52 construction companies reveals pat-terns of regulation breaches

The Building Industry Bargaining Council (BIBC), a platform where employers and trade unions negotiate and agree on terms and conditions of employment, says the government's blacklisting of 52 construction companies for poor performance, fraud and contractual failures exposed a "systemic culture of non-compliance" in South Africa's building sector.

In March, public works & infrastructure minister Dean Macpherson announced that the Construction Industry Development Board had blacklisted a further 12 contractors since the start of 2026 for non-performance.

"This brings the total to 52 contractors who have been barred from doing business with the state. Between 2002 and 2024, only two contractors were black-listed. That era of inac-tion is over," Macpherson said at the time.

The South African con-struc-tion sec-tor con-trib-utes about 2%-3% to the national GDP and employs about 1.3-million people. Des-pite its boom before the 2010 Fifa World Cup, the sector has been in decline in recent years, with a number of companies closing.

"What we are seeing is a pattern where non-compliance in one area is almost always mirrored across others. It is rarely isolated to non-compliance with the BIBC only," said Danie Hattingh, spokesperson for business at the BIBC.

The BIBC said it identified 68 construction-related companies linked to the black-list. Of these, only 12 were registered with the BIBC, with all 12 non-compliant at the time of assessment.

"This directly supports our contention that non-compliance with one regulation strongly indicates non-compliance everywhere else. Whether it is labour obligations, tax compliance, or contractual delivery, the same patterns repeat," Hat-tingh said.

The implications are serious, he said, adding: "Non-compliance drives sub-standard work, project delays, site failures and safety risks, while also enabling unfair competition based on the exploitation of labour that undercuts compliant contractors."

The problem is compounded by a system that can enable repeat offenders to reenter the market. The BIBC said non-compliant contractors often deregister, rename or reestablish entities, sometimes using associates and family members as the directors of new companies to avoid detection.

"The trend towards 'fronting' companies is wide-spread and complex," said Hat-tingh. "Even if a new entity has no record of non-compliance, it can still be the same operators, making it difficult for clients and procurement officials to know who they're really dealing with."

Hattingh spoke against cutting corners for short-term profits.

"It undermines infrastructure quality and the credibility and sustainability of the entire industry.

"The BIBC's message is clear: lasting reform will depend on a collective shift towards accountability. Ulti-mately, addressing this crisis requires more than enforcement. It demands a culture of compliance, where accountability is built into every stage of the building industry value chain."

In March, four people were killed and several others injured in the collapse of the first floor concrete slab of a two storey building at Amethyst Business Park in Ormonde, Johannesburg.

In his state of the province address two months ago, Western Cape premier Alan Winde said the police had completed their investigation into the May 6 2024 George building disaster, when a five storey block of flats under construction collapsed, killing 34 construction workers and injuring dozens more. He said the case docket is with the National Prosecuting Authority (NPA) for a decision on prosecution.

NPA Western Cape spokes-person Eric Ntabazalila said: "Please note that the NPA is considering the evidence. We are being thorough due to the nature of the evidence we are dealing with."

By Luyolo Mkentane
BusinessDay

DATA PRIVACY ARTICLES

SOUTH AFRICA

Surveillance crackdown in gated areas

Code targets estates, office parks and gated communities

Estates, gated communities and office parks face sweeping changes to security procedures as the Information Regulator calls for access-controlled areas to collect minimal visitor information and protect privacy.

The regulator has now published the Own Initiative Code of Conduct for Gated Access Areas, which will govern how gated-access environments handle per-sonal information to conform to the prescripts of the Protection of Personal Information Act (Popia).

The code applies to residential and commercial premises with access control. It is not a guidance note but a code of conduct, which carries much more weight than the former.

The regulator in the code of conduct says members of the public have raised concerns that the collection of personal information at gated access entry points is excessive.

“The regulator undertook research into the utilisation of closed-circuit camera (CCTV) surveillance and, in addition, considered complaints received in this regard. These collectively revealed certain access control practices of an intrusive nature, including the processing of biometric information such as the use of facial recognition systems for the purpose of positive identification of data subjects,” the draft code of conduct reads.

“Fur-ther-more, the deploy-ment of CCTV sur-veil-lance at access con-trol points res-ults in the cap-ture of facial images without the con-sent of data sub-jects and, at times, without their know-ledge or aware-ness.

“Such processing may constitute excessive collection and processing of personal information insofar as it is not relevant and limited to what is necessary for the legitimate purpose for which it is collected and accordingly warrants the imposition of appropriate regulatory measures to ensure compliance with provisions of Popia.”

Indiscriminate

Under the proposed code of conduct, visitor books must not be visible to others in a queue, and digital visitor management systems must encrypt data.

The code also prohibits indiscriminate copying of IDs and driving licences and keeping CCTV footage indefinitely.

Examples of processing of personal information that would be deemed excessive include the collection of multiple types of personal information of visitors or contractors.

These include full names, contact numbers, vehicle registrations, identity numbers or driving licence details, pictures, images and biometrics (fingerprints) for the single purpose of access control “where alternative means are available”.

Less excessive collection of information, according to the code, includes that people entering the gated access would need to provide only their names for comparison with their ID, passport or driving licence.

Other less excessive measures include issuing visitors’ vehicles enter-ing gated access points with special permits or detachable stickers to be checked on arrival and departure.

The public has until the end of this week to comment on the pro-posed code of conduct.

Ahmore BurgerSmidt, head of regulatory at Werksmans Attorneys, said the information regulator’s 2025/26 annual performance plan signals a firmer enforcement posture under Popia and a drive to modernise the Pro-mo-tion of Access to Information Act, with immediate implications for governance.

“Property, retail, edu-ca-tion, health-care and corporate campus operators should monitor the code of conduct process and undertake preemptive reviews of entry point collection practices, minimising collection to what is strictly neces-sary, securing storage, shortening retention and eliminating bulk ID scans and open vis-itor logs,” Burger-Smidt said.

“Early movement here will reduce retrofit cost when the code is finalised and signal good faith in public consultations.”

Pansy Tlakula, the regulator’s chair, said security breaches are rising.

“In the 2024/25 financial year, we received 1,727 reports of security compromise incidents. By the time the financial year 2025/26 draws to a close, we estimate that we would have received close to 2,500 reports for that financial year alone,” she wrote in the annual per-form-ance plan.

“It is evident that responsible parties remain vulnerable to lapses in the protection of personal information. In the 2025/26 financial year, the regulator will strengthen its capacity for handling security compromise mat-ters by reconfiguring internal units so that there is more conver-gence between highly skilled staff from the Popia and information technology divisions.”

By Kabelo Khumalo
BusinessDay

HEALTH AND SAFETY ARTICLES

SOUTH AFRICA

NUM calls for urgent safety intervention after deadly fall at Sibanye-Stillwater mine

The National Union of Mineworkers (NUM) has demanded accountability and an urgent safety intervention at Sibanye-Stillwater's Kloof No. 8 Shaft near Westonaria in Gauteng, following the deaths of two mineworkers who reportedly fell nearly 2 000 metres during a shaft examination operation.

The union said the tragedy, which happened on Sunday, May 3, exposed serious operational failures and renewed concerns over safety standards, subcontracting and working conditions in the mining sector.

The two workers were part of a subcontracted team preparing for a shaft examination at the time of the incident. NUM said it was deeply concerned that the work was being conducted outside the normally scheduled period for such examinations.

"This devastating incident again highlights the urgent need for heightened safety protocols and corporate accountability within the mining sector," the union said.

NUM said the mine must take full responsibility for the circumstances that led to the fatal incident, warning that systemic failures within mining operations continue to place workers at risk.

The union pointed to what it described as poor oversight during high-risk operations, growing dependence on subcontractors, deteriorating working conditions linked to labour brokering, and increasing production pressures that force workers to operate in unsafe environments.

"NUM has consistently warned that an excessive reliance on subcontractors undermines safety standards and exposes workers to unnecessary risks," the union said.

The union also accused mining companies of prioritising production over worker safety, saying employees are often expected to perform dangerous duties under difficult conditions and for lower wages.

NUM has called on the Department of Mineral and Petroleum Resources to launch what it described as a "thorough and transparent investigation" into the incident to ensure accountability.

It further demanded that operations at the affected shaft be halted immediately and subjected to a comprehensive safety audit before any work resumes.

"The safety and lives of mineworkers must always take precedence over production and profit," the union said.

Sibanye-Stillwater said counselling and support were being provided to the families and colleagues of the deceased mineworkers, while management and the board extended condolences.

"The family and colleagues of the deceased are receiving counselling, and the family will be provided with support during this difficult time. The Board and management of Sibanye-Stillwater extend their heartfelt condolences to the families, friends and colleagues of the deceased during this difficult time."

The company confirmed that a full investigation into the incident is underway, with all relevant stakeholders including organised labour and the Department of Mineral and Petroleum Resources notified in line with regulatory requirements.

It also said there was no damage to shaft infrastructure, but operations at the shaft have been suspended pending investigations.

NUM extended condolences to the families, colleagues and loved ones of the deceased mineworkers, describing the incident as a painful reminder of the dangers still faced by workers underground despite repeated calls for improved safety measures in the mining industry.

Masabata Mkwananzi
The Star

LABOUR ARTICLES

SOUTH AFRICA

Civil society demands deadline extension for 'flawed' whistleblower Bill

Ahead of the looming May 14 deadline for public submissions on the newly released Protected Disclosures Bill, a coalition of civil society organisations, led by Corruption Watch (CW), has called on the Department of Justice (DoJ) to extend the comment period for the Bill, citing "serious gaps" in the draft legislation.

Released last month by Justice and Constitutional Development Minister **Mmamoloko Kubayi**, the Bill aims to strengthen South Africa's whistleblower framework.

However, CW and its partners argue that the public has not been given enough time or information to provide meaningful input.

"We are of the view that there have not been sufficient public-facing endeavours by the DoJ to help make the process of submissions richer and more meaningful," the group stated.

While welcoming the efforts to protect those who report corruption, the civil society collective has identified several concerning areas in the current version of the Bill.

The main concern is the proposal to have a single retired judge, appointed by the President and overseen by the Ministry of Justice, handle whistleblower protection.

The organisations argue that this structure fails to provide the necessary independence, as the authority would still be under the influence of the Executive rather than reporting directly to Parliament.

Furthermore, the group argued that relying on one individual is "practically inadequate", noting that the Zondo Commission required years of work by multiple commissioners to document only a fraction of local State capture. The organisations also expressed concerns regarding the lack of clarity about the appointee's tenure.

The coalition – which includes the Council for the Advancement of the South African Constitution; Courage Hub SA; Open Secrets; Platform to Protect Whistleblowers in Africa-Southern Africa; Good Governance Africa; **Thandeka Gqubule-Mbeki** and **Martha Ngoye** – is demanding an overhaul of the proposed structure, arguing that the current draft does not meet the "lived reality" of whistleblowers, who often face extreme risks.

As an immediate, temporary solution, the group proposed that a retired Chief Justice be appointed to bridge the gap until formal legislation is passed.

Ultimately, it want the establishment of an independent, nation-wide Whistleblower Regulatory Authority that reports directly to Parliament, not the Executive, for complete independence.

The group highlighted that the proposed legislation also fails to provide emergency financial aid or immediate support timelines for whistleblowers.

It lacks a framework to suspend accused individuals during investigations, leaving informants completely exposed and consequently, terminated employees endure 12 to 18 months of total income loss before their cases are resolved.

They argue that ”financial starvation” is the primary tactic used to silence informants.

The group called for mandatory, immediate relief within 21 days for whistleblowers left unprotected by the current Protected Disclosures Act and temporary job restoration for dismissed informants while their cases are being evaluated.

They also called for the creation of a dedicated emergency fund to provide income support and for the provision of free legal counsel starting when the initial disclosure is made.

The group also noted that the risk of retaliation is not suitably addressed.

The group said with corruption largely centred in South African State institutions, public servants face the highest risks when exposing wrongdoing.

“Excluding them from financial rewards eliminates a crucial incentive for those most needed to blow the whistle, making it essential to align local laws with international practices that include public sector workers. Furthermore, incentive structures must expand beyond criminal convictions to include rewards for whistleblowing that leads to civil recoveries, asset forfeiture, and Special Investigating Unit actions,” they added.

The organisations argued that although the definition of "discloser" was broadened, the Bill remains “stuck in employer-employee frameworks” regarding its language, remedies, and structure.

This makes it difficult for essential civil society and media watchdogs to qualify as authorised persons, they argued, explaining that the legislation needs to be rewritten to align its language and functional design with its intended purpose.

The group pointed out that anonymous disclosure rights lack technical infrastructure and there is no immunity for evidence gathering.

The organisations also highlighted the lack of accountability for reprisals, saying while the proposed Bill prohibits workplace detriment and criminalises violations, it lacks practical, clear procedures for investigating and prosecuting reprisals.

To effectively protect whistleblowers and ensure accountability, the legislation needs stronger, more explicit mechanisms for handling intimidation and violence, ensuring these cases receive urgent, dedicated attention, they stressed.

By: Thabi Shomolekae
Polity

LIQUOR ARTICLES

SOUTH AFRICA

Gauteng liquor board in turmoil, urgent reforms needed

The DA in Gauteng has welcomed the release of a scathing report from the Gauteng Liquor Board's (GLB) Committee of Inquiry, which has unearthed significant governance challenges.

This comes as MEC for Finance and Economic Development, Vuyiswa Ramokgopa, released the report, with the MEC indicating it found irregularities in the issuing and renewal of liquor licenses.

According to the report, the governance framework of the Gauteng Liquor Board has collapsed amid allegations that consultants are running a parallel licensing structure in which they draft applications, manipulate files, and orchestrate approvals, often in direct collusion with insiders.

"The report is very far-reaching. It looks at the systemic failures. It looks at the governance failures. It speaks to the board itself, but it also speaks to the interface that we have as an authority, with municipalities as well as with law enforcement, and how we can strengthen some of those regulatory weaknesses currently."

The report, which had been submitted to Gauteng Legislature's Portfolio Committee on Economic Development and was made available to the MEC after she assumed office last month, also details the challenges at the GLB, including collusion between owners and inspectors.

One significant repercussion of these governance failures has been the backlog in processing liquor licenses. Ramokgopa pointed out that this delay has significantly contributed to the growth of illegal liquor outlets across the province.

"So, I think anybody who is operating in the liquor industry or who has engaged with the liquor industry can attest to some of the challenges that are faced. For example, we've seen a proliferation of illegal liquor outlets in many of our communities. There are about 200 000 estimated illegal operators in the liquor industry, which is a big issue around enforcement. Beyond that, there are also challenges around licensing, that have been raised in the report," she stated.

DA's provincial shadow MEC for economic development, Mike Moriarty, who has scrutinised the operational status of the liquor board, maintained that the GLB is in disarray and struggling to process liquor licence applications in a timely fashion.

Following delays in the report's release, Moriarty emphasised the urgent need for Ramokgopa to implement the report's recommendations urgently, to ensure proper management of the GLB, prevent potential job losses, and contribute to the growth of the province's economy.

“This report was concluded in October last year, but sat on the former MEC Lebogang Maile’s desk up until this point. It is unacceptable that a report should take so long and not be released to the public. The shortcomings of the GLB were obvious and did not require the cost of a committee. The former MEC really should have used his executive powers and acted.”

Some of the recommendations in the report include strengthening compliance monitoring and enforcement operations, reviewing suspicious and unlawfully issued licenses, strengthening consequence management mechanisms, and digitising and modernising licensing systems.

Siyabonga Sithole
The Star

PROCUREMENT ARTICLES

SOUTH AFRICA

Sars and NCC sign MOU to enhance compliance

The National Consumer Commission (NCC) and the SA Revenue Service (Sars) have concluded a Memorandum of Understanding (MOU) to enhance consumer protection against the proliferation of non-compliant goods entering the South African market.

The MOU aims to improve enforcement and promote consultation, collaboration, and enhanced information sharing, in line with both entities' respective mandates and to the extent permitted by law.

The MOU focuses on addressing non-compliant imports, improving tax and customs compliance, and protecting consumers from unsafe and substandard goods.

The agreement provides for joint investigations, information sharing, and coordinated awareness initiatives.

The MOU specifically aims to facilitate collaboration between the parties in addressing contraventions of section 26 of the Consumer Protection Act, 2008 (Act No. 68 of 2008), particularly in relation to the failure to issue invoices or the issuing of invoices that do not comply with statutory requirements, including the omission of VAT registration details.

It also establishes mechanisms for the NCC to report suspected contraventions of tax and customs legislation, including failures to register for tax and/or customs purposes.

The cooperation between the two institutions is expected to enhance enforcement efforts within the Clothing, Textile, Footwear, and Leather (CTFL) sector by identifying instances of evasion or avoidance of customs duties and taxes by importers and by implementing appropriate legal controls and interventions to address such conduct.

It further strengthens oversight in key sectors, including e-commerce imports, where the risks of mislabeling and regulatory non-compliance remain significant.

The Sars commissioner, Dr Johnstone Makhubu, endorsing the agreement signed by his predecessor, affirmed: "This partnership enhances our capacity to detect and act against non-compliant imports and tax evasion.

"It enables and aligns with the president's announcement in the State of the Nation Address (Sona) on the launch of the National Illicit Economy Disruption Programme that brings together key state agencies and other stakeholders, including the private sector.

"It enables us to protect the economy better while ensuring that all traders operate on a fair and lawful basis."

He further said: “The agreement forms part of our collaboration strategy, drawing on multiple MOUS with state entities to stem cross-border trade abuses.”

Echoing these sentiments, the acting commissioner of the NCC, Hardin Ratshisusu, stated that the MOU reinforced the NCC’S mandate to protect consumers.

He said: “Consumers have a right to safe, good-quality goods and fair market practices. This collaboration enables more effective action against prohibited conduct while improving accountability across the value chain.”

Sunday Tribune

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