15 – 19 June 2026

Dear Subscribers,

Gazette activity continues to move slowly, and as such, there is limited new regulatory content to report on or which warrant detailed analysis at this stage—aside from FICA updates, which we will be sharing with you shortly.

In the interim, we have included a selection of articles that we believe you may find of interest, including the details of sections 30A and 30B of the *Companies Amendment Act, 2024* now in force—and notably without a transitional period.

In this regard, please find a practical handbook and accompanying analysis prepared by Alison Lee on sections 30, 30A and 30B. This material formed part of a successful two-hour training session presented yesterday.

Should you be interested in receiving training on this topic, please feel free to reach out. We would be happy to arrange a session at a time convenient for you.

Please note that the handbook is intended as guidance only and does not constitute legal advice. The content is primarily applicable to public companies and state-owned companies (SOCs).

The Legal Team

15 – 19 June 2026

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ADVERTISING ARTICLES

SOUTH AFRICA

Woolworths tells people who signed up for its new rewards programme they can't unsubscribe from emails

MyDifference, the new rewards programme from Woolworths that replaces WRewards and MySchool, does not allow customers to opt out of marketing emails.

Woolworths recently started notifying customers that their WRewards and MySchool cards would stop working and that they must switch to the new MyDifference programme.

While the loyalty programmes are functionally identical, with MyDifference only adding more features, there was one catch — marketing communications.

Early adopters of the MyDifference programme wrote to MyBroadband to complain about receiving frequent marketing emails which they could not unsubscribe from.

Upon contacting Woolworths's customer support, the retailer confirmed that MyDifference members could not unsubscribe from the programme's emails.

"Please note that when you join MyDifference, you will receive all communications related to the programme," a customer support representative said.

"If you choose to be removed from MyDifference, you will no longer receive the instant discounts and other benefits associated with it."

Simply put, the choice was either to continue receiving direct marketing and other emails from Woolworths or to cancel your MyDifference profile and lose out on the discounts it offers.

One customer who wrote to MyBroadband said they received near-daily MyDifference promotional emails a few months ago after signing up for the new programme.

The frequency then became about four or five emails per month. However, since May, MyDifference appears to have sent only one promotional email per month.

Interestingly, Woolworths included an unsubscribe link in its 29 April MyDifference newsletter. After that, the frequency of MyDifference emails reduced.

MyBroadband contacted Woolworths for comment regarding its policy on direct marketing emails for MyDifference members, but it did not respond by publication.

While Woolworths launched MyDifference in June 2025 and cashiers have been letting customers know they need to switch, the retailer only recently set a switch-off deadline for its old loyalty cards.

This marks the end of Woolworths' original loyalty programme, which began as the MySchool initiative in 1997.

The change will also impact Discovery Vitality members. When existing WRewards and MySchool cards stop working at the end of the month, Vitality will no longer receive the data needed to reward customers.

Therefore, to continue earning HealthyFood Vitality rewards, Discovery clients must switch to the new MyDifference programme.

Consolidating in the Woolies app

Woolworths' MySchool and WReward loyalty cards worked in tandem, allocating a percentage of customers' spending to their chosen causes and granting access to specials.

With the MyDifference programme, these benefits remain, but customers also get access to instant discounts, similar to loyalty schemes like Pick n Pay's SmartShopper and Checkers's Xtra Savings.

MyDifference will work through a physical and virtual rewards card. However, to access all benefits, customers must download the app and register for the programme.

Members who use the physical card without linking it to the app will only receive instant savings on selected items when shopping in-store or online.

They will not receive personalised or exclusive app-only rewards or other benefits associated with the MyDifference programme.

For Discovery clients, Woolworths said once customers have signed up for the app, they will see that they are linked and will continue earning HealthyFood Vitality rewards.

The card can be scanned at any Woolworths, Country Road, Trenery, Witchery, selected WCafés, NOW NOW, or other partner stores in South Africa.

MyDifference reward levels are determined by how much a member spends at Woolworths and its various store brands. The levels operate at thresholds of R0, R12,000, and R36,000 per year.

Woolworths noted that the annual spend is calculated from the first to the last day of each calendar year and is based on swiping or scanning the MyDifference card.

Upgrades to higher reward levels happen automatically once a customer hits the required spend. Downgrades only occur once a year. The reward levels are as follows:

Loyal — spent less than R12,000 per year

Ambassador — spent R12,000–R35,999 per year

VIP — spent over R36,000 per year

Customers can give back to their linked causes every time they use their MyDifference card, at no cost to them. The benefits of each tier are summarised in the table below.

Loyal	Ambassador	VIP
Instant savings	Access to all Loyal benefits	Access to all Loyal and Ambassador benefits
Access to promos	No change	Early access to online promos
Earn at least 4 vouchers per year	Earn at least 16 vouchers per year	Earn at least 24 vouchers per year
Unlock select Play & Win games	Unlock all Play & Win games	Access to Play & Win bonus games
—	Access to shopping goals to earn more rewards	Request extra goals once you have achieved your allocated goals
—	—	Exclusive invitations to events and more

By Jan Vermeulen
Mybroadband

AVIATION ARTICLES

SOUTH AFRICA

No BEE rules for international airlines, court affirms

- **The entity that issues licences for airlines travelling into and out of South Africa may not apply BEE criteria.**
- **This was affirmed by the Pretoria High Court after Sakeliga claimed that the International Air Service Licensing Council had overreached on its mandate.**
- **Sakeliga approached the court after industry members expressed concern about the licensing authority's application of BEE criteria.**
- **For more financial news, visit News24 Business.**

The entity that adjudicates licence applications for international airlines flying into and out of South Africa may not apply BEE criteria during this process, the Pretoria High Court has affirmed.

Non-profit Sakeliga approached the court last year, claiming that the International Air Service Licensing Council (IASC) unlawfully applied BEE requirements when adjudicating air service licenses in 2023 and 2024.

The IASC is a statutory body responsible for granting licences to airlines flying into and out of the country and for ensuring that these airlines meet certain operational and safety standards.

Sakeliga CEO Piet le Roux told News24 that private and diplomatic representatives had expressed concerns to Sakeliga about the IASC's application of BEE requirements.

News24 has spoken to several diplomatic and aviation sources in recent months, who confirmed that there have been long-standing concerns about the application of BEE criteria on foreign airlines.

Le Roux said the representatives approached Sakeliga after it announced that it would litigate against similar BEE demands in domestic air services licensing.

Following these discussions, Sakeliga submitted a Promotion of Access to Information request to the IASC. Among other documents, Sakeliga obtained IASC meeting minutes from December 2023 to March 2024.

Sakeliga attached these minutes, which had certain information redacted, including the names of the airlines mentioned, to its notice of motion and founding affidavit.

Le Roux said that among the visible portion of the document showed that the IASC had requested an airline to provide B-BBEE verification certificates, "B-BBEE future plans", and a "B-BBEE plan", as part of adjudicating international air service licence applications and amendments.

In so doing, Sakeliga argued that the IASC was overreaching its authority by applying sections of the B-BBEE Act. It said the IASC is a statutory body established under the International Air Services Act. It said that transformation requirements fall outside the purview of the International Air Services Act.

Sakeliga approached the Pretoria High Court in October 2025, shortly after it won a **similar case** against the licensing entity that adjudicated local air service licences, to argue that the IASC has overstepped its mandate.

Sakeliga said Transport Minister Barbara Creecy, who was a party to the case, indicated last year that she did not intend to oppose the application. The evidence obtained by Sakeliga predates Creecy's tenure as Transport Minister.

The IASC indicated that it did not intend to oppose Sakeliga's application earlier this year.

The matter was therefore unopposed.

The court order handed down on 5 June stated that the IASC's decision to apply criteria outside the International Air Services Act in adjudicating licence decisions is set aside and declared unlawful.

Department of Transport spokesperson Collen Msibi told News24 that the department needed more time to provide a substantive response on the matter.

In the interim, he indicated that there is no domestic ownership requirement for international airlines in South Africa.

This article was updated with comment from the Department of Transport.

William Brederode
News24

CUSTOMS AND EXCISE ARTICLES

SOUTH AFRICA

SA loses billions over meat export delays

SA's meat industry says it is losing billions in export opportunities as delays in government approvals and certification processes continue to block access to markets where buyers are already willing to trade.

The warning comes as Italy shows growing interest in the country's beef and agricultural products, raising hopes for new export opportunities, according to Business Day.

However, the Association of Meat Importers and Exporters of Southern Africa (Amie) says new markets will have limited value if the government cannot resolve delays affecting existing export channels. Amie chair Mark Luff said SA's lamb exports to Qatar have been stalled for two years after the country suspended imports in June 2024.

According to Amie, buyers are ready to resume purchasing, but the renegotiation and approval process has not been completed. The association said similar delays are affecting other Middle East markets, including Dubai and Bahrain, as well as Mauritius, where exporters are waiting for outstanding government-to-government processes and veterinary approvals.

Department of Agriculture director for animal health Mpho Maja said export certification processes are determined by the requirements of individual importing countries, and changes to those requirements can require updates to approvals and certification processes.

Market researcher IMARC has found that SA's overall meat market was worth $6.5bn (almost R106bn) last year and is projected to reach $7.8bn by 2034 (a growth rate of 1.88% during 2026 to 2034).

Italian officials have identified opportunities to build integrated value chains with SA, however, foot-and-mouth disease concerns and strict EU sanitary and phytosanitary requirements remain barriers to large-scale exports.

Amie said unresolved veterinary and certification issues are increasing costs across the supply chain. Some foreign authorities have already engaged SA, accepted conditions or provided required documentation, but exporters remain dependent on final approvals from the Department of Agriculture.

Full Business Day report

FOODSTUFFS ARTICLES

SOUTH AFRICA

Beer tax plan will drive illicit trade – SAB

SAB says the beer industry risks being overrun by the black market if the National Treasury follows through on its plan to hike taxes by 20% for beer with higher alcohol content in a bid to channel consumers to low-alcohol beers.

The proposal will see beer with 4%-6% alcohol by volume attract higher taxes, leading to big hikes in the prices of popular SAB brands including Castle Lager, Black Label, Hansa Pilsner and Castle Milk Stout.

In its submission to the National Treasury, SAB said illicit beers are already 37% cheaper and the proposal will widen the price gap further, force consumers to the illicit market and create instability in the standard beer segment, which remains the backbone of excise revenue, according to The Herald.

The submission says one of the fatal flaws in the proposal is that it assumes consumer behaviour will immediately shift to lower-alcohol-by-volume products. 'A 20% excise increase on a standard beer would intensify affordability pressures – reinforcing down-trading behaviour and increasing the risk of substitution toward illicit alcohol,' the submission reads. 'The 55% increase in the last five years in volume of illicit alcohol has increased competition with legal beer.

The excise policy environment remains key to protecting legal taxed beer from further competition with illicit alcohol.' Zoleka Lisa, SAB vice-president of corporate affairs, said: 'SA cannot tax its way to better public health outcomes if illegal alcohol fills the gap.'

The Southern African Alcohol Policy Alliance supports the proposed system, with campaign director Nomcebo Dlamini saying SA cannot continue to treat alcohol primarily as a revenue source while communities face escalating harm.

Full report in The Herald

LABOUR ARTICLES

SOUTH AFRICA

SA firms face retaliatory pressure

SA companies with operations across Africa are facing mounting pressure as anti-immigrant protests in the continent's largest economy trigger diplomatic tensions and calls for action against their businesses, reports News24.

Mobile-phone operator MTN Group has dispatched a senior executive to meet officials in Ghana and is supporting Nigerians repatriated from SA, while Standard Bank Group, the continent's biggest lender, says it is closely monitoring developments.

Gold Fields, which operates the Tarkwa gold mine in Ghana, is navigating a tougher policy environment as authorities push for greater local participation in the mining sector and now risks coming under further political pressure.

The growing backlash against anti-immigrant protests illustrates the risks faced by SA corporations with continent-wide operations. The dispute has intensified in recent days, with Ghana's Foreign Minister Samuel Okudzeto Ablakwa calling on the African Union to debate the treatment of African migrants in SA.

In Nigeria, Foreign Affairs Minister Bianca Odumegwu-Ojukwu indicated that the government is considering possible measures against SA following the repatriation of Nigerian citizens.

And in Ghana, activists are pressing authorities to take a harder line against SA companies operating in the country.

The risk is particularly acute for SA firms whose growth depends on operations beyond their home market.

MTN's Nigerian business is its largest, Standard Bank is present in more than a dozen African countries and Gold Fields' Tarkwa mine in Ghana ranks among its most important assets. Ebenezer Asante, MTN's senior vice president for markets, has been sent to meet Ghana's Foreign Affairs and Trade Ministers.

In Nigeria, the company is working with authorities to support 1 350 citizens who returned from SA on a charter flight last week, providing them with SIM cards, data and a cash grant.

Full News24 report

Bill proposes R1m fine for illegally hiring foreigners

Employers who fail to comply with proposed legislation on the employment of foreign nationals in SA could face fines of up to R1m.

This is one of the key proposals in the Employment Services Amendment Bill, gazetted on 26 May and approved by the Cabinet for introduction to Parliament.

If enacted, the Bill would require employers to fundamentally reassess their hiring practices around foreign workers.

In his address to the nation on Sunday, President Cyril Ramaphosa highlighted the country's illegal immigration crisis and outlined the government's response. He said the Bill would address loopholes in the law and ensure citizens were first in the queue for employment. Ramaphosa said the Bill empowers the Minister to set quotas in respect of the employment of foreign nationals in any economic sector or occupational category.

The President described SA's immigration laws as fragmented and often contradictory. He said this created loopholes that were exploited by illegal immigrants.

The Employment Services Amendment Bill seeks to amend the Employment Services Act of 2014.

Its objectives include promoting employment, growth and productivity within SA, while facilitating access to work opportunities for vulnerable job seekers.

It seeks to empower the Minister of Labour & Employment to make regulations on the employment of foreign nationals and the operation of private employment services. Employers will be required to ensure that no SA citizens or permanent residents with the necessary skills are available before hiring foreign nationals.

Furthermore, employers must ensure that the terms and conditions of employment for foreign nationals are not inferior to those provided to SA citizens.

Under existing law, asylum seekers and refugees enjoy the same status as South Africans and the Bill does not seek to change this.

Full News24 report

LEGAL ARTICLES

SOUTH AFRICA

Please Call Me' battle erupts as funder Errol Elsdon takes on Makate in court

The man who claims to have bankrolled Nkosana Makate's landmark "Please Call Me" litigation against Vodacom has hit back, hard, announcing defamation proceedings against Makate and vowing to expose, in open court, the full financial architecture behind one of South Africa's most celebrated corporate battles.

Errol Elsdon, a businessman and former director of Black Rock Mining Ltd, confirmed on Wednesday that he has instructed his attorneys to institute defamation action against Makate, following statements published on June 7, 2026, in which Elsdon says he was falsely portrayed as a fraudster.

"I was willing to be called many things when I agreed to fund this case," Elsdon said in a press statement. "A criminal was never one of them. I will not be branded a criminal for honouring a contract, and I will answer that accusation where it belongs: in court."

The "Please Call Me" saga has long been framed as the story of a lone underdog taking on a telecoms giant, Makate, a former Vodacom employee who claims he invented the service without compensation, eventually securing a settlement reported at one billion rand. But Elsdon's statement sharply contests that narrative.

According to Elsdon, when Makate first approached him and the late Christiaan Schoeman in 2011, the claim was unfunded, untested, and stalled. More critically, Elsdon alleges that the original legal framing of the case was fundamentally flawed, and that the cause of action was "substantially reworked" over the weeks following their first meeting before any funding was committed.

"This was never simply David against Goliath," the statement reads. "This 'David' was backed, from the outset, by a team of funders through Black Rock."

The funding, Elsdon insists, was not a solo venture. Capital was raised from a group of private backers, alongside arms-length institutional funding partners. A professional legal team was retained, partly on a contingency basis. Crucially, he says, the money was advanced entirely at risk, meaning that had the case against Vodacom failed, those who put up the capital would have recovered nothing.

"The funding was not one man's money, and Black Rock was not one man's pocket," Elsdon said.

The dispute now before the High Court centres on the proceeds of the Vodacom settlement and whether Black Rock, as the nominated funding vehicle, is entitled to its contractual share.

Elsdon's position rests on a written funding agreement concluded in 2011, under which Black Rock was designated the funding party. He says an arbitrator has since confirmed that Black Rock was the only entity validly nominated under that agreement, and that the nomination was never cancelled.

"What is in issue is not whether that agreement was made," the statement reads, "but Makate's attempt, years later, to escape its terms."

Makate has reportedly characterised the enforcement of the agreement as extortion, an allegation Elsdon rejects with visible indignation.

"Extortion is a demand for something you have no right to," Elsdon said. "A funding agreement is the opposite: a contract, freely signed, under which those who take the risk share in the result. Asking to be held to the very terms that brought a claim to court is not a threat. It is how litigation finance works the world over."

Some scrutiny has fallen on Black Rock's registration in the British Virgin Islands, and on a period during which the company was deregistered, reportedly over an unpaid annual fee.

Elsdon's statement dismisses this as an administrative lapse. He notes that the company was subsequently restored, and that under BVI law, restoration is treated as though the deregistration never occurred. He adds that the original nomination of Black Rock predated the lapse in any event.

"These are technical questions, now properly before the courts," the statement reads.

For Elsdon, the defamation claim is as much about vindicating a business model as it is about personal reputation. Litigation funding, where third parties finance legal claims in exchange for a share of any award, remains relatively uncommon in South Africa compared to jurisdictions such as the United Kingdom and Australia, though its use is growing.

He argues that without such funding, meritorious claims by ordinary South Africans would never reach the courts.

"Without it, this claim, like many meritorious claims before it, would never have seen the light of day," he said.

With the matter now set to be ventilated in a public forum, Elsdon says the full record of who did what and at whose financial risk will be laid bare for the first time.

"For years, this story has been told in a single voice," he said. "Now the evidence and documents will speak for themselves."

He offered a final, pointed summation of his position: "I helped a man who had nothing turn a stalled and unfunded claim into a landmark result. I ask only that Black Rock be held to the agreement that made it possible."

Karabo Ngoepe
IOL

END