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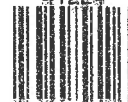
PART 1 OF 2

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DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NQ. 1161

03 NOVEMBER 2017

ADMINISTRATION OF ESTATES ACT, 1965 (ACT NO. 66 OF 1965)

AMENDMENT OF REGULATIONS

The Minister of Justice and Correctional Services has, under section 103 of the Administration of Estates Act, 1965 (Act No. 66 of 1965), made the regulations in the Schedule.

SCHEDULE

Definitions

1. In this Schedule "the Regulations" means the regulations published by Government Notice No. R. 473 of 24 March 1972, as amended by Government Notices Nos. R. 817 of 13 May 1977, R. 1209 of 13 June 1980, R. 2542 of 20 November 1981, R. 2482 of 1 November 1985, R. 655 of 11 April 1986, R.2738 of 11 December 1987, R. 610 of 31 March 1989, R. 1208 of 9 June 1989, R.1921 of 17 August 1990, R. 1602 of 1 July 1991, R. 1672 of 12 July 1991, R. 1539 of 13 August 1993, R. 64 of 14 January 1994, R. 1341 of 12 August 1996, R. 365 of 7 March of 1997, R. 1002 of 12 October 2001 and R. 1057 of 5 November 2009.

Amendment of Schedule 2 to the Regulations

2. Schedule 2 to the Regulations is hereby amended by—
- (a) the substitution for subparagraph (1) of paragraph 1 of the following subparagraph:
- "(1) On all estates of deceased persons or estates under curatorship or administration in terms of the Mental Health Care Act, 2002 (Act No. 17 of 2002), (except estates under the custody of an interim curator pending the appointment of an executor) the gross value of which according to the executor's or curator's account—
- (a) is R250 000 or more but less than R400 000: R600;
- (b) is R400 000 or more for each complete further R100 000 with which the gross value exceeds R400 000, a further R200;
- subject to a maximum fee of R7 000.

Where the deceased was one of two spouses married in community of property the said fees shall be assessed upon the gross assets of the joint estate.”;

- (b) the substitution for subparagraph (1) of paragraph 2 of the following subparagraph:
- “(1) (a) For a copy of any document preserved in the office of a Master, R25,00 per document pack shall be paid.
- (b) For a certified copy of any document preserved in the office of a Master, R50, 00 per document pack of certified copies shall be paid.
- (c) For an electronic copy of any document preserved in the office of a Master, when it is made in such office, and if it is available, no fee is payable.”.
- (d) by the insertion after subparagraph (2) of paragraph 2 of the following subparagraph:
- “(3) For purposes of subparagraph (1), “document pack” means any document, irrespective of the number of pages, which constitutes a complete document which can be read on its own.”.

Commencement

3. The provision of these regulations come into operation on 1 January 2018 and shall apply only to the estate of persons who die on or after 1 January 2018 and to estates under curatorship or administration where the date of the final appointment of a *curator bonis* or administrator is on or after 1 January 2018

DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING

NO. 1161

03 NOVEMBER 2017

BOEDELWET, 1965 (WET NO. 66 VAN 1965)

WYSIGING VAN REGULASIES

Die Minister van Justisie en Korrektiewe Dienste het, kragtens artikel 103 van die Boedelwet, 1965 (Wet No. 66 van 1965), die regulasies in die Bylae uitgereik.

BYLAE

Woordomskrywing

1. In hierdie Bylae beteken "die Regulasies", die regulasies gepubliseer by Goewermenskennisgewing No. R 473 van 24 Maart 1972, soos gewysig deur Goewermenskennisgewings Nos. R. 817 van 13 Mei 1977, R. 1209 van 13 Junie 1980, R. 2542 van 20 November 1981, R. 2482 van 1 November 1985, R. 655 van 11 April 1986, R.2738 van 11 Desember 1987, R. 610 van 31 Maart 1989, R. 1208 van 9 Junie 1989, R.1921 van 17 Augustus 1990, R. 1602 van 1 Julie 1991, R. 1672 van 12 Julie 1991, R. 1539 van 13 Augustus 1993, R. 64 van 14 Januarie 1994, R. 1341 van 12 Augustus 1996, R. 365 van 7 Maart 1997, R. 1002 van 12 Oktober 2001 en R. 1057 van 5 November 2009.

Wysiging van Bylae 2 tot die Regulasies

2. Bylae 2 tot die Regulasies word hierby gewysig—
- (a) deur subparagraaf (1) van paragraaf 1 deur die volgende subparagraaf te vervang;
- "(1) Op alle boedels van oorlede persone of op boedels onder kuratesie of administrasie ingevolge die 'Mental Health Care Act, 2002' (Wet No. 17 van 2002) (uitgesonderd boedels wat in afwagting van die aanstelling van 'n eksekuteur in die bewaring van 'n tussentydse kurator is), waarvan die totale bruto waarde volgens die eksekuteurs- of kuratorsrekening—
- (a) R250 000 of hoër maar minder as R400 000 is: R600;
- (b) R400 000 of hoër vir elke verdere volle R100 000 waarmee die bruto waarde R400 000 oorskry, 'n verdere R200;
- behoudens 'n maksimum van R7 000.

Waar die oorledene een van twee gades was wat in gemeenskap van goed getroud was, word voormelde gelde op die bruto bates van die gesamentlike boedel gehef.”;

(b) deur subparagraaf (1) van paragraaf 2 deur die volgende subparagraaf te vervang:

“(1) (a) Vir ’n afskrif van ’n dokument wat in die kantoor van ’n Meester bewaar word, moet R25,00 per dokumentstel betaal word.

(b) Vir ’n gesertifiseerde afskrif van ’n dokument wat in die kantoor van ’n Meester bewaar word, moet R50,00 per stel dokumentstel van gesertifiseerde afskrifte betaal word.

(c) ’n Elektroniese afskrif van ’n dokument wat in die kantoor van ’n Meester bewaar word, wanneer dit in daardie kantoor gemaak word en indien dit beskikbaar is, is gratis.”.

(d) deur die volgende subparagraaf na subparagraaf (2) van paragraaf 2 in te voeg:

“(3) By die toepassing van subparagraaf (1), beteken "dokumentstel" enige dokument, ongeag die getal bladsye, wat ’n volledige dokument is wat op sy eie gelees kan word.”.

Inwerkingtreding

3. Hierdie Regulasie tree in werking op 1 Januarie 2018 en is slegs van toepassing op die boedels van persone wat op of na 1 Januarie 2018 gesterf het en op boedels onder kuratorskap of administrasie waar die finale aanstelling van die *curator bonis* of die administrateur plaasgevind het op of na 1 Januarie 2018.

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. 1162

03 NOVEMBER 2017

TRUST PROPERTY CONTROL ACT, 1988 (ACT NO. 57 OF 1988)
AMENDMENT OF REGULATIONS

The Minister of Justice and Correctional Services has, under section 24 of the Trust Property Control Act, 1988 (Act No.57 of 1988), made the regulations in the Schedule.

SCHEDULE**Definitions**

1. In this Schedule "the Regulations" means the regulations published by Government Notice No. R. 1540 of 13 August 1993, as amended by Government Notice No. R. 1056 of 5 November 2009.

Substitution of regulations 2 and 3 of the Regulations

2. Regulations 2 and 3 of the Regulations are hereby substituted for the following regulations:

"Fees payable at lodgement of trust instrument

2. The fee which is payable to the Master in terms of section 4 of the Act at the lodgement of a trust instrument shall be R250, 00 in respect of each trust instrument, which shall be payable in the manner as determined administratively by the Director-General: Justice and Constitutional Development and proof of such payment shall be submitted to the Master together with the trust instrument which shall be retained by the Master.

Fees payable for the making and certifying of copies of documents

3. (1) The fee which is payable to the Master in terms of section 18 of the Act for –

(a) a copy of any document under his or her control relating to trust property shall be R25,00 per document pack; and

(b) a certified copy of any document under his or her control relating to trust property shall be R50,00 per document pack of certified copies, which shall be payable in the manner as determined administratively by the Director-General: Justice and Constitutional Development and proof of such payment shall be submitted to the Master together with the written request of, or rendering by, the Master of the service in question.

(2) For an electronic copy of any document preserved in the office of a Master, when it is made in such office, and if it is available, no fee is payable.”.

(3) For purposes of subparagraph (1), “document pack” means any document, irrespective of the number of pages, which constitutes a complete document which can be read on its own.”.

Commencement

3. The Regulations come into operation on 1 January 2018 and the provisions of regulations 2 and 3 of these Regulations shall apply to trusts which are registered on or after 1 January 2018.

DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING

NO. 1162

03 NOVEMBER 2017

WET OP BEHEER VAN TRUSTGOED, 1988 (WET NO. 57 VAN 1988)
WYSIGING VAN REGULASIES

Die Minister van Justisie en Korrektiewe Dienste het, kragtens artikel 24 van die Wet op die Beheer van Trustgoed, 1988 (Wet No. 57 van 1988), die regulasies in die Bylae uitgevaardig.

BYLAE**Woordomskrywing**

1. In hierdie Bylae beteken "die Regulasies" die regulasies gepubliseer by Goewermentskennisgewing No. R 1540 van 13 Augustus 1993, soos gewysig by Goewermentskennisgewing No. R. 1056 van 5 November 2009.

Vervanging van regulasies 2 en 3 van die Regulasies

2. Regulasies 2 en 3 van die Regulasies word hierby deur die volgende regulasies vervang:

"Gelde betaalbaar by indiening van trustdokument

2. Die gelde wat ingevolge artikel 4 van die Wet by die indiening van 'n trustdokument aan die Meester betaalbaar is, is R250,00 ten opsigte van elke trustdokument, en is betaalbaar op die wyse soos administratief deur die Direkteur-generaal: Justisie en Staatkundige Ontwikkeling bepaal en bewys van sodanige betaling moet aan die Meester gelewer word saam met die trustdokument wat deur die Meester gehou word.

Gelde betaalbaar vir die maak en sertifiseer van afdrucke van dokumente

3. (1) Die gelde wat ingevolge artikel 18 van die Wet aan die Meester betaalbaar is--

(a) vir 'n gesertifiseerde afskrif van enige dokument onder sy of haar beheer wat op trustgoed betrekking het, is R25,00 per dokumentstel; en

(b) 'n gesertifiseerde afskrif van enige dokument onder sy of haar beheer in verband met trusteiendom, is R50,00 per dokumentstel van gesertifiseerde afskrifte,

en is betaalbaar op die wyse soos administratief deur die Direkteur-generaal: Justisie en Staatkundige Ontwikkeling bepaal en bewys van sodanige betaling moet aan die Meester gelewer word saam met die skriftelike versoek waarin, of lewering deur, die Meester van die betrokke diens.

(2) 'n Elektroniese afskrif van enige dokument wat in die kantoor van 'n Meester bewaar word, wanneer dit in daardie kantoor gemaak word en indien dit beskikbaar is, is gratis.

(3) By die toepassing van subparagraaf (1), beteken "dokumentstel" enige dokument, ongeag die getal bladsye, wat 'n volledige dokument is wat op sy eie gelees kan word."

Inwerkingtreding

3. Die Regulasies tree in werking op 1 Januarie 2018 en die bepalings van Regulasies 2 en 3 is net van toepassing op trusts geregistreer op of na 1 Januarie 2018.

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. 1163

03 NOVEMBER 2017

INSOLVENCY ACT, 1936 (ACT NO. 24 OF 1936)

AMENDMENT OF THE THIRD SCHEDULE

Under section 153(1)*bis* of the Insolvency Act, 1936 (Act No. 24 of 1936), I, Tshililo Michael Masutha, Minister of Justice and Correctional Services, hereby amend the Third Schedule to the said Act—

(a) by the substitution for items 1 and 2 of the following items:

1. On all insolvent estates under final sequestration the total gross value of the assets according to the trustee's liquidation and distribution account and/or contribution account of which -	
	R
(a) is R5 000 or more, but less than R50 000	250,00
(b) is R50 000 or more, but less than R150 000	1 000
(c) is R150 000 or more, for each complete further R5 000 when the gross value exceeds R150 000, a further	275,00
subject to a maximum fee of	275 000,00
2.	
(a) For a copy of any document preserved in the office of a Master, a fee of R25,00 per document pack shall be paid.	
(b) For a certified copy of any document preserved in the office of a Master, R50,00 per document pack of certified copies shall be paid.	
(c) For an electronic copy of any document preserved in the office of a Master, when it is	

made in such office, and if it is available, no fee is payable.”;

and

(b) by the insertion after item 2 of the following item:

2A. “For purposes of item 2, “document pack” means any document, irrespective of the number of pages, which constitutes a complete document which can be read on its own.”.

Commencement

The amendments to the Third Schedule come into operation on 1 January 2018 and the provisions of Items 1 and 2 of the Third Schedule shall only apply to the insolvent estates whose final court order is granted on or after 1 January 2018.

DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING

NO. 1163

03 NOVEMBER 2017

INSOLVENSIEWET, 1936 (WET NO. 24 VAN 1936)

WYSIGING VAN DERDE BYLAE

Kragtens artikel 153(1)*bis* van die Insolvensiewet, 1936 (Wet No. 24 van 1936), wysig ek, Tshililo Michael Masutha, Minister van Justisie en Korrektiewe Dienste, hierby die Derde Bylae tot die genoemde Wet—

(a) deur items 1 en 2 deur die volgende items te vervang:

1. Op alle insolvente boedels onder finale sekwestrasie waarvan die totale bruto waarde van die bates volgens die kurator se likwidasië- en distribusierekening en/of kontribusierekening—	
	R
(a) R5 000 of hoër is, maar minder as R50 000	250,00
(b) R50 000 of hoër is, maar minder as R150 000	1 000
(c) R150 000 of hoër is, vir elke verdere R5 000 wanneer die bruto waarde R150 000 oorskry, 'n verdere	275,00
behoudens 'n maksimum van	275 000,00
2.	
(a) Vir 'n afskrif van 'n dokument wat in die kantoor van 'n Meester bewaar word, moet 'n bedrag van R25,00 per dokumentstel betaal word.	
(b) Vir 'n gewaarmerkte afskrif van 'n dokument wat in die kantoor van 'n Meester bewaar word, moet R50,00 per dokumentstel van gewaarmerkte afskrifte betaal word.	
(c) Vir 'n elektroniese afskrif van 'n dokument wat in die kantoor van 'n Meester bewaar	

word, wanneer dit in sodanige kantoor gemaak word, en indien dit beskikbaar is, is gratis.”;

en

(b) deur die volgende item na item 2 in te voeg:

“2A. By die toepassing van item 2 beteken “dokumentstel” enige dokument, ongeag die getal bladsye, wat ’n volledige dokument is wat alleen gelees kan word.”.

Inwerkingtreding

Die wysigings aan die Derde Skedule tree in werking op 1 Januarie 2018 en die bepalings van Items 1 en 2 van die Derde Skedule is slegs van toepassing op insolvente boedels waar die finale hofbevel gemaak is op of na 1 Januarie 2018.

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. 1164

03 NOVEMBER 2017

REGULATIONS IN TERMS OF SECTION 15 OF THE COMPANIES ACT, 1973 (ACT NO. 61 OF 1973)

The Minister of Justice and Correctional Services has, in consultation with the Minister of Finance, under section 15 of the Companies Act, 1973 (Act No. 61 of 1973), read with Item 9 of Schedule 5 of the Companies Act, 2008 (Act No. 71 of 2008) and regulation 41 of the Companies Regulations, 2011, made the regulations contained in the Schedule.

SCHEDULE**Definitions**

1. In this Schedule "the Regulations" means the regulations published by Government Notice No. R.2490 of 28 December 1973, as amended by Government Notices Nos. R 1424 of 11 July 1980, R1682 of 29 July 1983, R612 of 31 March 1989, R. 1922 of 17 August 1990, R1542 of 13 August 1993, R417 of 31 March 1999 and R1070 of 9 November 2009.

Amendment of Annexure CM 103 to the Regulations

2. Paragraphs 1, 2 and 3 of Annexure CM 103 to the Regulations are hereby substituted for the following paragraphs:

"1. On all companies in final liquidation the total gross value of the assets according to the liquidator's liquidation and distribution account and/or contribution account of which —

	R
(a) is R5 000 or more, but less than R50 000,00:	250,00

(b) is R50 000,00 or more, but less than R150 000,00:	1 000,00
(c) is R150 000,00 or more, for each complete further R5 000 when the gross value exceeds R150 000, 00 a further:	275, 00,
subject to a maximum fee of:	275 000,00.

2. (1) (a) For a copy of any document preserved in the office of a Master, R25,00 per document pack shall be paid.

(b) For a certified copy of any document preserved in the office of a Master, R50, 00 per document pack of certified copies shall be paid.

(c) For an electronic copy of any document preserved in the office of a Master, when it is made in such office, and if it is available, no fee is payable. ”.

(2) For purposes of subparagraph (1), “document pack” means any document, irrespective of the number of pages, which constitutes a complete document which can be read on its own.”.

Commencement

3. The provision of these regulations come into operation on 1 January 2018 and shall apply only to the companies in final liquidation where the final court order is made or the voluntary resolution with the Companies and Intellectual Property Commission is registered on or after 1 January 2018.

DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING

NO. 1164

03 NOVEMBER 2017

REGULASIES INGEVOLGE ARTIKEL 15 VAN DIE MAATSKAPPYWET, 1973 (WET NO. 61 VAN 1973)

Die Minister van Justisie en Korrektiewe Dienste het, in ooreenstemming met die Minister van Finansies, kragtens artikel 15 van die Maatskappywet, 1973 (Wet No. 61 van 1973), gelees met Item 9 van Bylae 5 van die Maatskappywet, 2008 (Wet No. 71 van 2008) en regulasie 41 van die Maatskappyregulasies, die regulasies in die Bylae vervat, uitgevaardig.

BYLAE**Woordomskrywing**

1. In hierdie Bylae beteken "die Regulasies" die regulasies gepubliseer by Goewermentskennisgewing No. R.2490 van 28 Desember 1973, soos gewysig deur Goewermentskennisgewings No's. R 1424 van 11 Julie 1980, R1682 van 29 Julie 1983, R612 van 31 Maart 1989, R. 1922 van 17 Augustus 1990, R1542 van 13 Augustus 1993, R417 van 31 Maart 1999 en R1070 van 9 November 2009.

Wysiging van Aanhangsel CM 103 tot die Regulasies

2. Paragrafe 1, 2 en 3 van Aanhangsel CM 103 tot die Regulasies, word hierby deur die volgende paragrafe vervang:

"1. Op alle maatskappye in finale likwidasië is die totale bruto waarde van die bates volgens die likwidateur se likwidasië- en verspreidingsrekening en/of bydraerekening waarvan:—

	R
(a) R5 000 of hoër, maar minder as R50 000,00;	250,00

(b) R50 000,00 of hoër, maar minder as R150 000,00:	1 000,00
(c) R150 000,00 of hoër, vir elke volledige verdere R5 000 wanneer die bruto waarde R150 000,00 oorskry, 'n verdere:	275, 00,
behoudens 'n maksimum van:	275 000,00.

2. (1) (a) Vir 'n afskrif van 'n dokument wat in die kantoor van 'n Meester bewaar word, moet R25,00 per dokumentstel betaal word.

(b) Vir 'n gesertifiseerde afskrif van enige dokument wat in die kantoor van 'n Meester bewaar word, moet R50,00 per dokumentstel vir 'n gesertifiseerde afskrif betaal word.

(c) 'n Elektroniese afskrif van 'n dokument wat in die kantoor van 'n Meester bewaar word, wanneer dit in sodanige kantoor gemaak word en indien dit beskikbaar is, is gratis.

(2) By die toepassing van subparagraaf (1), beteken "dokumentstel" 'n dokument, ongeag die getal bladsye, wat 'n volledige dokument is wat op sy eie gelees kan word."

Inwerkingtreding

3. Die Regulasies tree in werking op 1 Januarie 2018 en is slegs van toepassing op maatskappye in finale sekwestrasie waar die hofbevel uitgereik is of die vrywillige oplossing by die Kommissie vir Maatskappy en Intellektuele Eiendom geregistreer is op of na 1 Januarie 2018.