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THE PRESIDENCY

No. 5722 20 December 2024

It is hereby notified that the President has assented to the following Act, which is hereby published for general information:—

Act No.19 of 2024: South African Post Office SOC LTD Amendment Act, 2024

DIE PRESIDENSIE

No. 5722 20 Desember 2024

Hierby word bekend gemaak dat die President sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 19 van 2024: Wysigingswet op die Suid-Afrikaanse Poskantoor Mis BPK, 2024

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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.

(English text signed by the President)
(Assented to 10 December 2024)

ACT

To amend the South African Post Office SOC Ltd Act, 2011, so as to provide for the revised duties and expand on the mandate of the South African Post Office as provided for in this Act and the Postal Services Act, 1998; provide for the repurposing of the Post Office infrastructure so as to provide diversified and expanded services and make the best use of the infrastructure capacity to extract value and forge partnerships with other stakeholders; to provide for the revised governance structure of South African Post Office; to provide for the establishment, appointment and functions of the Stamp Advisory Committee; and to provide for matters connected therewith.

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

Amendment of section 1 of Act 22 of 2011, as amended by section 1 of Act 38 of 2013

1. Section 1 of the South African Post Office SOC Ltd Act, 2011 (hereinafter referred to as the principal Act), is hereby amended—

- (a) by the substitution for the definition of Department of the following definition: 5
“**‘Department’** means the Department of Communications and Digital Technologies;”;
- (b) by the insertion after the definition of “family member” of the following definition: 10
“**‘financial services’** means financial services which include amongst others, money transfer and remittance, payment, and prepaid services, tickets sale and any other financial services the Minister may determine from time to time;”;
- (c) by the insertion after the definition of “Public Finance Management Act” of the following definitions: 15
“**‘services points’** means any infrastructure where the post office services can be accessed from;
“**‘Stamp Advisory Committee’** means the Stamp Advisory Committee established by section 14A(1); 20
“**‘universal postal services’** means universal services as defined in the licence issued in terms of section 16 of the Postal Services Act;” and

ALGEMENE VERDUIDELIKENDE NOTA:

- [] Woorde in vetdruk tussen vierkantige hakies dui skappings uit
bestaande verordenings aan.
- _____ Woorde met 'n volstreep daaronder dui invoegings in bestaande
verordenings aan.

(Engelse teks deur die President geteken)
(Goedgekeur op 10 Desember 2024)

WET

Tot wysiging van die Wet op die Suid-Afrikaanse Poskantoor MIS Bpk, 2011, ten einde voorsiening te maak vir die hersiene pligte en uit te brei op die opdrag van die Suid-Afrikaanse Poskantoor soos in hierdie Wet en die Posdienstewet, 1998, bepaal; voorsiening te maak vir die herbenutting van die poskantoor se infrastruktuurkapasiteit om gediversieerde en uitgebreide dienste te voorsien en die infrastruktuurkapasiteit uit te buit om waarde daaruit te kry en vennootskappe met ander belanghebbendes te smee; voorsiening te maak vir die hersiene beheerstruktuur van die Suid-Afrikaanse Poskantoor; voorsiening te maak vir die stigting, aanstelling en werksaamhede van die Seëladvieskomitee; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

DAAR WORD BEPAAL deur die Parlement van die Republiek van Suid-Afrika, soos volg:—

Wysiging van artikel 1 van Wet 22 van 2011, soos gewysig deur artikel 1 van Wet 38 van 2013

1. Artikel 1 van die Wet op die Suid-Afrikaanse Poskantoor MIS Bpk 2011 (hierna die Hoofwet genoem), word hierby gewysig— 5
- (a) deur die omskrywing van Departement deur die volgende omskrywing te vervang: 10
- “**‘Departement’** die Departement van Kommunikasie en Digitale Tegnologie;”;
- (b) deur die volgende omskrywing na die omskrywing van “Departement” in te voeg: 15
- “**‘dienspunte’** enige infrastruktuur waar toegang tot die poskantoor se dienste gekry kan word;”;
- (c) deur die volgende omskrywing na die omskrywing van “familielid” in te voeg: 20
- “**‘finansiële dienste’** finansiële dienste wat, onder meer, geldoordrag en en remise, betaling, en voorafbetaalde dienste, kaartjieverkope en enige ander finansiële dienste wat die Minister van tyd tot tyd kan bepaal, insluit;”;
- (d) deur die volgende omskrywing na die omskrywing van “Raad” in te voeg: 25
- “**‘Seëladvieskomitee’** die Seëladvieskomitee deur artikel 14A(1) gestig;”;
- (e) deur die volgende omskrywing na die omskrywing van “uitvoerende lid” in te voeg: 25
- “**‘universele posdienste’** universele dienste soos omskryf in die lisensie wat ingevolge artikel 16 van die Posdienstewet uitgereik is;”.

Amendment of section 2 of Act 22 of 2011

2. Section 2 of the principal Act is hereby amended by the deletion of the word “and” at the end of paragraph (d), by substitution for a full stop at the end of paragraph (e) of “; and” and by the addition of the following paragraph:

- “(f) expand the objects and mandate of the Post Office to include services that respond to the needs of the users and customers.”. 5

Amendment of section 4 of Act 22 of 2011

3. Section 4 of the principal Act is hereby amended—

- (a) by the substitution for the heading of the following heading: 10
“Duties and mandate of Post Office”;
- (b) by the deletion in subsection (1) of the word “and” at the end of paragraph (k);
- (c) by the substitution in subsection (1) for paragraph (l) of the following paragraph: 15
 “(l) ensure compliance with international commitments relevant to the postal **[industry.]** and related industries in the provision of postal, courier and other related services to the extent that is permitted by domestic laws;”; and
- (d) by the addition after paragraph (l) of the following paragraphs: 20
 “(m) provide logistics and e-commerce services and serve as a logistics partner for e-commerce and other logistics players, including SMMEs and informal traders; 20
 (n) serve as digital hub for businesses and communities; 25
 (o) serve as a Designated Authentication Authority that also fulfils its role as a national Trust Centre in the age of digital identity and services; 25
 (p) serve as a hub for government services and other agency services; 30
 (q) provide different services at the post offices and service points based on the needs assessments for a particular area and to ensure the effective usage and enhancement of the retail offerings and services; 30
 (r) continuously adjust its business model in line with the technological and industry developments in the provision of postal services and other services and to enhance the provision of Universal Services Obligation; including the roll-out of service points and the use of third-party infrastructure and other related services, subject to the approval of the Minister; 35
 (s) ensure the implementation of national address system and development and maintenance of national address database; and 35
 (t) provide any business that is responsive to the needs of users, consumers and citizens and make the best use of the infrastructure capacity to extract value and forge partnerships with other stakeholders with the approval of the Minister.”. 40

Amendment of section 7 of Act 22 of 2011

4. Section 7 of the principal Act is hereby amended—

- (a) by the substitution for subsection (1) of the following subsection: 45
 “(1) Parliament may fund the normal expenditure of the Post Office to ensure universal postal services and any other social mandate services as determined by the Minister, out of money appropriated for the purpose.”; and
- (b) by the addition after subsection (4) of the following subsection: 50
 “(5) Government institutions which include national and provincial departments, national and provincial government components and municipalities are encouraged to utilise Post Office infrastructure in the delivery of their services and set aside certain services to be provided by the Post Office to assist in eliminating over-reliance on government funding by the Post Office and ensure efficient utilisation of Post Offices.”. 55

Wysiging van artikel 2 van Wet 22 van 2011

2. Artikel 2 van die Hoofwet word hierby gewysig deur die woord “en” aan die einde van paragraaf (d) te skrap, deur die punt aan die einde van paragraaf (e) deur “; en” te vervang en deur die volgende paragraaf by te voeg:

“(f) die oogmerke en opdrag van die Poskantoor uitbrei om dienste in te sluit wat reageer op die behoeftes van die gebruikers en klante.”.

Wysiging van artikel 4 van Wet 22 van 2011

3. Artikel 4 van die Hoofwet word hierby gewysig—

(a) deur die opskrif deur die volgende opskrif te vervang:

“**Pligte en opdrag van Poskantoor**”;

(b) deur in subartikel (1) die woord “en” aan die einde van paragraaf (k) te skrap;

(c) deur in subartikel (1) paragraaf (l) deur die volgende paragraaf te vervang:

“(l) verseker dat aan internasionale verbintenisse wat op die posbedryf en verwante bedrywe betrekking het, voldoen word[.] in die voorsiening van pos-, koerier- en ander verwante dienste tot die mate wat deur binnelandse wette toegelaat word;” en

(d) deur die volgende paragrawe na paragraaf (l) in te voeg:

“(m) verskaf logistieke en e-handeldienste en dien as ’n logistieke vennoot vir e-handel en ander logistieke spelers, met inbegrip van KMMO’s en informele handelaars;

(n) dien as digitale spilpunt vir besighede en gemeenskappe;

(o) dien as ’n Aangewese Owerheid wat ook sy rol as ’n nasionale Vertrouesentrum speel in die tyd van digitale identiteit en dienste;

(p) dien as ’n spilpunt vir staatsdienste en ander agentskapdienste;

(q) verskaf verskillende dienste by die poskantore en dienspunte op grond van die behoeftebepalings vir ’n spesifieke area en om die doeltreffende gebruik en verbetering van die kleinhandelaanbiedinge en -dienste te verseker;

(r) voortdurend sy sakemodel aanpas volgens die tegnologiese en bedryfsontwikkelings in die voorsiening van posdienste en ander dienste en om die verskaffing van Universele Diensverplichtings te verbeter; met inbegrip van die bekendstelling van dienspunte en die gebruik van derdeparty-infrastruktuur en ander verwante dienste, onderworpe aan die goedkeuring van die Minister;

(s) verseker dat ’n nasionale adres-stelsel ingestel word en dat ’n nasionale databasis van adresse ontwikkel en bygehou word; en

(t) enige besigheid voorsien wat reageer op die behoeftes van gebruikers, verbruikers en burgers en die infrastruktuurkapasiteit die beste uitbuit om waarde daaruit te kry en vennootskappe met ander belanghebbendes te smee, met die goedkeuring van die Minister.”.

Wysiging van artikel 7 van Wet 22 van 2011

4. Artikel 7 van die Hoofwet word hierby gewysig—

(a) deur subartikel (1) deur die volgende subartikel te vervang:

“(1) Die Parlement kan die gewone uitgawes van die Poskantoor befonds om universele posdienste en enige ander maatskaplike opdrag-dienste soos deur die Minister bepaal, te lewer, uit geld wat vir daardie doel bewillig is.” en

(b) deur die volgende subartikel na subartikel (4) in te voeg:

“(5) Staatsinstellings wat nasionale en provinsiale departemente, nasionale en provinsiale staatskomponente en munisipaliteite insluit, word aangemoedig om Poskantoor-infrastruktuur te gebruik in die lewering van hul dienste en sekere dienste opsy te sit om deur die Poskantoor gelewer te word sodat die Poskantoor minder op staatsfinansiering staatmaak en ten einde doeltreffende benutting van Poskantore te verseker.”.

Amendment of section 8 of Act 22 of 2011, as amended by section 3 of Act 38 of 2013

5. Section 8 of the principal Act is hereby amended—

- (a) by the substitution for subsection (2) of the following subsection:
 - “(2) The Board consists of—
 - (a) not more than **[10]** nine and not less than five non-executive members appointed in terms of section 11; and”; 5
- (b) by the substitution for subsection (3) of the following subsection:
 - “(3) The Chairperson **[and Deputy Chairperson]** must be appointed by the Minister from the non-executive members of the Board.”; 10
- (c) by the substitution for subsection (4) of the following subsection:
 - “(4) The Board may designate any other non-executive member to act as chairperson if **[both]** the Chairperson **[and Deputy Chairperson are]** is absent or unable to perform **[their]** his or her functions.”; and
- (d) by the deletion of subsections (5) and (6).

Amendment of section 9 of Act 22 of 2011, as amended by section 3 of Act 38 of 2013 15

6. Section 9 of the principal Act is hereby amended by the insertion after paragraph

(a) of the following paragraph:

- “(aA) must develop a credit plan facility wherein—
 - (i) the Post Office shall enter into an agreement and negotiate payment arrangements with its creditors; and
 - (ii) such plan must include evaluation of the Post Office debts, source funding either from the fiscus or in the market and appropriate steps to cancel ever green contracts;”.

Amendment of section 11 of Act 22 of 2011, as amended by section 4 of Act 38 of 2013 25

7. Section 11 of the principal Act is hereby amended—

- (a) by the substitution in subsection (1) for the words following paragraph (b) of the following words:
 - “to submit, within the period and in the manner mentioned in the notice, the names of persons fit to be appointed as members of the Board **[, with due regard to section 8(5)].**”; 30
- (b) by the deletion in subsection (4) of paragraph (a)(vi);
- (c) by the deletion in subsection (4) of paragraph (c); and
- (d) by the substitution in subsection (7) for paragraph (a) of the following paragraph:
 - “(a) The Minister must appoint—
 - (i) two non-executive members of the Board from suitable persons nominated by trade unions contemplated in subsection (1)(b) with required skills, knowledge, qualifications and experience as contemplated in subsection (4); and 40
 - (ii) the other non-executive members of the Board from suitable persons as contemplated in subsection (4).”.

Amendment of section 12 of Act 22 of 2011

8. Section 12 of the principal Act is hereby amended—

- (a) by the substitution in subsection (2) for paragraph (e) of the following paragraph:
 - “(e) neglected to properly perform the functions of his or her office and based on negative assessment during annual general meetings;”; 45
 - and
- (b) by the deletion in subsection (2) of paragraph (f). 50

Wysiging van artikel 8 van Wet 22 van 2011, soos gewysig deur artikel 3 van Wet 38 van 2013**5. Artikel 8 van die Hoofwet word hierby gewysig—**

- (a) deur subartikel (2) deur die volgende subartikel te vervang: 5
 “(2) Die Raad bestaan uit—
 (a) nie meer nie as **[10]** nege en nie minder nie as vyf nie-uitvoerende lede aangestel kragtens artikel 11; en”;
- (b) deur subartikel (3) deur die volgende subartikel te vervang: 10
 “(3) Die Minister moet die Voorsitter **[en Ondervoorsitter]** vanuit die geledere van die nie-uitvoerende lede van die Raad aanwys.”;
- (c) deur subartikel (4) deur die volgende subartikel te vervang: 15
 “(4) Die Raad kan enige ander nie-uitvoerende lid aanwys om as voorsitter op te tree wanneer **[sowel]** die Voorsitter **[as die Ondervoorsitter]** afwesig is of nie in staat is om **[hul]** sy of haar werksaamhede te vervul nie.”; en
- (d) deur subartikels (5) en (6) te skrap.

Wysiging van artikel 9 van Wet 22 van 2011, soos gewysig deur artikel 3 van Wet 38 van 2013**6. Artikel 9 van die Hoofwet word hierby gewysig deur die volgende paragraaf na paragraaf (a) in te voeg: 20**

- “(aA) moet ’n kredietplanfasiliteit ontwikkel waar—
 (i) die Poskantoor ’n ooreenkoms sal aangaan en reëlings vir betaling met die Poskantoor se krediteure sal beding; en
 (ii) sodanige plan evaluasie van die Poskantoor se skuld moet insluit, finansiering óf uit die staatskas óf in die aandelemark kry en moet gepaste stappe insluit om immergroenkontrakte te kanselleer.”. 25

Wysiging van artikel 11 van Wet 22 van 2011, soos gewysig deur artikel 4 van Wet 38 van 2013**7. Artikel 11 van die Hoofwet word hierby gewysig—**

- (a) deur in subartikel (1) die woorde wat op paragraaf (b) volg deur die volgende woorde te vervang: 30
 “om, binne die tydperk en op die wyse in die kennisgewing genoem, die name van persone voor te lê wat geskik is om as lede van die Raad aangestel te word**[, met behoorlike inagneming van artikel 8(5)]**.”
- (b) deur in subartikel (4) paragraaf (a)(vi) te skrap; 35
- (c) deur in subartikel (4) paragraaf (c) te skrap; en
- (d) deur in subartikel (7) paragraaf (a) deur die volgende paragraaf te vervang:
 “(a) Die Minister moet—
 (i) twee nie-uitvoerende lede van die Raad aanstel uit die geledere van geskikte persone deur vakbonde benoem soos in subartikel (1)(b) beoog met vereiste vaardighede, kennis, kwalifikasies en ondervinding soos in subartikel (4) beoog; en 40
 (ii) die ander nie-uitvoerende lede van die Raad aanstel uit die geledere van geskikte persone benoem soos in subartikel (4) beoog.”. 45

Wysiging van artikel 12 van Wet 22 van 2011**8. Artikel 12 van die Hoofwet word hierby gewysig—**

- (a) deur in subartikel (2) paragraaf (e) deur die volgende paragraaf te vervang: 50
 “(e) versuim het om die werksaamhede van sy of haar amp behoorlik te verrig en gebaseer op negatiewe beoordeling tydens algemene jaarvergaderings.”; en
- (b) deur paragraaf (f) in subartikel (2) te skrap.

Insertion of sections 14A to 14F in Act 22 of 2011

9. The following sections are hereby inserted after section 14 of the principal Act:

“Appointment and composition of Stamp Advisory Committee

- 14A.** (1) The Minister must establish a Stamp Advisory Committee and appoint not more than nine persons as members of the Stamp Advisory Committee. 5
- (2) The Stamp Advisory Committee consists of—
- (a) two members appointed from the non-executive members of the Board;
 - (b) one representative from departments responsible for communications and digital technologies, arts, sports and culture and basic education; and 10
 - (c) not more than four persons appointed on the basis of their knowledge, experience and expertise in the areas referred to in subsection (8).
- (3) The Minister must appoint a non-executive member contemplated in subsection (2)(a) as Chairperson of the Stamp Advisory Committee. 15
- (4) For the purposes of appointing the persons contemplated in subsection (2)(c), the Minister must, by notice in the *Gazette* and in two national newspapers, publish an invitation to the public to submit nominations for membership of the Stamp Advisory Committee. 20
- (5) The notice contemplated in subsection (4) must specify a period of at least 30 days for nominations to be submitted to the Minister.
- (6) The Minister must appoint a panel to consider the nominations received in terms of subsection (5).
- (7) The panel must compile a shortlist of not more than 8 candidates to be considered by the Minister and the Board for appointment as members of the Stamp Advisory Committee. 25
- (8) The panel must ensure that the candidates—
- (a) are representative of the South African society and represent the public and private sectors, academic or research institutions, non-governmental organisations and philately organisations; and 30
 - (b) have appropriate expertise in the areas of—
 - (i) arts and culture;
 - (ii) marketing;
 - (iii) environmental development; 35
 - (iv) education;
 - (v) history;
 - (vi) graphic design; or
 - (vii) any other field of expertise relevant to stamp design.
- (9) The Minister and the Board must ensure that the members contemplated in subsection (2)(c) represent a sufficient spread of skills, knowledge, qualifications and expertise referred to in subsection (8). 40
- (10) The Minister must, within 30 days after appointing the members, publish a notice in the *Gazette* containing the names of the persons appointed as members of the Stamp Advisory Committee. 45
- (11) A member of the Stamp Advisory Committee contemplated in subsection (2)(c)—
- (a) holds office for a period not exceeding five years;
 - (b) may be reappointed after his or her term of office has expired, but may not serve for more than two consecutive terms; 50
 - (c) is appointed on a part-time basis; and
 - (d) must be paid from the revenue of the Post Office such remuneration and such allowances as may be determined by the Minister with the concurrence of the Minister of Finance.
- (12) A member of the Stamp Advisory Committee contemplated in subsection (2)(c) may resign by giving 30 days written notice to the Minister through the Board. 55

Invoeging van artikels 14A tot 14F in Wet 22 van 2011

9. Die volgende artikels word hierby na artikel 14 van die Hoofwet ingevoeg:

“Aanstelling en samestelling van Seëladvieskomitee

- 14A.** (1) Die Minister moet 'n Seëladvieskomitee stig en hoogstens nege persone as lede van die Seëladvieskomitee aanstel. 5
- (2) Die Seëladvieskomitee bestaan uit—
- (a) twee lede wat uit die geledere van die nie-uitvoerende lede van die Raad aangestel is;
 - (b) een verteenwoordiger wat uit departemente verantwoordelik vir kommunikasie en digitale tegnologie, kuns, sport en kultuur, en basiese onderwys, aangestel is; en 10
 - (c) hoogstens vier persone wat op grond van hul kennis, ervaring en kundigheid in die gebiede bedoel in subartikel (8), aangestel is.
- (3) Die Minister moet 'n nie-uitvoerende lid in subartikel (2)(a) beoog as Voorsitter van die Seëladvieskomitee aanstel. 15
- (4) Vir die doeleindes van die aanstelling van die persone beoog in subartikel (2)(c), moet die Minister, by kennisgewing in die *Staatskoerant* en in twee nasionale koerante, 'n beroep op die publiek publiseer om benoemings vir lidmaatskap van die Seëladvieskomitee voor te lê.
- (5) Die kennisgewing beoog in subartikel (4), moet 'n tydperk van minstens 30 dae spesifiseer vir die voorlegging van benoemings aan die Minister. 20
- (6) Die Minister moet 'n paneel aanstel om die benoemings te oorweeg wat ingevolge subartikel (5) ontvang is.
- (7) Die paneel moet 'n kortlys saamstel van hoogstens agt kandidate om deur die Minister en die Raad vir aanstelling as lede van die Seëladvieskomitee oorweeg te word. 25
- (8) Die paneel moet verseker dat die kandidate—
- (a) verteenwoordigend van die Suid-Afrikaanse samelewing is en die openbare en privaatsektors, akademiese of navorsingsinrigtings, nie-regeringsorganisasies en filatelieorganisasies verteenwoordig; en 30
 - (b) gepaste kundigheid het in die gebiede van—
 - (i) kuns en kultuur;
 - (ii) bemarking;
 - (iii) omgewingsontwikkeling; 35
 - (iv) onderwys;
 - (v) geskiedenis;
 - (vi) grafiese ontwerp; of
 - (vii) enige ander veld van kundigheid wat op seëlontwerp betrekking het. 40
- (9) Die Minister en die Raad moet verseker dat die lede in subartikel (2)(c) beoog, 'n voldoende verskeidenheid vaardighede, kennis, kwalifikasies en kundigheid in subartikel (8) bedoel, verteenwoordig.
- (10) Die Minister moet, binne 30 dae nadat die lede aangestel is, 'n kennisgewing in die *Staatskoerant* publiseer wat die name bevat van die persone wat as lede van die Seëladvieskomitee aangestel is. 45
- (11) 'n Lid van die Seëladvieskomitee in subartikel (2)(c) beoog—
- (a) beklee die amp vir 'n tydperk van hoogstens vyf jaar;
 - (b) kan heraangestel word nadat sy of haar ampstermyn verstryk het, maar mag nie vir meer as twee agtereenvolgende termyne dien nie; 50
 - (c) word deelyds aangestel; en
 - (d) moet uit die inkomste van die Poskantoor sodanige besoldiging en sodanige toelaes betaal word soos die Minister met die instemming van die Minister van Finansies kan bepaal.
- (12) 'n Lid van die Seëladvieskomitee in subartikel (2)(c) beoog, kan 55 bedank deur die Minister, deur die Raad, 30 dae skriftelik kennis te gee.

(13) The Stamp Advisory Committee that exists immediately before the South African Post Office SOC Ltd Amendment Act takes effect continues to exist for a period of six months or for such period until the new committee is established and members are appointed.

(14) The members appointed under subsection (2)(a) and (b) will be serving for a period of five years as long as they are under the employ of the organisation that has nominated them or any period as provided by the respective organisation.

(15) The organisations referred to in subsection (2) must inform the Minister when a member that has been appointed can no longer serve in the committee and provide a substitute for that member.

Functions of Stamp Advisory Committee

14B. The Stamp Advisory Committee must—

- (a) advise the Board on the implementation, monitoring and evaluation of a philatelic strategy;
- (b) provide the Board with advice on events and themes that may be celebrated on stamps and ensure that selection of themes reflects the broad spectrum of South African culture, history, environment economic and social development;
- (c) assist in identifying, articulating and prioritising themes for the annual stamp programme and commemorative stamps and make recommendations to the Board; and
- (d) encourage and facilitate stakeholder participation in the development of themes for the annual stamp programme.

Disqualification from membership of Stamp Advisory Committee

14C. A person may not be appointed as a member of the Stamp Advisory Committee contemplated in section 14A(2)(c) or remain a member if he or she—

- (a) is not a South African or permanent resident of the Republic;
- (b) is an unrehabilitated insolvent;
- (c) has been declared mentally ill by a competent court;
- (d) has at any time been convicted of an offence involving dishonesty whether in the Republic or elsewhere; or
- (e) has been removed from office on account of misconduct.

Removal from Stamp Advisory Committee

14D. The Minister may remove a member of the Stamp Advisory Committee contemplated in section 14A(2) from office—

- (a) on account of misconduct;
- (b) on account of inability to perform the duties of that member's office effectively;
- (c) if the member is absent from three consecutive meetings of the Stamp Advisory Committee without the prior permission of the chairperson, except on good cause shown; or
- (d) if the member has engaged in conduct, which brings or may bring the Stamp Advisory Committee or the activities of the Stamp Advisory Committee into disrepute or threatens the integrity of the Stamp Advisory Committee.

Vacancies in Stamp Advisory Committee

14E. (1) A member of the Stamp Advisory Committee vacates office if that member—

- (a) tenders resignation in terms of section 14A(12) and such resignation takes effect;
- (b) becomes subject to a disqualification referred to in section 14C; or
- (c) is removed from office in terms of section 14D.

(13) Die Seëladvieskomitee wat bestaan net voordat die Wysigingswet op die Suid-Afrikaanse Poskantoor MIS Bpk in werking tree, bestaan voort vir 'n tydperk van ses maande of totdat die nuwe komitee gestig is en lede aangestel word.

(14) Die lede wat kragtens subartikel (2)(a) en (b) aangestel is, sal vir 'n tydperk van vyf jaar dien solank hulle in diens is van die organisasie wat hulle benoem het of vir enige tydperk soos deur die betrokke organisasie bepaal.

(15) Die organisasies in subartikel (2) bedoel, moet die Minister inlig wanneer 'n lid wat aangestel is, nie meer op die komitee kan dien nie en 'n plaasvervanger vir daardie lid voorsien.

Werksaamhede van Seëladvieskomitee

14B. Die Seëladvieskomitee moet—

- (a) die Raad adviseer oor die inwerkingstelling, monitering en evaluasie van 'n filatelie-strategie; 15
- (b) die Raad voorsien van advies oor gebeure en temas wat op seëls gevier kan word en verseker dat die keuse van temas die breë spektrum van Suid-Afrikaanse kultuur, geskiedenis, omgewing, ekonomiese en maatskaplike ontwikkeling verteenwoordig; 20
- (c) help om temas vir die jaarlikse seëlprogram en gedenkseëls te identifiseer, te verwesenlik en te prioritiseer en aanbevelings aan die Raad doen; en
- (d) deelname deur belanghebbendes aan die ontwikkeling van temas vir die jaarlikse seëlprogram aanmoedig en vergemaklik.

Onbevoegdheid van lidmaatskap van Seëladvieskomitee

25

14C. 'n Persoon mag nie as 'n lid van die Seëladvieskomitee in artikel 14A(2)(c) beoog, aangestel word of 'n lid bly nie, indien hy of sy—

- (a) nie 'n Suid-Afrikaner of permanente inwoner van die Republiek is nie; 30
- (b) 'n ongerehabiliteerde insolvent is;
- (c) deur 'n bevoegde hof as geestesongesteld verklaar is;
- (d) te eniger tyd aan 'n misdryf waarby oneerlikheid betrokke was, skuldig bevind is, hetsy in die Republiek of elders; of
- (e) weens wangedrag van 'n amp onthef is.

Ontheffing van Seëladvieskomitee

14D. Die Minister kan 'n lid van die Seëladvieskomitee in artikel 14A(2) beoog uit die amp onthef— 35

- (a) weens wangedrag; 40
- (b) weens onvermoë om die pligte van daardie lid se amp doeltreffend te verrig;
- (c) as die lid van drie agtereenvolgende vergaderings van die Seëladvieskomitee afwesig is sonder die vooraftoestemming van die voorsitter, behalwe by die aanvoer van goeie gronde; of
- (d) as die lid deel gehad het aan gedrag wat die Seëladvieskomitee of die aktiwiteite van die Seëladvieskomitee, 'n slegte naam gee of die integriteit van die Seëladvieskomitee bedreig. 45

Vakatures in Seëladvieskomitee

14E. (1) 'n Lid van die Seëladvieskomitee ontruim die amp indien daardie lid—

- (a) ingevolge artikel 14A(12) bedank en daardie bedanking van krag word; 50
- (b) aan 'n onbevoegdheid bedoel in artikel 14C onderworpe word; of
- (c) ingevolge artikel 14D uit die amp onthef word.

(2)(a) If a member of the Stamp Advisory Committee dies or vacates his or her office before the expiration of his or her term of office, the Minister must appoint another person to hold office for the unexpired portion of the period for which that person's predecessor was appointed.

(b) In making an appointment in terms of paragraph (a), the Minister must comply with section 14A. 5

Meetings and recommendations by Stamp Advisory Committee

14F. (1) The Stamp Advisory Committee—

(a) must meet four times a year; and 10

(b) must determine its own procedures to be followed at its meetings.

(2)(a) A quorum for a meeting of the Stamp Advisory Committee is the majority of the total number of the members, which is 50% plus one.

(b) A decision by the majority of the members present at a meeting of the Stamp Advisory Committee constitutes a decision of the Stamp Advisory Committee. 15

(c) The decision of the Stamp Advisory Committee in relation to the stamp programme and commemorative stamps must be submitted to the Board for consideration and submission to the Minister for final approval.”.

Amendment of section 17 of Act 22 of 2011

10. Section 17 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection: 20

“(1) The appointment of the chief executive officer, **[chief financial officer and chief operating officer]** is subject to the conclusion of an annual performance agreement with the **[Post Office] Board**.”.

Amendment of section 25 of Act 22 of 2011 25

11. Section 25 of the principal Act is hereby amended—

(a) by the substitution in subsection (1) for the words preceding paragraph (a) of the following words:

“(1) The Minister may direct the **[Post Office] Board** to take any action specified by the Minister if the Post Office—”; 30

(b) by the substitution for subsection (3) of the following subsection:

“(3) If the **[Post Office] Board** fails to comply with the directive contemplated in subsection (1) within the stated period, the Minister may—

(a) after having given the **[Post Office] Board** a reasonable opportunity to be heard; and 35

(b) after having afforded the **[Post Office] Board** a hearing on any submissions received,

replace the members of the Board **[in the same manner as the departing members have been appointed]** or, where circumstances so require, appoint a person as an administrator to take over the relevant function of the **[Post Office] Board**.”; 40

(c) by the substitution in subsection (4) for paragraph (a) of the following paragraph:

“(a) the administrator may do anything which the **[Post Office] Board** might otherwise be empowered or required to do by or under this Act, **to the exclusion of the Post Office**; and”; 45

(d) by the deletion of subsection (4)(b);

(e) by the substitution in subsection (5) for paragraph (b) of the following paragraph: 50

“(b) within **[six]** 12 months of appointing the administrator, table a report on his or her findings in the National Assembly.”; and

(f) by the substitution in subsection (7)(c) for subparagraph (ii) of the following subparagraph:

“(ii) must, as soon as it is feasible but not later than **[three]** 12 months after the dissolution of the Board, replace the members of the 55

(2)(a) Indien 'n lid van die Seëladvieskomitee sterf of sy of haar amp ontruim voor die verstryking van sy of haar ampstermyn, moet die Minister 'n ander persoon aanstel om die amp te beklee vir die onverstreke gedeelte van die tydperk waarvoor daardie persoon se voorganger aangestel is.

(b) Die Minister moet aan artikel 14A voldoen tydens die maak van 'n aanstelling ingevolge paragraaf (a). 5

Vergaderings en aanbevelings deur Seëladvieskomitee

14F. (1) Die Seëladvieskomitee—

(a) moet vier keer 'n jaar vergader; en

(b) moet sy eie prosedures wat by vergaderings gevolg moet word, bepaal. 10

(2)(a) 'n Kworum vir 'n vergadering van die Seëladvieskomitee is die meerderheid van die totale getal lede, wat 50% plus een is.

(b) 'n Besluit deur die meerderheid van die lede wat by 'n vergadering van die Seëladvieskomitee teenwoordig is, maak 'n besluit van die Seëladvieskomitee uit. 15

(c) Die besluit van die Seëladvieskomitee met betrekking tot die seëlprogram en gedenkseëls, moet aan die Raad voorgelê word vir oorweging en voorlegging aan die Minister vir finale goedkeuring.”.

Wysiging van artikel 17 van Wet 22 van 2011

10. Artikel 17 van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang: 20

“(1) Die aanstelling van die hoof- uitvoerende beampte, **[hoof- finansiële beampte en hoofbedryfsbeampte]** is onderhewig aan die sluiting van 'n jaarlikse prestasie-ooreenkoms met die **[Poskantoor] Raad**.”.

Wysiging van artikel 25 van Wet 22 van 2011

11. Artikel 25 van die Hoofwet word hierby gewysig—

(a) deur in subartikel (1) die woorde wat paragraaf (a) voorafgaan deur die volgende woorde te vervang:

“(1) Die Minister kan die **[Poskantoor] Raad** opdrag gee om enige stappe te doen deur die Minister gespesifiseer indien die Poskantoor—”; 30

(b) deur subartikel (3) deur die volgende subartikel te vervang:

“(3) Indien die **[Poskantoor] Raad** versuim om binne die vasgestelde tydperk te voldoen aan die lasgewing in subartikel (1) bedoel, kan die Minister—

(a) nadat die **[Poskantoor] Raad** 'n redelike geleentheid gegun is om sy saak te stel; en 35

(b) nadat die **[Poskantoor] Raad** 'n verhoor toegestaan is oor enige voorleggings wat ontvang is,

die lede van die Raad vervang **[op dieselfde manier as waarop die uittredende lede aangestel is]** of, waar die omstandighede dit vereis, 'n persoon aanstel as administrateur om die tersaaklike werksaamheid van die **[Poskantoor] Raad** oor te neem.”; 40

(c) deur in subartikel (4) paragraaf (a) deur die volgende paragraaf te vervang:

“(a) kan die administrateur enigiets doen wat die **[Poskantoor] Raad** andersins gemagtig kan wees om te doen of moet doen deur of kragtens hierdie Wet, **tot die uitsluiting van die Poskantoor]; en**”; 45

(d) deur subartikel (4)(b) te skrap;

(e) deur in subartikel (5) paragraaf (b) deur die volgende paragraaf te vervang:

“(b) binne **[ses] 12** maande na die aanstelling van die administrateur, 'n verslag oor sy of haar bevindings in die Nasionale Vergadering ter tafel lê.”; en 50

(f) deur in subartikel (7)(c) subparagraaf (ii) deur die volgende subparagraaf te vervang:

“(ii) moet die Minister, sodra dit uitvoerbaar is, maar nie later nie as **[drie] 12** maande na die ontbinding van die Raad, die lede van die 55

Board [in the same way as the way in which they were appointed] in accordance with section 11.”.

Short title and commencement

12. This Act is called the South African Post Office SOC Ltd Amendment Act, 2024, and comes into operation on a date to be determined by the President by proclamation in the *Gazette*. 5

Raad vervang [op dieselfde wyse as wat hulle aangestel is]
ooreenkomstig artikel 11.”.

Kort titel en inwerkingtreding

12. Hierdie Wet heet die Wysigingswet op die Suid-Afrikaanse Poskantoor MIS Bpk, 2024, en tree in werking op 'n datum deur die President by Proklamasie in die 5
Staatskoerant vasgestel.

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