

BUI TENGEWONE
OFFISIËLE KOERANT

VAN SUIDWES - AFRIKA.

OFFICIAL GAZETTE

EXTRAORDINARY

OF SOUTH WEST AFRICA.



UITGAWE OP GESAG.

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No. 54, 1957.]

ACT

To consolidate and amend the laws relating to the organization and administration of the public service of the Union, the regulation of the conditions of employment, tenure of office, discipline, retirement and discharge of members of the public service and other incidental matters.

(Afrikaans text signed by the Officer Administering the Government.)
(Assented to 19th June, 1957.)

BE IT ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

CHAPTER I.

PRELIMINARY PROVISIONS.

Interpretation of terms.

1. (1) In this Act, unless the context otherwise indicates—
 - (i) "Administrator", in relation to an officer or employee or person who is or has been employed or is to be employed under a provincial administration or the administration of the territory, means the Administrator of the province concerned or of the territory acting on the advice of the executive committee thereof; (i)
 - (ii) "calendar month" means a period extending from a day in one month to the day preceding the day corresponding numerically to that day in the following month, both days inclusive; (x)
 - (iii) "Commission" means the Public Service Commission and in relation to any power conferred upon or function entrusted to the Commission by this Act or any other law, includes any member or members of the Commission or any officer employed in the office of the Commission to whom the exercise of such power or the performance of such function has been lawfully delegated by the Commission in terms of sub-section (2) of section *five*; (xi)
 - (iv) "department" means any office, department, provincial or other administration of the Government set forth in the first column of the First Schedule to this Act, as amended from time to time in terms of section *twenty-seven*; (iii)
 - (v) "employee" means a person referred to in paragraph (c) of sub-section (1) of section *three*; (xxi)
 - (vi) "fixed establishment" means the posts which have been created for the normal and regular requirements of a department; (xix)
 - (vii) "Government" means the Government of the Union and includes any provincial administration and the administration of the territory, but does not include the railway administration; (xv)
 - (viii) "head of department", "head of a department" or "head of the department" means the officer holding or acting in the post on the fixed establishment designated by the name set forth in the second column of the First Schedule to this Act, as amended from time to time in terms of section *twenty-seven*, opposite the name of each respective department; (vii)
 - (ix) "Minister" in relation to an officer or employee or person who is or has been employed or is to be employed otherwise than under the administration of a province or of the territory, means the Minister responsible for the department in which such officer, employee or person is or was last employed or is to be employed; and in relation to an officer or employee or such other person who is or has been or is to be employed in the office of the Commission, means the Minister of the Interior; (xiii)
 - (x) "month" means a period extending from the first to the last day, both days inclusive, of any one of the twelve months of the year; (xii)
 - (xi) "officer" means a person who has been appointed

WET

Tot samevatting en wysiging van die wetsbepalings met betrekking tot die organisasie en administrasie van die staatsdiens van die Unie, die reëling van die diensvoorwaardes, dienstermyn, dissipline, aftreding, afdanking en ontslag van lede van die staatsdiens en ander daarmee samehangende aangeleenthede.

(Afrikaanse teks deur die Amptenaar Belas met die Uitoefening van die Uitvoerende Gesag geteken.)
(Goedgekeur op 19 Junie 1957.)

DIT WORD BEPAAL deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, soos volg:—

HOOFSTUK I.

INLEIDENDE BEPALINGS.

1. (1) In hierdie Wet, tensy uit die samehang anders blyk, **Woordbepaling.** beteken—

- (i) „Administrateur”, met betrekking tot ’n beampte of werknemer of persoon wat in diens is of was of wat in diens geneem gaan word onder ’n provinsiale administrasie of die administrasie van die gebied, die Administrateur van die betrokke provinsie of van die gebied handelende op advies van die uitvoerende komitee daarvan; (i)
- (ii) „beampte”, ’n persoon wat vas aangestel is, al is die aanstelling op proef, in ’n pos bedoel in paragraaf (a) van sub-artikel (1) van artikel drie, en ook ’n persoon bedoel in paragraaf (b) van sub-artikel (1) van artikel drie en ’n persoon bedoel in die tweede voorbehoudsbepaling by sub-artikel (3) van artikel drie; (xi)
- (iii) „departement”, ’n kantoor, departement, provinsiale of ander administrasie van die Regering uiteengesit in die eerste kolom van die Eerste Bylae by hierdie Wet, soos van tyd tot tyd ingevolge artikel *sewe-en-twintig* gewysig; (iv)
- (iv) „die gebied”, die gebied Suidwes-Afrika, en sluit dit die hawe en nedersetting Walvisbaai in; (xvii)
- (v) „die dienste”,—
 - (a) die Suid-Afrikaanse Staande Mag ingestel kragtens artikel *een* van die „Zuid-Afrika Verdedigings Wet Wyzigings Wet, 1922” (Wet No. 22 van 1922);
 - (b) die Suid-Afrikaanse Polisiemag opgerig kragtens artikel *twee* van die „Politiewet, 1912” (Wet No. 14 van 1912); en
 - (c) die Gevangenisdiens bestaande uit die Departement van Gevangenisne opgerig kragtens sub-artikel (1) van artikel drie van die „Wet op Gevangenisne en Verbetergestichten, 1911” (Wet No. 13 van 1911) (met uitsluiting van enige persoon by daardie departement in diens wat nie ’n beampte, soos omskryf in artikel *twee* van daardie Wet, is nie); en dié lede van die personeel van die Departement van Gevangenisne van die gebied wat beamptes of ondergeskikte beamptes (volgens die woordbepaling in daardie Wet, soos toegepas op die gebied by Administrateursproklamasie), in daardie departement is; (xviii)
- (vi) „die Unie”, ook die gebied; (xix)
- (vii) „departementshoof”, „hoof van ’n departement” of „hoof van die departement”, die beampte wat die bekleër is van die pos op die vaste diensstaat wat met die naam uiteengesit in die tweede kolom van die Eerste Bylae by hierdie Wet, soos van tyd tot tyd ingevolge artikel *sewe-en-twintig* gewysig, teenoor die naam van elke onderskeie departement, aangedui word, of wat in daardie pos waarneem; (viii)
- (viii) „hierdie Wet”, ook die regulasies; (xx)
- (ix) „inkomste”, die Gekonsolideerde Inkomstefonds of, met betrekking tot ’n beampte of werknemer van ’n provinsiale administrasie of van die administrasie van die gebied, die betrokke provinsiale inkomstefonds of die gebiedsinkomstefonds, na gelang van die geval; (xv)

permanently, notwithstanding that such appointment may be on probation, to a post referred to in paragraph (a) of sub-section (1) of section *three*, and includes a person referred to in paragraph (b) of sub-section (1) of section *three* and a person referred to in the second proviso to sub-section (3) of section *three*; (ii)

- (xii) "pensionable age" means the age at which, in terms of sub-section (1) or (2) of section *fourteen*, an officer shall have the right to retire and shall be retired from the public service; (xiv)
- (xiii) "prescribed" means prescribed by or under this Act; (xx)
- (xiv) "regulation" means a regulation made or deemed to have been made and in force under this Act; (xvi)
- (xv) "revenue" means the Consolidated Revenue Fund or, in relation to an officer or employee of a provincial administration or of the administration of the territory, the provincial revenue fund concerned or the territory revenue fund, as the case may be; (ix)
- (xvi) "scale" in relation to salary, includes salary at a fixed rate; (xvii)
- (xvii) "the territory" means the territory of South-West Africa, and includes the port and settlement of Walvis Bay; (iv)
- (xviii) "the services" means—
 - (a) the South African Permanent Force constituted under section *one* of the South Africa Defence Act Amendment Act, 1922 (Act No. 22 of 1922);
 - (b) the South African Police Force established under section *two* of the Police Act, 1912 (Act No. 14 of 1912); and
 - (c) the Prisons Service consisting of the Prisons Department established under sub-section (1) of section *three* of the Prisons and Reformatories Act, 1911 (Act No. 13 of 1911) (excluding any person employed in that department who is not an officer as defined in section *two* of that Act); and such of the staff of the Prisons Department of the territory as are officers or subordinate officers (according to the definition in that Act as applied to the territory by Administrator's proclamation), in that department; (v)
- (xix) "the Union" includes the territory; (vi)
- (xx) "this Act" includes the regulations; (viii)
- (xxi) "Treasury" means the Minister of Finance or any officer in the Department of Finance authorized by the said Minister to perform the functions assigned to the Treasury by this Act. (xviii)

(2) Where in this Act reference is made in relation to an officer to a reduction in a scale of salary, the reference shall be construed as including the application of a scale of salary which is lower than the scale previously applied as regards the maximum or minimum of the scale or the rate of progression in the scale; and any such reference to a reduction in grade or to a grade being lower than another grade shall be correspondingly construed.

Application of Act. 2. (1) Save as in this section is specially provided, and save as the context otherwise indicates in any other section, the provisions of this Act shall apply to or in respect of all officers and employees whether they are employed within or outside the Union.

(2) The provisions of this Act which do not exclude persons employed in the services shall apply to or in respect of such persons only to the extent that they are not in conflict with the laws governing their employment.

(3) Nothing in this Act, excepting the provisions of section *four*, shall apply in respect of the employment by the Government of persons whose appointment, remuneration and other conditions of employment may, in terms of any law, be made and determined by the Governor-General or a Minister or Administrator or other person without the Commission's recommendation first having been obtained nor shall anything in this Act apply to persons, not being officers in the public service, appointed before or after the commencement of this Act under the provisions of the Special Schools Act, 1948 (Act No. 9 of 1948) or the Vocational Education Act, 1955 (Act No. 70 of 1955).

- (x) „kalendermaand,” ’n tydperk wat strek van een dag van die maand tot en met die dag wat die dag voorafgaan wat numeriek ooreenstem met daardie dag in die volgende maand; (ii)
 - (xi) „Kommissie”, die Staatsdienskommissie en in verband met ’n bevoegdheid of werksaamheid wat aan die Kommissie by hierdie Wet of enige ander wetsbepaling verleen of opgedra word, ook enige lid of lede van die Kommissie of ’n beampte in diens in die kantoor van die Kommissie aan wie die uitoefening van daardie bevoegdheid of die verrigting van daardie werksaamheid wettiglik deur die Kommissie ingevolge sub-artikel (2) van artikel vyf gedelegeer is; (iii)
 - (xii) „maand”, ’n tydperk wat van die eerste tot en met die laaste dag van engeen van die twaalf maande van die jaar strek; (x)
 - (xiii) „Minister”, met betrekking tot ’n beampte of werknemer of persoon wat in diens is of was of wat in diens geneem gaan word behalwe onder die administrasie van ’n provinsie of van die gebied, die Minister wat verantwoordelik is vir die departement waarin die beampte, werknemer of persoon in diens is of laas in diens was of in diens geneem gaan word; en met betrekking tot ’n beampte of werknemer of sodanige ander persoon wat in diens is of was of geneem gaan word in die kantoor van die Kommissie, die Minister van Binnelandse Sake; (ix)
 - (xiv) „pensioenleeftyd”, die leeftyd waarop ’n beampte ingevolge sub-artikel (1) of (2) van artikel veertien die reg het om uit die staatsdiens af te tree en daaruit afgedank moet word; (xii)
 - (xv) „Regering”, die Regering van die Unie en ook ’n provinsiale administrasie en die administrasie van die gebied, maar nie ook die spoorwegadministrasie nie; (vii)
 - (xvi) „regulasie”, ’n regulasie wat kragtens hierdie Wet uitgevaardig is of geag word aldus uitgevaardig te gewees het en van krag is; (xiv)
 - (xvii) „skaal”, met betrekking tot salaris, ook salaris teen ’n vaste bedrag; (xvi)
 - (xviii) „Tesourie”, die Minister van Finansies of ’n beampte in die Departement van Finansies wat deur bedoelde Minister gemagtig is om die werksaamhede wat by hierdie Wet aan die Tesourie opgedra is, te verrig; (xxi)
 - (xix) „vaste diensstaat”, die poste wat vir die normale en gereelde vereistes van ’n departement geskep is; (vi)
 - (xx) „voorgeskrif” of „voorgeskrewe”, voorgeskryf by of kragtens hierdie Wet; (xiii)
 - (xxi) „werknemer”, ’n persoon in paragraaf (c) van sub-artikel (1) van artikel drie bedoel. (v)
- (2) Waar daar in hierdie Wet in verband met ’n beampte van ’n verlaging van ’n salarisskaal melding gemaak word, word dit so uitgelê dat dit die toepassing van ’n salarisskaal insluit wat laer is as die skaal wat tevore toegepas is wat betref die maksimum of minimum van die skaal of die tempo van vordering in die skaal; en so ’n vermelding van ’n verlaging in graad of dat ’n graad laer is as ’n ander graad, word in ’n ooreenstemmende sin uitgelê.

2. (1) Met uitsondering van wat uitdruklik in hierdie artikel bepaal word en behalwe waar uit die samehang anders blyk in enige ander artikel, is die bepalings van hierdie Wet van toepassing op of ten opsigte van alle beamptes en werknemers hetsy hulle binne of buite die Unie in diens is. Toepassing van Wet.

(2) Die bepalings van hierdie Wet wat persone wat in die dienste in diens is, nie uitsluit nie, is op of ten opsigte van sodanige persone van toepassing slegs vir sover hulle nie met die wette wat op hulle diens van toepassing is, in stryd is nie.

(3) Behalwe die bepalings van artikel vier, is die bepalings van hierdie Wet nie van toepassing nie ten opsigte van die indiensneming deur die Regering van persone wie se aanstelling, besoldiging en ander diensvoorwaardes, ingevolge een of ander wetsbepaling deur die Goewerneur-generaal of ’n Minister of Administrateur of ander persoon gedoen en bepaal kan word, sonder dat die Kommissie se aanbeveling vooraf verkry is en die bepalings van hierdie Wet is ook nie van toepassing nie op persone wat nie beamptes in die staatsdiens is nie en wat voor of na die inwerkingtreding van hierdie Wet kragtens die bepalings van die Wet op Spesiale Skole, 1948 (Wet No. 9 van 1948) of die Wet op Beroepsonderwys, 1955 (Wet No. 70 van 1955) aangestel is of word.

(4) All persons who immediately before the commencement of this Act—

- (a) were by virtue of any provision of any law repealed by this Act officers in the public service; or
- (b) were not officers in the public service but were employed by the Government and paid salaries, wages and allowances in accordance with scales authorized on the recommendation of the Commission,

shall as from such commencement be deemed to be officers or employees, as the case may be, as defined in this Act; and the provisions of this Act shall apply to or in respect of all such persons.

CHAPTER II.

ORGANIZATION AND ADMINISTRATION.

Definition and classification of the public service.

3. (1) The public service shall consist of persons—

(a) who hold posts on the fixed establishment—

- (i) classified in—
 - the administrative division;
 - the clerical division;
 - the professional division;
 - the technical division;
 - the general A division; and
 - the general B division;
- (ii) in the services;

(b) who having ceased to hold posts on the fixed establishment referred to in paragraph (a), and not having retired or been discharged, are employed additional to the fixed establishment in accordance with a recommendation made in terms of paragraph (e) of subsection (2) of section six, or who are deemed to continue to hold posts in a division in the circumstances contemplated by the second proviso to subsection (3);

(c) (i) who hold posts on the fixed establishment other than posts referred to in paragraph (a);

(ii) who are employed temporarily or under a special contract in a department whether in a full-time or part-time capacity, additional to the fixed establishment or in vacant posts on the fixed establishment in accordance with a recommendation made in terms of paragraph (d) of subsection (2) of section six.

(2) The administrative, clerical, professional, technical, general A and general B divisions shall each consist of such posts as the Commission has directed shall be included therein.

(3) It shall be competent for the Commission to direct that any post included in one division shall be removed from that division and be included in another division or that any post included in the administrative, clerical, professional, technical, general A or general B division shall be excluded from all such divisions: Provided that no direction under this section shall deprive any officer of any leave or other privilege or right which flowed from the occupancy by him of a post in one of the said divisions: Provided further that any officer whose post has been excluded from all the divisions aforementioned shall, for the purposes of this Act and the Government Service Pensions Act, 1955 (Act No. 58 of 1955), be deemed to continue to hold a post in the division in which his post was included immediately before the direction became effective.

(4) All directions which are made in terms of this section shall be notified in the *Gazette*.

(5) All posts which immediately before the commencement of this Act were, in terms of the provisions of any law repealed by this Act included in, and all officers who immediately before such commencement were employed in—

- (a) the professional and technical division (higher branch) shall as from such commencement be deemed to be included or employed in the professional division;
- (b) the professional and technical division (lower branch) shall as from such commencement be deemed to be included or employed in the technical division;
- (c) the general division (being prescribed posts therein) shall as from such commencement be deemed to be included or employed in the general A division;
- (d) the general division (not being prescribed posts therein) shall as from such commencement be deemed to be included or employed in the general B division.

(4) Alle persone wat onmiddellik voor die inwerkingtreding van hierdie Wet—

- (a) uit hoofde van 'n wetsbepaling wat by hierdie Wet herroep word, beamptes in die staatsdiens was; of
- (b) nie beamptes in die staatsdiens was nie, maar in regeringsdiens was en salarisse, lone en toelaes betaal is ooreenkomstig skale wat op aanbeveling van die Kommissie goedgekeur is,

word vanaf daardie inwerkingtreding geag beamptes of werknemers, na gelang van die geval, te wees soos in hierdie Wet omskryf; en die bepalings van hierdie Wet is op of ten opsigte van al sodanige persone van toepassing.

HOOFSTUK II.

ORGANISASIE EN ADMINISTRASIE.

3. (1) Die staatsdiens bestaan uit persone—

(a) wat poste beklee op die vaste diensstaat—

(i) ingedeel by—

- die administratiewe afdeling;
- die klerklike afdeling;
- die vakkundige afdeling;
- die tegniese afdeling;
- die algemene A-afdeling; en
- die algemene B-afdeling;

(ii) in die dienste;

(b) wat nadat hulle opgehou het om poste op die in paragraaf (a) bedoelde vaste diensstaat te beklee, en wat nie afgetree het of ontslaan is nie, addisioneel tot die vaste diensstaat in diens is ooreenkomstig 'n aanbeveling gedoen ingevolge paragraaf (e) van sub-artikel (2) van artikel ses, of wat geag word 'n pos in 'n afdeling te bly beklee onder die in die tweede voorbehoudsbepaling by sub-artikel (3) beoogde omstandighede;

(c) (i) wat ander poste op die vaste diensstaat beklee as die in paragraaf (a) bedoelde poste;

(ii) wat tydelik of onder 'n spesiale kontrak in 'n departement, hetsy in 'n voltydse of deelydse hoedanigheid, addisioneel tot die vaste diensstaat of in vakante poste op die vaste diensstaat ooreenkomstig 'n aanbeveling gedoen ingevolge paragraaf (d) van sub-artikel (2) van artikel ses, in diens is.

(2) Die administratiewe, klerklike, vakkundige, tegniese, algemene A- en algemene B-afdelings bestaan elkeen uit die poste wat volgens die Kommissie gelas het daarby ingesluit moet word.

(3) Die Kommissie het die bevoegdheid om te gelas dat enige pos wat by een afdeling ingesluit is, uit daardie afdeling verwyder en by 'n ander afdeling ingesluit moet word of dat enige pos wat by die administratiewe, klerklike, vakkundige, tegniese, algemene A- of algemene B-afdeling ingesluit is, uit al daardie afdelings uitgesluit moet word: Met dien verstande dat 'n lasgewing ingevolge hierdie artikel nie aan 'n beampte verlof of 'n ander voorreg of reg wat sy bekleding van 'n pos in een van genoemde afdelings meebring het, mag ontnem nie: Met dien verstande voorts dat 'n beampte wie se pos uit al voornoemde afdelings uitgesluit is, by die toepassing van hierdie Wet en die Regeringsdiens-pensioenwet, 1955 (Wet No. 58 van 1955), geag word 'n pos in die afdeling waarin sy pos ingesluit was onmiddellik voordat die lasgewing van krag geword het, te bly beklee.

(4) Alle lasgewings wat ingevolge hierdie artikel gegee word, word in die *Staatskoerant* bekendgemaak.

(5) Alle poste wat onmiddellik voor die inwerkingtreding van hierdie Wet ingevolge die wetsbepalings wat by hierdie Wet herroep word, ingesluit was in en alle beamptes wat onmiddellik voor daardie inwerkingtreding in diens was in—

- (a) die vakkundige en tegniese afdeling (hoër tak), word vanaf daardie inwerkingtreding geag ingesluit of in diens te wees in die vakkundige afdeling;
- (b) die vakkundige en tegniese afdeling (laer tak) word vanaf daardie inwerkingtreding geag ingesluit of in diens te wees in die tegniese afdeling;
- (c) die algemene afdeling (wat voorgeskrewe poste daarin is), word vanaf daardie inwerkingtreding geag ingesluit of in diens te wees in die algemene A-afdeling;
- (d) die algemene afdeling (wat nie voorgeskrewe poste daarin is nie), word vanaf daardie inwerkingtreding geag ingesluit of in diens te wees in die algemene B-afdeling.

Omskrywing en indeling van die staatsdiens.

Public Service
Commission:
appointment, re-
muneration and
tenure of office.

(6) The public service shall not include Ministers, the Administrator of a province or of the territory, the Chief Justice of South Africa or any judge of the Supreme Court of South Africa or of the High Court of South-West Africa, officers of Parliament and members of the Commission.

4. (1) In conformity with the provisions of section *one hundred and forty-two* of the South Africa Act, 1909, there shall be a commission to be known as the Public Service Commission, with such powers, functions and duties as are prescribed by this Act or any other law.

(2) (a) The Commission shall consist of five members who shall be appointed by the Governor-General and in making any such appointment the Governor-General shall have due regard to *inter alia* the knowledge of or experience in the public service of the persons to be appointed.

(b) The Governor-General shall designate one member as chairman and another member as vice-chairman of the Commission.

(c) During the absence of the chairman for any reason the vice-chairman shall act as chairman of the Commission and during the absence of both the chairman and the vice-chairman for any reason, the Governor-General shall designate a member or acting member of the Commission to act as chairman of the Commission.

(3) The persons who immediately before the commencement of this Act held office as members of the Commission and the member who immediately before such commencement was designated as chairman shall as from such commencement be deemed to have been appointed or designated, as the case may be, under sub-section (2): Provided that the periods of office of such members shall expire on the dates they would have expired had this Act not been passed.

(4) Subject to the provisions of sub-sections (10), (11), (12) and (13), a member of the Commission shall hold office for a period of five years, and shall be eligible for reappointment on the expiry of his period of office.

(5) (a) The Governor-General shall fix the salaries payable to the chairman, vice-chairman and members of the Commission: Provided that the salary payable to the chairman, vice-chairman or a member shall not be reduced during a period of office except by Act of Parliament.

(b) The salaries which were payable to the chairman and members of the Commission immediately before the commencement of this Act shall as from such commencement be deemed to be salaries fixed under paragraph (a).

(6) There shall be paid to members of the Commission such cost of living, re-imbursive and other allowances, bonuses and gratuities, and there shall be granted to them such privileges in respect of leave of absence, transfer and transportation as would have been paid or granted to them had they been officers in the public service.

(7) A member of the Commission shall not without the permission of the Governor-General perform or engage himself to perform any remunerative work outside the duties of his office.

(8) In the case of illness, suspension or absence of any member of the Commission the Governor-General may appoint a person to act in his place as a member of the Commission during such illness, suspension or absence.

(9) A member of the Commission shall not be suspended or removed from office except in accordance with the provisions of sub-sections (10), (11) and (12).

(10) (a) The Governor-General may suspend a member of the Commission and subject to the provisions of this sub-section, remove him from office—

(i) for misconduct;

(ii) for unfitness for the duties of his office or incapacity to carry them out efficiently; or

(iii) if for reasons other than his own unfitness or incapacity his removal from office will promote efficiency or economy.

(b) Every suspension of a member of the Commission and the reason therefor shall be communicated by message to both Houses of Parliament within fourteen days after the suspension, if Parliament is then in session, or if Parliament is not then in session, within fourteen days of the commencement of its next ensuing session.

(c) If within twenty-one days from the date on which the aforesaid suspension and the reason therefor have

(6) Die staatsdiens sluit nie Ministers, die Administrateur van 'n provinsie of van die gebied, die Hoofregter van Suid-Afrika of 'n regter van die Hooggeregshof van Suid-Afrika of van die Hoë Hof van Suidwes-Afrika, amptenare van die Parlement en lede van die Kommissie in nie.

4. (1) In ooreenstemming met die bepalings van artikel honderd twee-en-veertig van die „Zuid-Afrika Wet, 1909”, is daar 'n kommissie bekend as die Staatsdienskommissie, met die bevoegdhede, werksaamhede en pligte wat by hierdie Wet of enige ander wetsbepaling voorgeskryf word.

Staatsdiens-
kommissie:
aanstelling, be-
soldiging en
ampstermyn.

(2) (a) Die Kommissie bestaan uit vyf lede wat deur die Goewerneur-generaal aangestel word en by so 'n aanstelling neem die Goewerneur-generaal, onder andere, die kennis van of ondervinding in die staatsdiens van die persone wat aangestel gaan word, behoorlik in ag.

(b) Die Goewerneur-generaal wys een lid as voorsitter en 'n ander lid as vise-voorsitter van die Kommissie aan.

(c) Gedurende die afwesigheid van die voorsitter, om watter rede ook al, moet die vise-voorsitter as voorsitter van die Kommissie optree, en gedurende die afwesigheid van sowel die voorsitter as die vise-voorsitter om watter rede ook al, wys die Goewerneur-generaal 'n lid of waarnemende lid van die Kommissie aan om as voorsitter van die Kommissie waar te neem.

(3) Die persone wat onmiddellik voor die inwerkingtreding van hierdie Wet die amp van lid van die Kommissie beklee het en die lid wat onmiddellik voor daardie inwerkingtreding as voorsitter aangewys is, word vanaf daardie inwerkingtreding geag ingevolge sub-artikel (2) aangestel of aangewys te gewees het, na gelang van die geval: Met dien verstande dat die ampstyd van genoemde persone verstryk op die datums waarop dit sou verstryk het as hierdie Wet nie ingevoer was nie.

(4) Behoudens die bepalings van sub-artikels (10), (11), (12) en (13) beklee 'n lid van die Kommissie sy amp vir 'n tydperk van vyf jaar, en kan hy by die verstryking van sy ampstyd weer aangestel word.

(5) (a) Die Goewerneur-generaal stel die salarisse vas wat aan die voorsitter, vise-voorsitter en lede van die Kommissie betaal word: Met dien verstande dat die salaris van die voorsitter, vise-voorsitter of 'n lid, nie gedurende 'n ampstermyn verminder mag word nie behalwe by Parlements wet.

(b) Die salarisse wat aan die voorsitter en lede van die Kommissie onmiddellik voor die inwerkingtreding van hierdie Wet betaal is, word vanaf daardie inwerkingtreding geag salarisse te wees wat kragtens paragraaf (a) vasgestel is.

(6) Aan lede van die Kommissie word die lewenskoste-, vergoedende en ander toelaes, bonusse en gratifikasies betaal en aan hulle word dié voorregte ten opsigte van verlof, oorplasing en vervoer verleen wat aan hulle betaal of verleen sou geword het as hulle beamptes in die staatsdiens was.

(7) 'n Lid van die Kommissie mag nie sonder die toestemming van die Goewerneur-generaal besoldigde werk buite sy amppligte verrig of hom verbind om dit te verrig nie.

(8) In die geval van siekte, skorsing of afwesigheid van 'n lid van die Kommissie kan die Goewerneur-generaal 'n persoon aanstel om in sy plek as lid van die Kommissie gedurende sodanige siekte, skorsing of afwesigheid waar te neem.

(9) 'n Lid van die Kommissie mag nie in sy amp geskors of daarvan onthef word nie behalwe ooreenkomstig die bepalings van sub-artikels (10), (11) en (12).

(10) (a) Die Goewerneur-generaal kan 'n lid van die Kommissie in sy amp skors en, behoudens die bepalings van hierdie sub-artikel, hom daarvan onthef—

(i) weens wangedrag;

(ii) weens ongeskiktheid vir sy ampspligte of onvermoë om hulle op bekwame wyse uit te voer; of

(iii) as om ander redes as sy eie ongeskiktheid of onvermoë sy ontheffing van sy amp doeltreffendheid of besuiniging sal bevorder.

(b) Elke skorsing van 'n lid van die Kommissie en die rede daarvoor moet per boodskap aan albei Huise van die Parlement binne veertien dae na die skorsing meegedeel word as die Parlement dan sit, of as die Parlement nie dan sit nie, binne veertien dae na die aanvang van sy eersvolgende sessie.

(c) As aan die Goewerneur-generaal binne een-en-twintig dae vanaf die datum waarop bedoelde skorsing en die

been so communicated to both Houses of Parliament the Governor-General is presented with an address from both Houses praying for the removal of the member from office and stating the reason for such removal, the Governor-General may remove him accordingly.

- (d) If within the period referred to in paragraph (c) no such address is presented to the Governor-General, the member shall be restored to office.
- (11) (a) If a member of the Commission becomes afflicted with a permanent infirmity of mind or body which disables him from the proper discharge of the duties of his office, the Governor-General may—
- (i) allow him to vacate his office; or
 - (ii) subject to the provisions of sub-section (10), remove him from office on the ground of incapacity.
- (b) If a member such as is referred to in sub-section (13), is allowed to vacate his office in terms of sub-paragraph (i) of paragraph (a), he shall be deemed to have retired on the ground of ill-health and shall be entitled to such pension as he would under the pension law applicable to him have been entitled to if he had been discharged from the public service on the ground of ill-health occasioned with or without his own default as the Governor-General may direct.
- (12) A member of the Commission shall vacate his office, and if he is a member such as is referred to in sub-section (13) he shall retire, on attaining the age of sixty-five years.
- (13) If any officer or employee in the public service is appointed to be or to act as a member of the Commission—
- (a) the period of his service as such member or acting member shall be reckoned as part of and continuous with his employment in the public service for purposes of leave and pension, and the provisions of any pension law applicable to him as such officer or employee, or in the event of his death, to his dependants, which are not in conflict with this section, shall *mutatis mutandis* continue to apply; and
 - (b) such member shall have the same right to vacate his office and to retire as he would have had on the attainment of an age prescribed by this Act or any other law or on any subsequent date on which he desires to do so, had he remained in the public service.
- (14) A member of the Commission—
- (a) who immediately before his appointment as such was an officer in the public service;
 - (b) who at the expiry of his period of office as a member of the Commission is not reappointed thereto; and
 - (c) who at that expiry has not reached the age at which he would in terms of sub-section (1) or (2) of section *fourteen* have had the right to retire and should have been retired, had he remained an officer,

shall have the right to retire, or may be required by the Governor-General to retire, and if he does so retire or is so required to retire he shall be entitled to such pension as he would under the pension law applicable to him have been entitled to, if he had been discharged from the public service owing to the abolition of his post.

Exercising and delegation of Commission's powers and functions.

5. (1) Subject to the provisions of sub-section (2), a recommendation or direction made or given by not less than three members of the Commission shall be deemed for the purposes of this Act or any other law to be a recommendation or direction made or given by the Commission.

(2) Subject to the provisions of sub-section (3), any power conferred upon or function entrusted to the Commission by this Act or any other law (except the power of delegation conferred hereby) may, with the concurrence of all the members of the Commission, be exercised or carried out—

- (a) by any member or members of the Commission under a general or special delegation from the Commission; or
 - (b) by any officer employed in the office of the Commission acting under the control and direction of the Commission.
- (3) The Commission shall not delegate the powers conferred upon it by paragraphs (a), (g), (j), (m) and (n) of sub-section (2) of section *six*, or sub-sections (4) and (5) and paragraphs (a) to (e), inclusive, of sub-section (6) and sub-sections (7) and (8)

rede daarvoor aldus aan albei Huise van die Parlement meegedeel is, 'n adres van albei Huise voorgelê word waarin versoek word dat die lid van sy amp onthef word en waarin die rede vir die ontheffing genoem word, kan die Goewerneur-generaal hom dien-ooreenkomstig onthef.

- (d) As geen sodanige adres binne die in paragraaf (c) bedoelde tydperk aan die Goewerneur-generaal voorgelê word nie, moet die lid in sy amp herstel word.
- (11) (a) As 'n lid van die Kommissie 'n blywende verstandelike of liggaamlike swakheid opdoen wat hom ongeskik maak vir die behoorlike vervulling van sy ampspligte, kan die Goewerneur-generaal—
- (i) hom toelaat om sy amp neer te lê; of
 - (ii) hom, behoudens die bepalings van sub-artikel (10), van sy amp op grond van onvermoë onthef.
- (b) As 'n in sub-artikel (13) bedoelde lid toegelaat word om ingevolge sub-paragraaf (i) van paragraaf (a) sy amp neer te lê, word hy geag op grond van swak gesondheid afgedank te gewees het en is hy geregtig op die pensioen waarop hy kragtens die pensioenwet wat op hom van toepassing is, geregtig sou gewees het as hy uit die staatsdiens ontslaan was op grond van swak gesondheid wat met of sonder sy toedoen veroorsaak is, soos die Goewerneur-generaal gelas.
- (12) 'n Lid van die Kommissie moet sy amp neerlê, en as hy 'n in sub-artikel (13) bedoelde lid is, moet hy aftree, wanneer hy die leeftyd van vyf-en-sestig jaar bereik.
- (13) As 'n beampte of werknemer in die staatsdiens aangestel word om 'n lid van die Kommissie te wees of om as sodanig waar te neem—
- (a) word die tydperk van sy diens as sodanige lid of waarnemende lid gereken as deel van en as aaneenlopend met sy diens in die staatsdiens vir doeleindes van verlof en pensioen, en die bepalings van enige pensioenwet wat op hom as sodanige beampte of werknemer, of in die geval van sy dood op sy afhanklikes, van toepassing is en nie met hierdie artikel strydig is nie, bly *mutatis mutandis* van toepassing; en
 - (b) sodanige lid het dieselfde reg om sy amp neer te lê en af te tree as wat hy sou gehad het by die bereiking van 'n leeftyd voorgeskryf by hierdie Wet of enige ander wetsbepaling of op enige latere datum waarop hy wens sulks te doen, as hy in die staatsdiens gebly het.
- (14) 'n Lid van die Kommissie—
- (a) wat onmiddellik voor sy aanstelling as sodanig, 'n beampte in die staatsdiens was;
 - (b) wat by die verstryking van sy ampstyd as lid van die Kommissie, nie weer daarin aangestel word nie; en
 - (c) wat by daardie verstryking nog nie die leeftyd bereik het waarop hy ingevolge sub-artikel (1) of (2) van artikel veertien die reg sou gehad het om af te tree en afgedank moes gewees het, as hy 'n beampte gebly het,
- het die reg om af te tree, of kan deur die Goewerneur-generaal aangesê word om af te tree, en as hy aldus aftree of aldus aangesê word om af te tree, is hy geregtig op die pensioen waarop hy ingevolge die pensioenwet wat op hom van toepassing is, geregtig sou gewees het as hy weens die afskaffing van sy pos uit die staatsdiens ontslaan was.

5. (1) Behoudens die bepalings van sub-artikel (2), word 'n aanbeveling of lasgewing wat deur minstens drie lede van die Kommissie gedoen of gegee is by die toepassing van hierdie Wet of enige ander wetsbepaling geag 'n aanbeveling of lasgewing te wees wat deur die Kommissie gedoen of gegee is.

Uitoefening en delegasie van Kommissie se bevoegdhede en werksaamhede.

(2) Behoudens die bepalings van sub-artikel (3) kan enige bevoegdheid wat verleen of werksaamheid wat opgedra is aan die Kommissie by hierdie Wet of enige ander wetsbepaling (behalwe die delegasiebevoegdheid wat hierby verleen word), met die instemming van al die lede van die Kommissie uitgeoefen of verrig word—

- (a) deur 'n lid of lede van die Kommissie ingevolge 'n algemene of spesiale delegasie van die Kommissie; of
- (b) deur 'n beampte in diens in die kantoor van die Kommissie wat onder die beheer en leiding van die Kommissie optree.

(3) Die Kommissie mag nie die bevoegdhede wat aan hom by paragrafe (a), (g), (f), (m) en (n) van sub-artikel (2) van artikel ses, of sub-artikels (4) en (5) en paragrafe (a) tot en met (e) van sub-artikel (6) en sub-artikels (7) en (8) van artikel

of section *fourteen*, or Chapter IV, or section *twenty-five*, or section *twenty-seven* of this Act, or by sub-section (1) of section *sixty-two* of the Government Service Pensions Act, 1955 (Act No. 58 of 1955).

(4) The Commission may designate one or more of its members or an officer or officers to conduct an enquiry into any matter upon which in terms of this Act or any other law it is competent for the Commission to make a recommendation or issue a direction.

(5) Any delegation or designation made by the Commission under this section may at any time be revoked by the Commission.

Commission's powers, functions and duties.

6. (1) The Commission shall have the power—
- (a) to perform the functions and carry out the duties categorically described in this section as well as the functions entrusted to and the duties imposed upon it by or under any other provision of this Act or by or under any other law; and
 - (b) to make recommendations or give directions on all matters not specifically provided for in this Act or any other law, but not inconsistent therewith, relating to or arising out of the employment of and the conditions of employment generally of officers and employees in the public service.
- (2) The Commission shall—
- (a) make recommendations as to the creation or abolition of departments, sub-departments, branches or offices, the transfer of functions from one department to another or from a department to any other body or from any other body to a department;
 - (b) make recommendations as to the control, organization and readjustment of any departments, sub-departments, branches or offices;
 - (c) make recommendations as to the number, grading, regrading and conversion of posts on the fixed establishment;
 - (d) make recommendations as to the number of persons to be employed temporarily or under a special contract, whether in a full-time or a part-time capacity—
 - (i) against posts on the fixed establishment which are not permanently filled; or
 - (ii) in addition to the fixed establishment, either by reason of the absence or illness of the incumbent of any post, or when it is necessary to provide staff for the performance of a class of work for which staff is not ordinarily maintained on a permanent basis, or when it is necessary for any other reason to increase temporarily the staff of any department;
 - (e) whenever it considers it necessary, make a recommendation for the employment of an officer additional to the fixed establishment, or in a post graded lower or higher than his own grade;
 - (f) make recommendations for effecting economies and promoting efficiency in the management and working of departments, sub-departments, branches and offices by—
 - (i) improved organization, procedure and methods;
 - (ii) improved supervision;
 - (iii) simplification of work and the elimination of unnecessary work;
 - (iv) co-ordination of work;
 - (v) limitation of the number of officers and employees of departments, sub-departments, branches and offices and the utilization of the services of officers and employees to the best advantage;
 - (g) make recommendations as to the scales of salaries, wages and allowances of all the various classes and grades of officers and employees;
 - (h) whenever it is necessary to make any appointment or promotion to a post in the administrative, clerical, professional, technical or general A division whether such necessity arises from the fact that the post is vacant or has been regraded or converted, make a recommendation as to the person to be appointed or promoted: Provided that in such posts in the general

veertien, of Hoofstuk IV, of artikel vyf-en-twintig, of artikel sewe-en-twintig van hierdie Wet, of by sub-artikel (1) van artikel twee-en-sestig van die Regeringsdiens-pensioenwet, 1955 (Wet No. 58 van 1955), verleen is, delegeer nie.

(4) Die Kommissie kan een of meer van sy lede of 'n beampte of beamptes aanwys om 'n ondersoek in te stel na enige aangeleentheid waaroor hy ingevolge hierdie Wet of enige ander wetsbepaling die bevoegdheid het om 'n aanbeveling te doen of 'n lasgewing te gee.

(5) 'n Delegasie of aanwysing wat ingevolge hierdie artikel deur die Kommissie gedoen is, kan te eniger tyd deur die Kommissie ingetrek word.

6. (1) Die Kommissie het die bevoegdheid—

Kommissie se bevoegdhe, werksaamhede en pligte.

(a) om die werksaamhede te verrig en die pligte uit te voer wat uitdruklik in hierdie artikel beskryf word asook die werksaamhede wat aan hom opgedra en die pligte wat aan hom opgelê is by of kragtens enige ander bepaling van hierdie Wet of by of kragtens enige ander wetsbepaling; en

(b) om aanbevelings te doen of lasgewings te gee oor alle aangeleenthede waarvoor daar nie uitdruklik in hierdie Wet of enige ander wetsbepaling voorsiening gemaak is nie maar wat nie daarmee strydig is nie, met betrekking tot of voortspruitende uit die indiensneming van en die diensvoorwaardes in die algemeen van beamptes en werknemers in die staatsdiens.

(2) Die Kommissie moet—

(a) aanbevelings doen aangaande die skepping of afskaffing van departemente, sub-departemente, takke of kantore, die oordrag van werksaamhede van een departement aan 'n ander of van 'n departement aan 'n ander liggaam of van 'n ander liggaam aan 'n departement;

(b) aanbevelings doen aangaande die beheer, organisasie en herreëling van departemente, sub-departemente, takke of kantore;

(c) aanbevelings doen aangaande die getal, gradering, hergradering en omskepping van poste op die vaste diensstaat;

(d) aanbevelings doen aangaande die getal persone wat tydelik of onder 'n spesiale kontrak, hetsy in 'n voltydse of 'n deeltydse hoedanigheid, in diens geneem moet word—

(i) teen poste op die vaste diensstaat wat nie permanent gevul is nie; of

(ii) addisioneel tot die vaste diensstaat, hetsy weens die afwesigheid of siekte van die bekleër van 'n pos, of wanneer dit nodig is om personeel te voorsien vir die verrigting van 'n klas werk waarvoor personeel nie onder gewone omstandighede op 'n permanente basis aangehou word nie, of wanneer dit om enige ander rede nodig is om die personeel van 'n departement tydelik te vergroot;

(e) wanneer hy dit nodig ag 'n aanbeveling doen vir die indiensneming van 'n beampte addisioneel tot die vaste diensstaat, of in 'n pos wat hoër of laer as sy eie graad gegradeer is;

(f) aanbevelings doen vir die bewerkstelling van besuiniging en die bevordering van doeltreffendheid in die bestuur en funksionering van departemente, sub-departemente, takke en kantore deur—

(i) verbeterde organisasie, prosedure en metodes;

(ii) verbeterde toesig;

(iii) vereenvoudiging van werk en die uitskakeling van onnodige werk;

(iv) koördinasie van werk;

(v) beperking van die getal beamptes en werknemers van departemente, sub-departemente, takke en kantore en die aanwending van die dienste van beamptes en werknemers op die voordeligste wyse;

(g) aanbevelings doen aangaande die skale van salarisse, lone en toelaes van al die verskillende klasse en grade van beamptes en werknemers;

(h) wanneer dit nodig is om 'n aanstelling of bevordering te doen in of tot 'n pos in die administratiewe, klerklike, vakkundige, tegniese of algemene A-afdeling, hetsy dit nodig is weens die feit dat die pos vakant of hergradeer of omgeskep is, 'n aanbeveling doen aangaande die persoon wat aangestel of bevorder moet word; Met dien verstande dat in dié poste in die

A division as may be specified by the Commission appointments and promotions may be made without a recommendation of the Commission;

- (i) keep a record of officers employed in posts in the administrative, clerical, professional, technical and general A divisions;
- (j) enquire into the grievances of officers and subject to the provisions of this Act, make such recommendations thereon as it may deem fit;
- (k) give directions as to the age, educational, language and other qualifications to be possessed by persons on appointment, transfer or promotion to or in the public service where such qualifications are not prescribed by or under this Act or any other law;
- (l) where it deems it necessary, conduct examinations or cause examinations to be conducted in such subjects, including languages, as may be directed by it or prescribed as a qualification to be possessed by persons on appointment, transfer or promotion to or in the public service;
- (m) make recommendations as to the provisions of the regulations to be made;
- (n) as soon as practicable after the thirty-first day of December of each year, frame a report upon matters which have been dealt with by the Commission during the preceding year, and also from time to time such special reports as may to the Commission seem desirable;
- (o) exercise such other powers, perform such other functions, and carry out such other duties not repugnant to this Act as may be conferred upon, entrusted to or imposed upon it by the Governor-General.

(3) The provisions of paragraph (h) (excluding the proviso thereto), and paragraph (i) of sub-section (2), shall apply *mutatis mutandis* in respect of such employees as may be directed by the Commission.

(4) The Governor-General may delegate to the Commission such powers, functions and duties as are by any law conferred upon, entrusted to or imposed upon a Minister in respect of the appointment, grading, classification, promotion, retirement, discipline, hours of attendance, leave of absence and generally the conditions of employment of persons in the employment of land banks, boards and like institutions or bodies.

The carrying out, withdrawal, rejection or variation and Treasury approval of Commission's recommendations.

7. (1) Subject to the provisions of sub-section (2) every recommendation made by the Commission in accordance with law and which relates to a particular person—

- (a) may be withdrawn or varied by the Commission or may be rejected or varied by the Governor-General before it has been carried out, at any time within a period of six calendar months from the date upon which it was made by the Commission or within a period of six calendar months from the date upon which it was varied by the Commission: Provided that it shall not be competent for the Commission to withdraw or vary any recommendation which has been varied by the Governor-General;
- (b) shall, if the Governor-General has varied it, forthwith be carried out by the Minister or Administrator as so varied;
- (c) shall, if the Governor-General has refused to vary or reject it, forthwith be carried out by the Minister or Administrator as made or varied by the Commission;
- (d) shall, if the said period has expired, and it has not been carried out, or withdrawn by the Commission or rejected or varied by the Governor-General, forthwith be carried out by the Minister or Administrator as made or varied by the Commission.

(2) Every recommendation of the Commission as to—

- (a) the number, grading, regrading and conversion of posts on the fixed establishment;
- (b) the employment of officers and employees additional to the fixed establishment or in posts graded lower than their own grading;
- (c) the scales of salaries, wages and allowances of officers and employees;
- (d) the payment to officers and employees, or classes of officers or employees, of salaries at higher rates than the minima of the scales applicable to their posts on appointment, transfer or promotion;

algemene A-afdeling wat deur die Kommissie vermeld word, aanstellings en bevorderings sonder 'n aanbeveling van die Kommissie gedoen kan word;

- (i) aantekening hou van beamptes wat in diens geneem is in poste in die administratiewe, klerklike, vakkundige, tegniese en algemene A-afdelings;
- (j) ondersoek instel na griewe van beamptes en, behoudens die bepalinge van hierdie Wet, die aanbevelings daaroor doen wat hy goed dink;
- (k) lasgewings gee aangaande die leeftyds-, opvoedkundige, taal- en ander kwalifikasies wat persone moet besit by aanstelling, oorpasing of bevordering in of na die staatsdiens, waar die kwalifikasies nie by of kragtens hierdie Wet of enige ander wetsbepaling voorgeskryf word nie;
- (l) waar hy dit nodig ag, eksamens afneem of laat afneem in die vakke, insluitende tale, soos hy gelas, of soos voorgeskryf as 'n kwalifikasie wat persone by aanstelling, oorpasing of bevordering in of na die staatsdiens moet besit;
- (m) aanbevelings doen aangaande die bepalinge van die regulasies wat uitgevaardig moet word;
- (n) so spoedig doenlik na die een-en-dertigste dag van Desember van elke jaar 'n verslag oor aangeleenthede wat die Kommissie gedurende die vorige jaar behandel het, asook van tyd tot tyd spesiale verslae wat die Kommissie wenslik ag, opstel;
- (o) die ander bevoegdhede uitoefen, die ander werksaamhede verrig en die ander pligte uitvoer wat nie met hierdie Wet strydig is nie en wat aan hom deur die Goewerneur-generaal verleen, opgedra of opgelê word.

(3) Die bepalinge van paragraaf (h) (behalwe die voorbehoudsbepaling daarby), en paragraaf (i) van sub-artikel (2) is *mutatis mutandis* ten opsigte van sodanige werknemers as wat die Kommissie gelas, van toepassing.

(4) Die Goewerneur-generaal kan aan die Kommissie die bevoegdhede, werksaamhede en pligte wat by enige wetsbepaling verleen, opgedra of opgelê is aan 'n Minister ten opsigte van die aanstelling, gradering, indeling, bevordering, aftreding, dissipline, diensure, verlof en in die algemeen die diensvoorwaardes van persone in die diens van landbanke, rade en dergelike inrigtings of liggame, delegeer.

7. (1) Elke aanbeveling wat deur die Kommissie ooreenkomstig die wet gedoen word en wat op 'n besondere persoon betrekking het, behoudens die bepalinge van sub-artikel (2)—

- (a) kan voordat dit uitgevoer is, deur die Kommissie teruggetrek of gewysig word of deur die Goewerneur-generaal verwerp of gewysig word te eniger tyd binne 'n tydperk van ses kalendermaande vanaf die datum waarop dit deur die Kommissie gedoen is of binne 'n tydperk van ses kalendermaande vanaf die datum waarop dit deur die Kommissie gewysig is: Met dien verstande dat die Kommissie nie 'n aanbeveling wat deur die Goewerneur-generaal gewysig is, mag terugtrek of wysig nie;
- (b) word, as dit deur die Goewerneur-generaal gewysig is, onverwyld deur die Minister of Administrateur soos aldus gewysig, uitgevoer;
- (c) word, as die Goewerneur-generaal geweier het om dit te wysig of te verwerp, onverwyld deur die Minister of Administrateur soos deur die Kommissie gedoen of gewysig, uitgevoer;
- (d) word, as bedoelde tydperk verstryk het en dit nie uitgevoer of deur die Kommissie teruggetrek of deur die Goewerneur-generaal verwerp of gewysig is nie, onverwyld deur die Minister of Administrateur soos deur die Kommissie gedoen of gewysig, uitgevoer.

Die uitvoering, terugtrekking, verwerping of wysiging en Tesouriegoedkeuring van aanbevelings van die Kommissie.

(2) Elke aanbeveling van die Kommissie aangaande—

- (a) die getal, gradering, hergradering, en omskepping van poste op die vaste diensstaat;
- (b) die indiensneming en indienshouding van beamptes en werknemers addisioneel tot die vaste diensstaat of in poste wat laer gegradeer is as hulle eie gradering;
- (c) die skale van salarisse, lone en toelaes van beamptes en werknemers;
- (d) die betaling aan beamptes en werknemers, of klasse beamptes of werknemers, van salarisse teen hoër bedrae as die minimums van skale wat op hulle poste by aanstelling, oorpasing of bevordering van toepassing is;

- (e) the special advancement of officers and employees, or classes of officers or employees, within the scales of salary applicable to their posts or the payment to them of salaries in accordance with higher scales;
- (f) the payment to officers and employees of extra remuneration for the performance of overtime duties;
- (g) the amounts of bonuses, awards, gratuities, honoraria and any other extra payments to be made to officers and employees;
- (h) the grant of bursaries and grants-in-aid for purposes of study and research;
- (i) the conditions of employment generally of officers and employees;
- (j) the provisions of the regulations,

involving expenditure from the Consolidated Revenue Fund, other than a recommendation required to be carried out by or on the authority of an Administrator of a province or of the territory, shall be communicated to the Treasury and shall not be carried out unless the Treasury approves such expenditure.

(3) Where a recommendation of the Commission has been rejected or varied by the Governor-General, the Minister or Administrator shall act in the matter, in connection with which the recommendation was made, in accordance with any authority granted by the Governor-General or in accordance with the recommendation of the Commission as so varied, without obtaining a further recommendation of the Commission.

(4) For the purpose of the application of the provisions of sub-sections (1) and (3), relating to the rejection or variation by the Governor-General of a recommendation of the Commission, any refusal or failure by the Commission to make a recommendation shall be deemed to be a recommendation of the Commission.

(5) No application for the rejection or variation of a recommendation shall be made to the Governor-General unless the department concerned has given the Commission at least fourteen days' notice of its intention so to apply and such notice shall set forth the grounds upon which the department intends basing the application.

(6) For the purposes of this Act or any other law, a recommendation shall be deemed—

- (a) to have been made on the date of the written communication conveying such recommendation; and
- (b) if it relates to a particular person, to have been carried out by a Minister or Administrator on the date of the written communication to such person stating that the Minister or Administrator has approved such recommendation.

(7) If the Governor-General is unable or unwilling to adopt, or rejects or varies, a recommendation of the Commission made in accordance with law, the Commission shall report the matter fully to Parliament either by means of a special report or in its annual report.

Commission's power to inspect departments, to have access to official documents and of enquiry.

8. (1) The Commission shall have the power to inspect all departments, to have access to such official documents and records, and to obtain all such information from heads of departments and other officers and employees as in its opinion may be necessary for the exercise of its powers, the performance of its functions and the carrying out of its duties under this Act or under any other law.

(2) The Commission may—

- (a) summon any person who in the opinion of the Commission may be able to give material information concerning the subject of any enquiry held or inspection made by it, or who it suspects or believes has in his possession or custody or under his control any book, document or thing which has any bearing upon the subject of the enquiry or inspection, to appear before it at a time and place specified in the summons, to be interrogated or to produce that book, document or thing;
- (b) call and administer an oath to or take an affirmation from any person present at the enquiry or inspection who was or might have been summoned in terms of paragraph (a), and may interrogate him and require him to produce any book, document or thing in his possession or custody or under his control which the

- (e) die spesiale verhoging van beamptes en werknemers, of klasse beamptes of werknemers, binne die salaris-skale wat op hulle poste van toepassing is of die betaling aan hulle van salarisse ooreenkomstig hoër skale;
- (f) die betaling aan beamptes en werknemers van ekstra besoldiging vir die verrigting van oortyddiens;
- (g) die bedrae van bonusse, toekennings, gratifikasies, honorariums en ander ekstra betalings wat aan beamptes en werknemers gedoen moet word;
- (h) die toekenning van beurse en hulptoelae vir studie- en navorsingsdoeleindes;
- (i) die diensvoorwaardes in die algemeen van beamptes en werknemers;
- (j) die bepalings van die regulasies,

wat uitgawes uit die Gekonsolideerde Inkomstefonds meebring, behalwe 'n aanbeveling wat deur of op gesag van 'n Administrateur van 'n provinsie of van die gebied uitgevoer moet word, word aan die Tesourie meegedeel en nie uitgevoer nie tensy die Tesourie sodanige uitgawes goedkeur.

(3) Waar 'n aanbeveling van die Kommissie deur die Goewerneur-generaal verwerp of gewysig is, handel die Minister of Administrateur in die aangeleentheid in verband waarmee die aanbeveling gedoen is, ooreenkomstig enige magtiging deur die Goewerneur-generaal verleen of ooreenkomstig die aanbeveling van die Kommissie soos aldus gewysig, sonder om 'n verdere aanbeveling van die Kommissie te verkry.

(4) Vir die doel van die toepassing van die bepalings van sub-artikels (1) en (3) betreffende die verwerping of wysiging deur die Goewerneur-generaal van 'n aanbeveling van die Kommissie, word 'n weiering deur of 'n versuim van die Kommissie om 'n aanbeveling te maak, geag 'n aanbeveling van die Kommissie te wees.

(5) Geen aansoek om die verwerping of wysiging van 'n in sub-artikel (1) bedoelde aanbeveling, word aan die Goewerneur-generaal gerig nie tensy die betrokke departement aan die Kommissie ten minste veertien dae kennis gegee het van sy voorneme om aldus aansoek te doen en sodanige kennisgewing sit die gronde uiteen waarop die departement van voorneme is om die aansoek te baseer.

(6) By die toepassing van hierdie Wet of van enige ander wetsbepalings, word 'n aanbeveling geag—

- (a) gedoen te gewees het op die datum van die skriftelike mededeling waarin so 'n aanbeveling oorgedra word; en
- (b) as dit op 'n bepaalde persoon betrekking het, deur 'n Minister of Administrateur uitgevoer te gewees het op die datum van die skriftelike mededeling aan daardie persoon waarin verklaar word dat die Minister of Administrateur die aanbeveling goedgekeur het.

(7) As die Goewerneur-generaal nie in staat of nie bereid is om 'n aanbeveling van die Kommissie wat ooreenkomstig die wet gedoen is, aan te neem nie, of dit verwerp of wysig, moet die Kommissie die aangeleentheid hetsy deur middel van 'n spesiale verslag of in sy jaarverslag, volledig aan die Parlement rapporteer.

8. (1) Die Kommissie het die bevoegdheid om alle departemente te inspekteer, om insae te hê in die amptelike dokumente en stukke en om al die inligting by hoofde van departemente en ander beamptes en werknemers te verkry wat na sy mening nodig is vir die uitoefening van sy bevoegdhede, die verrigting van sy werksaamhede en die uitvoering van sy pligte ingevolge hierdie Wet of ingevolge enige ander wetsbepaling.

Kommissie se bevoegdheid om departemente te inspekteer, om insae in amptelike dokumente te hê en om ondersoek in te stel.

(2) Die Kommissie kan—

- (a) 'n persoon wat na die mening van die Kommissie in staat is om inligting van wesenlike belang oor die onderwerp van 'n ondersoek deur hom ingestel of inspeksie deur hom uitgevoer, te verstrek, of wat, na hy vermoed of glo, 'n boek, dokument of ding in sy besit of bewaring of onder sy beheer het wat betrekking op die onderwerp van die ondersoek of inspeksie het, dagvaar om op 'n tyd en plek in die dagvaarding vermeld, voor hom te verskyn om ondervra te word of om daardie boek, dokument of ding voor te lê;
- (b) 'n persoon wat by die ondersoek of inspeksie teenwoordig is en wat ingevolge paragraaf (a) gedagvaar is of gedagvaar kon gewees het, oproep en hom 'n eed oplê of van hom 'n bevestiging aanneem, en kan hom ondervra en hom aansê om 'n boek, dokument of ding in sy besit of bewaring of onder sy beheer wat, na die Kommissie vermoed of glo, betrekking op

Commission suspects or believes to have a bearing upon the subject of the enquiry or inspection.

(3) If any person, having been duly summoned under paragraph (a) of sub-section (2), fails, without sufficient cause, to attend at the time and place specified in the summons, or to remain in attendance until excused by the Commission from further attendance, or if any person called in terms of paragraph (b) of that sub-section refuses to be sworn or to affirm as a witness, or fails without sufficient cause to answer fully and to the best of his knowledge all questions lawfully put to him, or to produce any book, document or thing in his possession or custody or under his control, he shall be guilty of an offence, and liable upon conviction to a fine not exceeding twenty-five pounds: Provided that in connection with the interrogation of any such person by, or the production of any such book, document or thing before, the Commission, the law relating to privilege, as applicable to a witness summoned to give evidence or to produce any book, document or thing before a court of law, shall apply.

(4) Any person who, after having been sworn or after having affirmed as a witness, gives a false answer to any question put to him by the Commission, or makes a false statement on any matter, knowing that answer or statement to be false, shall be guilty of an offence and liable on conviction to the punishment prescribed by law for the crime of perjury.

(5) Any person who hinders or prevents any person from attending in obedience to any summons issued under paragraph (a) of sub-section (2), or from giving any evidence or producing any book, document or thing which he may be required to give or produce, shall be guilty of an offence, and liable upon conviction to a fine not exceeding twenty-five pounds.

(6) Any person who holds any enquiry or makes any inspection by virtue of a delegation made under paragraph (a) of sub-section (2) of section *five*, or holds an enquiry by virtue of a designation or an appointment made under sub-section (4) of section *five*, sub-section (1) of section *fifteen*, sub-section (1) of section *sixteen*, sub-section (8) of section *eighteen* or sub-section (1) of section *nineteen*, shall for the purposes of the enquiry or inspection have all the powers conferred upon the Commission by this section, and for the purposes of the application of the provisions of this section to any such enquiry or inspection every reference therein to the Commission shall be construed as including a reference to a person so holding an enquiry or making an inspection.

Staff of the Commission and inspection of public offices.

9. (1) There shall be appointed subject to the provisions of this Act a secretary to the Commission and so many other officers and employees as may from time to time be necessary to enable the Commission effectually to exercise its powers, to perform its functions and to carry out its duties.

(2) The secretary referred to in sub-section (1) shall observe such directions and carry out such duties as may from time to time be given to or imposed upon him by the Commission.

(3) The Commission may designate any officer appointed in terms of sub-section (1) to carry out the inspection of departments and any officer so designated shall have the powers conferred upon the Commission by sub-section (1) of section *eight*.

(4) The secretary, inspectors of public offices and other officers and employees who were appointed to the office of the Commission prior to the commencement of this Act and were so employed immediately before such commencement shall as from such commencement be deemed to have been appointed and in the case of the inspectors of public offices to have been designated to inspect departments, under this Act.

CHAPTER III.

APPOINTMENTS, PROMOTIONS, TRANSFERS, RETIREMENTS AND DISCHARGES.

By whom appointments and promotions are made.

10. Notwithstanding the provisions of any law passed before the commencement of this Act and without derogation from the functions to be performed by the Commission under this Act, the appointment or promotion of any person in the public service shall be made by the Minister or Administrator: Provided that the Minister or Administrator may delegate his power of appointment or promotion to any officer or officers.

die onderwerp van die ondersoek of inspeksie het, voor te lê.

(3) As 'n persoon wat behoorlik ingevolge paragraaf (a) van sub-artikel (2) gedagvaar is, sonder voldoende rede in gebreke bly om teenwoordig te wees op die tyd en plek wat in die dagvaarding vermeld is, of om teenwoordig te bly totdat die Kommissie hom daarvan vrygestel het om langer teenwoordig te wees, of as 'n persoon wat ingevolge paragraaf (b) van daardie sub-artikel opgeroep is, weier om as getuie beëdig te word of om te bevestig, of sonder voldoende rede in gebreke bly om volledig en na sy beste wete alle vrae wat wettig aan hom gestel word, te beantwoord, of om 'n boek, dokument of ding in sy besit of bewaring of onder sy beheer voor te lê, is hy skuldig aan 'n misdryf en by skuldigbevinding strafbaar met 'n boete van hoogstens vyf-en-twintig pond: Met dien verstande dat in verband met die ondervraging van so 'n persoon deur, of die voorlegging van so 'n boek, dokument of ding aan die Kommissie, die wetsbepalings met betrekking tot privilegie, soos van toepassing op 'n getuie wat gedagvaar is om voor 'n geregshof getuienis af te lê of om 'n boek, dokument of ding voor te lê, van toepassing is.

(4) 'n Persoon wat, nadat hy as getuie beëdig is of bevestig het, 'n valse antwoord gee op 'n vraag deur die Kommissie aan hom gestel, of 'n valse verklaring doen oor enige aangeleentheid wetende dat daardie antwoord of verklaring vals is, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met die by wet voorgeskrewe straf vir meened.

(5) 'n Persoon wat 'n persoon verhinder om in gehoorsaamheid aan 'n dagvaarding uitgereik ingevolge paragraaf (a) van sub-artikel (2), teenwoordig te wees of om getuienis af te lê of om 'n boek, dokument of ding voor te lê wat hy aangesê word om af te lê of voor te lê, is skuldig aan 'n misdryf en by skuldigbevinding strafbaar met 'n boete van hoogstens vyf-en-twintig pond.

(6) 'n Persoon wat 'n ondersoek instel of 'n inspeksie uitvoer uit hoofde van 'n delegasie gemaak kragtens paragraaf (a) van sub-artikel (2) van artikel vyf, of 'n ondersoek instel uit hoofde van 'n aanwysing of 'n aanstelling gedoen kragtens sub-artikel (4) van artikel vyf, sub-artikel (1) van artikel vyftien, sub-artikel (1) van artikel sestien, sub-artikel (8) van artikel agtien of sub-artikel (1) van artikel negentien, het vir die doeleindes van die ondersoek of inspeksie al die bevoegdhede wat by hierdie artikel aan die Kommissie verleen is, en vir die doeleindes van die toepassing van die bepalinge van hierdie artikel op so 'n ondersoek of inspeksie word elke verwysing daarin na die Kommissie uitgelê as ook 'n verwysing na 'n persoon wat aldus 'n ondersoek instel of 'n inspeksie aldus uitvoer.

9. (1) Daar word met inagneming van die bepalinge van hierdie Wet, 'n sekretaris van die Kommissie en dié aantal ander beamptes en werknemers wat van tyd tot tyd nodig is om die Kommissie in staat te stel om op doeltreffende wyse sy bevoegdhede uit te oefen, sy werksaamhede te verrig en sy pligte uit te voer, aangestel.

Personeel van die Kommissie en inspeksie van openbare kantore.

(2) Die in sub-artikel (1) bedoelde sekretaris moet die opdragte nakom en die pligte uitvoer wat van tyd tot tyd deur die Kommissie aan hom gegee of opgelê word.

(3) Die Kommissie kan 'n kragtens sub-artikel (1) aangestelde beampte aanwys om die inspeksie van departemente uit te voer, en 'n beampte aldus aangewys het die bevoegdhede wat by sub-artikel (1) van artikel agt aan die Kommissie verleen is.

(4) Die sekretaris, inspekteurs van openbare kantore en ander beamptes en werknemers wat voor die inwerkingtreding van hierdie Wet in die kantoor van die Kommissie aangestel is en wat onmiddellik voor daardie inwerkingtreding aldus in diens was, word vanaf daardie inwerkingtreding geag kragtens hierdie Wet aangestel te gewees het en, in die geval van die inspekteurs van openbare kantore, aangewys te gewees het om departemente te inspekteer.

HOOFSTUK III.

AANSTELLINGS, BEVORDERINGS, OORPLASINGS, AFTREDINGS, AFDANKINGS EN ONTSLAG.

10. Ondanks die bepalinge van enige wet wat voor die inwerkingtreding van hierdie Wet ingevoer is en sonder om afbreuk te doen aan die werksaamhede wat deur die Kommissie ingevolge hierdie Wet verrig moet word, word die aanstelling of bevordering van 'n persoon in die staatsdiens deur die Minister of Administrateur gedoen: Met dien verstande dat die Minister of Administrateur sy bevoegdheid van aanstelling of bevordering aan enige beampte of beamptes kan delegeer.

Deur wie aanstellings en bevorderings gedoen word.

Conditions as to filling of posts.

11. (1) Subject to the provisions of this section and of section *twelve*, appointments, transfers and promotions in the public service shall be made in such manner and subject to such conditions (including the possession of knowledge of the official and other languages) as may be prescribed, or if not so prescribed, as may be directed by the Commission: Provided that no person shall be admitted to the clerical division unless he has passed in both official languages at the examination, prescribed or directed as aforesaid, which qualified him for appointment in the public service or unless he is transferred to a post in the clerical division in terms of the provisions of this Act, having displayed special aptitude and possessing qualifications which render him suitable for such a post.

(2) No person shall be appointed permanently, or be transferred and appointed permanently under the provisions of sub-section (5) of section *thirteen*, whether on probation or not, to any post in the administrative, clerical, professional, technical, general A or general B division unless such person is a South African citizen and is of good character and in the opinion of the Commission free from any mental or physical defect, disease or infirmity which would be likely to interfere with the proper carrying out of his duties or to render necessary his retirement from the public service before reaching the pensionable age.

(3) In the filling of any post or the making of any appointment in the public service, due regard shall be had to the qualifications, relative merit, efficiency and suitability of the persons who are eligible for promotion, transfer or appointment.

(4) For the filling of any post in the administrative, clerical, professional, technical or general A division the Commission shall, subject to the provisions of sub-section (3), recommend either—

- (a) the transfer or promotion of an officer; or
- (b) if the post cannot be satisfactorily filled by such transfer or promotion, the appointment of a person who is not an officer:

Provided that within one calendar month from the commencement of each ordinary session of Parliament the Minister of the Interior shall lay upon the Tables of both Houses of Parliament a return showing—

- (a) the name of every person who has, since the commencement of the preceding ordinary session of Parliament, been appointed to a post in the administrative division, and who was, immediately prior to such appointment, not an officer;
- (b) the post to which such person has been appointed;
- (c) the salary scale attached to such post; and
- (d) the special qualifications of such person for the post and the special reasons for his appointment.

Appointments, transfers and promotions on probation.

12. (1) Appointments, transfers and promotions in the administrative, clerical, professional, technical, general A and general B divisions shall be made on probation if—

- (a) in the case of the administrative, clerical, professional, technical and general A divisions, the Commission so recommends; or
- (b) in the case of the general B division, the person holding the power to approve appointments, transfers and promotions therein, so authorizes.

(2) The period of probation so recommended or authorized shall not be less than twelve calendar months: Provided that if an officer who is serving on probation is transferred or promoted to another post, a lesser period of service on probation may be recommended or authorized in the new post, which, together with the period of probation served in the former post, shall total at least twelve calendar months: Provided further that the probationary period of an officer shall be extended by the number of days leave taken by him during the period of probation or any extension thereof.

(3) If the head of the office, branch, sub-department or department certifies that during the period of probation or extended period of probation the officer concerned has been diligent and his conduct uniformly satisfactory and that he is in all respects suitable for the post which he holds, the Minister or Administrator, or any officer to whom the Minister or Administrator has delegated such power of appointment, transfer or promotion, may if the officer has complied with all the conditions to which his appointment, transfer or promotion was subject, confirm the appointment, transfer or promotion;

11. (1) Behoudens die bepalinge van hierdie artikel en van artikel twaalf, word aanstellings, oorplasinge en bevorderings in die staatsdiens gedoen op die wyse en onder die voorwaardes (insluitende die besit van kennis van die amptelike en ander tale) wat voorgeskryf word, of indien nie aldus voorgeskryf nie, wat deur die Kommissie gelas word: Met dien verstande dat geen persoon in die klerklike afdeling opgeneem word nie, tensy hy geslaag het in albei amptelike tale in die eksamen wat voorgeskryf of gelas is soos voormeld, wat hom vir aanstelling in die staatsdiens gekwalifiseer het of tensy hy oorgeplaas word na 'n pos in die klerklike afdeling ingevolge die bepalinge van hierdie Wet, nadat hy spesiale aanleg aan die dag gelê het en kwalifikasies besit wat hom vir so 'n pos geskik maak.

Voorwaardes
aangaande die
vulling van poste.

(2) Niemand mag vas aangestel word, of kragtens die bepalinge van sub-artikel (5) van artikel dertien oorgeplaas en vas aangestel word, hetsy op proef al dan nie, in 'n pos in die administratiewe, klerklike, vakkundige, tegniese, algemene A- of algemene B-afdeling nie, tensy so iemand 'n Suid-Afrikaanse burger is en van goeie karakter en na die mening van die Kommissie vry van enige verstandelike of liggaamlike gebrek, siekte of swakheid is wat waarskynlik die behoorlike uitvoering van sy pligte sal belemmer of sy aftreding uit die staatsdiens voordat hy die pensioenleeftyd bereik, nodig sal maak.

(3) By die vulling van 'n pos of die doen van 'n aanstelling in die staatsdiens, moet daar behoorlik rekening gehou word met die kwalifikasies, betreklike verdienstelikheid, bekwaamheid en geskiktheid van die persone wat vir bevordering, oorplasing of aanstelling in aanmerking kom.

(4) Vir die vulling van 'n pos in die administratiewe, klerklike, vakkundige, tegniese of algemene A-afdeling, moet die Kommissie, behoudens die bepalinge van sub-artikel (3), of—

(a) die oorplasing of bevordering van 'n beampte aanbeveel; of

(b) as die pos nie op bevredigende wyse deur so 'n oorplasing of bevordering gevul kan word nie, die aanstelling van 'n persoon wat nie 'n beampte is nie, aanbeveel:

Met dien verstande dat binne een kalendermaand na die aanvang van elke gewone sessie van die Parlement, die Minister van Binnelandse Sake in albei Huise van die Parlement 'n opgawe ter Tafel moet lê waarin opgegee word—

(a) die naam van elke persoon wat sedert die aanvang van die vorige gewone sessie van die Parlement in 'n pos in die administratiewe afdeling aangestel is en wat, onmiddellik voor sodanige aanstelling, nie 'n beampte was nie;

(b) die pos waarin daardie persoon aangestel is;

(c) die salarisskaal aan daardie pos verbonde; en

(d) die spesiale kwalifikasies van daardie persoon vir die pos en die spesiale redes vir sy aanstelling.

12. (1) Aanstellings, oorplasinge en bevorderings in die administratiewe, klerklike, vakkundige, tegniese, algemene A- en algemene B-afdelings geskied op proef as—

Aanstellings,
oorplasinge en
bevorderings op
proef.

(a) in die geval van die administratiewe, klerklike, vakkundige, tegniese en algemene A-afdelings, die Kommissie aldus aanbeveel; of

(b) in die geval van die algemene B-afdeling, die persoon wat die bevoegdheid het om aanstellings, oorplasinge en bevorderings daarin goed te keur, magtiging daartoe verleen.

(2) Die proeftyd aldus aanbeveel of waartoe magtiging aldus verleen word is minstens twaalf kalendermaande: Met dien verstande dat as 'n beampte wat diens op proef doen, oorgeplaas of bevorder word na 'n ander pos, 'n korter diensyd op proef in die nuwe pos aanbeveel kan word of magtiging daartoe verleen kan word, wat, saam met die proeftyd in diens in die vorige pos minstens twaalf kalendermaande is: Met dien verstande voorts dat die proeftyd van 'n beampte verleng word met die getal dae verlof wat hy gedurende die proeftyd of enige verlenging daarvan geneem het.

(3) As die hoof van die kantoor, tak, sub-departement of departement sertifiseer dat gedurende die proeftyd of verlengde proeftyd, die betrokke beampte ywerig en sy gedrag deurgaans bevredigend was en dat hy in alle opsigte geskik is vir die pos wat hy beklee, kan die Minister of Administrateur, of 'n beampte aan wie die Minister of Administrateur die bevoegdheid om aanstellings, oorplasinge of bevorderings te doen, gedelegeer het, as die beampte voldoen het aan al die voorwaardes waaraan sy aanstelling, oorplasing of bevordering onderworpe was, die aanstelling, oorplasing of bevordering bekragtig; maar

but if the probationary appointment, transfer or promotion is not so confirmed—

- (a) the head of department shall in the case of an officer serving in the administrative, clerical, professional, technical or general A division report the reasons for the non-confirmation to the Commission which, subject to the provisions of sub-section (5), may make such recommendation in the matter as it may deem fit;
- (b) the Minister or Administrator or any officer to whom the Minister or Administrator has delegated such power of appointment, transfer or promotion, may extend the period of probation or act as is provided in sub-section (4), if the officer is serving in the general B division.

(4) Anything to the contrary notwithstanding in sub-section (2) or in Chapter IV contained, but subject to the provisions of sub-section (5), an officer who is serving on probation may be discharged from the public service by the Minister or Administrator or an officer to whom the Minister or Administrator has delegated such power of discharge, either during or at or after the expiry of the period of probation—

- (a) by the giving of one month's notice; or
- (b) forthwith, if his conduct is unsatisfactory:

Provided that before an officer serving in the administrative, clerical, professional, technical or general A division is so discharged, the Commission shall first have made a recommendation.

(5) Notwithstanding anything contained in sections *thirteen* and *twenty-two* a person who immediately prior to his transfer or promotion on probation was an officer, not being a probationary officer, shall revert to the post formerly held by him, or to a post of equivalent grading, and to the salary he would have attained in his former post, if his probationary transfer or promotion be not confirmed: Provided that in the case of an officer serving in the administrative, clerical, professional, technical or general A division, the Commission shall first make a recommendation.

Transfer and
secondment of
officers and
employees.

13. (1) Subject to the provisions of this Act, every officer and employee shall, whenever the public interest so requires, be liable to be transferred from the post or appointment held by him to any other post or appointment in the same or any other department, whether or not such post or appointment is in another division, or is of a lower grade, and whether such post or appointment is within or outside the Union: Provided that—

- (a) upon transfer an officer shall not suffer any reduction in his scale of salary without his consent except in accordance with the provisions of Chapter IV;
- (b) an officer who has been transferred to or is employed in a post of lower or higher grade than his own grade without a change in his scale of salary shall be recommended by the Commission for transfer to a post to which his scale of salary is appropriate as soon as a suitable vacancy occurs;
- (c) an officer who has been transferred to or is employed in a post which is graded higher than his own grade or which is regraded or converted to a post of a grade higher than his own grade, shall not by reason only of such transfer or employment be entitled to the higher scale of salary applicable to the post.

(2) The transfer of an officer or employee from one post or appointment to another post or appointment may, subject to the provisions of sub-section (3), be made on the authority of the Minister or Administrator or an officer to whom such power to transfer has been delegated by the Minister or Administrator: Provided that such transfer from one department to another department shall not be made except on the authority of the Minister or Administrator (or an officer to whom the Minister or Administrator has delegated such power to transfer) responsible for each of the two departments concerned: Provided further that the provisions of this sub-section shall not preclude the Commission from recommending the transfer of any officer from any post in the administrative, clerical, professional, technical or general A division to any other post in one of the said divisions.

(3) An officer shall not be transferred from one post to another post which is of a higher or lower grade than his own grade or bears a different designation, unless the Commission has recommended the transfer; but this sub-section shall not

as die aanstelling, oorplasing of bevordering op proef nie aldus bekragtig word nie—

- (a) moet die departementshoof in die geval van 'n beampte in diens in die administratiewe, klerklike, vakkundige, tegniese of algemene A-afdeling die redes vir die nie-bekragtiging rapporteer aan die Kommissie wat, behoudens die bepalings van sub-artikel (5), dié aanbeveling oor die aangeleentheid kan doen wat hy goed dink;
- (b) kan die Minister of Administrateur of 'n beampte aan wie die Minister of Administrateur die bevoegdheid om aanstellings, oorplasinge of bevorderings te doen, gedelegeer het die proeftyd verleng of optree soos in sub-artikel (4) bepaal word, as die beampte in die algemene B-afdeling in diens is.

(4) Ondanks andersluidende bepalings in sub-artikel (2) of in Hoofstuk IV vervat, maar behoudens die bepalings van sub-artikel (5), kan 'n beampte wat op proef in diens is, deur die Minister of Administrateur of 'n beampte aan wie die Minister of Administrateur die bevoegdheid van ontslag gedelegeer het, uit die staatsdiens ontslaan word, hetsy gedurende of by of na die verstryking van die proeftyd—

- (a) deur een maand kennis te gee; of
- (b) onverwyld as sy gedrag onbevredigend is:

Met dien verstande dat voordat 'n beampte wat in die administratiewe, klerklike, vakkundige, tegniese of algemene A-afdeling in diens is, aldus ontslaan word, die Kommissie eers 'n aanbeveling gedoen het.

(5) Ondanks andersluidende bepalings in artikels *dertien* en *twee-en-twintig* vervat, keer 'n persoon wat onmiddellik voor sy oorplasing of bevordering op proef 'n beampte was, maar wat nie 'n beampte op proef was nie, terug na die pos wat hy tevore beklee het, of na 'n pos van gelyke gradering, en na die salaris wat hy in sy vorige pos sou bereik het, as sy oorplasing of bevordering op proef nie bekragtig word nie: Met dien verstande dat in die geval van 'n beampte in diens in die administratiewe, klerklike, vakkundige, tegniese of algemene A-afdeling, die Kommissie eers 'n aanbeveling moet doen.

13. (1) Behoudens die bepalings van hierdie Wet, kan elke beampte en werknemer, wanneer die openbare belang dit vereis oorgeplaas word uit die pos of betrekking wat hy beklee, na enige ander pos of betrekking in dieselfde of enige ander departement, hetsy so 'n pos of betrekking in 'n ander afdeling of van 'n laer graad is al dan nie, en hetsy so 'n pos of betrekking binne of buite die Unie is: Met dien verstande dat—

Oorplasing en afstaan van beamptes en werknemers.

- (a) by oorplasing 'n beampte se salarisskaal nie sonder sy toestemming verlaag mag word nie, behalwe in ooreenstemming met die bepalings van Hoofstuk IV;
- (b) 'n beampte wat oorgeplaas is na of in diens is in 'n pos van 'n laer of hoër graad as sy eie graad sonder 'n verandering in sy salarisskaal, deur die Kommissie aanbeveel moet word vir oorplasing na 'n pos waarby sy salarisskaal pas sodra 'n geskikte vakature ontstaan;
- (c) 'n beampte wat oorgeplaas is na of in diens is in 'n pos wat hoër as sy eie graad gegradeer is, of wat hergradeer is na, of omgeskep is in, 'n pos van 'n hoër graad as sy eie graad, nie uit hoofde alleen van bedoelde oorplasing of diens op die hoër salarisskaal wat op die pos van toepassing is, geregtig is nie.

(2) Die oorplasing van 'n beampte of werknemer uit een pos of betrekking na 'n ander pos of betrekking kan, behoudens die bepalings van sub-artikel (3), op gesag van die Minister of Administrateur of 'n beampte aan wie die bevoegdheid om oor te plaas deur die Minister of Administrateur gedelegeer is, gedoen word: Met dien verstande dat so 'n oorplasing van een departement na 'n ander departement nie mag geskied nie behalwe op gesag van die Minister of Administrateur (of 'n beampte aan wie die Minister of Administrateur bedoelde bevoegdheid om oor te plaas gedelegeer het) wat verantwoordelik is vir elk van die twee betrokke departemente: Met dien verstande voorts dat die bepalings van hierdie sub-artikel nie die Kommissie belet om die oorplasing van 'n beampte uit 'n pos in die administratiewe, klerklike, vakkundige, tegniese of algemene A-afdeling na 'n ander pos in een van genoemde afdelings aan te beveel nie.

(3) 'n Beampte mag nie uit een pos oorgeplaas word na 'n ander pos wat van 'n hoër of laer graad as sy eie graad is of 'n ander benaming het nie, tensy die Kommissie die oorplasing aanbeveel het; maar hierdie sub-artikel is nie van toepassing

apply if each of the two posts in question is a post in the services or a post in the general B division.

(4) A member of any of the three branches of the services shall not, without his consent, be transferred to a post in any other of the said branches of the services or to a post in the administrative, clerical, professional, technical, general A or general B division; and an officer holding a post in any such division shall not, without his consent, be transferred to a post in any branch of the services.

(5) A person holding a pensionable appointment under the railway administration or under the Government other than in the public service, may, on the recommendation of the Commission, be transferred and appointed to a post in the administrative, clerical, professional, technical, general A or general B division.

(6) An officer may, with his own consent, and on the recommendation of the Commission and upon such conditions (in addition to those prescribed by or under any law) as may be recommended by it in consultation with the Treasury, be seconded either for a particular service or for a period of time, to the service of any other government, or of any board, institution or body established by or under any law, or of any other body or person; and such officer while so seconded shall remain subject to the laws governing officers in the public service.

Retirement and discharge of officers.

14. (1) Subject to the provisions of sub-sections (4) and (5) an officer (other than a member of the services) appointed on or after the twenty-fourth day of June, 1955, shall have the right to retire from the public service on attaining the age of sixty-five years and shall be so retired on reaching the said age.

(2) Subject to the provisions of sub-sections (3), (4) and (5), an officer (other than a member of the services) who was appointed with effect from a date prior to the twenty-fourth day of June, 1955, shall have the right to retire from the public service and shall be so retired—

- (a) on attaining the age of sixty-one years if he was born before the first day of January, 1900;
- (b) on attaining the age of sixty-three years if he was born on or after the first day of January, 1900, but before the first day of January, 1903;
- (c) on attaining the age of sixty-five years if he was born on or after the first day of January, 1903.

(3) An officer (other than a member of the services) who was appointed with effect from a date prior to the twenty-fourth day of June, 1955, shall have the right at any time before or after attaining in the case of a male officer the age of sixty years or in the case of a female officer the age of fifty-five years, to give written notification to his head of department of his wish to be retired from the public service, and if he gives such notification he shall—

- (a) if such notification is given at least three calendar months prior to the date on which he attains the said age, be so retired on attaining that age; or
- (b) if such notification is not given at least three calendar months prior to the date on which he attains the said age, be so retired on the first day of the fourth month following the month in which such notification is received.

(4) If it is in the public interest to retain an officer, not being a member of the services, in his post beyond the age at which in accordance with sub-section (1) or (2) he shall be retired, he may be so retained from time to time, on the recommendation of the Commission and subject to the approval of the Minister or Administrator, for further periods which shall not, except with the approval, by resolution, of both Houses of Parliament, exceed in the aggregate two years: Provided that in the case of an officer whose pensionable age is sixty-one years, the further period which shall not be exceeded shall be four years.

(5) An officer (other than a member of the services or an officer referred to in sub-section (9)) who has reached the age of sixty years may, subject in every case to the recommendation of the Commission and the approval of the Minister or Administrator, be retired from the public service: Provided that in the case of an officer to whom sub-section (2) refers, the age at or after which he may be so retired shall in the case of a male officer be fifty-five years and in the case of a female officer be fifty years.

nie as-elkeen van die twee betrokke poste 'n pos in die dienste of 'n pos in die algemene B-afdeling is.

(4) 'n Lid van enigeen van die drie takke van die dienste mag nie sonder sy toestemming na 'n pos in 'n ander van bedoelde takke van die dienste of na 'n pos in die administratiewe, klerklike, vakkundige, tegniese, algemene A- of algemene B-afdeling oorgeplaas word nie; en 'n beampte wat 'n pos in so 'n afdeling beklee, mag nie sonder sy toestemming na 'n pos in 'n tak van die dienste oorgeplaas word nie.

(5) 'n Persoon wat 'n pensioengewende betrekking in die spoorwegadministrasie of onder die Regering, behalwe in die staatsdiens, beklee, kan op aanbeveling van die Kommissie oorgeplaas word na en aangestel word in 'n pos in die administratiewe, klerklike, vakkundige, tegniese, algemene A- of algemene B-afdeling.

(6) 'n Beampte kan met sy eie toestemming en op aanbeveling van die Kommissie en op die voorwaardes (benewens die wat by of kragtens een of ander wetsbepaling voorgeskryf word) wat die Kommissie in oorleg met die Tesourie aanbeveel, hetsy vir 'n besondere diens of vir 'n tydperk, aan die diens van 'n ander regering, of van 'n raad, inrigting of liggaam wat by of kragtens een of ander wetsbepaling ingestel is, of van 'n ander liggaam of persoon afgestaan word; en so 'n beampte bly, terwyl hy aldus afgestaan is, onderworpe aan die wette wat op beamptes in die staatsdiens van toepassing is.

14. (1) Behoudens die bepalinge van sub-artikels (4) en (5) het 'n beampte (behalwe 'n lid van die dienste) wat op of na die vier-en-twintigste dag van Junie 1955 aangestel is, die reg om uit die staatsdiens af te tree wanneer hy die leeftyd van vyf-en-sestig jaar bereik en word hy aldus afgedank wanneer hy genoemde leeftyd bereik.

Aftreding, afdanking en ontslag van beamptes.

(2) Behoudens die bepalinge van sub-artikels (3), (4) en (5), het 'n beampte (behalwe 'n lid van die dienste) wat met ingang van 'n datum voor die vier-en-twintigste dag van Junie 1955 aangestel is, die reg om uit die staatsdiens af te tree en word hy aldus afgedank—

- (a) by bereiking van die leeftyd van een-en-sestig jaar as hy voor die eerste dag van Januarie 1900 gebore is;
- (b) by bereiking van die leeftyd van drie-en-sestig jaar as hy op of na die eerste dag van Januarie 1900 maar voor die eerste dag van Januarie 1903 gebore is;
- (c) by bereiking van die leeftyd van vyf-en-sestig jaar as hy op of na die eerste dag van Januarie 1903 gebore is.

(3) 'n Beampte (behalwe 'n lid van die dienste) wat met ingang van 'n datum voor die vier-en-twintigste dag van Junie 1955 aangestel is, het die reg om te eniger tyd voor of nadat hy in die geval van 'n manlike beampte, die leeftyd van sestig jaar of in die geval van 'n vroulike beampte, die leeftyd van vyf-en-vyftig jaar bereik, aan sy departementshoof kennis te gee van sy begeerte om uit die staatsdiens afgedank te word, en indien hy aldus kennis gee, word hy—

- (a) indien bedoelde kennisgewing minstens drie kalendermaande voor die datum waarop hy bedoelde leeftyd bereik, gegee word, aldus afgedank wanneer hy daardie leeftyd bereik; of
- (b) indien bedoelde kennisgewing nie minstens drie kalendermaande voor die datum waarop hy bedoelde leeftyd bereik, gegee word nie, aldus afgedank op die eerste dag van die vierde maand na die maand waarin bedoelde kennisgewing ontvang word.

(4) As dit in die openbare belang is om 'n beampte wat nie 'n lid van die dienste is nie, in sy pos in diens te hou na die leeftyd waarop hy ooreenkomstig sub-artikel (1) of (2) afgedank moet word, kan hy aldus van tyd tot tyd op aanbeveling van die Kommissie en met die goedkeuring van die Minister of Administrateur in diens gehou word vir verdere tydperke wat, behalwe met die goedkeuring, by besluit, van albei Huise van die Parlement, altesaam nie twee jaar te bowe mag gaan nie: Met dien verstande dat in die geval van 'n beampte wie se pensioenleefyd een-en-sestig jaar is, die verdere tydperk wat nie te bowe gegaan mag word nie, vier jaar is.

(5) 'n Beampte (behalwe 'n lid van die dienste of 'n in sub-artikel (9) bedoelde beampte) wat die leeftyd van sestig jaar bereik het, kan, onderworpe in elke geval aan die aanbeveling van die Kommissie en die goedkeuring van die Minister of Administrateur, uit die staatsdiens afgedank word: Met dien verstande dat in die geval van 'n in sub-artikel (2) bedoelde beampte, die leeftyd waarop of waarna hy aldus afgedank kan word, in die geval van 'n manlike beampte vyf-en-vyftig jaar en in die geval van 'n vroulike beampte vyftig jaar is.

(6) Every officer (other than a member of the services) is liable to be discharged from the public service—

- (a) on account of continued ill-health;
- (b) owing to abolition of his post or any reduction in or reorganization or readjustment of departments or offices;
- (c) if, for reasons other than his own unfitness or incapacity, his discharge will promote efficiency or economy in the department or office in which he is employed;
- (d) on account of unfitness for his duties, or incapacity to carry them out efficiently;
- (e) on account of misconduct;
- (f) if, in the case of an officer appointed on probation, his appointment is not confirmed.

(7) A female officer (other than a member of the services) who marries shall be deemed to have retired voluntarily from the public service in contemplation of marriage with effect from the date of her marriage, or if she has discharged her duties on that day, with effect from the day following the date of her marriage, unless the Commission recommends and the Minister or Administrator approves that she be retained in the public service.

(8) An officer (other than a member of the services) who absents himself from his official duties without permission of his head of department, office or institution for a period exceeding one calendar month, shall be deemed to have been discharged from the public service on account of misconduct with effect from the date immediately succeeding his last day of attendance at his place of duty: Provided that if such officer assumes other employment he shall be deemed to have been discharged as aforesaid notwithstanding that the said period has not expired: Provided further that if such officer reports for duty at any time after the expiry of the said period the Commission may, notwithstanding anything to the contrary contained in this Act or any other law, recommend that, subject to the Minister's or Administrator's approval, he be reinstated in the public service in his former or any other post or appointment, on such conditions as the Commission may recommend, and in that event the period of his absence from official duty shall be deemed to have been absence on vacation leave without pay or leave on such other conditions as the Commission may recommend.

(9) The services of an officer—

- (a) appointed after the commencement of this Act to a post classified in the general B division, or
- (b) appointed on or after the first day of August, 1923, to a post which was included in the general division in terms of sub-section (5) of section one of the Public Service Act, 1923 (Act No. 27 of 1923),

may, while he is the holder of a post in the general B division and notwithstanding the absence of any cause of discharge under sub-section (6) be terminated upon the recommendation of the Commission by the giving of notice in writing. Such notice shall, in the case of an officer with less than ten years' continuous service, be one month, and in the case of an officer with ten years' or more continuous service, be three months.

(10) Save as is provided in sub-section (11), the power of discharge of an officer or employee is vested in the Minister or Administrator who may delegate such power to an officer: Provided that in the case of an officer holding a post in the administrative, clerical, professional, technical or general A division, the Commission shall first make a recommendation for his discharge.

(11) Notwithstanding anything to the contrary contained in this section, an officer holding a post of attorney-general of a province or of the territory at the commencement of this Act shall not while he holds that post be discharged from the public service except by the Governor-General on the recommendation of the Commission for cause assigned, which shall be communicated by message to both Houses of Parliament within fourteen days after discharge, if Parliament is then in session, or if Parliament is not then in session, within fourteen days after the commencement of its next ensuing session.

CHAPTER IV.

INEFFICIENCY AND MISCONDUCT.

Inefficient officers.

15. (1) If a head of department reports to the Minister or Administrator that any officer (other than an officer who is the holder of a post in the general B division, and other than a mem-

(6) Elke beampte (behalwe 'n lid van die dienste) kan uit die staatsdiens ontslaan word—

- (a) weens voortdurende swak gesondheid;
- (b) weens die afskaffing van sy pos of vermindering of reorganisasie of herreëling van departemente of kantore;
- (c) as, om ander redes as sy eie ongeskiktheid of onvermoë, sy ontslag doeltreffendheid of besuiniging in die departement of kantoor waarin hy in diens is, sal bevorder;
- (d) weens ongeskiktheid vir sy pligte of onvermoë om hulle op bekwame wyse uit te voer;
- (e) weens wangedrag;
- (f) as, in die geval van 'n beampte wat op proef aangestel is, sy aanstelling nie bekragtig word nie.

(7) 'n Vroulike beampte (behalwe 'n lid van die dienste) wat in die huwelik tree, word geag vrywillig uit die staatsdiens met die oog op die huwelik met ingang van die datum van haar huwelik te getree het, of as sy haar pligte op daardie dag vervul het, met ingang van die dag wat op die datum van haar huwelik volg, tensy die Kommissie aanbeveel en die Minister of Administrateur goedkeur dat sy in die staatsdiens in diens gehou word.

(8) 'n Beampte (behalwe 'n lid van die dienste) wat sonder verlof van sy departementshoof, of hoof van sy kantoor of inrigting, vir 'n tydperk van meer as een kalendermaand van sy ampspligte wegbly, word geag uit die staatsdiens weens wangedrag ontslaan te gewees het met ingang van die datum wat onmiddellik volg op die laaste dag waarop hy op sy plek van diens teenwoordig was: Met dien verstande dat as so 'n beampte ander werk aanvaar, hy geag word ontslaan te gewees het soos voormeld, nieteenstaande dat bedoelde tydperk nog nie verstryk het nie: Met dien verstande voorts dat as so 'n beampte hom te eniger tyd na die verstryking van bedoelde tydperk vir diens aanmeld, die Kommissie, ondanks andersluidende wetsbepalings, kan aanbeveel dat, onderworpe aan die goedkeuring van die Minister of Administrateur, hy in die staatsdiens in sy vorige of enige ander pos of betrekking herstel word op die voorwaardes wat die Kommissie aanbeveel, en in so 'n geval word die tydperk van sy afwesigheid van sy ampspligte, geag afwesigheid met vakansieverlof sonder besoldiging of verlof op die ander voorwaardes wat die Kommissie aanbeveel, te wees.

(9) Die dienste van 'n beampte—

- (a) wat na die inwerkingtreding van hierdie Wet aangestel is in 'n pos wat by die algemene B-afdeling ingedeel is, of
- (b) wat op of na die eerste dag van Augustus 1923 aangestel is in 'n pos wat in die algemene afdeling ingevolge sub-artikel (5) van artikel een van die „Staatsdienst Wet, 1923” (Wet No. 27 van 1923) ingesluit was,

kan, terwyl hy die bekleër is van 'n pos in die algemene B-afdeling en ondanks die afwesigheid van enige rede vir ontslag ingevolge sub-artikel (6), op aanbeveling van die Kommissie beëindig word deur skriftelike kennisgewing. Sodanige kennisgewing moet, in die geval van 'n beampte met minder as tien jaar ononderbroke diens, een maand, en in die geval van 'n beampte met tien jaar of langer ononderbroke diens, drie maande wees.

(10) Behalwe in die in sub-artikel (11) bedoelde geval, berus die bevoegdheid van ontslag van 'n beampte of werknemer by die Minister of Administrateur wat hierdie bevoegdheid aan 'n beampte kan delegeer: Met dien verstande dat in die geval van 'n beampte wat 'n pos in die administratiewe, klerklike, vak-kundige, tegniese of algemene A-afdeling beklee, die Kommissie eers sy ontslag moet aanbeveel.

(11) Ondanks andersluidende bepalinge in hierdie artikel vervat, mag 'n beampte wat 'n pos van prokureur-generaal van 'n provinsie of van die gebied by die inwerkingtreding van hierdie Wet beklee, nie uit die staatsdiens ontslaan word terwyl hy daardie pos beklee nie, behalwe deur die Goewerneur-generaal op aanbeveling van die Kommissie om 'n genoemde rede, wat per boodskap aan albei Huise van die Parlement binne veertien dae na ontslag, as die Parlement dan sit, of as die Parlement nie dan sit nie, binne veertien dae na die begin van sy eersvolgende sessie, meegedeel moet word.

HOOFSTUK IV.

ONBEKWAAMHEID EN WANGEDRAG.

15. (1) As 'n departementshoof aan die Minister of Administrateur verslag doen dat 'n beampte (behalwe 'n beampte wat 'n pos in die algemene B-afdeling beklee, en behalwe 'n lid

Onbekwame beamptes.

ber of the services) in his department is, in his opinion, unfitted for his duties or incapable of carrying them out efficiently the Minister or Administrator shall appoint an officer to enquire into the subject matter of that report; and if any such report is made to a head of department by an officer designated to inspect departments in terms of sub-section (3) of section *nine*, the said head of department shall within one calendar month of the date on which he received it, transmit it to the Minister or Administrator who shall appoint an officer to enquire into the subject matter of that report.

(2) The officer who is to hold the enquiry shall, in consultation with the head of department, fix the time and place of the enquiry, and the head of department shall give the officer concerned reasonable notice in writing of the time and place so fixed and shall furnish him with a written statement of the grounds on which it is alleged that he is unfitted for his duties or incapable of carrying them out efficiently.

(3) The head of department may authorize any person to attend the enquiry and to adduce evidence and arguments in support of the allegations mentioned in sub-section (2) and to cross-examine any person who has given evidence to rebut those allegations.

(4) (a) At the enquiry the officer concerned shall have the right to be present and to be heard either personally or through a representative, to cross-examine any person called as a witness in support of the allegations referred to in sub-section (2), to inspect any documents produced in evidence, to give evidence himself and to call any other person as a witness.

(b) The officer holding the enquiry shall keep a record of the proceedings at the enquiry and of all evidence given thereat.

(c) The failure of the officer concerned to attend the enquiry, either personally or by a representative, shall not invalidate the proceedings.

(5) At the conclusion of the enquiry the officer holding it shall find whether or not the officer concerned is unfitted for his duties or incapable of carrying them out efficiently, shall inform the officer concerned of his finding and shall report the result of the enquiry to the Minister or Administrator.

(6) If the officer who held the enquiry has found that the officer concerned is unfitted for his duties or incapable of carrying them out efficiently, the officer concerned may, within fourteen days as from the date upon which he was informed of the finding, appeal therefrom to the Commission by giving to the officer who held the enquiry a written notice of appeal wherein he shall set forth fully the grounds upon which the appeal is based.

(7) If the officer who held the enquiry has found that the officer concerned is unfitted for his duties or incapable of carrying them out efficiently, he shall forward to the Commission the record of the proceedings at the enquiry and any documentary evidence admitted thereat, a written statement of his finding and his reasons therefor and any observations on the case which he may desire to make. If notice of appeal has been given in accordance with the provisions of sub-section (6), he shall forward with the record the notice and grounds of appeal, and shall furnish the officer concerned with a copy of the reasons for his finding.

(8) If the officer concerned applies to the Commission for a copy of the record of the proceedings at the enquiry within seven days as from the date upon which he received a copy of the reasons for the finding, the Commission shall furnish him with such a copy.

(9) The officer concerned may within fourteen days as from the date upon which he received the copy of the record of the proceedings, or if he did not apply for a copy of the record, within twenty-one days as from the date upon which he received the copy of the reasons for the finding submit to the Commission written representations, in quadruplicate, in support of his appeal.

(10) The Commission shall forward to the head of department a copy of the record and documents referred to in sub-section (7) and a copy of the representations referred to in sub-section (9).

van die dienste) in sy departement, na sy mening, ongeskik is vir sy pligte of nie in staat is om hulle op bekwame wyse uit te voer nie, stel die Minister of Administrateur 'n beampte aan om ondersoek na die inhoud van daardie verslag in te stel; en as so 'n verslag aan 'n departementshoof gedoen word deur 'n beampte wat ingevolge sub-artikel (3) van artikel *nege* aangewys is om departemente te inspekteer, stuur die departementshoof binne een kalendermaand na die datum waarop hy dit ontvang het, dit deur na die Minister of Administrateur wat 'n beampte aanstel om ondersoek na die inhoud van daardie verslag in te stel.

(2) Die beampte wat die ondersoek moet instel, stel in oorleg met die departementshoof, die tyd en die plek van die ondersoek vas en die departementshoof gee aan die betrokke beampte redelike skriftelike kennisgewing van die tyd en plek aldus vasgestel en verstrekk aan hom 'n skriftelike uiteensetting van die redes op grond waarvan beweer word dat hy ongeskik is vir sy pligte of nie in staat is om hulle op bekwame wyse uit te voer nie.

(3) Die departementshoof kan enige persoon magtig om by die ondersoek teenwoordig te wees en om getuienis en argumente ter staving van die in sub-artikel (2) bedoelde bewerings aan te voer en om enige persoon wat getuienis afgelê het om daardie bewerings te weerlê, onder kruisverhoor te neem.

(4) (a) By die ondersoek het die betrokke beampte die reg om teenwoordig te wees en aangehoor te word hetsy persoonlik of deur 'n verteenwoordiger, om enige persoon wat as getuie ter staving van die in sub-artikel (2) bedoelde bewerings opgeroep is, onder kruisverhoor te neem, om alle dokumente wat as getuienis voorgelê is, in te sien, om self getuienis af te lê en om enige ander persoon as getuie op te roep.

(b) Die beampte wat die ondersoek instel, moet notule hou van die verrigtings by die ondersoek en van alle getuienis wat aldaar afgelê word.

(c) Die versuim van die betrokke beampte om by die ondersoek teenwoordig te wees hetsy persoonlik of deur 'n verteenwoordiger, maak die verrigtings nie ongeldig nie.

(5) Na afloop van die ondersoek moet die beampte wat dit instel, bevind of die betrokke beampte ongeskik is vir sy pligte of nie in staat is om hulle op bekwame wyse uit te voer nie, die betrokke beampte van sy bevinding verwittig en van die uitslag van die ondersoek aan die Minister of Administrateur verslag doen.

(6) As die beampte wat die ondersoek ingestel het bevind het dat die betrokke beampte ongeskik is vir sy pligte of nie in staat is om hulle op bekwame wyse uit te voer nie, kan die betrokke beampte binne veertien dae na die datum waarop hy van die bevinding verwittig is, by die Kommissie daarteen appèlleer deur aan die beampte wat die ondersoek ingestel het, skriftelik kennis van appèl te gee, waarin hy volledig die gronde waarop die appèl gebaseer word, moet uiteensit.

(7) As die beampte wat die ondersoek ingestel het, bevind het dat die betrokke beampte ongeskik is vir sy pligte of nie in staat is om hulle op bekwame wyse uit te voer nie, moet hy die notule van die verrigtings by die ondersoek en alle dokumentêre getuienis wat aldaar toegelaat is, 'n skriftelike uiteensetting van sy bevinding en sy redes daarvoor en enige opmerkings oor die saak wat hy wens te maak, aan die Kommissie stuur. As kennis van appèl ooreenkomstig die bepalings van sub-artikel (6) gegee is, moet hy saam met die notule die kennisgewing en gronde van appèl aanstuur, en moet hy aan die betrokke beampte 'n afskrif van die redes vir sy bevinding verstrekk.

(8) As die betrokke beampte binne sewe dae na die datum waarop hy 'n afskrif van die redes vir die bevinding ontvang het, by die Kommissie om 'n afskrif van die notule van die verrigtings by die ondersoek aansoek doen, verstrekk die Kommissie so 'n afskrif aan hom.

(9) Die betrokke beampte kan binne veertien dae na die datum waarop hy die afskrif van die notule van die verrigtings ontvang het, of as hy nie om 'n afskrif van die notule aansoek gedoen het nie, binne een-en-twintig dae na die datum waarop hy die afskrif van die redes vir die bevinding ontvang het, aan die Kommissie skriftelike verdoë, in viervoud, ter staving van sy appèl voorlê.

(10) Die Kommissie stuur 'n afskrif van die in sub-artikel (7) bedoelde notule en dokumente en 'n afskrif van die in sub-artikel (9) bedoelde verdoë aan die departementshoof.

(11) The head of department may, within fourteen days after the date upon which he received the copies referred to in sub-section (10), submit to the Commission, in quadruplicate, any representations which he desires to make in support of the finding against which the appeal is brought; and the Commission shall furnish a copy of such representations to the officer concerned.

(12) (a) The officer concerned may within fourteen days after the date upon which he received a copy of the representations referred to in sub-section (11), submit to the Commission, in quadruplicate, any reply in writing he may wish to make to such representations.

(b) The Commission shall furnish the head of department with a copy of such reply.

(c) The head of department shall have no right to submit further representations in answer to such reply, except with leave of the Commission.

(13) After consideration of the aforesaid record and documents, the Commission may allow the appeal wholly or in part and set aside or alter the finding, or dismiss the appeal and confirm the finding wholly or in part, or the Commission may, before arriving at a final decision on the appeal, remit any question in connection with the enquiry to the officer who held it, and direct him to report thereon or to hold a further enquiry and arrive at a finding thereon.

(14) If the Commission directs the holding of a further enquiry, the provisions of sub-sections (3) and (4) shall apply.

(15) When the Commission has arrived at a final decision on an appeal, it shall convey that decision in writing to the appellant and to the Minister or Administrator.

(16) If the officer who held the enquiry has found that the officer is unfitted for his duties or incapable of carrying them out efficiently and the officer has not appealed against the finding as hereinbefore provided, or if he has so appealed and his appeal has been dismissed, the Commission shall forward the record and all other documents relating to the enquiry to the Minister or Administrator and recommend—

(a) that no further action be taken in the matter; or

(b) that the officer concerned be transferred to another post or be employed additional to the fixed establishment; or

(c) that his salary or grade or both his salary and grade be reduced to an extent recommended; or

(d) that he be discharged from the public service from a date to be specified by the Minister or Administrator.

If the Commission makes a recommendation in terms of paragraph (b), it may also make a recommendation in terms of paragraph (c).

(17) The Minister or Administrator may adopt the course recommended by the Commission or, subject to the provisions of sub-section (1) of section seven, any other course which the Commission could lawfully have recommended under sub-section (16).

Inefficient heads of departments.

16. (1) If in the opinion of a Minister or an Administrator there are reasonable grounds for believing that a head of department is unfitted for his duties or incapable of carrying them out efficiently, the Minister or Administrator shall report to the Governor-General accordingly; and the Governor-General may appoint a person or persons to enquire into the subject matter of that report.

(2) The provisions of sub-sections (2) to (17), both inclusive, of section fifteen shall, *mutatis mutandis*, apply to any enquiry under sub-section (1) of this section; and for the purposes of such application the reference in sub-section (17) to the Minister or Administrator shall be construed as a reference to the Governor-General, every reference in the said sub-sections to a head of department shall be construed as a reference to the Minister or Administrator, and every reference to the officer holding the enquiry shall be construed as including a reference to the person or persons appointed under sub-section (1) of this section.

Definition of misconduct.

17. Any officer (other than a member of the services) shall be guilty of misconduct and may be dealt with in accordance with the provisions of section eighteen, if he—

(a) contravenes any provision of this Act or fails to comply with any provision thereof with which it is his duty to comply; or

(b) does, or causes or permits to be done, or connives at, any act which is prejudicial to the administration,

(11) Die departementshoof kan binne veertien dae na die datum waarop hy die in sub-artikel (10) bedoelde afskrifte ontvang het, verhoë wat hy wens voor te lê ter staving van die bevindings waarteen die appèl aangeteken is, in viervoud tot die Kommissie rig; en die Kommissie moet 'n afskrif van bedoelde verhoë aan die betrokke beampte verstrek.

(12) (a) Die betrokke beampte kan binne veertien dae na die datum waarop hy 'n afskrif van die in sub-artikel (11) bedoelde verhoë ontvang het, enige skriftelike repliek wat hy op bedoelde verhoë wil lewer, in viervoud aan die Kommissie voorlê.

(b) Die Kommissie verstrek 'n afskrif van bedoelde repliek aan die departementshoof.

(c) Die departementshoof het nie die reg om verdere verhoë in antwoord op bedoelde repliek voor te lê nie, behalwe met verlof van die Kommissie.

(13) Na oorweging van bedoelde notule en dokumente kan die Kommissie die appèl in sy geheel of gedeeltelik toestaan en die bevinding tersyde stel of wysig, of die appèl afwys en die bevinding in sy geheel of gedeeltelik bekragtig, of kan die Kommissie, voordat hy tot 'n finale beslissing oor die appèl geraak, enige vraag in verband met die ondersoek na die beampte wat dit ingestel het, terugverwys, en hom gelas om verslag daaroor te doen of om 'n verdere ondersoek in te stel en tot 'n bevinding daaroor te geraak.

(14) As die Kommissie gelas dat 'n verdere ondersoek ingestel moet word, is die bepaling van sub-artikels (3) en (4) van toepassing.

(15) Wanneer die Kommissie tot 'n finale beslissing oor 'n appèl geraak het, deel hy daardie beslissing skriftelik aan die appellant en aan die Minister of Administrateur mee.

(16) As die beampte wat die ondersoek ingestel het, bevind het dat die beampte ongeskik is vir sy pligte of nie in staat is om hulle op bekwame wyse uit te voer nie en die beampte nie teen die bevinding soos hierbo bepaal, geappelleer het nie, of as hy aldus geappelleer het en sy appèl afgewys is, stuur die Kommissie die notule en alle ander dokumente wat op die ondersoek betrekking het, aan die Minister of Administrateur en beveel hy aan—

(a) dat geen verdere stappe in die saak gedoen word nie; of

(b) dat die betrokke beampte na 'n ander pos oorgeplaas of in diens gehou word addisioneel tot die vaste diensstaat; of

(c) dat sy salaris of graad of sy salaris sowel as sy graad verlaag word in die mate wat aanbeveel word; of

(d) dat hy uit die staatsdiens met ingang van 'n datum deur die Minister of Administrateur vermeld word, ontslaan word.

As die Kommissie 'n aanbeveling ingevolge paragraaf (b) doen, kan hy ook 'n aanbeveling ingevolge paragraaf (c) doen.

(17) Die Minister of Administrateur kan volgens die aanbeveling van die Kommissie handel of, behoudens die bepaling van sub-artikel (1) van artikel *sewe*, enige ander weg inslaan wat die Kommissie wettiglik ingevolge sub-artikel (16) kon aanbeveel het.

16. (1) As daar na die mening van 'n Minister of 'n Administrateur redelike grond bestaan om te vermoed dat 'n departementshoof ongeskik is vir sy pligte of nie in staat is om hulle op bekwame wyse uit te voer nie, doen die Minister of Administrateur dienooreenkomstig verslag aan die Goewerneur-generaal; en die Goewerneur-generaal kan 'n persoon aanstel om ondersoek na die inhoud van daardie verslag in te stel.

Onbekwame departementshoofde.

(2) Die bepaling van sub-artikels (2) tot en met (17) van artikel *vyftien* is *mutatis mutandis* van toepassing op 'n ondersoek ingevolge sub-artikel (1) van hierdie artikel; en vir die doeleindes van sodanige toepassing word die verwysing in sub-artikel (17) na die Minister of Administrateur uitgelê as 'n verwysing na die Goewerneur-generaal, word elke verwysing in genoemde sub-artikels na 'n departementshoof uitgelê as 'n verwysing na die Minister of Administrateur, en word elke verwysing na die beampte wat die ondersoek instel, uitgelê as ook 'n verwysing na die persoon of persone wat ingevolge sub-artikel (1) van hierdie artikel aangestel is.

17. 'n Beampte (behalwe 'n lid van die dienste) is skuldig aan wangedrag en daar kan ooreenkomstig die bepaling van artikel *agtien* met hom gehandel word, as hy—

Omskrywing van wangedrag.

(a) 'n bepaling van hierdie Wet oortree of versuim om te voldoen aan 'n bepaling daarvan waaraan dit sy plig is om te voldoen; of

(b) 'n daad wat nadelig vir die administrasie, dissipline of doeltreffendheid van 'n departement, kantoor of

- discipline or efficiency of any department, office or institution of the Government; or
- (c) disobeys, disregards, or makes wilful default in carrying out a lawful order given to him by a person having authority to give it, or by word or conduct displays insubordination; or
 - (d) is negligent or indolent in the discharge of his duties; or
 - (e) undertakes, without the permission of the Minister or Administrator (granted on the recommendation of the Commission in the case of an officer in the administrative, clerical, professional, technical or general A division) any private agency or private work in any matter connected with the performance of his official functions or the carrying out of his official duties; or
 - (f) publicly comments upon the administration of any department; or
 - (g) becomes a member of any political organization or takes active part in political matters; or
 - (h) attempts to secure intervention from political or outside sources in relation to his position and conditions of employment in the public service: Provided that nothing in this paragraph contained shall preclude any officer from endeavouring to obtain redress of any grievance through Parliament; or
 - (i) conducts himself in a disgraceful, improper or unbecoming manner, or whilst on duty is grossly discourteous to any person; or
 - (j) uses intoxicants or stupefying drugs excessively; or
 - (k) becomes insolvent or compromises with his creditors or has a decree of civil imprisonment made against him by any court of law, unless it is shown that his insolvency or composition or the making of a decree of civil imprisonment against him has been occasioned by unavoidable misfortune; or
 - (l) becomes pecuniarily embarrassed, unless it is shown that his pecuniary embarrassment has not been occasioned by imprudence or other reprehensible cause and is not prejudicial to the faithful performance of his duties; or
 - (m) without first having obtained the permission of his head of department discloses, otherwise than in the discharge of his official duties, information gained by or conveyed to him through his employment in the public service, or uses such information for any purpose other than for the discharge of his official duties, whether or not he discloses such information; or
 - (n) accepts without the permission of the Minister or Administrator (granted on the recommendation of the Commission in the case of an officer in the administrative, clerical, professional, technical or general A division) or demands in respect of the carrying out of or the failure to carry out his duties any commission, fee, or reward, pecuniary or otherwise (not being the emoluments payable to him in respect of his duties) or fails to report to his head of department or if he is the head of a department, to the Minister or Administrator, the offer of any such commission, fee or reward; or
 - (o) misappropriates or improperly uses any property of the Government under such circumstances that his act does not constitute a criminal offence; or
 - (p) commits a criminal offence; or
 - (q) absents himself from his office or duty without leave or valid cause; or
 - (r) with a view to obtaining any privilege or advantage in relation to his official position or his duties, or to causing prejudice or injury to the Government, or a department or the public service or a member of the public service, makes a false or incorrect statement, knowing it to be false or incorrect.

- inrigting van die Regering is, doen, laat doen of toelaat of oogluikend toelaat dat dit gedoen word; of
- (c) 'n wettige bevel wat aan hom gegee is deur 'n persoon wat die bevoegdheid het om dit te gee, nie gehoorsaam nie, dit verontagsaam of opsetlik versuim om dit uit te voer, of deur woord of gedrag hom aan insubordinasie skuldig maak; of
 - (d) nalatig of traag is in die vervulling van sy pligte; of
 - (e) sonder die toestemming van die Minister of Administrateur (verleen op aanbeveling van die Kommissie in die geval van 'n beampte in die administratiewe, klerklike, vakkundige, tegniese of algemene A-afdeling) enige private agentskap of private werk in enige aangeleentheid in verband met die verrigting van sy amptelike werksaamhede of die uitvoering van sy ampspligte onderneem; of
 - (f) hom in die openbaar uitlaat oor die administrasie van enige departement; of
 - (g) lid van 'n politieke organisasie word of aktief aan politieke aangeleenthede deelneem; of
 - (h) probeer om uit politieke of buitebronne ingryping in verband met sy posisie en diensvoorwaardes in die staatsdiens te verkry: Met dien verstande dat die bepalinge van hierdie paragraaf nie 'n beampte verhinder om herstel van 'n grief deur bemiddeling van die Parlement te probeer verkry nie; of
 - (i) hom op 'n skandelige, onbehoorlike of onbetaamlike wyse gedra, of terwyl hy diens doen, hom aan growwe onbeleefdheid teenoor 'n persoon skuldig maak; of
 - (j) buitensporig gebruik maak van sterk drank of bedwelvende middels; of
 - (k) insolvent word of 'n akkoord met sy skuldeisers aangaan of as 'n bevel tot siviele gyseling deur 'n geregshof teen hom gegee is, tensy daar bewys word dat sy insolvensie of akkoord of die gee van 'n bevel tot siviele gyseling teen hom deur onvermydelike teenspoed veroorsaak is; of
 - (l) in geldelike moeilikheid geraak, tensy daar bewys word dat sy geldelike moeilikheid nie die gevolg is van onversigtigheid of ander laakbare oorsaak nie en nie nadelig is vir die getroue uitvoering van sy pligte nie; of
 - (m) sonder dat hy eers die toestemming van sy departementshoof verkry het, inligting wat hy ingewin of waaraan hy gekom het as gevolg van sy werk in die staatsdiens, openbaar maak anders as in die vervulling van sy ampspligte of sodanige inligting gebruik vir 'n ander doel as vir die vervulling van sy ampspligte, hetsy hy sodanige inligting openbaar maak of nie; of
 - (n) sonder die toestemming van die Minister of Administrateur (verleen op aanbeveling van die Kommissie in die geval van 'n beampte in die administratiewe, klerklike, vakkundige, tegniese of algemene A-afdeling), enige kommissie, geld of beloning, geldelik of anders (wat nie die emolumente is wat ten opsigte van sy pligte aan hom betaalbaar is nie) aanneem of dit eis ten opsigte van die uitvoering van sy pligte of die versuim om sy pligte uit te voer, of versuim om aan sy departementshoof of, as hy die departementshoof is, aan die Minister of Administrateur die aanbod van so 'n kommissie, geld of beloning te rapporteer; of
 - (o) hom eiendom van die Regering wederregtelik toeëien of onbehoorlike gebruik daarvan maak onder sodanige omstandighede dat sy daad nie 'n kriminele misdryf uitmaak nie; of
 - (p) 'n kriminele misdryf begaan; of
 - (q) sonder verlof of geldige rede van sy kantoor of diens wegbly; of
 - (r) met die oog op die verkryging van enige voorreg of voordeel met betrekking tot sy amptelike posisie of sy pligte, of op die veroorsaking van enige nadeel of skade aan die Regering of 'n departement of die staatsdiens of 'n lid van die staatsdiens, 'n valse of onjuiste verklaring doen, wetende dat dit vals of onjuis is.

18. (1) Wanneer 'n beampte (behalwe 'n departementshoof of 'n lid van die dienste) van wangedrag beskuldig word, kan **Prosedure in gevalle van wangedrag.**

head of department, or any officer in that department who has been authorized thereto by the head of department, may charge him in writing under his hand with that misconduct.

(2) The officer who signed the charge shall cause it to be served upon the officer charged.

(3) The charge shall contain or shall be accompanied by a direction calling upon the officer charged to transmit or deliver, within a reasonable period specified in the direction, to a person likewise specified, a written admission or denial of the charge and, if he so desires, a written explanation of the misconduct with which he is charged.

(4) The Minister or Administrator, or if authorized thereto by the Minister or Administrator, either specially in a particular case, or generally, the head of department, or any other officer in the department, may at any time before or after the officer has been charged under this section, suspend him from duty.

(5) An officer who has been suspended from duty in terms of sub-section (4) shall not be entitled to any emoluments for the period of his suspension: Provided that the Minister or Administrator may, in his discretion, order payment to such officer of the whole or portion of his emoluments.

(6) If no charge under this section is preferred against an officer who has been suspended from duty, he shall be allowed to resume duty and be paid his full emoluments for the period of his suspension.

(7) The Minister or Administrator or the head of department or other officer who suspended the officer may at any time cancel the suspension, but notwithstanding the cancellation of the suspension the proceedings on the charge of misconduct may be continued.

(8) If the officer charged denies the charge or fails to comply with the direction mentioned in sub-section (3), the Minister or Administrator shall appoint an officer to enquire into the charge.

(9) The officer who is to hold the enquiry shall, in consultation with the officer who signed the charge, fix the time and place of the enquiry, and the officer who signed the charge shall give the officer charged reasonable notice in writing of the time and place so fixed.

(10) The officer who signed the charge may authorize any person to attend the enquiry and to adduce evidence and arguments in support of the charge and to cross-examine any person called as a witness for the defence.

(11) (a) At the enquiry the officer charged shall have the right to be present and to be heard either personally or through a representative, to cross-examine any person called as a witness in support of the charge, to inspect any documents produced in evidence, to give evidence himself and call other persons as witnesses.

(b) The officer holding the enquiry shall keep a record of the proceedings at the enquiry and of all evidence given thereat.

(c) The failure of the officer charged to attend the enquiry either personally or by a representative, shall not invalidate the proceedings.

(12) The acquittal or the conviction of an officer by a court of law upon a charge of a criminal offence shall not be a bar to proceedings against him under this Act on a charge of misconduct, notwithstanding the fact that the facts set forth in the charge of misconduct would, if proved, constitute the offence set forth in the criminal charge on which he was so acquitted or convicted or another offence on which he might have been convicted on his trial on the said criminal charge.

(13) If the misconduct with which the officer is charged amounts to an offence of which he has been convicted by a court of law, a certified copy of the record of his trial and conviction by that court shall, upon the identification of such officer as the person referred to in the record, be sufficient proof of the commission by him of such offence, unless the conviction has been set aside by a superior court: Provided that it shall be competent for the officer charged to adduce evidence that he was in fact wrongly convicted.

sy departementshoof, of 'n beampte in daardie departement wat deur die departementshoof daartoe gemagtig is, hom skriftelik onder sy handtekening van daardie wangedrag aankla.

(2) Die beampte wat die aanklag onderteken het, moet dit aan die aangeklaagde beampte laat bestel.

(3) Die aanklag moet 'n aansegging bevat of van 'n aansegging vergesel gaan waarby die aangeklaagde beampte aangesê word om binne 'n redelike tydperk wat in die aansegging vermeld word, aan 'n persoon wat ook daarin vermeld word, 'n skriftelike erkenning of ontkenning van die aanklag en, as hy dit verlang, 'n skriftelike verklaring van die wangedrag waarvan hy aangekla word, te stuur of by hom af te lewer.

(4) Die Minister of Administrateur of indien daartoe gemagtig deur die Minister of Administrateur, hetsy spesiaal in 'n besondere geval of in die algemeen, die departementshoof, of enige ander beampte in die departement, kan te eniger tyd voor of nadat die beampte kragtens hierdie artikel aangekla is, die beampte in sy diens skors.

(5) 'n Beampte wat ingevolge sub-artikel (4) in sy diens geskors is, is nie op enige emolumente vir die tydperk van sy skorsing geregtig nie: Met dien verstande dat die Minister of Administrateur na goëddunke kan gelas dat die geheel of 'n gedeelte van sy emolumente aan so 'n beampte betaal word.

(6) As geen aanklag ingevolge hierdie artikel teen 'n beampte wat in sy diens geskors is, ingebring word nie, word hy toegelaat om weer diens te aanvaar en word sy volle emolumente vir die tydperk van sy skorsing aan hom betaal.

(7) Die Minister of Administrateur of die departementshoof of ander beampte wat die beampte geskors het, kan die skorsing te eniger tyd intrek, maar ondanks die intrekking van die skorsing kan die verrigtings in verband met die aanklag van wangedrag voortgesit word.

(8) As die aangeklaagde beampte die aanklag ontken of versuim om aan die in sub-artikel (3) bedoelde aansegging te voldoen, stel die Minister of Administrateur 'n beampte aan om ondersoek na die aanklag in te stel.

(9) Die beampte wat die ondersoek moet instel, moet in oorleg met die beampte wat die aanklag onderteken het, die tyd en plek van die ondersoek vasstel, en die beampte wat die aanklag onderteken het, moet aan die aangeklaagde beampte redelike skriftelike kennis gee van die tyd en plek aldus vasgestel.

(10) Die beampte wat die aanklag onderteken het, kan enige persoon magtig om by die ondersoek teenwoordig te wees en om getuienis en argumente ter stawing van die aanklag aan te voer en om enige persoon wat as getuie vir die verweer opgeroep is, onder kruisverhoor te neem.

(11) (a) By die ondersoek het die aangeklaagde beampte die reg om teenwoordig te wees en om aangehoor te word hetsy persoonlik of deur 'n verteenwoordiger, om enige persoon wat as getuie ter stawing van die aanklag opgeroep is, onder kruisverhoor te neem, om alle dokumente wat as getuienis voorgelê is, in te sien, om self getuienis af te lê en ander persone as getuies op te roep.

(b) Die beampte wat die ondersoek instel, moet notule hou van die verrigtings by die ondersoek en van alle getuienis wat aldaar afgelê word.

(c) Die versuim van die aangeklaagde beampte om persoonlik of deur 'n verteenwoordiger by die ondersoek teenwoordig te wees maak die verrigtings nie ongeldig nie.

(12) Die vryspreking of die skuldigbevinding van 'n beampte deur 'n geregshof op 'n aanklag van 'n kriminele misdryf, belet nie dat stappe ingevolge hierdie Wet op 'n aanklag van wangedrag teen hom ingestel word nie ondanks die feit dat die feite uiteengesit in die aanklag van wangedrag, as dit bewys sou word, die misdryf sou uitmaak wat uiteengesit is in die kriminele aanklag waarop hy aldus vrygespreek of skuldig bevind is of 'n ander misdryf waaraan hy by sy verhoor op bedoelde kriminele aanklag skuldig bevind kon geword het.

(13) As die wangedrag waarvan die beampte aangekla word, neerkom op 'n misdryf waaraan hy deur 'n geregshof skuldig bevind is, is 'n gesertifiseerde afskrif van die notule van sy verhoor en skuldigbevinding deur daardie hof, nadat bedoelde beampte geïdentifiseer is as die persoon wat in die notule genoem word, voldoende bewys dat hy bedoelde misdryf begaan het, tensy die skuldigbevinding deur 'n hoër hof tersyde gestel is: Met dien verstande dat die aangeklaagde beampte die reg het om getuienis aan te voer dat hy in werklikheid verkeerdelik skuldig bevind is.

(14) At the conclusion of the enquiry the officer holding it shall find whether the officer charged is guilty or not guilty of the misconduct with which he has been charged and shall inform the officer charged of his finding. He shall report the result of the enquiry to the Minister or Administrator who appointed him.

(15) If the officer charged is under suspension from duty under sub-section (4) and the officer holding the enquiry finds that he is not guilty of the misconduct with which he has been charged, the said officer shall be allowed forthwith to resume duty in his post and be paid his full emoluments for the period of his suspension.

(16) If the officer holding the enquiry finds the officer charged guilty of the misconduct with which he has been charged, the provisions of sub-section (6) of section *fifteen* shall, *mutatis mutandis*, apply.

(17) If the officer who held the enquiry has found the officer charged guilty of the misconduct with which he has been charged, he shall forward to the Commission the record of the proceedings at the enquiry and any documentary evidence admitted thereat, a statement of his finding and his reasons therefor, and any observations on the case which he may desire to make: Provided that if the officer found guilty of misconduct is employed in the general B division and he has not given notice of appeal from the finding in accordance with the provisions of sub-section (6) of section *fifteen*, as applied by sub-section (16) of this section, the officer who held the enquiry shall forward the said record and other documents not to the Commission but to the head of the department in which the officer found guilty of misconduct is employed.

(18) If the officer found guilty of misconduct has given notice of appeal in accordance with the provisions aforesaid, as so applied, the officer who held the enquiry shall forward to the Commission, with the record and other documents referred to in sub-section (17), the appellant's notice and grounds of appeal and shall furnish the appellant with a copy of the reasons for the finding against which the appeal is brought.

(19) If notice of appeal has been given in accordance with the provisions aforesaid, as so applied, the provisions of sub-sections (8) to (15), both inclusive, of section *fifteen* shall, *mutatis mutandis*, apply.

(20) If the Commission allows the appeal of an appellant who was suspended from duty, he shall forthwith be allowed to resume his duties and be paid his full emoluments for the period of his suspension.

(21) If the record and documents referred to in sub-section (17) have in terms of that sub-section been forwarded to the head of the department in which the officer found guilty of misconduct is employed, or if the said record and documents have in terms of that sub-section been forwarded to the Commission and no appeal was noted against the finding, or if an appeal was so noted and the Commission has dismissed such appeal wholly or in part, the said head of department or the Commission, as the case may be, may recommend to the Minister or Administrator—

- (a) that the said officer be cautioned or reprimanded; or
- (b) that a fine not exceeding two hundred pounds be imposed upon him, which fine may be recovered by deduction from his emoluments in such instalments as may be determined by the Minister or Administrator; or
- (c) that he be transferred to another post or be employed additional to the fixed establishment; or
- (d) that his salary or grade or both his salary and grade be reduced to an extent recommended; or
- (e) that he be discharged or be called upon to resign from the public service as from a date to be specified by the Minister or Administrator:

Provided that—

- (i) except where a recommendation is made under paragraph (e) the Commission or head of department shall not be precluded from making a recommendation under more than one of the foregoing paragraphs;
- (ii) the Commission or head of department may postpone, for a period not exceeding twelve calendar months, the making of a recommendation; and
- (iii) if an officer who has been called upon to resign from the public service, fails so to resign, he shall be deemed

(14) Na afloop van die ondersoek moet die beampte wat dit instel, bevind of die aangeklaagde beampte skuldig is of nie skuldig is nie aan die wangedrag waarvan hy aangekla is en moet hy die aangeklaagde beampte van sy bevinding verwittig. Hy moet aan die Minister of Administrateur wat hom aangestel het, verslag doen van die uitslag van die ondersoek.

(15) As die aangeklaagde beampte ingevolge sub-artikel (4) in sy diens geskors is en die beampte wat die ondersoek instel, bevind dat hy nie skuldig is aan die wangedrag waarvan hy aangekla is nie, moet bedoelde beampte toegelaat word om dadelik weer diens in sy pos te aanvaar en moet aan hom sy volle emolumente vir die tydperk van sy skorsing betaal word.

(16) As die beampte wat die ondersoek instel, die aangeklaagde beampte skuldig bevind aan die wangedrag waarvan hy aangekla is, is die bepaling van sub-artikel (6) van artikel *vyftien mutatis mutandis* van toepassing.

(17) As die beampte wat die ondersoek ingestel het, die aangeklaagde beampte skuldig bevind het aan die wangedrag waarvan hy aangekla is, moet hy die notule van die verrigtings by die ondersoek en enige dokumentêre getuienis wat aldaar toegelaat is, 'n uiteensetting van sy bevinding en sy redes daarvoor, en enige opmerkings oor die saak wat hy wens te maak, aan die Kommissie stuur: Met dien verstande dat as die beampte wat aan wangedrag skuldig bevind is, in die algemene B-afdeling in diens is en nie kennis van appèl teen die bevinding ooreenkomstig die bepaling van sub-artikel (6) van artikel *vyftien*, soos toegepas by sub-artikel (16) van hierdie artikel, gegee het nie, die beampte wat die ondersoek ingestel het, bedoelde notule en ander dokumente nie aan die Kommissie nie maar aan die hoof van die departement waarin die beampte wat aan wangedrag skuldig bevind is, in diens is, moet stuur.

(18) As die beampte wat aan wangedrag skuldig bevind is, kennis van appèl ooreenkomstig die voormelde bepaling, soos aldus toegepas, gegee het, moet die beampte wat die ondersoek ingestel het, saam met die notule en ander dokumente bedoel in sub-artikel (17), die appellant se kennisgewing en gronde van appèl aan die Kommissie stuur en 'n afskrif van die redes vir die bevinding waarteen die appèl aangeteken is, aan die appellant verstrek.

(19) As kennis van appèl ooreenkomstig die voormelde bepaling, soos aldus toegepas, gegee is, is die bepaling van sub-artikels (8) tot en met (15) van artikel *vyftien mutatis mutandis* van toepassing.

(20) As die Kommissie die appèl van 'n appellant wat in sy diens geskors is, toestaan, moet die appellant dadelik toegelaat word om weer sy diens te aanvaar en moet aan hom sy volle emolumente vir die tydperk van sy skorsing betaal word.

(21) As die notule en dokumente bedoel in sub-artikel (17) ingevolge daardie sub-artikel aan die hoof van die departement waarin die beampte wat aan wangedrag skuldig bevind is, in diens is, gestuur is, of as bedoelde notule en dokumente ingevolge daardie sub-artikel aan die Kommissie gestuur is en geen appèl teen die bevinding aangeteken is nie, of as 'n appèl aldus aangeteken is en die Kommissie die appèl in sy geheel of gedeeltelik afgewys het, kan bedoelde departementshoof of die Kommissie, na gelang van die geval, by die Minister of Administrateur aanbeveel—

- (a) dat bedoelde beampte gewaarsku of berispe word; of
- (b) dat 'n boete van hoogstens tweehonderd pond hom opgelê word, welke boete verhaal kan word deur aftrekking van sy emolumente in die paaiemente wat deur die Minister of Administrateur vasgestel word; of
- (c) dat hy na 'n ander pos oorgeplaas of dat hy addisioneel tot die vaste diensstaat in diens gehou word; of
- (d) dat sy salaris of graad of sy salaris sowel as sy graad verlaag word in die mate wat aanbeveel word; of
- (e) dat hy ontslaan of aangesê word om uit die staatsdiens te bedank met ingang van 'n datum wat deur die Minister of Administrateur vermeld word:

Met dien verstande dat—

- (i) behalwe waar 'n aanbeveling kragtens paragraaf (e) gedoen word, die Kommissie of departementshoof nie belet word om 'n aanbeveling kragtens meer dan een van die voorafgaande paragrawe te doen nie;
- (ii) die Kommissie of departementshoof die doen van 'n aanbeveling vir 'n tydperk van hoogstens twaalf kalendermaande kan uitstel; en
- (iii) as 'n beampte wat aangesê is om uit die staatsdiens te bedank, versuim om aldus te bedank, hy geag word

to have been discharged therefrom as from a date to be specified by the Minister or Administrator.

(22) The Minister or Administrator may adopt the course recommended by the Commission or the head of department, or any other course which it or he could lawfully have recommended under sub-section (21), but subject always to the provisions of sub-section (1) of section *seven* in the case of a recommendation of the Commission.

(23) The Commission or head of department, as the case may be, shall forward to the Minister or Administrator with its or his recommendation in terms of sub-section (21) the record of the proceedings at the enquiry and all documents in its or his possession which relate to the enquiry or to the appeal.

(24) If the officer charged in terms of this section admits the charge, he shall be deemed to be guilty of the misconduct with which he has been charged.

(25) If the officer referred to in sub-section (24) is employed in the administrative, clerical, professional, technical or general A division, the head of department shall forward to the Commission all documents available to him which relate to the misconduct and any observations thereon which he may desire to make, and the Commission shall make a recommendation to the Minister or Administrator in terms of sub-section (21).

(26) If the officer referred to in sub-section (24) is employed in the general B division the head of department shall make a recommendation to the Minister or Administrator in terms of sub-section (21).

(27) The provisions of sub-section (22) shall apply in respect of a recommendation under sub-section (25) or (26) as if the recommendation had been made under sub-section (21).

(28) If an officer who has been suspended from duty in terms of sub-section (4), is dealt with in accordance with the provisions of paragraph (a), (b) or (d) of sub-section (21) or of the second proviso to that sub-section, he shall forthwith be allowed to resume duty, and if he is dealt with in accordance with the provisions of paragraph (c) of sub-section (21), he shall as soon as practicable be allowed to assume duty in the post or duties to which he is transferred, and in any such case he shall be paid his full emoluments for the period of his suspension: Provided that if his grade is reduced in terms of the said paragraph (d) he shall as soon as practicable be allowed to assume duty in a post of the reduced grade and be paid for the period of suspension the emoluments of that post, but if emoluments in excess of the emoluments of that post were, during the period of his suspension, paid to him under sub-section (5), he shall not be obliged to refund the excess.

(29) An officer, who has been suspended from duty in terms of sub-section (4), or against whom a charge has been preferred under this section, and who resigns from the public service or assumes other employment before such charge has been dealt with to finality in accordance with the provisions of this section, shall be deemed to have been discharged on account of misconduct, with effect from a date to be specified by the Minister or Administrator, unless prior to the receipt of his notification of resignation or the date of his assumption of other employment he had been notified that no charge would be preferred against him or that the charge preferred against him had been withdrawn.

Misconduct of heads of departments.

19. (1) When a head of department is accused of misconduct, the Minister or Administrator may report the matter to the Governor-General who may direct the Minister or Administrator to charge him with that misconduct; and if an enquiry becomes necessary under sub-section (8) of section *eighteen*, as applied by sub-section (2) of this section, the Governor-General may appoint a person or persons to hold the enquiry.

(2) The provisions of sub-sections (2) to (29), both inclusive, of section *eighteen* shall, *mutatis mutandis*, apply to any proceedings following upon a direction under sub-section (1) of this section; and for the purposes of such application every reference in the said sub-sections to the Minister or Administrator shall be construed as a reference to the Governor-General, the reference in sub-section (25) to the head of department shall be construed as a reference to the Minister or Administrator and every reference in the said sub-sections to the officer holding the enquiry shall be construed as including a reference to a person or persons appointed under sub-section (1) of this section.

daaruit ontslaan te gewees het met ingang van 'n datum wat deur die Minister of Administrateur vermeld word.

(22) Die Minister of Administrateur kan volgens die aanbeveling van die Kommissie of die departementshoof handel of enige ander weg inslaan wat hy wettiglik ingevolge sub-artikel (21) kon aanbeveel het, maar altoos onderworpe aan die bepalings van sub-artikel (1) van artikel *sewe* in die geval van 'n aanbeveling van die Kommissie.

(23) Die Kommissie of departementshoof, na gelang van die geval, stuur saam met sy aanbeveling ingevolge sub-artikel (21), die notule van die verrichtings by die ondersoek en alle dokumente in sy besit wat op die ondersoek of op die appèl betrekking het, aan die Minister of Administrateur.

(24) As die beampte wat ingevolge hierdie artikel aangekla is, die aanklag erken, word dit geag dat hy skuldig is aan die wangedrag waarvan hy aangekla is.

(25) As die in sub-artikel (24) bedoelde beampte in die administratiewe, klerklike, vakkundige, tegniese of algemene Afdeling in diens is, stuur die departementshoof alle dokumente wat hy tot sy beskikking het en wat op die wangedrag betrekking het en enige opmerkings daaroor wat hy wens te maak aan die Kommissie en die Kommissie doen 'n aanbeveling ingevolge sub-artikel (21) by die Minister of Administrateur.

(26) As die in sub-artikel (24) bedoelde beampte in die algemene B-afdeling in diens is, doen die departementshoof 'n aanbeveling ingevolge sub-artikel (21) by the Minister of Administrateur.

(27) Die bepalings van sub-artikel (22) is van toepassing ten opsigte van 'n aanbeveling wat ingevolge sub-artikel (25) of (26) gedoen is, asof die aanbeveling ingevolge sub-artikel (21) gedoen is.

(28) As daar met 'n beampte wat ingevolge sub-artikel (4) in sy diens geskors is, ooreenkomstig die bepalings van paragrawe (a), (b) of (d) van sub-artikel (21) of van die tweede voorbehoudsbepaling by daardie sub-artikel gehandel word, moet hy onverwyld toegelaat word om weer diens te aanvaar, en as daar met hom ooreenkomstig die bepalings van paragraaf (c) van sub-artikel (21) gehandel word, moet hy so gou doenlik toegelaat word om diens te aanvaar in die pos of pligte waarna hy oorgeplaas word, en in so 'n geval moet sy volle emolumente vir die tydperk van sy skorsing aan hom betaal word: Met dien verstande dat as sy graad ingevolge genoemde paragraaf (d) verlaag word, hy so gou doenlik toegelaat moet word om diens in 'n pos van die verlaagde graad te aanvaar, en moet aan hom vir die tydperk van skorsing die emolumente van daardie pos betaal word, maar as hoër emolumente as die emolumente van daardie pos aan hom gedurende die tydperk van sy skorsing ingevolge sub-artikel (5) betaal is, hy nie verplig is om die verskil terug te betaal nie.

(29) 'n Beampte wat ingevolge sub-artikel (4) in sy diens geskors is, of teen wie 'n aanklag ingevolge hierdie artikel ingebring is, en wat uit die staatsdiens bedank of ander werk aanvaar voordat bedoelde aanklag finaal ooreenkomstig die bepalings van hierdie artikel afgehandel is, word geag weens wangedrag ontslaan te gewees het met ingang van 'n datum wat deur die Minister of Administrateur vermeld word, tensy hy voor die ontvangs van sy kennisgewing van bedanking of die datum van sy aanvaarding van ander werk, in kennis gestel is dat geen aanklag teen hom ingebring sal word nie of dat die aanklag wat teen hom ingebring is, teruggetrek is.

19. (1) Wanneer 'n departementshoof van wangedrag beskuldig word, kan die Minister of Administrateur die aangeleentheid rapporteer aan die Goewerneur-generaal wat die Minister of Administrateur kan gelas om hom van daardie wangedrag aan te kla; en as 'n ondersoek ingevolge sub-artikel (8) van artikel *agtien*, soos toegepas by sub-artikel (2) van hierdie artikel, nodig word, kan die Goewerneur-generaal 'n persoon of persone aanstel om die ondersoek in te stel.

Wangedrag van departementshoofde.

(2) Die bepalings van sub-artikels (2) tot en met (29) van artikel *agtien* is *mutatis mutandis* van toepassing op verrichtings wat op 'n lasgewing ingevolge sub-artikel (1) van hierdie artikel volg; en vir die doeleindes van sodanige toepassing word elke verwysing in genoemde sub-artikels na die Minister of Administrateur uitgelê as 'n verwysing na die Goewerneur-generaal, word die verwysing in sub-artikel (25) na die departementshoof uitgelê as 'n verwysing na die Minister of Administrateur en word elke verwysing in genoemde sub-artikels na die beampte wat die ondersoek instel, uitgelê as ook 'n verwysing na 'n persoon of persone wat ingevolge sub-artikel (1) van hierdie artikel aangestel is.

Manner in which notices, etc. may be given or furnished.

20. Whenever by section *fifteen, sixteen, eighteen or nineteen* it is provided—

- (a) that any notice, statement or other document is to be given or furnished to or served upon any person or that any matter is to be or may be conveyed to any person in writing, the notice, statement, document or writing may be sent by post in a registered letter or be delivered to him or left at his last known place of residence; or
- (b) that any person is to be informed of any decision or finding, he may be informed thereof verbally or in writing sent by post in a registered letter or delivered to him or left at his last known place of residence.

CHAPTER V.

GENERAL.

Remuneration of officers and employees.

21. (1) Subject to the provisions of section *seven*, officers and employees shall be paid salaries, wages and allowances in accordance with the scales, appropriate to their grades, recommended by the Commission in terms of paragraph (g) of sub-section (2) of section *six*.

(2) On the recommendation of the Commission but subject to the provisions of section *seven*—

- (a) officers or employees or classes of officers or employees may, on appointment, transfer or promotion be paid salaries or wages at higher rates than the minima of the appropriate scales; and
- (b) officers or employees, or classes of officers or employees may be specially advanced within the scales applicable to them; and
- (c) an officer or employee of exceptional ability or possessing special qualifications or who has rendered meritorious service may, and any officer or employee may, if it is in the interests of the public service, be specially advanced within the scale applicable to him, or may be paid a salary or wage in accordance with a higher scale, or may be granted any other fitting reward.

(3) Subject to the provisions of section *seven*, no officer or employee shall in respect of his employment as such be paid any remuneration, allowance, honorarium, award or bonus of any kind whatsoever other than such remuneration, allowance, honorarium, award or bonus as is prescribed or as has been recommended by the Commission.

Salaries of officers not to be reduced except as specially provided.

22. An officer's salary or scale of salary shall not be reduced without his own consent except in accordance with the provisions of Chapter IV or in pursuance of an Act of Parliament.

Cession of emoluments prohibited.

23. No officer or employee shall, without the written approval of the accounting officer (as defined by section *one* of the Exchequer and Audit Act, 1956 (Act No. 23 of 1956)), of the department or office in which he is employed, cede the whole or any part of any salary or allowance payable to him.

Whole time of officers and employees to be at the disposal of the Government.

24. (1) Unless it is otherwise provided in his conditions of employment—

- (a) every officer and employee shall place the whole of his time at the disposal of the Government;
- (b) no officer or employee shall perform or engage himself to perform remunerative work outside his employment in the public service without the permission of the Minister or Administrator (or of an officer to whom the power to give such permission has been delegated by the Minister or Administrator) which in the case of an officer shall only be granted on the recommendation of the Commission; and
- (c) no officer or employee may claim as of right additional remuneration in respect of any official duty or work which he is required by competent authority to perform.

(2) It shall be competent for the Minister or Administrator or the head of a department, branch, office or institution to require any officer or employee under his control temporarily to perform duties other than those ordinarily assigned to such officer or appropriate to the grade, designation or classification of his post.

20. Waar daar by artikels *vyftien, sestien, agtien of negentien* bepaal word—

Wyse waarop kennis, ens. gegee of verstrekk kan word.

- (a) dat enige kennisgewing, verklaring of ander dokument aan 'n persoon gegee of verstrekk of bestel moet word of dat enige aangeleentheid skriftelik aan 'n persoon meegedeel moet of kan word, kan die kennisgewing, verklaring, dokument of geskrif per pos in 'n geregistreerde brief aan hom gestuur word of aan hom afgelewer of by sy laaste bekende woonplek gelaat word; of
- (b) dat 'n persoon van 'n beslissing of bevinding verwittig moet word, kan hy mondeling of per geskrif wat per pos in 'n geregistreerde brief aan hom gestuur word of aan hom afgelewer of by sy laaste bekende woonplek gelaat word, daarvan verwittig word.

HOOFTSTUK V.

ALGEMEEN.

21. (1) Behoudens die bepalings van artikel *sewe*, word aan beamptes en werknemers salarisse, lone en toelaes betaal ooreenkomstig die skale wat by hulle grade pas en wat deur die Kommissie ingevolge paragraaf (g) van sub-artikel (2) van artikel *ses* aanbeveel is.

Besoldiging van beamptes en werknemers.

(2) Op aanbeveling van die Kommissie, dog behoudens die bepalings van artikel *sewe*—

- (a) kan aan beamptes of werknemers of klasse beamptes of werknemers by aanstelling, oorplasing of bevordering salarisse of lone teen hoër bedrae as die minimums van die toepaslike skale betaal word; en
- (b) kan beamptes of werknemers of klasse beamptes of werknemers spesiaal verhoog word binne die skale wat op hulle van toepassing is; en
- (c) kan 'n beampte of werknemer wat buitengewoon bekwaam is of wat spesiale kwalifikasies besit of wat verdienstelike diens gelewer het, en, as dit in die staatsdiens se belang is, kan enige beampte of werknemer, spesiaal verhoog word binne die skaal wat op hom van toepassing is, of kan aan hom 'n salaris of loon ooreenkomstig 'n hoër skaal betaal of enige ander geskikte beloning toegeken word.

(3) Behoudens die bepalings van artikel *sewe* mag aan geen beampte of werknemer ten opsigte van sy indienshouding as sodanig enige besoldiging, toelae, honorarium, toekenning of bonus van watter aard ook al betaal word nie behalwe dié besoldiging, toelae, honorarium, toekenning of bonus wat voorgeskryf is of wat deur die Kommissie aanbeveel is.

22. 'n Beampte se salaris of salarisskaal mag nie sonder sy eie toestemming verlaag word nie, behalwe in ooreenstemming met die bepalings van Hoofstuk IV of ingevolge 'n Parlements-wet.

Salarisse van beamptes mag nie verlaag word nie, behalwe soos spesiaal bepaal.

23. Geen beampte of werknemer mag sonder die skriftelike goedkeuring van die rekenpligtige amptenaar (soos omskryf by artikel *een* van die Skatkis- en Ouditwet, 1956 (Wet No. 23 van 1956)) van die departement of kantoor waarin hy in diens is, die geheel of 'n gedeelte van enige salaris of toelae wat aan hom betaalbaar is, sedeer nie.

Sessie van emolumente verbode.

24. (1) Tensy anders in sy diensvoorwaardes bepaal word—

- (a) moet elke beampte en werknemer al sy tyd ter beskikking van die Regering stel;
- (b) mag geen beampte of werknemer besoldigde werk buite sy werk in die staatsdiens sonder die toestemming van die Minister of Administrateur (of 'n beampte aan wie die bevoegdheid om sodanige toestemming te verleen deur die Minister of Administrateur gedelegeer is) verrig of hom verbind om dit te verrig nie, welke toestemming in die geval van 'n beampte slegs op aanbeveling van die Kommissie verleen word; en
- (c) kan geen beampte of werknemer regtens aanspraak maak op addisionele besoldiging ten opsigte van enige amptelike diens of werk wat hy deur 'n bevoegde owerheid aangesê word om te verrig nie.

Beamptes en werknemers moet al hulle tyd ter beskikking van die Regering stel.

(2) Die Minister of Administrateur of die hoof van 'n departement, tak, kantoor of inrigting is bevoeg om 'n beampte of werknemer onder sy beheer aan te sê om tydelik ander pligte te verrig as dié wat gewoonlik aan so 'n beampte opgedra word of wat by die graad, benaming of indeling van sy pos pas.

(3) Any remuneration or allowance whatsoever received by an officer or employee otherwise than in accordance with the provisions of this Act or a recommendation made by the Commission under any other law shall be paid by such officer or employee into the Consolidated Revenue Fund, and if he does not do so, shall be recovered from him by the Treasury by legal proceedings or in such other manner as the Treasury may think fit and be paid into that fund.

(4) All fees received by an officer or employee in his official capacity shall be paid into revenue unless the Commission has recommended that he may retain the whole or a portion of the said fees as part of his remuneration.

(5) Where on account of his professional, technical or other special qualifications the services of an officer or employee are placed temporarily at the disposal of another government or administration or of an institution or body established by or under any law or of any other body or person, any salary, allowance, fee, bonus or honorarium which may be payable in respect of his services shall be paid into revenue: Provided that in special circumstances the Commission may recommend the payment to the officer or employee of an amount equal to the said salary, allowance, fee, bonus or honorarium, or a portion thereof.

Establishment and functions of Public Service Joint Advisory Council.

25. (1) There shall be established a council, to be known as the Public Service Joint Advisory Council, constituted as prescribed by regulation and consisting of—

- (a) officers who shall be nominated by the Commission; and
- (b) officers representing officers in the public service (excluding the services) who shall, subject to such conditions and exceptions as may likewise be prescribed, be nominated by staff associations recognized by the Commission.

(2) The functions and duties of the Public Service Joint Advisory Council shall be to advise the Commission from time to time on—

- (a) the matters to be dealt with by it under this Act or any other law, including the regulations made or to be made thereunder;
- (b) legislation passed or proposed to be passed, in so far as such legislation affects or may affect the public service; and
- (c) such other matters as may be prescribed by regulation.

Regulations.

26. (1) The Governor-General may, after the Commission has made a recommendation, make regulations with respect to any of the following matters:

- (a) the promotion, transfer, discipline, conduct, powers and duties, hours of attendance and leave of absence of officers and employees and their other conditions of employment including the occupation of official quarters;
- (b) the rates of payment for overtime duty performed by officers and employees and of any travelling, subsistence, climatic, local, cost of living or other allowances to be paid to officers and employees and the circumstances under which such payments shall be made;
- (c) the circumstances in which medical examination shall be required for the purposes of any provision of this Act, and the form of medical reports and certificates;
- (d) the particular classes of officers and employees who may be required to give security, and the amount and form thereof;
- (e) the procedure to be observed in investigating and dealing with allegations of misconduct committed by officers;
- (f) all matters which under this Act are required or permitted to be prescribed; and
- (g) generally, all matters which he considers it necessary or expedient to prescribe in order that the purposes of this Act may be achieved;

and such regulations may prescribe an authority or more than one authority and the powers of any such authority to vary, in respect of any officer or employee or class of officers or employees, the provisions thereof.

(2) Different regulations may be made in respect of the administrative, clerical, professional, technical, general A or

(3) Enige besoldiging of toelae van watter aard ook al wat 'n beampte of werknemer ontvang anders as ooreenkomstig die bepalinge van hierdie Wet, of 'n aanbeveling wat deur die Kommissie kragtens enige ander wetsbepaling gedoen is, moet deur so 'n beampte of werknemer in die Gekonsolideerde Inkomstefonds gestort word, en as hy dit nie doen nie moet dit deur die Tesourie deur middel van geregtelike stappe of op so 'n ander wyse as wat die Tesourie goed dink, op hom verhaal en in daardie fonds gestort word.

(4) Alle gelde wat 'n beampte of werknemer in sy amptelike hoedanigheid ontvang, moet in inkomste gestort word, tensy die Kommissie aanbeveel het dat hy die geheel of 'n gedeelte van bedoelde gelde as deel van sy besoldiging kan behou.

(5) Waar die dienste van 'n beampte of werknemer weens sy vakkundige, tegniese of ander spesiale kwalifikasies tydelik ter beskikking van 'n ander regering of administrasie of van 'n inrigting of liggaam ingestel by of ingevolge 'n wet, of van 'n ander liggaam of persoon geplaas word, moet enige salaris, toelae, geld, bonus of honorarium wat ten opsigte van sy dienste betaalbaar is, in inkomste gestort word: Met dien verstande dat onder spesiale omstandighede die Kommissie kan aanbeveel dat 'n bedrag wat gelyk is aan bedoelde salaris, toelae, geld, bonus of honorarium, of 'n gedeelte daarvan, aan die beampte of werknemer betaal word.

25. (1) Daar word 'n raad ingestel wat bekend staan as die Gesamentlike Adviserende Raad van die Staatsdiens, saamgestel soos by regulasie voorgeskryf en bestaande uit—

- (a) beamptes wat benoem word deur die Kommissie; en
- (b) beamptes wat beamptes in die staatsdiens (behalwe die dienste) verteenwoordig wat, onderworpe aan die voorwaardes en uitsonderings wat insgelyks voorgeskryf word, benoem word deur personeelverenigings wat deur die Kommissie erken word.

Instelling en werksaamhede van die Gesamentlike Adviserende Raad van die Staatsdiens.

(2) Die werksaamhede en pligte van die Gesamentlike Adviserende Raad van die Staatsdiens is om die Kommissie van tyd tot tyd van advies te dien oor—

- (a) die aangeleenthede waarmee hy ingevolge hierdie Wet of enige ander wetsbepalinge, insluitende die regulasies wat daarkragtens uitgevaardig is, of uitgevaardig gaan word, moet handel;
- (b) aangenome of voorgenome wetgewing vir sover sodanige wetgewing die staatsdiens raak of kan raak; en
- (c) die ander aangeleenthede wat by regulasie voorgeskryf word.

26. (1) Die Goewerneur-generaal kan, nadat die Kommissie 'n aanbeveling gedoen het, regulasies met betrekking tot enige een van die volgende aangeleenthede uitvaardig:

- (a) die bevordering, oorplasing, dissipline, gedrag, bevoegdheid en pligte, diensure en verlop van beamptes en werknemers en hulle ander diensvoorwaardes, insluitende die bewoning van amptelike kwartiere;
- (b) die tarief van besoldiging vir oortyddiens verrig deur beamptes en werknemers en van reis-, verblyf-, klimaats-, plaaslike, lewenskoste- of ander toelae wat aan beamptes en werknemers betaal moet word en die omstandighede waaronder sodanige betalings gedoen moet word;
- (c) die omstandighede waaronder geneeskundige ondersoek vereis word vir die doeleindes van enigeen van die bepalinge van hierdie Wet, en die vorm van geneeskundige verslae en sertifikate;
- (d) die besondere klasse beamptes en werknemers van wie vereis kan word om sekuriteit te gee, en die bedrag en vorm daarvan;
- (e) die prosedure wat gevolg moet word by die ondersoek van en optrede in verband met bewerings van wangedrag waaraan beamptes hulle skuldig maak;
- (f) alle aangeleenthede wat ingevolge hierdie Wet voorgeskryf moet of kan word; en
- (g) in die algemeen alle aangeleenthede wat hy nodig of dienstig ag om voor te skryf ten einde die doeleindes van hierdie Wet te bereik;

Regulasies.

en sodanige regulasies kan 'n gesag of meer as een gesag voorskryf asook die bevoegdhede van so 'n gesag om, ten opsigte van enige beampte of werknemer of klas beamptes of werknemers, die bepalinge daarvan te wysig.

(2) Verskillende regulasies kan uitgevaardig word ten opsigte van die administratiewe, klerklike, vakkundige, tegniese,

general B divisions, or to suit the varying requirements of particular departments or branches of departments, or of particular classes of officers or employees, or of particular kinds of employment in the public service.

(3) Every regulation made under this Act shall be of force and effect unless and until, during the session in which it has been laid upon the Tables of both Houses of Parliament as provided by section *seventeen* of the Interpretation Act, 1957 (Act No. 33 of 1957), both Houses have by resolution disapproved of the regulation, in which event the regulation shall lapse as from a date to be specified in the resolution; but the lapsing of the regulation shall not affect the validity of anything done under the regulation before the date of the resolution, and nothing contained in this sub-section shall affect the power of the Governor-General to make a new regulation as to the subject matter of that regulation.

Amendment of First Schedule.

27. The Governor-General may, after the Commission has made a recommendation, amend the First Schedule to this Act by proclamation in the *Gazette*.

Commission's reports to be tabled in Parliament.

28. Every report made by the Commission in pursuance of paragraph (n) of sub-section (2) of section *six* or sub-section (7) of section *seven* shall be transmitted to the Minister of the Interior, and shall be laid by him upon the Tables of both Houses of Parliament within seven days after he has received it if Parliament is then in session, or if Parliament is not then in session, within seven days of the commencement of its next ensuing session.

Limitations of actions.

29. (1) No legal proceedings of any nature shall be brought against the Government or any body or person in respect of anything done or omitted under this Act, unless the proceedings are brought before the expiry of a period of twelve calendar months after the date upon which the claimant had knowledge, or after the date on which the claimant might reasonably have been expected to have knowledge, of the act or omission alleged, which ever is the earlier date.

(2) No such proceedings shall be commenced before the expiry of one calendar month at least after written notice of intention to bring such proceedings has been served on the Government, or the body or person concerned. In that notice particulars as to the alleged act or omission shall be clearly and explicitly given.

Repeal of laws.

30. (1) Subject to the provisions of sub-section (2), the laws specified in the Second Schedule to this Act are hereby repealed to the extent set out in the third column of that Schedule.

(2) Any regulation (in so far as it is not inconsistent with this Act), notice, approval, authority, recommendation or document made, given, issued or granted and any other action taken under any provision of a law repealed by sub-section (1), shall be deemed to have been made, issued, promulgated, given, granted or taken under the corresponding provision of this Act.

Savings.

31. No provision of this Act shall be construed as in any way abrogating or derogating from any existing, accruing or contingent right, liability or obligation of any person flowing from any other law.

Short title and commencement.

32. This Act shall be called the Public Service Act, 1957, and shall come into operation on a date to be fixed by the Governor-General by proclamation in the *Gazette*.

algemene A- of algemene B-afdeling, of om te pas by die verskillende vereistes van besondere departemente of takke van departemente, of van besondere klasse beamptes of werknemers, of van besondere soorte diens in die staatsdiens.

(3) Elke regulasie wat ingevolge hierdie Wet uitgevaardig word, is van krag en regsgeldig tensy en totdat, gedurende die sessie waarby dit in albei Huise van die Parlement ter Tafel gelê is soos bepaal by artikel *sewentien* van die Interpretasiewet, 1957 (Wet No. 33 van 1957), albei Huise die regulasie by besluit afgekeur het, in welke geval die regulasie verval met ingang van 'n datum wat in die besluit vermeld word; maar die verval van die regulasie raak nie die geldigheid van enigiets wat ingevolge die regulasie voor die datum van die besluit gedoen is nie, en niks wat in hierdie sub-artikel vervat is, raak die bevoegdheid van die Goewerneur-generaal om 'n nuwe regulasie aangaande die inhoud van daardie regulasie uit te vaardig nie.

27. Die Goewerneur-generaal kan, nadat die Kommissie 'n Wysiging van
aanbeveling gedoen het, die Eerste Bylae by hierdie Wet by Eerste Bylae.
proklamasie in die *Staatskoerant* wysig.

28. Elke verslag wat die Kommissie ingevolge paragraaf (n) Kommissie se
van sub-artikel (2) van artikel *ses* of sub-artikel (7) van artikel verslae moet in die
sewe doen, word aan die Minister van Binnelandse Sake gestuur Parlement ter
en word deur hom in albei Huise van die Parlement ter Tafel Tafel gelê word.
gelê binne sewe dae nadat hy dit ontvang het, as die Parlement
dan sit, of as die Parlement nie dan sit nie, binne sewe dae na
die aanvang van sy eersvolgende sessie.

29. (1) Geen regsgeding van watter aard ook al mag teen die Beperking van
Regering of 'n liggaam of persoon ten opsigte van enigiets wat regsgedinge.
ingevolge hierdie Wet gedoen of versuim is, ingestel word nie,
tensy die geding ingestel word voor die verstryking van 'n
tydperk van twaalf kalendermaande na die datum waarop die
eiser kennis van die beweerde daad of versuim gehad het of
na die datum waarop redelikerwyse verwag kon word dat die
eiser van bedoelde daad of versuim bewus sou wees, na gelang
van watter datum die eerste is.

(2) Geen sodanige geding mag ingestel word voor die
verstryking van minstens een kalendermaand nadat 'n skrifte-
like kennisgewing van die voorneme om sodanige geding in
te stel aan die Regering of die betrokke liggaam of persoon
bestel is nie. In daardie kennisgewing moet besonderhede
aangaande die beweerde daad of versuim duidelik en uit-
druklik verstrekkend word.

30. (1) Die wette wat in die Tweede Bylae by hierdie Wet Herroeping van
vermeld word, word behoudens die bepalings van sub-artikel (2), wette.
hierby herroep in die mate wat in die derde kolom van daardie
Bylae uiteengesit word.

(2) 'n Regulasie (vir sover dit nie met hierdie Wet strydig is
nie), kennisgewing, goedkeuring, magtiging, aanbeveling of
dokument uitgevaardig, gegee, verleen, gedoen of uitgereik en
enige ander stappe wat gedoen is kragtens 'n bepaling van 'n by
sub-artikel (1) herroep wet, word geag kragtens die ooreen-
stemmende bepaling van hierdie Wet uitgevaardig, gegee, verleen
gedoen of uitgereik te gewees het.

31. Geen bepaling van hierdie Wet word so uitgelê dat dit Voorbehoud.
enige bestaande, aankomende of voorwaardelike reg, aan-
spreeklikheid of verpligting van enige persoon wat uit enige
ander wetsbepaling voortvloei, ophef of afbreuk daaraan doen
nie.

32. Hierdie Wet heet die Staatsdienswet, 1957, en tree in Kort titel en
werking op 'n datum wat die Goewerneur-generaal by prokla- inwerkingtre-
masie in die *Staatskoerant* bepaal.

First Schedule.

LIST OF DEPARTMENTS AND HEADS OF DEPARTMENTS.

Column I.	Column II.
Department of the Prime Minister.	Secretary to the Prime Minister.
Department of Agriculture. . .	Secretary for Agriculture.
Department of Commerce and Industries.	Secretary for Commerce and Industries.
Department of the Controller and Auditor-General.	Controller and Auditor-General.
Department of Customs and Excise.	Commissioner of Customs and Excise.
Department of Defence.	Secretary for Defence.
Department of Education, Arts and Science.	Secretary for Education, Arts and Science.
Department of External Affairs. . .	Secretary for External Affairs.
Department of Finance.	Secretary for Finance or Secretary to the Treasury.
Department of Forestry.	Director of Forestry.
Department of Health.	Secretary for Health.
Department of Inland Revenue. . .	Commissioner for Inland Revenue.
Department of the Interior.	Secretary for the Interior.
Department of Justice.	Secretary for Justice.
Department of Labour.	Secretary for Labour.
Department of Lands.	Secretary for Lands.
Department of Mines.	Secretary for Mines.
Department of Native Affairs. . . .	Secretary for Native Affairs.
Department of Nutrition.	Secretary for Nutrition.
Department of Pensions.	Commissioner of Pensions.
Department of Posts and Telegraphs.	Postmaster-General.
Department of Prisons.	Director of Prisons.
Department of Public Works.	Director of Public Works.
Department of Social Welfare. . . .	Secretary for Social Welfare.
Department of the South African Police.	Commissioner of the South African Police.
Department of Transport	Secretary for Transport.
Department of Water Affairs. . . .	Director of Water Affairs.
National Housing Office.	Secretary: National Housing Office.
Office of the Public Service Commission.	Secretary to the Public Service Commission.
The Provincial Administration of the Cape of Good Hope.	Provincial Secretary.
The Provincial Administration of Natal.	Provincial Secretary.
The Provincial Administration of the Orange Free State.	Provincial Secretary.
The Provincial Administration of the Transvaal.	Provincial Secretary.
The Administration of South-West Africa.	Secretary for South-West Africa.

Eerste Bylae.

LYS VAN DEPARTEMENTE EN DEPARTEMENTSHOOFDE.

Kolom I.	Kolom II.
Departement van die Eerste Minister.	Sekretaris van die Eerste Minister.
Departement van Landbou ..	Sekretaris van Landbou.
Departement van Handel en Nywerheid.	Sekretaris van Handel en Nywerheid.
Departement van die Kontroleur en Ouditeur-generaal.	Kontroleur en Ouditeur-generaal.
Departement van Doeane en Aksyns	Kommissaris van Doeane en Aksyns.
Departement van Verdediging. ..	Sekretaris van Verdediging.
Departement van Onderwys, Kuns en Wetenskap.	Sekretaris van Onderwys, Kuns en Wetenskap.
Departement van Buitelandse Sake.	Sekretaris van Buitelandse Sake.
Departement van Finansies. ..	Sekretaris van Finansies of Sekretaris van die Tesourie.
Departement van Bosbou.	Direkteur van Bosbou.
Departement van Gesondheid. ..	Sekretaris van Gesondheid.
Departement van Binnelandse Inkomste.	Kommissaris van Binnelandse Inkomste.
Departement van Binnelandse Sake	Sekretaris van Binnelandse Sake.
Departement van Justisie.	Sekretaris van Justisie.
Departement van Arbeid.	Sekretaris van Arbeid.
Departement van Lande.	Sekretaris van Lande.
Departement van Mynwese.	Sekretaris van Mynwese.
Departement van Naturellesake. . .	Sekretaris van Naturellesake.
Departement van Voeding.	Sekretaris van Voeding.
Departement van Pensioene.	Kommissaris van Pensioene.
Departement van Pos- en Telegraafwese.	Posmeester-generaal.
Departement van Gevangnisse. . . .	Direkteur van Gevangnisse.
Departement van Publieke Werke	Direkteur van Publieke Werke.
Departement van Volkswelsyn. . . .	Sekretaris van Volkswelsyn.
Departement van die Suid-Afrikaanse Polisie.	Kommissaris van die Suid-Afrikaanse Polisie.
Departement van Vervoer.	Sekretaris van Vervoer.
Departement van Waterwese.	Direkteur van Waterwese.
Nasionale Behuisingskantoor. . . .	Sekretaris: Nasionale Behuisingskantoor.
Kantoor van die Staatsdienskommissie.	Sekretaris van die Staatsdienskommissie.
Die Provinsiale Administrasie van die Kaap die Goeie Hoop.	Provinsiale Sekretaris.
Die Provinsiale Administrasie van Natal.	Provinsiale Sekretaris.
Die Provinsiale Administrasie van die Oranje-Vrystaat.	Provinsiale Sekretaris.
Die Provinsiale Administrasie van Transvaal.	Provinsiale Sekretaris.
Die Administrasie van Suidwes-Afrika.	Sekretaris van Suidwes-Afrika.

Second Schedule.

LAWS REPEALED.

Number and Year of Law.	Short Title of Law.	Extent of Repeal.
Act No. 27 of 1923.	Public Service Act, 1923 ..	So much as is unrepealed.
Act No. 43 of 1925.	Financial Adjustments Act, 1925.	So much of section <i>seven</i> as is unrepealed.
Act No. 44 of 1926.	Financial Adjustments Act, 1926.	Sections <i>eight, nine</i> and <i>ten</i> .
Act No. 33 of 1935.	Public Service Amendment Act, 1935.	The whole.
Act No. 36 of 1936.	Public Service Amendment Act, 1936.	The whole.
Act No. 50 of 1937.	Finance Act, 1937.. ..	Section <i>seven</i> .
Act No. 43 of 1941.	Finance Act, 1941.. ..	Section <i>fifteen</i> .
Act No. 18 of 1945.	Public Service Amendment Act, 1945.	The whole.
Act No. 57 of 1946.	Finance Act, 1946.. ..	Sections <i>twenty-three</i> and <i>twenty-four</i> .
Act No. 26 of 1952.	Public Service Amendment Act, 1952.	The whole.
Act No. 45 of 1953.	Finance Act, 1953.. ..	Section <i>fifteen</i> .
Act No. 16 of 1954.	Public Service Amendment Act, 1954.	The whole.
Act No. 34 of 1954.	Finance Act, 1954.. ..	Section <i>nine</i> .
Act No. 11 of 1955.	Prisons and Reformatories Amendment Act, 1955.	Section <i>fifteen</i> .

Tweede Bylae.

WETTE HERROEP.

Nommer en jaar van Wet.	Kort titel van Wet.	In hoeverre herroep.
Wet No. 27 van 1923.	„Staatsdiens Wet, 1923”.	Soveel as wat nie reeds herroep is nie.
Wet No. 43 van 1925.	„Finansiële Regelings Wet, 1925”.	Soveel van artikel <i>sewe</i> as wat nie reeds herroep is nie.
Wet No. 44 van 1926.	Finansiële Reëlingswet, 1926.	Artikels <i>agt, nege en tien</i> .
Wet No. 33 van 1935.	Staatsdiens-Wysigingswet, 1935.	Die geheel.
Wet No. 36 van 1936.	Staatsdiens-Wysigingswet, 1936.	Die geheel.
Wet No. 50 van 1937.	Finansiewet, 1937.	Artikel <i>sewe</i> .
Wet No. 43 van 1941.	Finansiewet, 1941.	Artikel <i>vyftien</i> .
Wet No. 18 van 1945.	Staatsdiens-wysigingswet, 1945.	Die geheel.
Wet No. 57 van 1946.	Finansiewet, 1946.	Artikels <i>drie-en-twintig</i> en <i>vier-en-twintig</i> .
Wet No. 26 van 1952.	Staatsdienswysigingswet, 1952.	Die geheel.
Wet No. 45 van 1953.	Finansiewet, 1953.	Artikel <i>vyftien</i> .
Wet No. 16 van 1954.	Staatsdienswysigingswet, 1954.	Die geheel.
Wet No. 34 van 1954.	Finansiewet, 1954.	Artikel <i>nege</i> .
Wet No. 11 van 1955.	Wysigingswet op Gevangnisse en Verbetergestigte, 1955.	Artikel <i>vyftien</i> .

No. 64, 1957.]

ACT**To amend the Public Accountants' and Auditors' Act, 1951.***(Afrikaans text signed by the Officer Administering the Government.)**(Assented to 22nd June, 1957.)***BE IT ENACTED** by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Amendment of section 23 of Act 51 of 1951, as amended by section 8 of Act 47 of 1956.

1. Section *twenty-three* of the Public Accountants' and Auditors' Act, 1951 (hereinafter referred to as the principal Act), is hereby amended—

(a) by the insertion after sub-section (4) of the following sub-section:

„(4)*bis*. (a) Any person who desires to be registered as a non-resident accountant and auditor shall in writing lodge with the board an application for such registration accompanied by the prescribed fee and such information as the board may require.

(b) If, after consideration of any such application, the board is satisfied that the applicant—

(i) is not less than twenty-one years of age and is not ordinarily resident in the Union;

(ii) is a member of an organized body of accountants and auditors recognized by the board for the purposes of this sub-section;

(iii) is a partner of a registered accountant and auditor ordinarily resident in and engaged in public practice in the Union, or has furnished the board with a written undertaking approved by the board that upon or after registration he will be admitted into partnership with a registered accountant and auditor ordinarily resident in and engaged in public practice in the Union,

the board shall, subject to the provisions of sub-section (6), register the applicant as a non-resident accountant and auditor and issue to him a certificate of registration in such form as it may prescribe.

(c) Wherever in this Act the expression 'accountant and auditor' is used, the expression shall, unless the context otherwise indicates, be deemed to refer also to a 'non-resident accountant and auditor.'; and

(b) by the insertion after sub-section (7) of the following sub-section:

“(7)*bis*. The board shall cancel the registration as a non-resident accountant and auditor of any person who—

(i) subsequent to his registration becomes ordinarily resident in the Union; or

(ii) does not within six months after the date of his registration produce proof to the satisfaction of the board that he has been admitted into partnership with a registered accountant and auditor ordinarily resident in and engaged in public practice in the Union; or

(iii) ceases to be a partner of a registered accountant and auditor ordinarily resident in and engaged in public practice in the Union and does not within six months thereafter produce proof to the satisfaction of the board that he has been admitted into any other partnership with such a registered accountant and auditor; or

(iv) is in partnership with a registered accountant and auditor who has ceased to be engaged in public practice in the Union or with a person whose registration as an accountant and auditor has been cancelled or has lapsed under or by

WET

Tot Wysiging van die Wet op Openbare Rekenmeesters en Ouditeurs, 1951.

(Afrikaanse teks deur die Amptenaar Belas met die Uitoefening van die Uitvoerende Gesag geteken.)
(Goedgekeur op 22 Junie 1957.)

DIT WORD BEPAAL deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, as volg:—

1. Artikel *drie-en-twintig* van die Wet op Openbare Rekenmeesters en Ouditeurs, 1951 (hieronder die Hoofwet genoem), word hiermee gewysig—

(a) deur die volgende sub-artikel na sub-artikel (4) in te voeg:

„(4)*bis*. (a) Iemand wat begerig is om as buitelandse rekenmeester en ouditeur geregistreer te word, moet 'n skriftelike aansoek om sodanige registrasie, vergesel van die voorgeskrewe geld en sodanige inligting as wat die raad mag verlang, by die raad indien.

(b) Indien die raad na oorweging van so 'n aansoek oortuig is dat die applikant—

(i) minstens een-en-twintig jaar oud is en nie gewoonlik in die Unie woonagtig is nie;

(ii) 'n lid is van 'n georganiseerde liggaam van rekenmeesters en ouditeurs wat deur die raad vir die doeleindes van hierdie sub-artikel erken word;

(iii) 'n vennoot is van 'n geregistreerde rekenmeester en ouditeur wat gewoonlik in die Unie woonagtig is en openbare praktyk beoefen of aan die raad 'n skriftelike deur die raad goedgekeurde onderneming verskaf het dat hy by of na registrasie toegelaat sal word tot 'n vennootskap met 'n geregistreerde rekenmeester en ouditeur wat gewoonlik in die Unie woonagtig is en openbare praktyk beoefen,

moet die raad, behoudens die bepalings van sub-artikel (6), die applikant as 'n buitelandse rekenmeester en ouditeur registreer en aan hom 'n registrasiesertifikaat in die vorm wat die raad voorskryf, uitreik.

(c) Oral waar in hierdie Wet die uitdrukking „rekenmeester en ouditeur” gebesig word, word die uitdrukking geag ook na 'n buitelandse rekenmeester en ouditeur te verwys, tensy uit die samehang anders blyk.”; en

(b) deur die volgende sub-artikel na sub-artikel (7) in te voeg:

„(7)*bis*. Die raad moet die registrasie as 'n buitelandse rekenmeester en ouditeur kanselleer in die geval van 'n persoon wat—

(i) na sy registrasie gewoonlik in die Unie woonagtig word; of

(ii) nie binne ses maande na die datum van sy registrasie bewys tot bevrediging van die raad lewer nie dat hy toegelaat is tot 'n vennootskap met 'n geregistreerde rekenmeester en ouditeur wat gewoonlik in die Unie woonagtig is en openbare praktyk beoefen; of

(iii) ophou om 'n vennoot te wees van 'n geregistreerde rekenmeester en ouditeur wat gewoonlik in die Unie woonagtig is en openbare praktyk beoefen en nie binne ses maande daarna bewys tot bevrediging van die raad lewer nie dat hy tot 'n ander vennootskap met so 'n geregistreerde rekenmeester en ouditeur toegelaat is; of

(iv) in vennootskap is met 'n geregistreerde rekenmeester en ouditeur wat opgehou het om openbare praktyk in die Unie te beoefen of met 'n persoon wie se registrasie as rekenmeester en ouditeur gekanselleer is of verval het kragtens of uit

Wysiging van artikel 23 van Wet 51 van 1951, soos gewysig by artikel 8 van Wet 47 van 1956.

virtue of any of the provisions of this Act unless he produces proof to the satisfaction of the board within six months thereafter that such partnership has been dissolved and that he has been admitted into partnership with another registered accountant and auditor ordinarily resident in and engaged in public practice in the Union; or

- (v) becomes subject to any of the disqualifications referred to in this Act other than that set out in paragraph (a) of sub-section (8).”.

Amendment of section 24 of Act 51 of 1951, as amended by section 9 of Act 47 of 1956.

2. Section *twenty-four* of the principal Act is hereby amended by the addition thereto of the following sub-section:

“(6) No person who is registered as a non-resident accountant and auditor by virtue of the provisions of paragraph (b) of sub-section (4)*bis* of section *twenty-three* shall be entitled to have any clerk articulated to him in the Union.”.

Insertion of section 26*bis* in Act 51 of 1951.

3. The following section is hereby inserted after section *twenty-six* of the principal Act:

“Information to be furnished by accountants and auditors.

26*bis*. (1) Every person who is registered as an accountant and auditor under this Act shall—

- (a) notify the board and every person to whom he or his firm acts as auditor of any change in the name or constitution of such firm within fourteen days after the date on which such change takes place; and
- (b) furnish the following information within fourteen days after receiving a request therefor from any person for whom he or his firm acts as auditor or who proposes to appoint him or his firm as auditor:
- (i) every firm name or title under which he practises;
 - (ii) the place or places of business of all partnerships in which he is in public practice as a partner;
 - (iii) the full names of all his partners; and
 - (iv) his nationality, his christian names or the initials thereof, his surname and every surname which he may have borne previously and his ordinary business address and his residential address.

(2) When two or more such persons are practising in partnership the particulars referred to in sub-section (1) may be furnished in a communication by or in the name of the firm and any such communication shall be regarded as a sufficient compliance by the individual partners of that firm with the provisions of that sub-section.”.

Amendment of section 30 of Act 51 of 1951, as amended by section 14 of Act 47 of 1956.

4. Section *thirty* of the principal Act is hereby amended—

- (a) by the substitution for paragraph (d) of sub-section (1) of the following paragraph:

“(d) practise under a firm name or title unless on every letterhead bearing such firm name or title there appears—

- (i) his present christian names or the initials thereof and his present surname;
- (ii) the present christian names or the initials thereof and the present surnames of his partners, if any; and
- (iii) if any such partner is not ordinarily resident in the Union, an indication of the name of the country in which such partner is ordinarily resident;”;

- (b) by the deletion of sub-sections (2) and (3).

Short title and date of commencement.

5. This Act shall be called the Public Accountants' and Auditors' Amendment Act, 1957, and shall come into operation on the first day of January, 1958.

hoofde van enigeen van die bepalings van hierdie Wet tensy hy bewys tot bevrediging van die raad binne ses maande daarna lewer dat sodanige vennootskap ontbind is en dat hy toegelaat is tot vennootskap met 'n ander geregistreeerde rekenmeester en ouditeur wat gewoonlik in die Unie woonagtig is en openbare praktyk beoefen; of

- (v) onderhewig word aan een of ander van die in hierdie Wet genoemde diskwalifikasies, behalwe dié wat in paragraaf (a) van sub-artikel (8) uiteengesit word."

2. Artikel vier-en-twintig van die Hoofwet word hiermee gewysig deur die volgende sub-artikel daarby te voeg:

„(6) Niemand wat uit hoofde van die bepalings van paragraaf (b) van sub-artikel (4)*bis* van artikel drie-en-twintig as 'n buitelandse rekenmeester en ouditeur geregistreer is, is geregtig om in die Unie enige klerk onder leerkontrak met hom te hê nie."

Wysiging van artikel 24 van Wet 51 van 1951, soos gewysig by artikel 9 van Wet 47 van 1956.

3. Die volgende artikel word hiermee na artikel ses-en-twintig van die Hoofwet ingevoeg:

„Besonderhede wat deur rekenmeesters en ouditeurs verstrekk moet word.

26bis. (1) Elke persoon wat kragtens hierdie Wet as 'n rekenmeester en ouditeur geregistreer is, moet—

- (a) die raad en elke persoon vir wie hy of sy firma as ouditeur optree, van enige verandering in die naam of samestelling van die firma in kennis stel binne veertien dae na die datum waarop die verandering plaasvind; en
- (b) die volgende inligting verstrekk binne veertien dae na ontvangs van 'n versoek daarvoor van 'n persoon vir wie hy of sy firma as ouditeur optree of wat voornemens is om hom of sy firma as ouditeur aan te stel:
 - (i) elke handelsnaam of benaming waaronder hy praktiseer;
 - (ii) die besigheidsplek of -plekke van alle vennootskappe waarin hy openbare praktyk beoefen as 'n vennoot;
 - (iii) die volle name van al sy vennote; en
 - (iv) sy nasionaliteit, sy voorname of die voorletters daarvan, sy van en elke van wat hy vroeër gehad het en sy gewone besigheidsadres en sy woonadres.

(2) Wanneer twee of meer sodanige persone in vennootskap praktiseer, kan die in sub-artikel (1) genoemde besonderhede verstrekk word in 'n mededeling deur of op naam van die firma en so 'n mededeling word beskou as 'n voldoende nakoming deur die individuele vennote van daardie firma van die bepalings van daardie sub-artikel."

Invoeging van artikel 26bis in Wet 51 van 1951.

4. Artikel dertig van die Hoofwet word hiermee gewysig—

- (a) deur paragraaf (d) van sub-artikel (1) deur die volgende paragraaf te vervang:

„(d) onder 'n handelsnaam of benaming praktiseer nie tensy op elke briewe hoof wat daardie handelsnaam of benaming dra daar verskyn—

- (i) sy huidige voorname of die voorletters daarvan en sy huidige van;
- (ii) die huidige voorname of die voorletters daarvan en die huidige vanne van sy vennote, indien enige; en
- (iii) indien so 'n vennoot nie gewoonlik in die Unie woonagtig is nie, 'n aanduiding van die naam van die land waarin daardie vennoot gewoonlik woonagtig is;" en

- (b) deur sub-artikels (2) en (3) te skrap.

Wysiging van artikel 30 van Wet 51 van 1951, soos gewysig by artikel 14 van Wet 47 van 1956.

5. Hierdie Wet heet die Wysigingswet op Openbare Rekenmeesters en Ouditeurs, 1957, en tree op die eerste dag van Januarie 1958 in werking.

Kort titel en datum van inwerkingtreding.

No. 65, 1957.]

ACT**To amend the law relating to customs.***(English text signed by the Officer Administering the Government.)
(Assented to 22nd June, 1957.)***BE IT ENACTED** by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Amendment of section 21 of Act 55 of 1955.

1. Section *twenty-one* of the Customs Act, 1955 (hereinafter referred to as the principal Act), is hereby amended—

(a) by the addition in paragraph (i) (ii) of sub-section (1) after the word "shoes" of the words "intended for sale in the Union; boots and shoes, not intended for sale in the Union, except under permit issued by the Commissioner;"; and

(b) by the deletion of paragraph (l) of sub-section (1).

Amendment of section 89 of Act 55 of 1955, as amended by section 6 of Act 53 of 1956.

2. Section *eighty-nine* of the principal Act is hereby amended by the deletion of paragraph (i) of the proviso to sub-section (1).

Amendment of section 100 of Act 55 of 1955.

3. Section *one hundred* of the principal Act is hereby amended—

(a) by the insertion in paragraph (a) of sub-section (2) after the word "family" of the words "and on new household effects to the value of fifty pounds for each adult and twenty-five pounds for each child, but not exceeding two hundred pounds in all for each family;"; and

(b) by the substitution in paragraph (e) of sub-section (2) for the words "United Transkeian Territories General Council" of the words "Transkeian Territorial Authority,".

Amendment of section 101 of Act 55 of 1955.

4. Section *one hundred and one* of the principal Act is hereby amended by the substitution for sub-section (3) of the following sub-section:“(3) If the application is made by an importer for a refund of duty paid by him and the Commissioner is satisfied that the master of the ship or the pilot of the aircraft in which the goods were imported is liable in terms of section *twenty-six* for such duty, and not the importer, the Commissioner shall authorize the proper officer to refund to the applicant the amount overpaid.”.

Amendment of First Schedule to Act 55 of 1955, as amended by Act 53 of 1956.

5. (1) The First Schedule to the principal Act is hereby amended to the extent set out in the First Schedule to this Act.

(2) The amendments in respect of tariff item 129 (d) of the First Schedule to the principal Act shall, subject to the provisions of section *eighty* of the principal Act, be deemed to have come into operation on the twentieth day of March, 1957.(3) The amendments in respect of tariff items 65 (b) (i) (3), 65 (b) (i) (6) (a) and (b), 65 (b) (v), 65 (b) (vi) (5) and (6), 65 (b) (vi) (7) (a), 65 (b) (vi) (9) (a) and (b), 65 (c) (i), (ii) (1) and (iii), 69 (h), 70 (a) (1) (i), 73 (5) (b) (i), 76 (6) (a) (v), 87 (3), 102 (b) (i), (ii) and (iii) and 143 (b) (ii) of the First Schedule to the principal Act shall, subject to the provisions of section *eighty* of the principal Act, be deemed to have come into operation on the twenty-third day of May, 1957.(4) The amendments in respect of tariff items 65 (b) (i) (4) and 65 (b) (iii) (3) of the First Schedule to the principal Act shall, subject to the provisions of sections *sixty-five* and *eighty* of the principal Act, be deemed to have come into operation on the twenty-third day of May, 1957.

Amendment of Second Schedule to Act 55 of 1955, as amended by Act 53 of 1956.

6. (1) The Second Schedule to the principal Act is hereby amended to the extent set out in the Second Schedule to this Act.

(2) The amendments in respect of tariff items 65 (b) (v) (1) and (2), 76 (6) (a) (v), 102 (b) (i), (ii) and (iii) and 143 (b) (ii) of the Second Schedule to the principal Act shall, subject to the provisions of section *eighty* of the principal Act, be deemed to have come into operation on the twenty-third day of May, 1957.

Short title.

7. This Act shall be called the Customs Amendment Act, 1957.

No. 65, 1957.]

WET

Tot wysiging van die wetsbepalings op doeane.

(Engelse teks deur die Amptenaar Belas met die Uitoefening van die Uitvoerende Gesag geteken.)
(Goedgekeur op 22 Junie 1957.)

DIT WORD BEPAAL deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, soos volg:—

1. Artikel *een-en-twintig* van die Doeanewet, 1955 (hieronder die Hoofwet genoem), word hiermee gewysig—
 - (a) deur in paragraaf (i) (ii) van sub-artikel (1) na die woord „skoene” die volgende woorde in te voeg „,bedoel vir verkoop in die Unie; stewels en skoene, nie vir verkoop in die Unie bedoel nie, behalwe kragtens ’n permit deur die Kommissaris uitgereik;”; en
 - (b) deur paragraaf (l) van sub-artikel (1) te skrap.

Wysiging van artikel 21 van Wet 55 van 1955.
2. Artikel *nege-en-tagtig* van die Hoofwet word hiermee gewysig deur paragraaf (i) van die voorbehoudsbepaling by sub-artikel (1) te skrap.

Wysiging van artikel 89 van Wet 55 van 1955, soos gewysig deur artikel 6 van Wet 53 van 1956.
3. Artikel *honderd* van die Hoofwet word hiermee gewysig—
 - (a) deur in paragraaf (a) van sub-artikel (2) na die woord „gesin” die volgende woorde in te voeg „,en op nuwe huishoudelike artikels ter waarde van vyftig pond vir elke volwasse persoon en vyf-en-twintig pond vir elke kind, maar in die geheel hoogstens tweehonderd pond vir elke gesin;”; en
 - (b) deur in paragraaf (e) van sub-artikel (2) die woorde „Algemene Raad van die Verenigde Transkeigebiede” deur die woorde „Transkeise Gebiedsowerheid,” te vervang.

Wysiging van artikel 100 van Wet 55 van 1955.
4. Artikel *honderd-en-een* van die Hoofwet word hiermee gewysig deur sub-artikel (3) deur die volgende sub-artikel te vervang—

„(3) Indien die aansoek deur ’n invoerder gedoen word vir terugbetaling van regte wat hy betaal het en die Kommissaris oortuig is dat die gesagvoerder van die skip of die loods van die lugvaartuig waarin die goedere ingevoer is, ingevolge artikel *ses-en-twintig* vir bedoelde regte aanspreeklik is, en nie die invoerder nie, moet die Kommissaris die bevoegde amptenaar magtig om die bedrag wat te veel betaal is aan die applikant uit te keer.”

Wysiging van artikel 101 van Wet 55 van 1955.
5. (1) Die Eerste Bylae by die Hoofwet word hiermee gewysig vir sover in die Eerste Bylae by hierdie Wet aangedui word.

Wysiging van Eerste Bylae van Wet 55 van 1955, soos gewysig deur Wet 53 van 1956.

 (2) Die wysigings ten opsigte van tariefitem 129 (d) van die Eerste Bylae by die Hoofwet word, behoudens die bepaling van artikel *tagtig* van die Hoofwet, geag op die twintigste dag van Maart 1957 in werking te getree het.
 (3) Die wysigings ten opsigte van tariefitems 65 (b) (i) (3), 65 (b) (i) (6) (a) en (b), 65 (b) (v), 65 (b) (vi) (5) en (6), 65 (b) (vi) (7) (a), 65 (b) (vi) (9) (a) en (b), 65 (c) (i), (ii) (1) en (iii), 69 (h), 70 (a) (1) (i), 73 (5) (b) (i), 76 (6) (a) (v), 87 (3), 102 (b) (i), (ii) en (iii) en 143 (b) (ii) van die Eerste Bylae by die Hoofwet word, behoudens die bepaling van artikel *tagtig* van die Hoofwet, geag op die drie-en-twintigste dag van Mei 1957 in werking te getree het.
 (4) Die wysigings ten opsigte van tariefitems 65 (b) (i) (4) en 65 (b) (iii) (3) van die Eerste Bylae by die Hoofwet word, behoudens die bepaling van artikels *vyf-en-sestig* en *tagtig* van die Hoofwet, geag op die drie-en-twintigste dag van Mei 1957 in werking te getree het.
6. (1) Die Tweede Bylae by die Hoofwet word hiermee gewysig vir sover in die Tweede Bylae by hierdie Wet aangedui word.

Wysiging van Tweede Bylae van Wet 55 van 1955, soos gewysig deur Wet 53 van 1956.

 (2) Die wysigings ten opsigte van tariefitems 65 (b) (v) (1) en (2), 76 (6) (a) (v), 102 (b) (i), (ii) en (iii) en 143 (b) (ii) van die Tweede Bylae by die Hoofwet word, behoudens die bepaling van artikel *tagtig* van die Hoofwet, geag op die drie-en-twintigste dag van Mei 1957 in werking te getree het.
7. Hierdie Wet heet die Wysigingswet op Doeane, 1957.

Kort titel.

First Schedule.

AMENDMENTS TO THE FIRST SCHEDULE TO THE CUSTOMS ACT, 1955, AS AMENDED.

Tariff item.	Article.		Minimum duty.			Intermediate duty.			Maximum duty.		
			£	s.	d.	£	s.	d.	£	s.	d.
59	By substituting for the rates of duty in sub-paragraph (a) of paragraph (1) the following:	<i>ad valorem</i> <i>ad valorem</i>	Free plus a 30%	Free suspended 30%	5% duty of 35%						
63	By inserting in paragraph (a) after the word "Carpets," the word "carpeting,". By adding the following paragraph: “(e) Other”	<i>ad valorem</i>	5%	10%	20%						
65	By substituting for sub-paragraph (i) of paragraph (b) the following: “(i) jackets, vests and trousers, other than knitted, for men and boys, excluding clothing provided for in sub-paragraphs (b) (ii), (b) (vi) (6) and (b) (vi) (9)— (1) of calico, drill, twill or sateen, for men .. (2) other, for men .. (3) of calico, drill, twill or sateen, for boys (excluding shorts provided for in sub-paragraph (b) (i) (6)) .. (4) other, for boys, excluding blazers and shorts provided for in sub-paragraphs (b) (i) (5) and (b) (i) (6), respectively .. (5) blazers (plain and multi-coloured) for boys (6) shorts for boys (excluding those forming parts of suits)— (a) of calico, drill, twill or sateen ..	<i>ad valorem</i> or per garment <i>ad valorem</i> or per garment <i>ad valorem</i> <i>ad valorem</i> or per garment <i>ad valorem</i> or per garment <i>ad valorem</i> or per garment <i>ad valorem</i> or per garment	30% 0 3 0 whichever 25% 0 5 0 whichever plus a 5% 25% 0 2 0 whichever 25% 0 3 0 whichever plus a 5% 15% 25% 0 2 0 whichever	30% 0 3 0 duty shall greater. 25% 0 5 0 duty shall greater, plus a 5% 25% 0 2 0 duty shall greater. 25% 0 3 0 duty shall greater, plus a 5% 15% 25% 0 2 0 duty shall	40% 0 4 0 be the 35% 0 6 0 be the duty of 5% 35% 0 3 0 be the 35% 0 4 0 be the duty of 5% 15% 35% 0 3 0 be the						

Tariff item.	Article.		Minimum duty.	Intermediate duty.	Maximum duty.
65	—Continued.		£ s. d.	£ s. d.	£ s. d.
	(b) other	<i>ad valorem</i> or per garment	25% 0 3 0	25% 0 3 0	35% 0 4 0
			whichever duty shall be the greater."		
	By substituting for sub-paragraph (iii) of paragraph (b) the following: “(iii) overcoats for men and boys, excluding water-proof clothing provided for in sub-paragraph (b) (vi) (6) and knitted overcoats— (1) containing more than 30 per cent. by weight of worsted wool, for men	<i>ad valorem</i> or each	20% 0 10 0	20% 0 10 0	25% 0 12 6
			whichever duty shall be the greater, plus a suspended duty of 5%		
	(2) other, for men ..	<i>ad valorem</i> or each	15% 0 10 0	15% 0 10 0	20% 0 12 6
			whichever duty shall be the greater.		
	(3) containing more than 30 per cent. by weight of worsted wool, for boys	<i>ad valorem</i> or each	20% 0 5 0	20% 0 5 0	25% 0 7 6
			whichever duty shall be the greater, plus a suspended duty of 5%		
	(4) other, for boys ..	<i>ad valorem</i>	15%	15%	15%”
	By substituting for sub-paragraph (v) of paragraph (b) the following: “(v) underwear (woven or knitted) n.e.e.— (1) containing 50 per cent. or more by weight of cotton ..	<i>ad valorem</i>	15%	15%	25%
	vests, pants and trunks— men's boys'		with a minimum per garment of		
	vests and knickers— women's girls'		— 0 0 3	0 0 4 0 0 3	0 1 3 0 1 0
	slips and combinations— women's girls'		— 0 0 4	0 0 3 0 0 4	0 1 3 0 1 3
			and in addition thereto in each case		
		<i>ad valorem</i>	10%	10%	10%
			plus in each case a suspended duty of		
		<i>ad valorem</i>	5%	5%	5%
	(2) containing 50 per cent. or more by weight of rayon ..	<i>ad valorem</i>	15%	15%	20%
	vests, pants and trunks— men's boys'		with a minimum per garment of		
	vests and knickers— women's girls'		— 0 0 4	0 0 6 0 0 4	0 1 6 0 1 0
	slips and combinations— women's girls'		— 0 0 5	0 0 4 0 0 5	0 1 6 0 1 3
			and in addition thereto in each case		
		<i>ad valorem</i>	15%	15%	15%
	(3) containing more than 50 per cent. by weight of artificial or synthetic fibres other than rayon	<i>ad valorem</i>	25%	25%	35%
			with a minimum per garment of		

Tarief- item.	Artikel.		Mini- mum- reg.	Inter- mediëre reg.	Maksi- mum- reg.
65	—Vervolg. (b) ander	<i>ad valorem</i> of per kleding- stuk	£ s. d. 25%	£ s. d. 25%	£ s. d. 35%
			0 3 0	0 3 0	0 4 0
			na gelang	van watter	reg die
				hoogste is.	”
	Deur sub-paragraaf (iii) van paragraaf (b) deur die vol- gende te vervang: „(iii) jasse vir mans en seuns, met uitsondering van waterdigte kledingstukke waarvoor in sub-pa- raaf (b) (vi) (6) voor- siening gemaak is en ge- breide jasse— (1) wat meer as 30 per- sent kamwol volgens gewig bevat, vir mans	<i>ad valorem</i> of elk	20%	20%	25%
			0 10 0	0 10 0	0 12 6
			na gelang	van watter	reg die
			hoogste is,	plus 'n op- geskorte reg van	”
	(2) ander, vir mans ..	<i>ad valorem</i> <i>ad valorem</i> of elk	5% 15%	5% 15%	5% 20%
			0 10 0	0 10 0	0 12 6
			na gelang	van watter	reg die
				hoogste is.	”
	(3) wat meer as 30 per- sent kamwol volgens gewig bevat, vir seuns	<i>ad valorem</i> of elk	20%	20%	25%
			0 5 0	0 5 0	0 7 6
			na gelang	van watter	reg die
			hoogste is,	plus 'n op- geskorte reg van	”
	(4) ander, vir seuns ..	<i>ad valorem</i> <i>ad valorem</i>	5% 15%	5% 15%	5% 15%
	Deur sub-paragraaf (v) van paragraaf (b) deur die vol- gende te vervang: „(v) onderklere (geweef of ge- brei) n.e.v.— (1) wat 50 persent of meer katoen volgens gewig bevat	<i>ad valorem</i>	15%	15%	25%
			met 'n minimum	met 'n minimum	met 'n minimum
			kleidingstuk	kleidingstuk	van
	onderhemde, onder- broeke en kort- onderbroeke— vir mans ..		—	0 0 4	0 1 3
	vir seuns ..		0 0 3	0 0 3	0 1 0
	frokkies en knie- broeke— vir dames ..		—	0 0 3	0 1 3
	vir dogters ..		0 0 3	0 0 3	0 1 0
	onderrokke en hempbroeke— vir dames ..		—	0 0 5	0 1 9
	vir dogters ..		0 0 4	0 0 4	0 1 3
				en bowendien	
		<i>ad valorem</i>	10%	10%	10%
			plus in elke geval	plus in elke geval	”
		<i>ad valorem</i>	5%	5%	5%
			opge- skorte reg	van	”
	(2) wat 50 persent of meer rayon volgens gewig bevat	<i>ad valorem</i>	15%	15%	20%
			met 'n minimum	met 'n minimum	met 'n minimum
			kleidingstuk	kleidingstuk	van
	onderhemde, onder- broeke en kort- onderbroeke— vir mans ..		—	0 0 6	0 1 6
	vir seuns ..		0 0 4	0 0 4	0 1 0
	frokkies en knie- broeke— vir dames ..		—	0 0 4	0 1 6
	vir dogters ..		0 0 3	0 0 3	0 1 0
	onderrokke en hempbroeke— vir dames ..		—	0 0 7	0 2 0
	vir dogters ..		0 0 5	0 0 5	0 1 3
				en bowendien	
		<i>ad valorem</i>	15%	15%	15%
			in elke geval	in elke geval	”
	(3) wat meer as 50 per- sent kuns- of sintetiese vesels behalwe rayon volgens gewig bevat	<i>ad valorem</i>	25%	25%	35%
			met 'n minimum	met 'n minimum	met 'n minimum
			kleidingstuk	kleidingstuk	van

Tariff item.	Article.	Minimum duty.	Intermediate duty.	Maximum duty.
65	—Continued.	£ s. d.	£ s. d.	£ s. d.
	vests, pants and trunks—			
	men's	0 1 6	0 1 6	0 2 0
	boys'	0 0 4	0 0 4	0 1 0
	vests and knickers—			
	women's	0 1 6	0 1 6	0 2 0
	girls'	0 0 4	0 0 4	0 1 0
	slips and combinations—			
	women's	0 3 0	0 3 0	0 4 0
	girls'	0 0 5	0 0 5	0 1 3
		plus in each case a suspended duty of		
	<i>ad valorem</i>	5%	5%	5%
	(4) other	<i>ad valorem</i> 15%	<i>ad valorem</i> 15%	<i>ad valorem</i> 25%
		plus a suspended duty of		
	<i>ad valorem</i>	10%	10%	10%
	<i>Note:</i> Articles containing 50 per cent. by weight of cotton and 50 per cent. by weight of rayon shall be deemed to be of rayon."			
	By substituting for sub-paragraph (vi) (5) of paragraph (b) the following:			
	"(vi) (5) dressing gowns	<i>ad valorem</i> 20%	<i>ad valorem</i> 20%	<i>ad valorem</i> 30%
	men's and women's	with a minimum per garment of		
	children's	0 5 0	0 5 0	0 7 0
		plus in each case a suspended duty of		
	<i>ad valorem</i>	5%	5%	5%"
	By substituting for the rates of duty in sub-paragraph (vi) (6) (a) of paragraph (b) the following:			
	" <i>ad valorem</i>	15%	15%	25%
	mackintoshes	with a minimum per garment of		
		0 9 0	0 9 0	0 12 0"
	By inserting after sub-paragraph (b) (vi) (6) the following sub-paragraphs, the existing sub-paragraph (vi) (7) of paragraph (b) becoming sub-paragraph (vi) (10):			
	"(vi) (7) girls' woven dresses of the school uniform type—			
	(a) of calico, drill, twill or sateen, or of plain-coloured material containing more than 50 per cent. by weight of wool	<i>ad valorem</i> 25%	<i>ad valorem</i> 25%	<i>ad valorem</i> 35%
		with a minimum per garment of		
		0 3 6	0 3 6	0 4 6
	(b) other	<i>ad valorem</i> 15%	<i>ad valorem</i> 15%	<i>ad valorem</i> 15%
	(8) other woven dresses for girls	<i>ad valorem</i> 15%	<i>ad valorem</i> 15%	<i>ad valorem</i> 15%
	(9) dungarees, slacks and jeans, for boys and girls—			
	(a) of calico, drill, twill or sateen	<i>ad valorem</i> 25%	<i>ad valorem</i> 25%	<i>ad valorem</i> 35%
		with a minimum per garment of		
		0 2 0	0 2 0	0 3 0
	(b) other	<i>ad valorem</i> 15%	<i>ad valorem</i> 15%	<i>ad valorem</i> 15%
		with a minimum per garment of		
		0 2 0	0 2 0	0 3 0"
	By substituting for sub-paragraph (i) of paragraph (c) the following:			
	"(i) shirts of calico, drill, twill or sateen	<i>ad valorem</i> 30%	<i>ad valorem</i> 30%	<i>ad valorem</i> 40%
	children's	with a minimum per garment of		
	other	0 2 0	0 2 0	0 3 0
		0 2 6	0 2 6	0 3 6"
	By substituting for sub-paragraph (ii) of paragraph (c) the following:			
	"(ii) other shirts of silk or rayon or mixtures thereof with any other material,			

Tarief-item.	Artikel.	Mini-mum-reg.	Inter-mediêre reg.	Maksi-mum-reg.
		£ s. d.	£ s. d.	£ s. d.
65	— <i>Vervolg.</i>			
	onderhemde, onderbroeke en kortonderbroeke—			
	vir mans ..	0 1 6	0 1 6	0 2 0
	vir seuns ..	0 0 4	0 0 4	0 1 0
	frokkes en kniebroeke—			
	vir dames ..	0 1 6	0 1 6	0 2 0
	vir dogters ..	0 0 4	0 0 4	0 1 0
	onderrokke en hembroeke—			
	vir dames ..	0 3 0	0 3 0	0 4 0
	vir dogters ..	0 0 5	0 0 5	0 1 3
		plus in elke geval 'n opgeskorte reg van		
	(4) ander	<i>ad valorem</i> 5%	5%	5%
		<i>ad valorem</i> 15%	15%	25%
		<i>ad valorem</i> plus 'n 10%	opgeskorte 10%	reg van 10%
	<i>Opmerking:</i> Artikels wat 50 persent katoen volgens gewig en 50 persent rayon volgens gewig bevat, word geag van rayon te wees.”			
	Deur sub-paragraaf (vi) (5) van paragraaf (b) deur die volgende te vervang:			
	„(vi) (5) kamerjapone ..	<i>ad valorem</i> 20%	20%	30%
		met 'n minimum per kleidingstuk van		
	vir mans en dames	0 5 0	0 5 0	0 7 0
	vir kinders ..	0 3 0	0 3 0	0 5 0
		plus in elke geval 'n opgeskorte reg van		
		<i>ad valorem</i> 5%	5%	5%”
	Deur die regte in sub-paragraaf (vi) (6) (a) van paragraaf (b) deur die volgende te vervang:			
	„(vi) (6) (a) van paragraaf (b) deur die volgende te vervang:			
	reënjasse	<i>ad valorem</i> 15%	15%	25%
		met 'n minimum per kleidingstuk van		
	0 9 0	0 9 0	0 12 0”	
	Deur die volgende sub-paragraaf na sub-paragraaf (b) (vi) (6) in te voeg terwyl die bestaande sub-paragraaf (vi) (7) van paragraaf (b) sub-paragraaf (vi) (10) word:			
	„(vi) (7) geweefde rokke van die skooluniformtipe vir dogters—			
	(a) van kaliko, dril, gekeperde linne of katoensatyn, of van effekleurige materiaal wat meer as 50 persent wol volgens gewig bevat	<i>ad valorem</i> 25%	25%	35%
		met 'n minimum per kleidingstuk van		
	0 3 6	0 3 6	0 4 6	
	(b) ander	<i>ad valorem</i> 15%	15%	15%
	(8) ander geweefde rokke vir dogters	<i>ad valorem</i> 15%	15%	15%
	(9) dungarees, slenterbroeke en halfmasbroeke, vir seuns en dogters—			
	(a) van kaliko, dril, gekeperde linne of katoensatyn ..	<i>ad valorem</i> 25%	25%	35%
		met 'n minimum per kleidingstuk van		
	0 2 0	0 2 0	0 3 0	
	(b) ander	<i>ad valorem</i> 15%	15%	15%
		met 'n minimum per kleidingstuk van		
	0 2 0	0 2 0	0 3 0”	
	Deur sub-paragraaf (i) van paragraaf (c) deur die volgende te vervang:			
	„(i) hemde van kaliko, dril, gekeperde linne of katoensatyn	<i>ad valorem</i> 30%	30%	40%
		met 'n minimum per kleidingstuk van		
	vir kinders	0 2 0	0 2 0	0 3 0
	ander	0 2 6	0 2 6	0 3 6”
	Deur sub-paragraaf (ii) van paragraaf (c) deur die volgende te vervang:			
	„(ii) ander hemde van sy of rayon of mengsels daarvan met enige ander			

Tariff item.	Article.		Minimum duty.	Intermediate duty.	Maximum duty.
			£ s. d.	£ s. d.	£ s. d.
65	—Continued.				
	or of any material with non-detachable collars—				
	(1) for children	<i>ad valorem</i>	20% with a minimum of 0 2 6	20% per garment of 0 2 6	30% of 0 3 6
	(2) other	<i>ad valorem</i>	25% with a minimum of 0 3 6	25% per garment of 0 3 6	35% of 0 5 0"
	By substituting for sub-paragraph (iii) of paragraph (c) the following: “(iii) shirts other than those provided for in sub-paragraphs (i) and (ii)	<i>ad valorem</i>	20% with a minimum of 0 2 0	20% per garment of 0 2 0	30% of 0 3 0
	children's		0 2 0	0 2 0	0 3 0
	other		0 2 6	0 2 6	0 3 6"
69	By substituting for the rates of duty in paragraph (h) the following:	“ <i>ad valorem</i> or per dozen	20% 0 8 0 whichever	25% 0 10 0 duty shall be the greater.”	35% 0 14 0 be the
70	By substituting for paragraph (a) the following: “(a) Socks: (1) Of cotton or mixtures of cotton and other fibres (excluding socks provided for in sub-paragraph (a) (2)) (i) for men	<i>ad valorem</i> or per dozen pairs	25% 0 4 6 whichever	25% 0 4 6 duty shall be the greater. 25%.	50% 0 9 0 be the
	(ii) other	<i>ad valorem</i>	25%	25%	50%
	(2) Of worsted yarn, containing more than 50 per cent. by weight of wool	<i>ad valorem</i>	20% plus a	20% suspended	30% duty of
	(3) Other	<i>ad valorem</i> <i>ad valorem</i>	5% 25%	5% 25%	5% 50%”
73	By substituting for the rates of duty in sub-paragraph (b) (i) of paragraph (5) the following:	“ <i>ad valorem</i> per gross	Free and in 0 0 3	Free addition to 0 0 3	5% thereto 0 0 6”
75	By substituting for sub-paragraph (a) of paragraph (1) the following: “(a) of cotton, flax or mixtures thereof, without other fibres, or with other fibres except rayon	<i>ad valorem</i> <i>ad valorem</i>	15% plus a 10%	15% suspended 10%	20% duty of 15%”
	By substituting in sub-paragraph (b) of paragraph (1) for the word “materials” the word “fibres”.				
76	By substituting for the rates of duty in sub-paragraph (a) (v) of paragraph (6) the following:	“ <i>ad valorem</i> or per yard	5% — whichever	10% 0 0 1½ duty shall be the greater, and in addition	15% 0 0 3 be the
		<i>ad valorem</i> or per yard	15% 0 0 4½ whichever	15% 0 0 4½ duty shall be the greater, plus a suspended	20% 0 0 6 be the 5%”

Tarief-item.	Artikel.		Minimum-reg.	Intermediêre reg.	Maksimum-reg.
65	— <i>Vervolg.</i> materiaal, of van enige materiaal met vaste boordjies— (1) vir kinders	<i>ad valorem</i>	20% met klein dingstuk van	20% met 'n minimum per	30% per
	(2) ander	<i>ad valorem</i>	25% met klein dingstuk van	25% met 'n minimum per	35% per
	Deur sub-paragraaf (iii) van paragraaf (c) deur die volgende te vervang: „(iii) ander hemde as dié waarvoor in sub-paragraawe (i) en (ii) voorsiening gemaak is	<i>ad valorem</i>	20% met klein dingstuk van	20% met 'n minimum per	30% per
	vir kinders		0 2 0	0 2 0	0 3 0
	ander		0 2 6	0 2 6	0 3 6"
69	Deur die regte in paragraaf (h) deur die volgende te vervang:	„ <i>ad valorem</i> of per dosyn	20%	25%	35%
			0 8 0	0 10 0	0 14 0
			na gelang van water	reg die	hoogste is.
70	Deur paragraaf (a) deur die volgende te vervang: „(a) Sokkies: (1) Uit katoen of mengsels van katoen en ander vesels (met uitsondering van sokkies waarvoor in sub-paragraaf (a) (2) voorsiening gemaak is) (i) vir mans	<i>ad valorem</i> of per dosyn paar	25%	25%	50%
	(ii) ander	<i>ad valorem</i>	25%	25%	50%
	(2) Uit kamgare, bevattende meer as 50 persent wol volgens gewig	<i>ad valorem</i>	20% plus 'n	20% opgeskorte	30% reg van
	(3) Ander	<i>ad valorem</i>	5% plus 'n	5% opgeskorte	5% reg van
		<i>ad valorem</i>	25%	25%	50%"
73	Deur die regte in sub-paragraaf (b) (i) van paragraaf (5) deur die volgende te vervang:	„ <i>ad valorem</i> per gros	Vry	Vry	5%
			0 0 3	0 0 3	0 0 6"
75	Deur sub-paragraaf (a) van paragraaf (1) deur die volgende te vervang: „(a) van katoen, vlas of mengsels daarvan, sonder ander vesels, of met ander vesels behalwe rayon	<i>ad valorem</i>	15% plus 'n	15% opgeskorte	20% reg van
	Deur in sub-paragraaf (b) van paragraaf (1) die woord „materiale” deur die woord „vesels” te vervang.	<i>ad valorem</i>	10%	10%	15%"
76	Deur die regte in sub-paragraaf (a) (v) van paragraaf (6) deur die volgende te vervang:	„ <i>ad valorem</i> of per jaart	5%	10%	15%
			—	0 0 1½	0 0 3
		<i>ad valorem</i> of per jaart	15%	15%	20%
			0 0 4½	0 0 4½	0 0 6
		<i>ad valorem</i>	5%	5%	5%"

Tarief-item.	Artikel.		Minimum-reg.	Intermediêre reg.	Maksimum-reg.
			£ s. d.	£ s. d.	£ s. d.
79	Deur die regte in paragraaf (4) deur die volgende te vervang:	„ad valorem	Vry	Vry	5%
		ad valorem	plus 30%	opgeskorte 30%	reg van 35%”
85	Deur in sub-paragraaf (ii) van paragraaf (a) na die woord „Onderdele” die woorde „(met inbegrip van halfverwerkte onderdele)” in te voeg. Deur paragraaf (b) deur die volgende te vervang: „(b) Motorfietse en sywaentjies, en onderdele en toebehore; maar met uitsondering, indien afsonderlik ingevoer, van elektriese gloeilampe, batterye, buite-, rubberlugbuite- en -binnebande en onderdele waarvoor spesiale voorsiening elders in hierdie item gemaak is: (i) Outofietse waarvan die kapasiteit van die motor minder as 50 c.c. is... (ii) Ander	ad valorem	10%	15%	20%
		ad valorem	15%	20%	25%”
87	Deur in paragraaf (1) die woorde „Spykers n.e.v., boute, moere, klinknaels, skroewen wasters: metaal” deur die woorde „Spykers en skroewe, n.e.v., boute, moere, klinknaels en wasters: metaal” te vervang. Deur die volgende paragraaf by te voeg: „(3) Skroewe uit metaal vir hout	ad valorem	Vry	3%	5%
		per lb.	0 0 6	en bowendie n 0 0 6	0 0 9”
94	Deur die bestaande item as 94 (1) te hernommer en deur die volgende paragraaf by te voeg: „(2) Elektroniese syfergroep-rekenmasjiene	ad valorem	5%	5%	15%”
102	Deur die regte in sub-paragraaf (i) (a) van paragraaf (b) deur die volgende te vervang:	„ad valorem	Vry	5%	10%
		elk	0 0 3	plus 0 0 3	0 0 3”
	Deur die regte in sub-paragraaf (i) (b) van paragraaf (b) deur die volgende te vervang:	„ad valorem	Vry	5%	10%
		elk	0 0 4½	plus 0 0 4½	0 0 4½”
	Deur die regte in sub-paragraaf (ii) (a) van paragraaf (b) deur die volgende te vervang:	„ad valorem	Vry	5%	10%
		elk	0 0 4½	plus 0 0 4½	0 0 4½”
	Deur die regte in sub-paragraaf (ii) (b) van paragraaf (b) deur die volgende te vervang:	„ad valorem	Vry	5%	10%
		elk	0 0 4½	plus 0 0 4½	0 0 4½”
	Deur die regte in sub-paragraaf (iii) (a) van paragraaf (b) deur die volgende te vervang:	„ad valorem	Vry	5%	10%
		elk	0 0 4½	plus 0 0 4½	0 0 4½”
	Deur die regte in sub-paragraaf (iii) (b) van paragraaf (b) deur die volgende te vervang:	„ad valorem	Vry	5%	10%
		elk	0 0 9	plus 0 0 9	0 0 9”

Tariff item.	Article.		Minimum duty.	Intermediate duty.	Maximum duty.
102	—Continued. By substituting for the rates of duty in sub-paragraph (iii) (c) of paragraph (b) the following:	<i>ad valorem</i>	Free	5% plus	10%
		each	0 1 2½	0 1 2½	0 1 2½
119	By inserting in paragraph (h) after the word "switches", the words "(excluding switches for electrical stoves and electrical hot-plates)".				
124	By substituting for sub-paragraph (ii) of paragraph (a) the following: " (ii) Tin foil, and tin powder in bulk"	—	Free	Free	Free"
125	By substituting for the item the following: "125 Zinc: fume, dust, powder and shavings"	—	Free	Free	Free"
129	By substituting for paragraph (d) the following: "(d) Second-hand or used, the personal property of an individual, brought into the Union by him for his own use and not for sale in respect of each car not exceeding £600 in value or, irrespective of the value, not exceeding 3,500 lb. in weight— in use for less than 1 month in use for 1 month or more but less than 6 months in use for 6 months or more but less than 12 months in use for 12 months or more but less than 60 months in use for 60 months or more"	<i>ad valorem</i>	33½% with a maximum of	33½% with a maximum of	33½% with a maximum of
	in use for less than 1 month	per 100 lb.	3 13 0	3 13 0	3 13 0
	in use for 1 month or more but less than 6 months	per 100 lb.	3 5 0	3 5 0	3 5 0
	in use for 6 months or more but less than 12 months	per 100 lb.	2 15 0	2 15 0	2 15 0
	in use for 12 months or more but less than 60 months	per 100 lb.	2 10 0	2 10 0	2 10 0
	in use for 60 months or more	per 100 lb.	1 0 0	1 0 0	1 0 0
	Note: Duty in each case to be calculated to the nearest 25 lb."				
136	By substituting for the item the following: "136 Pumps (excluding pumps for dairy, sewage, industrial and mining purposes, and pumps being integral parts of articles provided for elsewhere): (a) Pumps and tubes (metal), used in connection with the brewing of beer (b) Kerbside petrol meter pumps and oil delivery pumps (c) Other liquid pumps including water-pumping apparatus but excluding pipes or tubes elsewhere provided for"	<i>ad valorem</i>	Free	Free	5%
		<i>ad valorem</i>	20%	20%	20%
		<i>ad valorem</i>	Free	Free	5%"
143	By adding to paragraph (b) the following sub-paragraph, the existing paragraph (b) becoming sub-paragraph (b) (i): "(ii) Switches for electrical stoves and electrical hot-plates"	<i>ad valorem</i>	15%	20%	20%"

Tarief-item.	Artikel.		Minimum-reg.	Intermediële reg.	Maksimum-reg.
102	— <i>Vervolg.</i> Deur die regte in sub-paragraaf (iii) (c) van paragraaf (b) deur die volgende te vervang:		£ s. d.	£ s. d.	£ s. d.
		„ad valorem	Vry	5% plus	10%
		elk	0 1 2½	0 1 2½	0 1 2½
119	Deur in paragraaf (h) na die woord „skakelaars”, waar dit vir die eerste maal voorkom, die woorde „(uitgesonderd skakelaars vir elektriese stowe en elektriese verwarmingsplate)” in te voeg.				
124	Deur sub-paragraaf (ii) van paragraaf (a) deur die volgende te vervang: „(ii) Tinfolie, en tinpoelier in massa	—	Vry	Vry	Vry”
125	Deur die item deur die volgende te vervang: „125 Sink: dampstof, stof, poeier en krulle	—	Vry	Vry	Vry”
129	Deur paragraaf (d) deur die volgende te vervang: „(d) Tweedehands of gebruik, die persoonlike eiendom van 'n individu, deur hom in die Unie ingebring vir sy eie gebruik en nie vir verkoop nie	ad valorem	33½% met 'n maksimum van	33½%	33½%
	ten opsigte van elke motorkar van hoogstens £600 in waarde of, afgesien van die waarde, van hoogstens 3,500 lb. in gewig—				
	in gebruik vir minder as 1 maand	per 100 lb.	3 13 0	3 13 0	3 13 0
	in gebruik vir 1 maand of meer, maar minder as 6 maande	per 100 lb.	3 5 0	3 5 0	3 5 0
	in gebruik vir 6 maande of meer, maar minder as 12 maande	per 100 lb.	2 15 0	2 15 0	2 15 0
	in gebruik vir 12 maande of meer, maar minder as 60 maande	per 100 lb.	2 10 0	2 10 0	2 10 0
	in gebruik vir 60 maande of meer	per 100 lb.	1 0 0	1 0 0	1 0 0
	<i>Opmerking:</i> Belasting moet in elke geval tot die naaste 25 lb. bereken word.”				
136	Deur die item deur die volgende te vervang: „136 Pompe (met uitsondering van pompe vir suiwel-, riool-, nywerheids- en myndoeleindes, en pompe wat integreerende dele vir artikels is waarvoor elders voorsiening gemaak word):				
	(a) Pompe en buise (metaal-) gebruik in verband met die brou van bier	ad valorem	Vry	Vry	5%
	(b) Straatkantpetrolmeterpompe en olieverskaffingspompe	ad valorem	20%	20%	20%
	(c) Ander vloei-stofpompe, met inbegrip van waterpomp-toestelle maar met uitsondering van pype of buise waarvoor elders voorsiening gemaak word	ad valorem	Vry	Vry	5%”
143	Deur die volgende sub-paragraaf by paragraaf (b) te voeg terwyl die bestaande paragraaf (b) sub-paragraaf (b) (i) word: „(ii) Skakelaars vir elektriese stowe en elektriese verwarmingsplate	ad valorem	15%	20%	20%”

Tariff item.	Article.		Minimum duty.			Intermediate duty.			Maximum duty.		
			£	s.	d.	£	s.	d.	£	s.	d.
147	By adding in sub-paragraph (iv) of paragraph (f) after the word "tractors" the words "but excluding tyres, rubber pneumatic tyre covers and tubes".										
167	By substituting for the words "sinks and lavatory basins" the words "sinks, lavatory basins and cisterns, of porcelain".										
171	By adding the following paragraph: "(g) Tube and rod"	<i>ad valorem</i>	Free	plus a	Free	suspended	5%	duty of	25%"		
269	By renumbering the item to read "269 (1)" and by adding the following paragraph: "(2) Seats of wood, plastic or other materials, for lavatory pans"	<i>ad valorem</i>	10%	plus a	10%	suspended	15%	duty of	15%"		
326	By substituting in paragraph (b) for the words "for the South African Blood Transfusion Service" the words "for blood transfusion services approved by the Minister".	<i>ad valorem</i>									
329	By inserting in paragraph (1) after the words "operating tables;" the words "operating theatre lamps;"	<i>ad valorem</i>									

Tariff item.	Article.	Duty rebated as under.
338	By substituting for paragraph (16) the following: "(16) (No paragraph.)". By deleting in paragraph (28) the words "Loopings; bindings;"	
348	By inserting in sub-paragraph (m) of paragraph (1) before the words "for suitcases" the words "and textile materials combined with rubber interlinings in the piece," and by deleting the word "and" before the word "linings".	
350	By substituting in paragraph (3) for the words "and piece goods of cotton not provided for under item 76" the words "canvas piece goods of cotton of more than 10 oz. in weight per square yard and kaffir sheeting,"	
353	By deleting in sub-paragraph (a) of paragraph (1) the words "white spirit;" By inserting in sub-paragraph (g) of paragraph (1) after the words "aluminium stearate" the words ", aluminium paste".	
358	By inserting in paragraph (6) after the words "cord fabric" the words "(except cord fabric of cotton for pedal cycle tyres, and cord fabric of rayon)".	
362	By substituting for paragraph (4) the following: "(4) Finishing media for the narrow band industry	To the extent of the intermediate duty."
371	By substituting in paragraph (4) for the words "for use by manufacturers in the sealing of containers" the words "for use in the manufacture of containers, and by manufacturers in the sealing of containers".	
373	By substituting for paragraph (12) the following: "(12) (No paragraph.)".	
378	By substituting for sub-paragraph (a) (iii) of paragraph (1) the following: "(a) (iii) Materials in the piece for pocketings (excluding materials manufactured in a twill or sateen weave, and calico); interlinings in the piece (excluding drill, twill and sateen)"	To the extent of the intermediate duty."

Tarief-item.	Artikel.		Minimum-reg.	Intermediêre reg.	Maksimum-reg.
			£ s. d.	£ s. d.	£ s. d.
147	Deur in sub-paragraaf (iv) van paragraaf (f) na die woord „trekkers” die woorde „maar uitgesonderd buite-, rubberlugbuite- en -binnebande” by te voeg.				
167	Deur die woorde „wasbakke en toiletkomme” deur die woorde „wasbakke, toiletkomme en toiletspoelbakke, uit porselein” te vervang.				
171	Deur die volgende paragraaf by te voeg: „(g) Buis- en staaf-	<i>ad valorem</i>	Vry plus 'n 20%	Vry opgeskorte 20%	5% reg van 25%”
269	Deur die item as „269 (1)” te hernommer en deur die volgende paragraaf by te voeg: „(2) Sitplekke uit hout, plastiek of ander stowwe, vir sanitêre panne	<i>ad valorem</i> <i>ad valorem</i>	10% plus 'n 15%	10% opgeskorte 15%	15% reg van 15%”
326	Deur in paragraaf (b) die woorde „vir die Suid-Afrikaanse Bloedoortappingsdiens” deur die woorde „vir bloedoortappingsdienste goedgekeur deur die Minister” te vervang.				
329	Deur in paragraaf (1) na die woord „operasietafels” die woorde „; lampe vir operasietafels;” in te voeg.				

Tarief-item.	Artikel.	Korting op reg toegestaan soos hieronder aangedui.
338	Deur paragraaf (16) deur die volgende te vervang: „(16) (Geen paragraaf.)” Deur in paragraaf (28) die woorde „Lisse; bindmateriaal;” te skrap.	
348	Deur in sub-paragraaf (m) van paragraaf (1) voor die woorde „vir handkoffers” die woorde „en tekstielmateriaal saamgestel met 'n rubbertussenvoering in die stuk,” in te voeg, en deur die woord „en” voor die woord „voerings” te skrap.	
350	Deur in paragraaf (3) die woorde „en stukgoedere van katoen waarvoor geen voorsiening onder item 76 gemaak word nie,” deur die woorde „katoenseil-doekstukgoedere wat meer as 10 ons per vierkante jaart weeg en kafferlakengoed,” te vervang.	
353	Deur in sub-paragraaf (a) van paragraaf (1) die woord „witspiritus;” te skrap. Deur in sub-paragraaf (g) van paragraaf (1) na die woord „aluminiumstearaat” die woord „, aluminiumpasta” in te voeg.	
358	Deur in paragraaf (6) na die woord „koordweefsel” die woorde „(met uitsondering van koordweefsel uit katoen vir trapfietsbuitebande, en koordweefsel uit rayon)” in te voeg.	
362	Deur paragraaf (4) deur die volgende te vervang: „(4) Appretermiddels vir die smalbandgoedere-bedryf	Tot die bedrag van die intermediêre reg.”
371	Deur in paragraaf (4) die woorde „vir gebruik deur vervaardigers by die afsluiting van houers” deur die woorde „vir gebruik by die vervaardiging van houers, en deur vervaardigers by die afsluiting van houers” te vervang.	
373	Deur paragraaf (12) deur die volgende te vervang: „(12) (Geen paragraaf.)”	
378	Deur sub-paragraaf (a) (iii) van paragraaf (1) deur die volgende te vervang: „(a) (iii) Sakmateriaal in die stuk (uitgesonderd materiaal in 'n keper- of satinetweef vervaardig, en kaliko); tussenvoerings in die stuk (uitgesonderd dril, gekeperde linne en katoensatyn)	Tot die bedrag van die intermediêre reg.”

Tariff item.	Article.	Duty rebated as under.
378	<i>Continued.</i> By substituting in paragraph (2) for all the words after the words "the following:—" the words "kaffir sheeting".	
390	By substituting for the item the following: "390 (1) Elastic and other webbing, in reels and in the piece, for the manufacture of braces, sock suspenders, garters, belts and arm bands .. (2) Elastic and other webbing, of a width of four inches or more, in reels and in the piece, for the manufacture of corsets, brassieres and suspender belts (3) Elastic and other braids, for use in the manufacture of plaited belts (4) Metal fittings for the manufacture of braces, suspenders, garters, belts, armbands, corsets, brassieres and suspender belts"	To the extent of the intermediate duty. To the extent of the intermediate duty. To the extent of the intermediate duty. To the extent of the intermediate duty."
403	By inserting before the word "calico" the words "textile webbing less than four inches in width,".	
415	By substituting for the item the following: "415 (No paragraph)."	

Second Schedule.

AMENDMENTS TO THE SECOND SCHEDULE TO THE CUSTOMS ACT, 1955, AS AMENDED.

PART I.

Tariff item.	Article.	Minimum duty.		Inter-mediate duty.	Countries whose products are admissible at minimum rates of duty.	
		£	s. d.			£
65	By substituting for sub-paragraph (v) of paragraph (b) the following: "(v) Knitted underwear n.e.e. excluding jerseys, pullovers and shirts— (1) containing 50 per cent. or more by weight of cotton .. <i>ad valorem</i> vests, pants and trunks— men's boys' vests and knickers— women's girls' slips and combinations— women's girls' <i>ad valorem</i> <i>ad valorem</i> (2) containing 50 per cent. or more by weight of rayon .. <i>ad valorem</i> vests, pants and trunks— men's boys' vests and knickers— women's girls' slips and combinations— women's girls' <i>ad valorem</i> <i>Note:</i> Articles containing 50 per cent. by weight of cotton and 50 per cent. by weight of rayon shall be deemed to be of rayon."	15% with a minimum per cent of	15% with a minimum per cent of	15% with a minimum per cent of	15% with a minimum per cent of	United Kingdom.
		—	0 0 4	0 0 3	0 0 3	
		0 0 3	0 0 3	0 0 3	0 0 3	
		—	0 0 3	0 0 3	0 0 3	
		0 0 3	0 0 3	0 0 3	0 0 3	
		—	0 0 5	0 0 5	0 0 5	
		0 0 4	0 0 4	0 0 4	0 0 4	
		10% plus in each case a suspended duty of 5%	10% plus in each case a suspended duty of 5%	10% plus in each case a suspended duty of 5%	10% plus in each case a suspended duty of 5%	
		15% with a minimum per cent of	15% with a minimum per cent of	15% with a minimum per cent of	15% with a minimum per cent of	
		—	0 0 6	0 0 4	0 0 4	
		0 0 4	0 0 4	0 0 4	0 0 4	
		—	0 0 4	0 0 4	0 0 4	
		0 0 3	0 0 3	0 0 3	0 0 3	
		—	0 0 7	0 0 7	0 0 7	
		0 0 5	0 0 5	0 0 5	0 0 5	
		15% with a minimum per cent of	15% with a minimum per cent of	15% with a minimum per cent of	15% with a minimum per cent of	

Tarief-item.	Artikel.	Korting op reg toegestaan soos hieronder aangedui.
378	— <i>Vervolg.</i> Deur in paragraaf (2) al die woorde na die woorde „die volgende:—” deur die woord „kafferlakengoed” te vervang.	
390	Deur die item deur die volgende te vervang: „390 (1) Elastiek- of ander weefselbande, op rolle en in die stuk, vir die vervaardiging van kruisbande, ophouers vir sokkies, kousbande, lyfbande en armbande	Tot die bedrag van die intermediêre reg.
	(2) Elastiek- of ander weefselbande, met 'n wydte van vier duim of meer, op rolle en in die stuk, vir die vervaardiging van borsrokke, buustelyfies en gordelkousophouers	Tot die bedrag van die intermediêre reg.
	(3) Elastiek- en ander koord, vir gebruik by die vervaardiging van gevlegte bande	Tot die bedrag van die intermediêre reg.
	(4) Metaaltoehore vir die vervaardiging van kruisbande, ophouers vir sokkies en kouse, kous-, lyf-, en armbande, borsrokke, buustelyfies en gordelkousophouers	Tot die bedrag van die intermediêre reg.”
403	Deur voor die woord „kaliko” die woorde „tekstielsingelband met 'n wydte van minder as vier duim,” in te voeg.	
415	Deur die item deur die volgende te vervang: „415 (Geen paragraaf.)”.	

Tweede Bylae.

WYSIGINGS VAN DIE TWEDE BYLAE BY DIE DOEANEWET, 1955, SOOS GEWYSIG.

DEEL I.

Tarief-item.	Artikel.	Minimum-reg.	Intermediêre reg.	Lande waarvan die produkte teen die minimumreg toegelaat word.	
65	Deur sub-paragraaf (v) van paragraaf (b) deur die volgende te vervang: „(v) Gebreide onderklere n.e.v., uitgesonderd jersies, oortrektuie en hemde— (1) wat 50 persent of meer katoen volgens gewig bevat .. <i>ad valorem</i>	£ s. d. 15% met 'n minimum per kledings	£ s. d. 15% per stuk van	Verenigde Koninkryk.	
	onderhemde, onderbroeke en kortonderbroeke— vir mans vir seuns	— 0 0 3	0 0 4 0 0 3		
	frokkes en kniebroeke— vir dames vir dogters	— 0 0 3	0 0 3 0 0 3		
	onderrokke en hempbroeke— vir dames vir dogters	— 0 0 4	0 0 5 0 0 4		
	<i>ad valorem</i>	10% plus in elke opgeskorte	10% geval 'n reg van		
	<i>ad valorem</i>	5% 5%	5% 5%		
	(2) wat 50 persent of meer rayon volgens gewig bevat .. <i>ad valorem</i>	15% met 'n minimum per kledings	15% per stuk van		Verenigde Koninkryk.
	onderhemde, onderbroeke en kortonderbroeke— vir mans vir seuns	— 0 0 4	0 0 6 0 0 4		
	frokkes en kniebroeke— vir dames vir dogters	— 0 0 3	0 0 4 0 0 3		
	onderrokke en hempbroeke— vir dames vir dogters	— 0 0 5	0 0 7 0 0 5		
	<i>ad valorem</i>	15% en bowendien in elke geval	15% geval		
	<i>ad valorem</i>	15% 15%	15% 15%		
	<i>Opmerking:</i> Artikels wat 50 persent katoen volgens gewig en 50 persent rayon volgens gewig bevat, word geag van rayon te wees.”				

Tariff item.	Article.	Minimum duty.	Intermediate duty.	Countries whose products are admissible at minimum rates of duty.
76	By substituting for the rates of duty in sub-paragraph (a) (v) of paragraph (6) the following: "ad valorem or per yard ad valorem or per yard ad valorem	£ s. d. 5% — whichever be the greater, and in addition 15% 0 0 4½ whichever be the greater, plus a suspended duty of 5%	£ s. d. 10% 0 0 1½ duty shall be the greater, in addition 15% 0 0 4½ duty shall be the greater, 5% 5%"	
86	By substituting for paragraph (b) the following: "(b) Motor cycles and side-cars, and parts and accessories; but excluding, if imported separately, electric lamp bulbs, batteries, tyres, rubber pneumatic tyre covers and tubes and parts specially provided for elsewhere in this item: (i) Autocycles of which the engine capacity is less than 50 c.c. ad valorem (ii) Other .. ad valorem	10% 15%	15% 20%	United Kingdom. United Kingdom."
102	By substituting for the rates of duty in sub-paragraph (i) (a) of paragraph (b) the following:— "ad valorem each By substituting for the rates of duty in sub-paragraph (i) (b) of paragraph (b) the following:— "ad valorem each By substituting for the rates of duty in sub-paragraph (ii) (a) of paragraph (b) the following:— "ad valorem each By substituting for the rates of duty in sub-paragraph (ii) (b) of paragraph (b) the following:— "ad valorem each By substituting for the rates of duty in sub-paragraph (iii) (a) of paragraph (b) the following:— "ad valorem each By substituting for the rates of duty in sub-paragraph (iii) (b) of paragraph (b) the following:— "ad valorem each By substituting for the rates of duty in sub-paragraph (iii) (c) of paragraph (b) the following:— "ad valorem each	Free 0 0 3 plus 0 0 3" Free 0 0 4½ plus 0 0 4½" Free 0 0 4½ plus 0 0 4½" Free 0 0 4½ plus 0 0 4½" Free 0 0 4½ plus 0 0 4½" Free 0 0 9 plus 0 0 9" Free 0 1 2½ plus 0 1 2½"	5% 0 0 3" 5% 0 0 4½" 5% 0 0 4½" 5% 0 0 4½" 5% 0 0 4½" 5% 0 0 9" 5% 0 1 2½"	
119	By inserting in paragraph (h) after the word "switches" the words "(excluding switches for electrical stoves and electrical hotplates)".			
143	By adding to paragraph (b) the following sub-paragraph, the existing paragraph (b) becoming sub-paragraph (b) (i):— "(ii) Switches for electrical stoves and electrical hotplates ad valorem	15%	20%	United Kingdom and Canada."

Tarief-item.	Artikel.	Minimum-reg.	Intermediële reg.	Lande waarvan die produkte teen die minimumreg toegelaat word.
76	Deur die regte in sub-paragraaf (a) (v) van paragraaf (6) deur die volgende te vervang: „ad valorem of per jaar ad valorem of per jaar ad valorem	£ s. d. 5% — 15% 0 0 4½ 5%	£ s. d. 10% 0 0 1½ 15% 0 0 4½ 5%”	
86	Deur paragraaf (b) deur die volgende te vervang:— „(b) Motorfietse en sywaentjies, en onderdele en toebehore; maar met uitsondering, indien afsonderlik ingevoer, van elektriese gloeilampe, batterye, buite-, rubberlugbuite- en -binnebande en onderdele waarvoor spesiale voorsiening elders in hierdie item gemaak word: (i) Outofietse waarvan die kapasiteit van die motor minder as 50 c.c. is ad valorem (ii) Ander . . . ad valorem	10% 15%	15% 20%	Verenigde Koninkryk. Verenigde Koninkryk.”
102	Deur die regte in sub-paragraaf (i) (a) van paragraaf (b) deur die volgende te vervang:— „ad valorem elk Deur die regte in sub-paragraaf (i) (b) van paragraaf (b) deur die volgende te vervang:— „ad valorem elk Deur die regte in sub-paragraaf (ii) (a) van paragraaf (b) deur die volgende te vervang:— „ad valorem elk Deur die regte in sub-paragraaf (ii) (b) van paragraaf (b) deur die volgende te vervang:— „ad valorem elk Deur die regte in sub-paragraaf (iii) (a) van paragraaf (b) deur die volgende te vervang:— „ad valorem elk Deur die regte in sub-paragraaf (iii) (b) van paragraaf (b) deur die volgende te vervang:— „ad valorem elk Deur die regte in sub-paragraaf (iii) (c) van paragraaf (b) deur die volgende te vervang:— „ad valorem elk	Vry 0 0 3 Vry 0 0 4½ Vry 0 0 4½ Vry 0 0 4½ Vry 0 0 4½ Vry 0 0 9 Vry 0 1 2½	5% plus 5% plus 5% plus 5% plus 5% plus 5% plus 5% plus	
119	Deur in paragraaf (h) na die woord „skakelaars” waar dit vir die eerste maal voorkom die woorde „(uitgesonderd skakelaars vir elektriese stowe en elektriese verwarmingsplate)” in te voeg.			
143	Deur die volgende sub-paragraaf by paragraaf (b) te voeg, terwyl die bestaande paragraaf (b) sub-paragraaf (b) (i) word:— „(ii) Skakelaars vir elektriese stowe en elektriese verwarmingsplate ad valorem	15%	20%	Verenigde Koninkryk en Kanada.”

GOVERNMENT NOTICES.

DEPARTMENT OF FINANCE.

The undermentioned Government Notices are published for general information:—

No. [5th July, 1957.

CUSTOMS ACT, 1955—REBATE OF DUTY ON SETTLERS' HOUSEHOLD EFFECTS.

I, Jozua Francois Naudé, Minister of Finance, acting in terms of sub-section (2) (a) of section *one hundred* of the Customs Act, No. 55 of 1955, as amended, hereby amend Government Notice No. 224 of the 17th February, 1956, as amended, by the substitution for Part I of the Schedule thereto of the following part:—

I. *Settlers' Household Effects.*

A rebate of the whole duty shall be allowed on used household effects to the value of two hundred pounds for each adult and one hundred pounds for each child but not exceeding eight hundred pounds in all for each family, and on new household effects to the value of fifty pounds for each adult and twenty-five pounds for each child but not exceeding two hundred pounds in all for each family, imported by persons arriving in the Union to settle therein, provided that—

- (a) the effects are the *bona fide* property of the settler and, in the case of used effects, have been in use by him prior to shipment to the Union;
- (b) the effects are not intended for sale or disposal to other persons; and
- (c) the settler makes a declaration to the above effect.

J. F. NAUDÉ,
Minister of Finance.

NOTE.—The effect of this notice is to extend the rebate to new settlers' household effects to the value stated.

No. [5th July, 1957.

CUSTOMS ACT, 1955—REBATE OF DUTY: AMENDMENT OF EXISTING PROVISIONS.

I, Jozua Francois Naudé, Minister of Finance, acting in terms of sub-section 2 (d) of section *one hundred* of the Customs Act, No. 55 of 1955, as amended, hereby amend paragraph 1 of part IV of the Schedule to Government Notice No. 224 of the 17th February, 1956, as amended, as follows:—

- (a) By substituting for sub-paragraphs (6) (a), (c) and (d) the following:—

“(6) (a) Waterproofed textile fabrics, in the piece; textile fabrics combined with waterproof solutions (rubber or otherwise), in the piece.”

“(6) (c) Waterproofed textile tapes, taping, strips and strapping, in the piece; textile trimmings in the piece (not being trouser bands or banding, bindings, tape, braid, ribbon, webbing (elastic or otherwise), calico, drill, twill, sateen or plain elastic).”

“(6) (d) Pocketings in the piece (excluding materials manufactured in a twill or sateen weave, and calico); interlinings in the piece (excluding drill, twill and sateen).”

- (b) By substituting for sub-paragraph (8) the following:—

“(8) (No paragraph.)”

GOEWERMENSKENNISGEWINGS.

DEPARTEMENT VAN FINANSIES.

Onderstaande Goewermentskennisgewings word vir algemene inligting gepubliseer:—

No. [5 Julie 1957.

DOEANEWET, 1955—KORTING VAN REG OP HUISHOUDELIKE ARTIKELS VAN NEDERSETTERS.

Ek, Jozua Francois Naudé, Minister van Finansies, handelende ingevolge sub-artikel (2) (a) van artikel *honderd* van die Doeane wet, No. 55 van 1955, soos gewysig, wysig hierby Goewermentskennisgewing No. 224 van 17 Februarie 1956, soos gewysig, deur Deel I van die Bylae daarby deur die volgende deel te vervang:—

I. *Huishoudelike Artikels van Nedersetters.*

'n Korting van die volle doeanereg word toegestaan op gebruikte huishoudelike artikels ter waarde van tweehonderd pond vir elke volwasse persoon en honderd pond vir elke kind, maar in die geheel hoogstens agthonderd pond vir elke gesin en op nuwe huishoudelike artikels ter waarde van vyftig pond vir elke volwasse persoon en vyf-en-twintig pond vir elke kind, maar in die geheel hoogstens tweehonderd pond vir elke gesin, ingevoer deur persone wat die Unie binnekom om hulle aldaar te vestig mits—

- (a) die artikels die *bona fide* eiendom van sulke nedersetters is en, in die geval van gebruikte artikels, deur hulle voor verskeping na die Unie gebruik is;
- (b) die artikels nie vir verkoop of vervreemding aan ander persone bedoel is nie; en
- (c) die nedersetter 'n verklaring in dier voege aflê.

J. F. NAUDÉ,
Minister van Finansies.

OPMERKING.—Die uitwerking van hierdie kennisgewing is dat die korting na nuwe huishoudelike artikels van nedersetters ter waarde van die gemelde bedrag uitgebrei word.

No. [5 Julie 1957.

DOEANEWET, 1955—KORTING VAN REG: WYSIGINGS VAN BESTAANDE VOORSIENINGS.

Ek, Jozua Francois Naudé, Minister van Finansies, handelende kragtens sub-artikel 2 (d) van artikel *honderd* van die Doeane wet, No. 55 van 1955, soos gewysig, wysig hierby paragraaf 1 van deel IV van die Bylae van Goewermentskennisgewing No. 224 van 17 Februarie 1956, soos gewysig, soos volg:—

- (a) Deur sub-paragrafe (6) (a), (c) en (d) deur die volgende te vervang:—

„(6) (a) Waterdigemaakte tekstielstowwe in die stuk; tekstielstowwe met waterdigte-oplossings (rubber of andersins) saamgevoeg, in die stuk.”

„(6) (c) Waterdigemaakte tekstielbande, -bandgoed, -strokies en -stroke, in die stuk; tekstielgarneersel in die stuk (nie broekbande of broekbandmateriaal, omboorsels, band, koord, lint, weefselband (rek of andersins), kaliko, dril, gekeperde linne, katoensatyn of gewone rek nie).”

„(6) (d) Sakmateriaal in die stuk (uitgesonderd materiaal in 'n keper- of satinetweef vervaardig, en kaliko); tussenvoerings in die stuk (uitgesonderd dril, gekeperde linne en katoensatyn).”

- (b) Deur sub-paragraaf (8) deur die volgende te vervang:—

„(8) (Geen paragraaf.)”

(c) By substituting for sub-paragraph (41) the following:—
“(41) (No paragraph.)”

J. F. NAUDÉ,
Minister of Finance.

NOTE.—The effect of the amendments to sub-paragraphs (6) (a) and (c) is that the restriction regarding the composition of waterproofed textile fabrics, textile fabrics combined with waterproof solutions (rubber or otherwise) and waterproofed textile tapes, taping strips and strapping, in the piece, is being relaxed.

The amendment to sub-paragraph (6) (d) has the effect of deleting from the provisions of this sub-paragraph pocketings in the piece manufactured in a twill or sateen weave, and to extend the rebate facilities in respect of interlinings in the piece.

The effect of the amendments at (b) and (c) is to withdraw the rebate provisions on the goods provided for in the sub-paragraphs mentioned.

(c) Deur sub-paragraaf (41) deur die volgende te vervang:—
„(41) (Geen paragraaf.)”

J. F. NAUDÉ,
Minister van Finansies.

OPMERKING.—Die uitwerking van die wysigings van sub-paragraaf (6) (a) en (c) is dat die beperkings betreffende die samestelling van waterdigte tekstielstowwe, -stowwe met waterdigte-oplossings (rubber of andersins) saamgevoeg en waterdiggemaakte tekstielbande, -bandgoed, -strookies en -stroke, in die stuk, ingekort word.

Die wysiging van sub-paragraaf (6) (d) het die uitwerking dat sakmateriaal in die stuk, in 'n keper- of satinetweef vervaardig, van die bepalings van hierdie sub-paragraaf geskrap word, en dat die fasiliteite t.o.v. tussenvoerings in die stuk uitgebrei word.

Die uitwerking van die wysigings by (b) en (c) is dat die kortingsfasiliteite op die goedere in genoemde sub-paragraaf ingetrek word.

No. [5th July, 1957.

CUSTOMS ACT, 1955—REPEAL OF WITHDRAWAL OF REBATE OF DUTIES.

I, Jozua Francois Naudé, Minister of Finance, acting in terms of section *ninety-nine* of the Customs Act, No. 55 of 1955, hereby repeal the following Government Notices:—

- No. 2464 of the 15th December, 1955.
- No. 1534 of the 24th August, 1956.
- No. 2372 of the 28th December, 1956.
- No. 215 of the 15th February, 1957.

J. F. NAUDÉ,
Minister of Finance.

NOTE.—The tariff items to which the above notices refer have now been amended. These notices have, therefore, become superfluous.

No. [5th July, 1957.

CUSTOMS ACT, 1955—REPEAL OF TEMPORARY SPECIAL DUTY.

I, Jozua Francois Naudé, Minister of Finance, acting in terms of the powers vested in me by section *eighty-nine* of the Customs Act, No. 55 of 1955, hereby repeal Government Notice No. 1944 of the 26th October, 1956.

J. F. NAUDÉ,
Minister of Finance.

NOTE.—The temporary special duty provided for in Government Notice No. 1944 of the 26th October, 1956, has been embodied in item 75 of the Customs Tariff.

No. [5th July 1957.

CUSTOMS ACT, 1955—APPLICATION OF MAXIMUM RATES OF DUTY TO CERTAIN GOODS.

I, Jozua Francois Naudé, Minister of Finance, acting in terms of section *sixty-four* of the Customs Act, No. 55 of 1955, hereby amend paragraph (1) of Government Notice No. 1171 of the 29th June, 1956, as amended, as follows:—

(a) by substituting for tariff item ex 65 the following:—

No. [5 Julie 1957.

DOEANEWET, 1955—HERROEPING VAN DIE INTREKING VAN KORTING VAN REGTE.

Ek, Jozua Francois Naudé, Minister van Finansies, handelende kragtens artikel *nege-en-negentig* van die Doeanewet, No. 55 van 1955, herroep hierby onderstaande Goewermentskennisgewings:—

- No. 2464 van 15 Desember 1955.
- No. 1534 van 24 Augustus 1956.
- No. 2372 van 28 Desember 1956.
- No. 215 van 15 Februarie 1957.

J. F. NAUDÉ,
Minister van Finansies.

OPMERKING.—Die tariefitems waarna die bovermelde kennisgewings verwys is nou gewysig. Die kennisgewings het dus oorbodig geword.

No. [5 Julie 1957.

DOEANEWET, 1955—HERROEPING VAN TYDELIKE SPESIALE REG.

Ek, Jozua Francois Naudé, Minister van Finansies, handelende kragtens die bevoegdheid my verleen by artikel *nege-en-tagtig* van die Doeanewet, No. 55 van 1955, herroep hierby Goewermentskennisgewing No. 1944 van 26 Oktober 1956.

J. F. NAUDÉ,
Minister van Finansies.

OPMERKING.—Die tydelike spesiale reg waarvoor in Goewermentskennisgewing No. 1944 van 26 Oktober 1956 voorsiening gemaak is, is by item 75 van die Doeanetarief ingelyf.

No. [5 Julie 1957.

DOEANEWET, 1955—TOEPASSING VAN MAKSIMUMREGTE OP SEKERE GOEDERE.

Ek, Jozua Francois Naudé, Minister van Finansies, handelende kragtens artikel *vier-en-sestig* van die Doeanewet, No. 55 van 1955, wysig hierby paragraaf (1) van Goewermentskennisgewing No. 1171 van 29 Junie 1956, soos gewysig, soos volg:—

(a) deur tarief item ex 65 deur die volgende te vervang:—

"Tariff Item.	Goods.	Minimum duty.	Intermediate duty.	Maximum duty.	„Tariff-item.	Goedere.	Minimum-reg.	Inter-mediëre reg.	Maksimum-reg.
ex 65	<p>Clothing:</p> <p>(b) Ready made, new—</p> <p>(i) jackets, vests and trousers, other than knitted, for men and boys, excluding clothing provided for in sub-paragraphs (b) (ii), (b) (vi) (6) and (b) (vi) (9)—</p> <p>(1) of calico, drill, twill or sateen, for men ..</p> <p>(2) other, for men ..</p> <p>(3) of calico, drill, twill or sateen, for boys (excluding shorts provided for in sub-paragraph (b) (i) (6)) ..</p> <p>(4) other, for boys, excluding blazers and shorts provided for in sub-paragraphs (b) (i) (5) and (b) (i) (6), respectively ..</p> <p>(5) blazers (plain and multicoloured) for boys ..</p> <p>(6) shorts for boys (excluding those forming parts of suits)—</p> <p>(a) of calico, drill, twill or sateen ..</p> <p>(b) other ..</p> <p>(ii) dustcoats, butchers' and warehousemen's and factory coats, overalls and boiler suits, motorists' suits and leggings, men's knickers and smocks, and women's slacks, jeans and shorts, but excluding knitted clothing, children's clothing, rubber and asbestos clothing, and waterproof clothing provided for in sub-paragraph (b) (vi) (6)—</p> <p>(1) made from calico, drill, twill or sateen ..</p> <p>(2) other ..</p> <p>(iii) overcoats for men and boys, excluding waterproof clothing provided for in sub-paragraph (b) (vi) (6) and knitted overcoats—</p> <p>(1) containing more than 30 per cent. by weight of worsted wool for men ..</p> <p>(2) other, for men ..</p> <p>(3) containing more than 30 per cent. by weight of worsted wool, for boys ..</p> <p>(4) other, for boys ..</p> <p>(iv) knitted outer clothing n.e.e. including jerseys, pullovers and shirts—</p> <p>(1) containing more than 50 per cent. by weight of worsted wool—</p> <p>dresses and frocks ..</p> <p>other ..</p> <p>(2) containing 50 per cent. or more by weight of rayon—</p> <p>dresses and frocks ..</p> <p>other ..</p> <p>(3) containing 50 per cent. or more by weight of cotton ..</p> <p>(4) other ..</p> <p>(v) underwear (woven or knitted) n.e.e.—</p> <p>(1) containing 50 per cent. or more by weight of cotton ..</p>				ex 65	<p>Klerasie:</p> <p>(b) Klaargemaakte, nuwe—</p> <p>(i) baadjies, onderbaadjies en broeke, behalwe gebrei, vir mans en seuns, met uitsondering van kledingstukke waarvoor in sub-paragraaf (b) (ii), (b) (vi) (6) en (b) (vi) (9) voorsiening gemaak is—</p> <p>(1) van kaliko, dril, gekeperde linne of katoensatyn, vir mans ..</p> <p>(2) ander, vir mans ..</p> <p>(3) van kaliko, dril, gekeperde linne of katoensatyn, vir seuns (met uitsondering van kortbroeke waarvoor in sub-paragraaf (b) (i) (6) voorsiening gemaak is) ..</p> <p>(4) ander, vir seuns (met uitsondering van kleurbaadjies en kortbroeke waarvoor onderskeidelik in sub-paragraaf (b) (i) (5) en (b) (i) (6) voorsiening gemaak is) ..</p> <p>(5) kleurbaadjies (effe- en veelkleurig) vir seuns</p> <p>(6) kortbroeke vir seuns (met uitsondering van dié wat deel van pakke uitmaak)—</p> <p>(a) van kaliko, dril, gekeperde linne of katoensatyn ..</p> <p>(b) ander ..</p> <p>(ii) stofjasse, slagtersjasse, jasse vir pakhuisbedienendes en fabrieksjasse, oorklere en ketelpakke, pakke en kamaste vir motoriste, kniebroeke en jurke vir mans, en slenterbroeke, halfmasbroeke en kortbroekies vir dames, maar met uitsondering van gebreide klerasie, klerasie vir kinders, rubber- en asbeskledingstukke, en waterdigte kledingstukke waarvoor in sub-paragraaf (b) (vi) (6) voorsiening gemaak is—</p> <p>(1) van kaliko, dril, gekeperde linne of katoensatyn ..</p> <p>(2) ander ..</p> <p>(iii) jasse vir mans en seuns, met uitsondering van waterdigte kledingstukke waarvoor in sub-paragraaf (b) (vi) (6) voorsiening gemaak is en gebreide jasse—</p> <p>(1) wat meer as 30 per sent kamwol volgens gewig bevat, vir mans</p> <p>(2) ander, vir mans ..</p> <p>(3) wat meer as 30 per sent kamwol volgens gewig bevat, vir seuns</p> <p>(4) ander, vir seuns ..</p> <p>(iv) gebreide bo-klere n.e.v. met inbegrip van jersies, oortrektrui en hemde—</p> <p>(1) wat meer as 50 per sent kamwol volgens gewig bevat—</p> <p>rokke en tabberds ..</p> <p>ander ..</p> <p>(2) wat 50 per sent of meer rayon volgens gewig bevat—</p> <p>rokke en tabberds ..</p> <p>ander ..</p> <p>(3) wat 50 per sent of meer katoen volgens gewig bevat ..</p> <p>(4) ander ..</p> <p>(v) onderklere (geweef of gebrei) n.e.v.—</p> <p>(1) wat 50 per sent of meer katoen volgens gewig bevat ..</p>			

Tariff Item.	Goods.	Minimum duty.	Intermediate duty.	Maximum duty.	„Tarief-item.	Goedere.	Minimum-reg.	Intermediêre reg.	Maksimum-reg.
	(2) containing 50 per cent. or more by weight of rayon					(2) wat 50 persent of meer rayon volgens gewig bevat			
	(3) containing more than 50 per cent. by weight of artificial or synthetic fibres other than rayon					(3) wat meer as 50 persent kuns- of sintetiese vesels behalwe rayon volgens gewig bevat			
	(4) other					(4) ander			
	(vi) other clothing and infants' clothing—					(vi) ander klere en klere vir suigeling—			
	(1) women's woven overcoats n.e.e.					(1) geweeftde jasse vir dames, n.e.v.			
	(2) other women's woven outerwear n.e.e.					(2) ander geweeftde boklere vir dames, n.e.v.			
	(3) foundation garments—					(3) figuuronderklere—			
	(a) roll-ons					(a) rolgordels			
	(b) other					(b) ander			
	(4) swimwear					(4) swemdrag			
	(5) dressing gowns					(5) kamerjaponne			
	(6) waterproof clothing including macintoshes—					(6) waterdigte klere met inbegrip van reën-jasse—			
	(a) of rubberized fabric or plastic material					(a) van stowwe wat met rubber deurtrek is of van plastiese materiaal			
	(b) of oil-impregnated (including oilskin) or plastic-coated material					(b) van materiaal wat met olie deurtrek (insluitende oliedoek) of plasties bestryk is			
	(7) girls' woven dresses of the school uniform type—					(7) geweeftde rokke van die skooluniformtipe vir dogters—			
	(a) of calico, drill, twill or sateen, or of plain-coloured material containing more than 50 per cent. by weight of wool					(a) van kaliko, dril, gekeperde linne of katoensatyn, of van effekleurige materiaal van meer as 50 persent wol			
	(b) other					(b) ander			
	(8) other woven dresses for girls					(8) ander geweeftde rokke vir dogters			
	(9) dungarees, slacks and jeans, for boys and girls—					(9) dungarees, slenterbroeke en halfmasbroeke, vir seuns en dogters—			
	(a) of calico, drill, twill or sateen					(a) van kaliko, dril, gekeperde linne of katoensatyn			
	(b) other					(b) ander			
	(10) all other n.e.e. and all infants' clothing					(10) alle ander n.e.v. en alle klere vir suigeling			
	(c) Shirts (but excluding knitted shirts, and waterproof clothing provided for in sub-paragraph (b) (vi) (6)), collars, pyjamas and nightdresses, new—					(c) Hemde (maar met uitsondering van gebreide hemde en waterdigte kledingstukke waarvoor in sub-paragraaf (b) (vi) (6) voorsiening gemaak is), boordjies, slaappakke en nagrokke, nuwe—			
	(i) shirts of calico, drill, twill or sateen					(i) hemde van kaliko, dril, gekeperde linne of katoensatyn			
	(ii) other shirts of silk or rayon or mixtures thereof with any other material, or of any material with non-detachable collars—					(ii) ander hemde van sy of rayon of mengsels daarvan met enige ander materiaal, of van enige materiaal met vaste boordjies—			
	(1) for children					(1) vir kinders			
	(2) other					(2) ander			
	(iii) shirts other than those provided for in sub-paragraphs (i) and (ii)					(iii) ander hemde as dié waarvoor in sub-paragraawe (i) en (ii) voorsiening gemaak is			
	(iv) pyjamas and nightdresses—					(iv) slaappakke en nagrokke—			
	(1) containing 50 per cent. or more by weight of silk or artificial or synthetic fibres other than rayon					(1) wat 50 persent of meer sy of kuns- of sintetiese vesels behalwe rayon volgens gewig bevat			
	(2) containing more than 50 per cent. by weight of rayon					(2) wat meer as 50 persent rayon volgens gewig bevat			
	(3) other					(3) ander			
	(v) collars imported separately”					(v) boordjies los ingevoer”			

(b) By adding in sub-paragraph (a) (ii) of paragraph ex (1) of item 73 after the word “Elastic” the words “, tape, braid, webbing and ribbon”.

(c) By inserting in sub-paragraph (ii) of paragraph (a) of item 86 after the words “Parts” the words “(including semi-finished parts)”.

J. F. NAUDÉ,
Minister of Finance.

(b) Deur in sub-paragraaf (a) (ii) van paragraaf ex (1) van item 73 na die woord „Elastiek” die woorde „band, koord, weefselband en lint” by te voeg.

(c) Deur in sub-paragraaf (ii) van paragraaf (a) van item 86 na die woord „Onderdele” die woorde „(met inbegrip van halfverwerkte onderdele)” in te voeg.

J. F. NAUDÉ,
Minister van Finansies.

Note. The effect of this notice is:—

(1) to bring the maximum duty into operation on tape, braid, webbing and ribbon provided for in tariff item 73 (1) (a) (ii), and on semi-finished parts for pedal bicycles and pedal delivery tricycles provided for in tariff item 86 (a) (ii).

(2) to amend the abovementioned Government Notice to embody therein the 1957 tariff amendments effected to tariff item ex 65.

No. [5th July, 1957.

CUSTOMS ACT, 1955—BRINGING INTO OPERATION AND WITHDRAWAL OF SUSPENDED DUTIES.

I, Jozua Francois Naudé, Minister of Finance, acting in terms of section *sixty-five* of the Customs Act, No. 55 of 1955, hereby amend, as from the date of publication of this notice, paragraph (1) of Government Notice No. 1169 of the 29th June, 1956, as amended, as follows:—

- (a) By inserting in paragraph (a) of item 63 after the word "Carpets," the word "carpeting,".
- (b) By inserting after paragraph ex (b) of item 70 the following:—

"Tariff item.	Goods.	Minimum duty.	Intermediate duty.	Maximum duty.
73 (1) (a) (ii)	Elastic, tape, braid, webbing and ribbon .. <i>ad valorem</i>	£ s. d. —	£ s. d. 10%	£ s. d. 15%

- (c) By deleting paragraph ex (a) of item 70.

J. F. NAUDÉ,
Minister of Finance.

NOTE.—The effect of amendments (a) and (b) of this notice is to bring into operation on the goods mentioned the suspended duty to the extent stated, and, in the case of amendment (c), to withdraw the suspended duty brought into operation on socks provided for in tariff item 70 (a).

No. [5th July, 1957.

CUSTOMS ACT, 1955—BRINGING INTO OPERATION OF SUSPENDED DUTIES.

I, Jozua Francois Naudé, Minister of Finance, acting in terms of section *sixty-five* of the Customs Act, No. 55 of 1955, hereby amend Government Notice No. 1532 of the 24th August, 1956, as follows:—

By inserting in sub-paragraph (ii) of paragraph (a) of item 86 after the word "Parts" the words "(including semi-finished parts)".

J. F. NAUDÉ,
Minister of Finance.

NOTE.—The effect of this notice is to bring into operation the suspended duty on the goods mentioned to the extent stated in the abovementioned notice.

No. [5th July, 1957.

CUSTOMS ACT, 1955—SPECIAL SUSPENDED DUTY: IMPOSITION, BRINGING INTO OPERATION AND WITHDRAWAL OF.

I, Jozua Francois Naudé, Minister of Finance, acting in terms of the powers vested in me by section *sixty-six* of the Customs Act, No. 55 of 1955, hereby amend paragraph 1 of Government Notice No. 1172 of the 29th June, 1956, as amended, from the date of publication of this notice as follows:—

Opmerking. Die uitwerking van hierdie kennisgewing is dat—

1. die maksimumreg ten opsigte van band, koord, weefselband en lint, waarvoor in paragraaf 73 (1) (a) (ii) voorsiening bestaan, en op halfverwerkte onderdele vir trapfietsse en -afleweringsdriewielers, waarvoor in tariefitem 86 (a) (ii) voorsiening gemaak word, in werking gestel word; en

2. die bovermelde kennisgewing gewysig word ten einde die 1957 wysigings betreffende tariefitem ex 65 daarby in te lyf.

No. [5 Julie 1957.

DOEANEWET, 1955—TOEPASSING EN INTREKKING VAN OPGESKORTE REGTE.

Ek, Jozua Francois Naudé, Minister van Finansies, handelende kragtens artikel *vyf-en-sestig* van die Doeane-wet, No. 55 van 1955, wysig hierby, met ingang van die datum van publikasie van hierdie kennisgewing, paragraaf (1) van Goewermentskennisgewing No. 1169 van 29 Junie 1956, soos gewysig, soos volg:—

- (a) Deur in paragraaf (a) van item 63 na die woord „Tapyte,” die woord „tapytmateriaal,” in te voeg.
- (b) Deur na paragraaf (b) van item 70 die onderstaande in te voeg:—

„Tarief-item.	Goedere.	Minimum-reg.	Intermediêre reg.	Maksimum-reg.
73 (1) (a) (ii)	Elastiek, band, koord, weefselband en lint .. <i>ad valorem</i>	£ s. d. —	£ s. d. 10%	£ s. d. 15%

- (c) Deur paragraaf ex (a) van item 70 te skrap.

J. F. NAUDÉ,
Minister van Finansies.

OPMERKING.—Die uitwerking van wysigings (a) en (b) van hierdie kennisgewing is dat, ten opsigte van genoemde goedere, die opgeskorte reg tot die genoemde bedrag in werking gestel word, en, in die geval van wysiging (c), dat die opgeskorte reg op sokkies, waarvoor in tariefitem 70 (a) voorsiening bestaan, ingetrek word.

No. [5 Julie 1957.

DOEANEWET, 1955—TOEPASSING VAN OPGESKORTE REGTE.

Ek, Jozua Francois Naudé, Minister van Finansies, handelende kragtens artikel *vyf-en-sestig* van die Doeane-wet, No. 55 van 1955, wysig Goewermentskennisgewing No. 1532 van 24 Augustus 1956 hierby soos volg:—

Deur in sub-paragraaf (ii) van paragraaf (a) van item 86 na die woord „Onderdele” die woorde „(met inbegrip van halfverwerkte onderdele)” in te voeg.

J. F. NAUDÉ,
Minister van Finansies.

OPMERKING.—Die uitwerking van hierdie kennisgewing is dat die opgeskorte reg op bovermelde goedere, tot die bedrag in bogenoemde kennisgewing vermeld, in werking gestel word.

No. [5 Julie 1957.

DOEANEWET, 1955—SPESIALE OPGESKORTE REG: OPLEGGING, TOEPASSING EN INTREKKING VAN.

Ek, Jozua Francois Naudé, Minister van Finansies, handelende kragtens die bevoegdheid my verleen by artikel *ses-en-sestig* van die Doeane-wet, No. 55 van 1955, wysig hierby paragraaf 1 van Goewermentskennisgewing No. 1172 van 29 Junie 1956, soos gewysig, met ingang van die datum van publikasie van hierdie kennisgewing soos volg:—

- (a) (1) By adding in sub-paragraph (a) (ii) of paragraph (1) of item ex 73 after the word "Elastic" the words " , tape, braid, webbing and ribbon"; and
- (2) declare that the whole of the special suspended duty prescribed shall come into operation as from the date of publication of this notice.
- (b) By deleting paragraph ex (a) of tariff item 70.
- (c) By deleting paragraph (5) of tariff item ex 73.

J. F. NAUDÉ,
Minister of Finance.

NOTE.—The effect of the amendment at (a) is to prescribe a special suspended duty and to bring into operation the whole of the special suspended duty prescribed in respect of the goods mentioned. Special suspended duties do not apply to goods which are produced or manufactured in the territories mentioned in Government Notice No. 1171 of the 29th June, 1956, and imported therefrom into the Union.

The effect of the amendments at (b) and (c) is to withdraw the special suspended duties prescribed and brought into operation in respect of the goods in the abovementioned paragraphs of items 70 and 73.

No. [5th July, 1957.

CUSTOMS ACT, 1955—ADMISSION OF CERTAIN ARTICLES AT REDUCED RATES OF DUTY.

I, Jozua Francois Naudé, Minister of Finance, acting in terms of item 326 (b) of the First Schedule to the Customs Act No. 55 of 1955, as amended, hereby amend Government Notice No. 226 of the 17th February, 1956, by renumbering paragraph 19 to read 19 (a) and by adding the following:—

„Item 326 (b).

- 19 (b) Approve the following blood transfusion services for the purposes of tariff item 326 (b):—
 - Durban Blood Transfusion Service.
 - East London Blood Transfusion Service.
 - Pietermaritzburg Blood Transfusion Service.
 - Port Elizabeth Blood Transfusion Service.
 - South African Blood Transfusion Service.
 - South-West African Blood Transfusion Service.
 - Western Province Blood Transfusion Service.”

J. F. NAUDÉ,
Minister of Finance.

NOTE.—The effect of this notice is that requisites for the abovementioned services may, under the provisions of tariff item 326 (b), be imported or cleared from bond free of customs duty.

- (a) (1) Deur in sub-paragraaf (a) (ii) van paragraaf (1) van item ex 73 na die woord „Elastiek” die woorde „ , band, koord, weefselband en lint” by te voeg; en
- (2) verklaar dat die spesiale opgeskorte reg, soos voorgeskryf, ten volle vanaf die datum van publikasie van hierdie kennisgewing in werking tree.
- (b) Deur paragraaf ex (a) van tariefitem 70 te skrap.
- (c) Deur paragraaf (5) van tariefitem ex 73 te skrap.

J. F. NAUDÉ,
Minister van Finansies.

OPMERKING.—Die uitwerking van die wysigings by (a) is dat 'n spesiale opgeskorte reg voorgeskryf word en ten volle in werking gestel word ten opsigte van genoemde goedere. Spesiale opgeskorte regte is nie op goedere wat in die gebiede in Goewermentskennisgewing No. 1171 van 29 Junie 1956 vermeld, geproduseer of vervaardig en daarvandaan in die Unie ingevoer is, van toepassing nie.

Die uitwerking van die wysigings by (b) en (c) is dat die spesiale opgeskorte regte, ten opsigte van die goedere in bovermelde paragrawe van items 70 en 73, voorgeskryf en in werking gestel, ingetrek word.

No. [5 Julie 1957.

DOEANEWET, 1955—TOELATING VAN SEKERE GOEDERE TEEN VERMINDERDE DOEANEREGTE.

Ek, Jozua Francois Naudé, Minister van Finansies, handelende kragtens item 326 (b) van die Eerste Bylae van die Doeanewet, No. 55 van 1955, soos gewysig, wysig Goewermentskennisgewing No. 226 van 17 Februarie 1956 hierby deur paragraaf 19 as 19 (a) te hernommer en deur die volgende by te voeg:—

„Item 326 (b).

- 19 (b) Die onderstaande bloedoortappingsdienste, vir die doel van item 326 (b) goed te keur:—
 - Durban Bloedoortappingsdiens.
 - Oos-Londen Bloedoortappingsdiens.
 - Pietermaritzburg Bloedoortappingsdiens.
 - Port Elizabeth Bloedoortappingsdiens.
 - Suid-Afrikaanse Bloedoortappingsdiens.
 - Suidwes-Afrikaanse Bloedoortappingsdiens.
 - Westelike Provinsie Bloedoortappingsdiens.”

J. F. NAUDÉ,
Minister van Finansies.

OPMERKING.—Die uitwerking van hierdie kennisgewing is dat benodigdhede vir die bovermelde dienste, ingevolge die bepaling van item 326 (b), vry van doeanereg ingevoer of uit entrepot gelos mag word.

No. 67, 1957.]

ACT

To amend the law relating to excise.

(English text signed by the Officer Administering the Government.)
(Assented to 22nd June, 1957.)

BE IT ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Amendment of section 1 of Act 62 of 1956.

1. Section *one* of the Excise Act, 1956 (hereinafter referred to as the principal Act), is hereby amended—

(a) by the substitution for the definition of "fortified wine" of the following definition:

"'fortified wine' means the unfermented, fermented or concentrated juice of fresh grapes (including vermouth and aromatic wines) or of dried vine products, to which any wine brandy or grape brandy has been added, or any mixture of any such juice and fortified wine (as herein defined), but does not include any wine to which—

(a) fortified wine (as herein defined) has been added for the purpose of preservation, if the alcoholic strength of such wine is not thereby increased by more than one degree proof strength per annum; or

(b) fortified wine (as herein defined) has been added, if the alcoholic strength of the wine to which the fortified wine has been added is not thereby increased;"; and

(b) by the deletion in paragraph (c) of the definition of "manufacturer" of the words "new" and "such".

Amendment of section 2 of Act 62 of 1956.

2. Section *two* of the principal Act is hereby amended by the substitution for sub-section (1) of the following sub-section:

"(1) The Commissioner shall, under the direction of the Minister, be responsible for the administration of this Act, including the interpretation of Schedules No. 1 and 2."

Amendment of section 7 of Act 62 of 1956.

3. Section *seven* of the principal Act is hereby amended by the deletion in sub-section (5) of the word "new" wherever it occurs.

Amendment of section 36 of Act 62 of 1956.

4. Section *thirty-six* of the principal Act is hereby amended by the deletion of sub-sections (3), (4) and (5).

Amendment of section 69 of Act 62 of 1956.

5. Section *sixty-nine* of the principal Act is hereby amended by the substitution for the proviso to sub-section (1) of the following proviso:

"Provided that if the Board declines to certify any spirits as suitable for such use as aforesaid the distiller may redistil such spirits or treat the same by any method approved by the Board, and thereafter in its discretion the Board may certify the spirits as suitable for use in the manufacture of fortified wine or the manufacture of spirits for potable purposes, as the case may be."

Amendment of section 75 of Act 62 of 1956.

6. (1) Section *seventy-five* of the principal Act is hereby amended by the addition thereto of the following sub-section:

"(7) For the purpose of calculating the amount of duty refundable on spirits used in the manufacture of vinegar exported in terms of item 30 (c) of Schedule No. 2, the Commissioner may determine the quantity of vinegar which shall be deemed to have been produced from one proof gallon of plain spirits."

(2) Sub-section (1) shall be deemed to have come into operation on the first day of March, 1957.

WET

Tot wysiging van die wetsbepalings op aksyns.

(Engelse teks deur die Amptenaar Belas met die Uitoefening van die Uitvoerende Gesag geteken.)
(Goedgekeur op 22 Junie 1957.)

DIT WORD BEPAAL deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, soos volg:—

Wysiging van artikel 1 van Wet 62 van 1956.

1. Artikel *een* van die Aksynswet, 1956 (hieronder die Hoofwet genoem), word hiermee gewysig—

(a) deur die omskrywing van „gefortifiseerde wyn” deur die volgende omskrywing te vervang:

„gefortifiseerde wyn”, die ongegiste, gegiste of gekonsentreerde sap van vars druiwe (met inbegrip van vermouth en gegeurde wyn) of van gedroogde wingerdprodukte, waarby wynbrandewyn of druiwebrandewyn gevoeg is, of ’n mengsel van sulke sap en gefortifiseerde wyn (soos hierin omskryf) maar sluit nie in wyn waarby—

(a) gefortifiseerde wyn (soos hierin omskryf) vir bewaringsdoeleindes gevoeg is indien die alkoholiese sterkte van sodanige wyn nie daardeur met meer as een graad proefsterkte per jaar verhoog word nie; of

(b) gefortifiseerde wyn (soos hierin omskryf) gevoeg is indien die alkoholiese sterkte van die wyn waarby die gefortifiseerde wyn gevoeg is nie daardeur verhoog word nie;”;

en
(b) deur in paragraaf (c) van die omskrywing van „vervaardiger” die woorde „nuwe” en „so” te skrap.

2. Artikel *twee* van die Hoofwet word hiermee gewysig deur sub-artikel (1) deur die volgende sub-artikel te vervang:

„(1) Die Kommissaris is, onder leiding van die Minister, verantwoordelik vir die uitvoering van hierdie Wet, met inbegrip van die uitleg van Bylaes No. 1 en 2.”

Wysiging van artikel 2 van Wet 62 van 1956.

3. Artikel *sewe* van die Hoofwet word hiermee gewysig deur in sub-artikel (5) die woord „nuwe” oral waar dit voorkom, te skrap.

Wysiging van artikel 7 van Wet 62 van 1956.

4. Artikel *ses-en-dertig* van die Hoofwet word hiermee gewysig deur sub-artikels (3), (4) en (5) te skrap.

Wysiging van artikel 36 van Wet 62 van 1956.

5. Artikel *nege-en-sestig* van die Hoofwet word hiermee gewysig deur die voorbehoudsbepaling by sub-artikel (1) deur die volgende voorbehoudsbepaling te vervang:

„Met dien verstande dat indien die Raad weier om enige spiritus as geskik vir sodanige gebruik soos voormeld te sertifiseer, die distilleerder sodanige spiritus kan herdistilleer of dit volgens enige deur die Raad goedgekeurde metode behandel, en daarna kan die Raad, na goedduke, sertifiseer dat die spiritus geskik is vir gebruik by die vervaardiging van gefortifiseerde wyn of die vervaardiging van spiritus wat bedoel is om gedrink te word, na gelang van die geval.”

Wysiging van artikel 69 van Wet 62 van 1956.

6. (1) Artikel *vyf-en-sewentig* van die Hoofwet word hiermee gewysig deur die volgende sub-artikel daarby by te voeg:

„(7) Ten einde die bedrag van terugbetaalbare regte op spiritus gebruik by die vervaardiging van uitgevoerde asyn ingevolge item 30 (c) van Bylae No. 2 te bereken, kan die Kommissaris die hoeveelheid asyn wat geag word van een proefgelling skoon spiritus vervaardig te gewees het, bepaal.”

Wysiging van artikel 75 van Wet 62 van 1956.

(2) Sub-artikel (1) word geag op die eerste dag van Maart 1957 in werking te getree het.

Amendment of
Schedule No. 1
to Act 62 of
1956.

7. Schedule No. 1 to the principal Act is hereby amended—
(a) by the substitution in item 16 for the expression “or (2)” of the expression “, (2) or (3)”;
(b) by the substitution in item 18 for the expression “or (2)” of the expression “, (2) or (3)”;
(c) by the deletion in item 22 of the word “new” wherever it occurs.

Amendment of
Schedule No. 2
to Act 62 of
1956.

8. (1) Schedule No. 2 to the principal Act is hereby amended in the manner set forth in the Schedule to this Act.
(2) The amendment of item 30 of Schedule No. 2 to the principal Act shall be deemed to have come into operation on the first day of March, 1957.

Amendment of
Schedule No. 3
to Act 62 of 1956.

9. Schedule No. 3 to the principal Act is hereby amended by the deletion in item 18 of the word “new”.

Short title.

10. This Act shall be called the Excise Amendment Act, 1957.

Schedule.

AMENDMENTS TO SCHEDULE NO. 2 TO THE EXCISE ACT, 1956.

Item.	Article.	Rebate.	Refund.
15	By the substitution for the words “United Transkeian Territories General Council” of the words “Transkeian Territorial Authority,”.		
24	By the addition after the word “hospitals” of the words “and by blood transfusion services approved by the Minister by notice in the <i>Gazette</i> ”.		
25bis.	By the insertion after item 25 of the following item: “25bis. Wine brandy and grape brandy used in the fortification or preservation of aqueous or vinous solutions of pure caramel for colouring spirits and wine, provided that the mixture does not contain more than 41½ per cent. of proof spirit”	The whole.”	
30	By the addition after paragraph (b) of the following paragraph: “(c) vinegar exported from the Union by the manufacturer other than as ship or aircraft stores.. .. .”		An amount per imperial gallon of vinegar calculated by dividing the duty not rebated in terms of paragraph (a) of item 30 of this Schedule by the quantity of vinegar determined by the Commissioner in terms of sub-section (7) of section seventy-five.”
65	By the substitution for the words “United Transkeian Territories General Council” of the words “Transkeian Territorial Authority,”.		
73	By the substitution for the words “United Transkeian Territories General Council” of the words “Transkeian Territorial Authority,”.		

7. Bylae No. 1 by die Hoofwet word hiermee gewysig— Wysiging van Bylae No. 1 by Wet 62 van 1956.
- (a) deur in item 16 die uitdrukking „of (2)” deur die uitdrukking „(2) of (3)” te vervang;
 - (b) deur in item 18 die uitdrukking „of (2)” deur die uitdrukking „(2) of (3)” te vervang; en
 - (c) deur in item 22 die woord „nuwe” oral waar dit voorkom, te skrap.
8. (1) Bylae No. 2 by die Hoofwet word hiermee gewysig op die wyse in die Bylae by hierdie Wet uiteengesit. Wysiging van Bylae No. 2 by Wet 62 van 1956.
- (2) Die wysiging van item 30 van Bylae No. 2 by die Hoofwet word geag op die eerste dag van Maart 1957 in werking te getree het.
9. Bylae No. 3 by die Hoofwet word hiermee gewysig deur in item 18 die woord „nuwe” te skrap. Wysiging van Bylae No. 3 by Wet 62 van 1956.
10. Hierdie Wet heet die Wysigingswet op Aksyns, 1957. Kort titel.

Bylae.

WYSIGINGS VAN BYLAE NO. 2 BY DIE AKSYNSWET, 1956.

Item.	Artikel.	Korting.	Terugbetaling.
15	Deur die woorde „Algemene Raad van die Verenigde Transkeigebiede” deur die woorde „Transkeise Gebiedsowerheid,” te vervang.		
24	Deur na die woord „hospitale” die woorde „en deur bloedoor-tappingsdienste deur die Minister by kennisgewing in die Staatskoerant goedgekeur” by te voeg.		
25bis	Deur die volgende item na item 25 in te voeg: „25bis. Wynbrandewyn en druiwebrandewyn gebruik by die fortifisering of bewaring van oplossings in water of wyn van suiwer karamel vir die kleur van spiritus en wyn, mits die mengsel nie meer as 41½ per sent proefspiritus bevat nie . .	Die geheel.”	
30	Deur na paragraaf (b) die volgende paragraaf in te voeg: „(c) asyn uit die Unie uitgevoer deur die vervaardiger anders as skeeps- of lugvaartuigvoor-rade		’n Bedrag per imperiale gelling asyn bereken deur die ongekorte reg ingevolge paragraaf (a) van item 30 van hierdie Bylae deur die hoeveelheid asyn deur die Kommissaris kragtens sub-artikel (7) van artikel vyf-en-sewentig bepaal, te verdeel.”
65	Deur die woorde „Algemene Raad van die Verenigde Transkeigebiede” deur die woorde „Transkeise Gebiedsowerheid,” te vervang.		
73	Deur die woorde „Algemene Raad van die Verenigde Transkeigebiede” deur die woorde „Transkeise Gebiedsowerheid,” te vervang.		

Item.	Article.	Rebate.	Refund.
75 to 78, inclusive.	By the deletion of the word "new" wherever it occurs.		
79	By the addition after item 78 of the following item: "79. Manufactured by the conversion of motor vehicles other than motor cars, provided such motor vehicles were used prior to conversion"	To the extent and under the conditions prescribed by the Minister by notice in the <i>Gazette</i> , according to the period such motor vehicles were used prior to conversion."	

GOVERNMENT NOTICES.

DEPARTMENT OF FINANCE.

The undermentioned Government Notices are published for general information:—

No. [5 July, 1957.

EXCISE ACT, 1956—REBATE OF DUTY ON PLAIN SPIRITS USED BY APPROVED BLOOD TRANSFUSION SERVICES.

I, Jozua Francois Naudé, Minister of Finance, acting in terms of the powers vested in me by item 24 of Schedule No. 2 to the Excise Act, No. 62 of 1956, as amended, hereby approve the following blood transfusion services:—

- Durban Blood Transfusion Service.
- East London Blood Transfusion Service.
- Pietermaritzburg Blood Transfusion Service.
- Port Elizabeth Blood Transfusion Service.
- South African Blood Transfusion Service.
- South-West African Blood Transfusion Service.
- Western Province Blood Transfusion Service.

J. F. NAUDÉ,
Minister of Finance.

NOTE.—The effect of this notice is that the abovementioned blood transfusion services may obtain plain spirits for their own use under rebate of duty.

No. [5th July, 1957.

EXCISE ACT, 1956—REBATE OF DUTY ON MOTOR CARS MANUFACTURED BY THE CONVERSION OF MOTOR VEHICLES OTHER THAN MOTOR CARS.

I, Jozua Francois Naudé, Minister of Finance, in terms of the powers vested in me by Item 79 of Schedule No. 2 to the Excise Act, No. 62 of 1956, as amended, hereby prescribe a rebate of six pence per lb. in respect of motor cars manufactured by the conversion of motor vehicles (other than motor cars) which were used for more than twelve months prior to conversion.

J. F. NAUDÉ,
Minister of Finance.

NOTE.—The effect of this notice is to provide for a rebate of duty on motor cars manufactured by the conversion of motor vehicles other than motor cars.

Item.	Artikel.	Korting.	Terugbetaling.
75 tot en met 78.	Deur die woord „nuwe” oral waar dit voorkom, te skrap.		
79	Deur na item 78 die volgende item by te voeg: „79. Vervaardig deur die verandering van motorvoertuie behalwe motorkarre, mits sodanige motorvoertuie voor verandering gebruik is	In die mate en onder die voorwaardes deur die Minister by kennisgewing in die <i>Staatskoerant</i> voorgeskryf, volgens die tydperk wat sodanige motorvoertuie voor verandering gebruik is.”.	

GOEWERMENSKENNISGEWINGS.

DEPARTEMENT VAN FINANSIES.

Onderstaande Goewermentskennisgewings word vir algemene inligting gepubliseer:

No. [5 Julie 1957.

AKSYNSWET, 1956—KORTING VAN REG OP SKOON SPIRITUS GEBRUIK DEUR GOEDGEKEURDE BLOEDOORTAPPINGSDIENSTE.

Ek, Jozua Francois Naudé, Minister van Finansies, handelende kragtens die bevoegdheid my verleen by item 24 van Bylae No. 2 by die Aksynswet, No. 62 van 1956, soos gewysig, keur hiermee die volgende bloedoortappingsdienste goed:—

- Durban Bloedoortappingsdiens.
- Oos-Londen Bloedoortappingsdiens.
- Pietermaritzburg Bloedoortappingsdiens.
- Port Elizabeth Bloedoortappingsdiens.
- Suid-Afrikaanse Bloedoortappingsdiens.
- Suidwes-Afrikaanse Bloedoortappingsdiens.
- Westelike Provinsie Bloedoortappingsdiens.

J. F. NAUDÉ,
Minister van Finansies.

OPMERKING.—Die uitwerking van hierdie kennisgewing is dat die vermelde bloedoortappingsdienste skoon spiritus vir hulle eie gebruik onder korting van reg mag verkry.

No. [5 Julie 1957.

AKSYNSWET, 1956—KORTING VAN REG OP MOTORKARRE VERVAARDIG DEUR DIE VERANDERING VAN MOTORVOERTUIE BEHALWE MOTORKARRE.

Ek, Jozua Francois Naudé, Minister van Finansies, skryf hierby, kragtens die bevoegdheid my verleen by Item 79 van Bylae No. 2 by die Aksynswet, No. 62 van 1956, soos gewysig, 'n korting van ses pennies per lb. voor ten opsigte van motorkarre vervaardig deur die verandering van motorvoertuie (behalwe motorkarre) wat voor verandering meer as twaalf maande lank in gebruik was.

J. F. NAUDÉ,
Minister van Finansies.

OPMERKING.—Die uitwerking van hierdie kennisgewing is dat 'n korting van reg op motorkarre vervaardig deur die verandering van ander motorvoertuie behalwe motorkarre toegestaan word.