

# OFFICIAL GAZETTE

EXTRAORDINARY  
OF SOUTH WEST AFRICA.



BUITENGEWONE

# OFFISIËLE KOERANT

UITGAWE OP GESAG.

VAN SUIDWES - AFRIKA.

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Windhoek.

### DEPARTEMENT VAN POLISIE.

No. 90 (Republiek).] [26 Januarie 1962.

### WYSIGING VAN DIE REGULASIES VIR DIE SUID-AFRIKAANSE POLISIE.

Dit het die Staatspresident behaag om, kragtens die bevoegdheid hom verleen by artikel *drie-en-dertig* van die Polisiewet, 1958 (Wet No. 7 van 1958), sy goedkeuring te heg aan onderstaande wysigings van die Regulasies vir die Suid-Afrikaanse Polisie, soos afgekondig by Goewermentskennisgewing No. 3250 van 1951, soos gewysig:—

Skrap regulasies 51 tot 63, met inbegrip van die opskrif, en vervang dit deur:—

### AFWESIGHEIDSVERLOF.

#### WOORDBEPALINGS.

51. (1) In regulasies 52 tot 63, tensy uit die sinsverband anders blyk, het 'n uitdrukking wat in die Wet omskryf word, dieselfde betekenis as in die Wet en beteken—

„bevelvoerder” die distrikskommandant of, met betrekking tot 'n lid wat nie op die goedgekeurde getalsterkte van 'n distrik is nie of nie vir diens of dissipline daaraan verbonde is nie, die offisier onder wie se bevel, toesig of beheer so 'n lid dien, hetsy permanent of tydelik, en ook enige ander offisier as sodanig deur die Kommissaris aangewys;

„diens” enige ononderbroke voltydse Regeringsdiens in enige hoedanigheid, met inbegrip van alle tydperke van skorsing in amp; en vir die toepassing van regulasie 59, ook deelname aan enige soort sport, oefening vir ontspanningsdoeleindes, vertoning of wedstryd waarvoor die Kommissaris magtiging verleen het en wat volgens sy oordeel heilsaam of bevorderlik is vir die opleiding, afrigting en bekwaammaking van lede vir die verrigting van die werksaamhede of pligte van die Mag;

„kalendermaand” 'n tydperk wat strek vanaf 'n dag in een maand tot en met die dag voor die dag wat numeriek ooreenstem met daardie dag in die daaropvolgende maand;

„lid” 'n lid van die Mag;

„maand” 'n tydperk wat van die eerste tot en met die laaste dag van enigeen van die twaalf maande van die jaar strek;

„vry dag”—

(a) 'n Sondag of 'n openbare feesdag in die geval van 'n lid wat gewoonlik nie op so 'n dag werk nie; of

(b) in die geval van 'n lid wat gewoonlik op 'n Sondag of 'n openbare feesdag werk, enige ander dag waarop hy, in plaas van so 'n Sondag of openbare feesdag, van diens vrygestel is;

## INHOUD

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### GOEWERMENSKENNISGEWING—

(Republiek van S.A.) Regulasies vir die Suid-Afrikaanse Polisie: Wysiging van . . . . . 1

### GOVERNMENT NOTICE.

C. F. MARAIS,

Secretary for South West Africa.

Administrator's Office,  
Windhoek.

### DEPARTMENT OF POLICE.

No. 90 (Republic).] [26 January 1962.

### AMENDMENTS TO THE REGULATIONS FOR THE SOUTH AFRICAN POLICE.

The State President has been pleased, under the powers vested in him by section *thirty-three* of the Police Act, 1958 (Act No. 7 of 1958), to approve the following amendments to the regulations for the South African Police promulgated under Government Notice No. 3250 of 1951, as amended.

Delete regulations 51 to 63, including the heading, and substitute therefor:—

### LEAVE OF ABSENCE.

#### DEFINITIONS.

51. (1) In regulations 52 to 63, unless the context otherwise indicates, an expression defined in the Act bears the same meaning as in the Act, and—

„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;

„commander” means the district commandant or, in relation to a member not on the authorised establishment of a district or attached thereto for duty or discipline, the officer under whose command, supervision or control such member is serving, whether permanently or temporarily, and also any other officer designated as such by the Commissioner;

„cycle” means a period of three years reckoned from the 1st January, 1959, and such succeeding period of three years;

„member” means a member of the Force;

„month” means the period extending from the first to the last day, both days inclusive, of any one of the twelve months of the year;

„pay” means the salary or wage usually payable to a member when on duty and includes allowances which do not form part of his salary or wage but in respect of which the regulations pertaining to such allowances and the directions issued by the Commissioner or the Treasury or by the Treasury on the recommendation of the Public Service Commission in connection therewith have been duly observed;

„day off” means—

(a) a Sunday or a public holiday in the case of a member who normally does not work on such a day; or

(b) in the case of a member who normally works on a Sunday or a public holiday, any other day on which he is, in lieu of such Sunday or public holiday, relieved from duty;

„soldy” die salaris of loon wat gewoonlik aan ’n lid betaalbaar is wanneer hy op diens is, en omvat dit ook toelaes wat nie deel van sy salaris of loon uitmaak nie maar ten opsigte waarvan die regulasies betreffende sodanige toelaes en die opdragte wat die Kommissaris of die Tesourie of die Tesourie op aanbeveling van die Staatsdienskommissie in verband daarmee uitgereik het, behoorlik in ag geneem is;

„tydkring” ’n tydperk van drie jaar gereken vanaf 1 Januarie 1959 en elke daaropvolgende tydperk van drie jaar.

TOEPASSINGSBESTEK VAN VERLOFREGULASIES.

(2) Die bepalings van hierdie regulasies betreffende afwesigheidsverlof, is op alle lede van die Mag van toepassing en word, behoudens die bepalings van subartikel (2) van artikel sewe van die Staatsdienswet, 1957 (Wet No. 54 van 1957), geag in werking te getree het op die datum of datums wat die Staatsdienskommissie aanbeveel.

(3) Behalwe waar die Kommissaris op aanbeveling van die Staatsdienskommissie spesiale verlof voorgeskryf het, is die verlofregulasies uitgevaardig kragtens artikel *ses-entwintig* van die Staatsdienswet, 1957 (Wet No. 54 van 1957), van toepassing op spesiale konstabels wat kragtens artikel *vier-en-dertig* van die Wet aangestel is en op ander beamptes of werknemers wat nie lede van die Mag is nie maar in diens van die Suid-Afrikaanse Polisie is.

AFWESIGHEIDSVARLOF ’N VOORREG.

(4) Die afwesigheidsverlof waarvoor daar in hierdie regulasies voorsiening gemaak word, is ’n voorreg en word toegestaan slegs met inagneming van die vereistes van die diens.

(5) Daar kan nie op verlof aanspraak gemaak word asof dit ’n reg is nie, en wanneer ’n lid die Mag om die een of ander rede verlaat, kan hy nie eis dat die kontantwaarde van die verlof wat in sy krediet staan, aan hom uitbetaal word nie.

(6) Die bepalings van subregulasies (4) en (5) verhinder nie dat verlofgratifikasies op die voorwaardes wat die Staatsdienskommissie aanbeveel en die Tesourie goedkeur, betaal word nie.

TOESTAAN EN INTREKKING VAN VERLOF, EN VERLOFAANSOEKFORMS.

(7) (a) Die toestaan van alle afwesigheidsverlof is onderworpe aan die goedkeuring van die Kommissaris; met dien verstande dat die toestaan van afwesigheidsverlof aan die Kommissaris onderworpe is aan die goedkeuring wat die Minister mag bepaal.

(b) Verlof wat reeds toegestaan is, kan te eniger tyd deur die Kommissaris of, in die geval van verlof toegestaan aan die Kommissaris, deur die Minister ingetrek word.

(c) Die Kommissaris kan enige bevoegdheid wat kragtens hierdie verlofregulasies aan hom verleen is, aan ’n ander offisier of offisiere delegeer op die voorwaardes wat hy bepaal en kan so ’n delegasie te eniger tyd intrek.

(8) Behalwe in die geval waar ’n lid in sy diens geskors is of weens sy skielike siekte of ander omstandighede wat vir die Kommissaris of ’n ander offisier deur hom aangewys, aanneemlik is, verhande word om in sy werk aan te bly of hom vir diens aan te meld, mag ’n lid nie sy werk verlaat of van diens wegbly nie tensy hy skriftelik om verlof aansoek gedoen het en in kennis gestel is dat die verlofaansoek goedgekeur is.

(9) (a) Aansoeke om verlof moet skriftelik gedoen word in ’n vorm wat deur die Kommissaris goedgekeur is.

(b) Die vorm van die geneeskundige sertifikaat wat ter staving van ’n aansoek om siekteverlof ingedien moet word, moet ook deur die Kommissaris goedgekeur word.

(10) Die Kommissaris kan van enige lid vereis om—

(a) sy ardes gedurende afwesigheidsverlof van watter aard ookal te verstrek;

(b) in sy woonkwartiere te bly gedurende sy afwesigheid as gevolg van siekte, ongesteldheid of ’n besering.

“service” means any continuous full-time Government Service in any capacity, including any periods of suspension from office, and for the purpose of regulation 59, also participation in any form of sport, exercise for recreational purposes, display or competition which is authorised by the Commissioner and which is, in his opinion, beneficial or conducive to the instruction, training and fitting of members for the performance of the activities or duties of the Force.

SCOPE OF APPLICATION OF LEAVE REGULATIONS.

(2) The provisions of these regulations regarding leave of absence shall apply to all members of the Force and shall, subject to the provisions of sub-section (2) of section seven of the Public Service Act, 1957 (Act No. 54 of 1957), be deemed to have come into operation on the date or dates recommended by the Public Service Commission.

(3) Save where special leave has been prescribed by the Commissioner on the recommendation of the Public Service Commission, the leave regulations promulgated in terms of section 26 of the Public Service Act, 1957 (Act No. 54 of 1957), shall apply to special constables appointed in terms of section *thirty-four* of the Act and to other officials or employees who are not members of the Force but who are in the service of the South African Police.

LEAVE OF ABSENCE A PRIVILEGE.

(4) The leave of absence provided for in these regulations is a privilege and is granted only with due regard to the exigencies of the service.

(5) Leave cannot be claimed as of right, and when a member leaves the Force for any reason whatsoever he cannot claim payment in respect of the cash value of leave standing to his credit.

(6) The provisions of sub-regulations (4) and (5) shall not preclude the payment of leave gratuities on conditions recommended by the Public Service Commission and approved by the Treasury.

GRANTING AND WITHDRAWAL OF LEAVE, AND LEAVE APPLICATION FORMS.

(7) (a) The granting of all leave of absence is subject to approval by the Commissioner; provided that the granting of leave of absence to the Commissioner is subject to such approval as the Minister may determine.

(b) Leave already granted, may at any time be withdrawn by the Commissioner or, in the case of leave granted to the Commissioner, by the Minister.

(c) The Commissioner may delegate any authority vested in him in terms of these leave regulations, to any other officer or officers on such conditions as he may determine, and he may at any time withdraw such delegation.

(8) Except in the case of a member who is suspended from duty or prevented by his sudden illness or by other circumstances which are acceptable to the Commissioner or such other officer as designated by him, from remaining on or reporting for duty, a member may not leave or stay away from his work unless he has applied, in writing, for leave and has been advised that the leave application has been approved.

(9) (a) Applications for leave shall be made in writing and in a form approved by the Commissioner.

(b) The form of the medical certificate to be submitted in support of an application for sick leave, shall also be approved by the Commissioner.

(10) The Commissioner may require any member to—

(a) furnish his address during leave of absence of whatever nature;

(b) remain in his living quarters during his absence as a result of illness, indisposition or an injury.

## VERLOFREGISTERS.

(11) Die departement moet in sy Hoofkantoor 'n verlofstaat ten opsigte van elke lid hou waarin alle tydperke van afwesigheid volgens die indeling vervat in regulasie 54, aangeteken moet word.

(12) Alle verlofaansoeke moet vir audit- en ander doeleindes in die kantoor genoem in subregulasie (11), gehou word vir die tydperk wat die Kommissaris mag gelas.

(13) 'n Offisier aan wie die Kommissaris sy bevoegdhede kragtens subregulasie (7) (c) oorgedra het, moet die bepalings van subregulasie (11) van hierdie regulasie *mutatis mutandis* toepas op elke lid onder sy bevel.

## VERVAL VAN VERLOF BY DIENSBEEÏNDIGING.

52. (1) Sodra 'n lid kennis gee van bedanking of sodra 'n vroulike lid kennis gee van haar voorneme om in die huwelik te tree, verval alle toegestane verlof met soldy met ingang van die datum van sodanige kennisgewing of, indien die kennisgewing nie gedateer is nie, vanaf die datum van ontvangs daarvan deur die bevelvoerder of stasiebevelvoerder, en enige verlof aangevra of afwesigheid na daardie datum word geag vakansieverlof sonder soldy te wees; met dien verstande dat die bepalings van hierdie subregulasie—

(a) slegs ten opsigte van afwesigheid gedurende die laaste 30 dae van 'n lid se diens van toepassing is; en

(b) nie van toepassing is nie op—

(i) siekteverlof;

(ii) spesiale verlof wat kragtens paragraaf (b) of (c) van subregulasie (1) van regulasie 58 toegestaan word;

(iii) vakansieverlof wat kragtens subregulasie (6) van regulasie 56 toegestaan word.

(2) (a) Indien 'n lid uit die diens tree, verval alle toegestane afwesigheidsverlof op die datum onmiddellik voor die datum waarop sodanige uidiensstreding van krag word of op die datum wat kragtens subregulasie (1) bepaal word, indien gemelde subregulasie op hom van toepassing is.

(b) 'n Lid se dienстыdperk mag nie verleng word ten einde hom in staat te stel om verlof te neem wat aan hom toegestaan mag gewees het nie.

## BETALING VAN TOELAES, ENS., GEDURENDE VERLOF.

53. Die voortsetting of staking van die betaling, aan 'n lid, van ander toelaes of besoldiging as sy soldy of loon en die aanspreeklikheid van 'n lid vir die betaling, aan die Staat, van gelde vir goedere of dienste deur die Staat gelewer gedurende tydperke van afwesigheidsverlof, is onderworpe aan die bepalings van die betrokke regulasies en aan die opdragte wat die Kommissaris of die Tesourie, op aanbeveling van die Staatsdienskommissie of die Kommissaris daaromtrent uitgereik het.

## INDELING VAN AFWESIGHEIDSVERLOF.

54. (1) Alle afwesigheid met verlof word onder een of meer van die volgende hoofde ingedeel:—

(a) Vakansieverlof (akkumulatief) met volle soldy.

(b) Vakansieverlof sonder soldy.

(c) Siekteverlof met volle soldy.

(d) Siekteverlof (addisioneel) met volle soldy.

(e) Siekteverlof met halwe soldy.

(f) Siekteverlof sonder soldy.

(g) Spesiale verlof met volle soldy.

(h) Spesiale siekteverlof met volle of verminderde soldy.

(i) Spesiale verlof met soldyvoorwaardes soos deur die Kommissaris goedgekeur mag word.

(2) Die toestaan van verlof onder enigeen van die hoofde in subregulasie (1) genoem, raak nie die toestaan van verlof onder enigeen van die ander genoemde hoofde nie, behalwe soos elders in hierdie regulasies uitdruklik bepaal word.

## LEAVE REGISTERS.

(11) The Department shall keep at its Head Office a leave register in respect of each member, in which all periods of absence shall be recorded in accordance with the classification contained in regulation 54.

(12) All applications for leave shall be filed for audit and other purposes in the office mentioned in sub-regulation (11) for such period as the Commissioner may direct.

(13) An officer to whom the Commissioner has delegated his authority in terms of sub-regulation (7) (c), shall apply the provisions of sub-regulation (11) of this regulation *mutatis mutandis* to every member under his command.

## LAPSE OF LEAVE ON TERMINATION OF SERVICES.

52. (1) Immediately a member gives notice of resignation or a female member gives notice of her intention to enter into marriage, any leave granted with pay, shall lapse with effect from the date of such notice or, if the notice is not dated, from the date of receipt thereof by the commander or station commander, and any leave applied for or absence after such date shall be regarded as vacation leave without pay; provided that the provisions of this sub-regulation shall—

(a) apply only in respect of absences during a member's last thirty days of service; and

(b) not apply to—

(i) sick leave;

(ii) special leave granted in terms of paragraph (b) or (c) of sub-regulation (1) of regulation 58;

(iii) vacation leave granted in terms of sub-regulation (6) of regulation 56.

(2) (a) If a member retires from the service, any leave of absence granted to him shall lapse on the date immediately preceding the date on which such retirement becomes effective or on the date determined in terms of sub-regulation (1), if the said sub-regulation is applicable to him.

(b) The period of service of a member may not be extended in order to enable him to take leave which may have been granted to him.

## PAYMENT OF ALLOWANCES, ETC., DURING LEAVE.

53. The continuation or discontinuation of the payment, to a member, of allowances or remuneration other than his pay or wage and the responsibility of a member for the payment, to the State, of moneys in respect of goods or services supplied by the State during periods of absence on leave, shall be subject to the provisions of the regulations concerned and to the directions issued by the Commissioner or by the Treasury or by the Treasury on the recommendation of the Public Service Commission or the Commissioner in that connection.

## CLASSIFICATION OF ABSENCES ON LEAVE.

54. (1) All absences on leave are classified under one or more of the following heads:—

(a) Vacation leave (accumulative) with full pay.

(b) Vacation leave without pay.

(c) Sick leave with full pay.

(d) Sick leave (additional) with full pay.

(e) Sick leave with half pay.

(f) Sick leave without pay.

(g) Special leave with full pay.

(h) Special sick leave with full or reduced pay.

(i) Special leave with pay conditions as may be approved by the Commissioner.

(2) The granting of leave under any one of the heads mentioned in sub-regulation (1) shall not affect the granting of leave under any of the other heads mentioned, save as specifically provided elsewhere in these regulations.

(3) (a) Behoudens die bepalings van paragraaf (c) van subregulasie (1) van regulasie 58, word alle ongemagtigde tydperke van afwesigheid, ongeag die tugmaatreëls wat teen die betrokke lid geneem mag word, geag vakansieverlof sonder soldy te wees tensy die Kommissaris anders besluit.

(b) Die indiening van 'n skriftelike verlofaansoek soos voorgeskryf in paragraaf (a) van subregulasie (9) van regulasie 51, word nie in die geval van ongemagtigde afwesigheid vereis nie.

GROEPERING VAN LEDE VIR VERLOFDOELEINDES.

(4) Verlof kan soos volg aan lede toegestaan word:—

(a) Vakansieverlof (akkumulatief) met volle soldy.

Groep.	Getal dae per jaar.
I. (Lede wat 15 jaar of langer diens voltooi het)	38
II. (Lede wat 10 jaar of langer maar minder as 15 jaar diens voltooi het).....	34
III. (Lede wat minder as 10 jaar diens voltooi het)	30

(b) Siekteverlof.

Alle lede: 120 dae met volle soldy en 120 dae met halwe soldy in elke tydkring.

(5) Indien 'n lid wat afgetree het uit 'n permanente pos of wat 'n permanente betrekking om die een of ander rede neergelê het, met of sonder onderbreking van sy diens weer in die Mag aangestel word in 'n tydelike hoedanigheid, word so 'n heraanstelling, vir die toepassing van hierdie regulasies, as 'n nuwe aanstelling beskou; vorige permanente diens tel nie as diens vir verlofdoeleindes nie, en verlof wat opgehoop het, verval by beëindiging van die permanente aanstelling.

(6) Aan 'n persoon wat ooreenkomstig 'n kontrak in die Mag dien, moet daar, tensy sy dienskontrak anders bepaal, verlof ooreenkomstig hierdie regulasies toegestaan word, en sy groepering vir verlofdoeleindes word op dieselfde manier bepaal soos dié van 'n vergelykbare lid van die Mag.

LANGER VERLOF TOEGESTAAN AS VERLOFKREDIET.

(7) Indien daar aan 'n lid meer vakansieverlof met volle soldy toegestaan is as dié wat hy kragtens hierdie regulasie te goed het, kan die verlof wat te veel toegestaan is, van die vakansieverlof wat hom later toeval, afgetrek word mits die Kommissaris daarvan oortuig is dat daar te goeder trou gehandel is toe daar te veel verlof aan hom toegestaan is; en voorts met dien verstande dat, as die lid bedank of sy dienste geëindig word voordat voldoende vakansieverlof vir die doel van sodanige aftrekking opgehoop het, daardie gedeelte van die verlof wat te veel toegestaan is en wat op die laaste dag van sy diens nog meer is as sy vakansieverlof wat opgehoop het, as 'n oorbetalings van soldy geag moet word wat of verhaal of met bevoegde magtiging afgeskryf moet word.

VRY DAE.

(8) 'n Vry dag word nie geag verlof te wees nie en word nie as sodanig in die verlofstaat aangeteken nie: Met dien verstande dat—

(a) 'n vry dag of twee of meer agtereenvolgende vry dae wat binne 'n tydperk van verlof val, geag word verlof te wees wat ingevolge subregulasie (1) van regulasie 54 onder dieselfde hoof ingedeel is as die verlof wat sodanige vry dag of dae voorafgaan en daarop volg;

(b) 'n vry dag of twee of meer agtereenvolgende vry dae wat tussen 'n tydperk van vakansieverlof en 'n tydperk van siekteverlof (of omgekeerd) val, geag word vakansieverlof te wees tensy die betrokke lid bewys lewer dat hy werklik op sodanige vry dag of dae sick was;

(c) in die geval van 'n lid wat aangesê word om hom op 'n vry dag vir diens aan te meld en wat in gebreke bly om dit te doen, sodanige vry dag, ongeag enige tugmaatreëls wat teen hom geneem mag word, geag word vakansieverlof sonder soldy te wees tensy hy weens omstandighede wat vir die Kommissaris aanneemlik is, verhinder is om hom vir diens aan te meld.

(3) (a) Save as provided in paragraph (c) of sub-regulation (1) of regulation 58, all unauthorised periods of absence shall, apart from any disciplinary steps which may be taken against the member concerned, be regarded as vacation leave without pay unless the Commissioner decides otherwise.

(b) The submission of a written application for leave as prescribed in paragraph (a) of sub-regulation (9) of regulation 51, shall not be required in the case of unauthorised absences.

GROUPING OF MEMBERS FOR LEAVE PURPOSES.

(4) Members may be granted leave as follows:—

(a) Vacation Leave (Accumulative) with full pay.

Group	Number of days per annum.
I. (Members who have completed fifteen years or longer service).....	38
II. (Members who have completed ten years or longer but less than fifteen years service)....	34
III. (Members who have completed less than ten years service).....	30

(b) Sick Leave.

All members: 120 days with full pay and 120 days with half pay in each cycle.

(5) If a member who has retired from a permanent post or who has relinquished a permanent post for any reason whatever, is reappointed, with or without a break in his service, in a temporary capacity in the Force, such reappointment shall be regarded as a new appointment for all purposes of these regulations; previous permanent service shall not count as service for leave purposes and accumulated leave shall lapse at the termination of the permanent appointment.

(6) A person serving under contract in the Force shall, unless his service contract provides otherwise, be granted leave in accordance with these regulations, and his grouping for leave purposes shall be determined in the same manner as that of a comparable member of the Force.

LEAVE GRANTED IN EXCESS OF LEAVE CREDIT.

(7) If a member has been granted vacation leave with full pay in excess of that standing to his credit in terms of these regulations, such excess leave may be deducted from the vacation leave which subsequently accrues to him; provided that the Commissioner is satisfied that the excess leave was granted in good faith; provided further that, in the event of the member resigning or his services being terminated before sufficient vacation leave has accrued for the purpose of such deduction, that portion of the excess leave which still exceeds his vacation leave accrual on his last day of service shall be regarded as an overpayment of pay, which shall be either recovered or written off under competent authority.

DAYS OFF.

(8) A day off shall not be regarded as leave and shall not be recorded as such in the leave register; provided that—

(a) a day off or two or more consecutive days off falling within a period of leave, shall be regarded as leave falling under the same leave classification in terms of sub-regulation (1) of regulation 54 as the leave which precedes and succeeds such day or days off;

(b) a day off or two or more consecutive days off falling between a period of vacation leave and a period of sick leave (or vice versa) shall be regarded as vacation leave unless the member concerned produces evidence that he was actually ill on such day or days off;

(c) in the case of a member who is called upon to report for duty on a day off and who fails to do so, such day off shall, apart from any disciplinary steps which may be taken against him, be regarded as vacation leave without pay unless he has been prevented from reporting for duty by circumstances which are acceptable to the Commissioner.

VAKANSIEVERLOF TOEGESTAAN KRAGTENS DIE HERROEPE REGULASIES OF TEN OPSIGTE VAN PERSONE WAT VAN 'N ANDER STAATSDEPARTEMENT OF DIE SUID-AFRIKAANSE SPOORWEG- EN HAWENSADMINISTRASIE OF 'N ANDER SOORTGELYKE DIENS OORGEPLAAS WORD AS LID VAN DIE MAG.

(9) Die uitvaardiging van hierdie regulasie en die herroeping van die regulasies wat onmiddellik voor sodanige uitvaardiging van krag was, raak in geen opsig die aaneenlopendheid van die akkumulatiewe vakansieverlofvoorregte van 'n lid wat onmiddellik voor die datum van inwerkingtreding van hierdie regulasies in die Mag was nie, en sodanige opgeloopte vakansieverlof bly, behoudens die bepalings van subregulasie (11), in die kredit van sodanige lid staan.

(10) Behoudens die bepalings van subregulasie (11), behou 'n persoon wat voltyds in diens is by 'n ander Staatsdepartement, die Suid-Afrikaanse Spoorweë en Hawens, 'n onderwysinrigting onder die beheer van die Departement van Onderwys, Kuns en Wetenskap, die Staatsdelwery, 'n provinsiale onderwysdepartement, of 'n erkende universiteit binne die Republiek en 'n persoon wat kragtens 'n provinsiale ordonnansie aangestel is in die diens van 'n provinsiale administrasie en wat sonder 'n onderbreking van diens by wyse van 'n oorsplasing of op 'n ander manier as lid van die Mag aangestel word, die akkumulatiewe vakansieverlof wat in sy kredit gestaan het op die dag voor sy aanstelling, en sy vorige diens ten opsigte waarvan die verlofkredit oorgedra word, tel as diens vir verlofdoeleindes. As sodanige verlof eers na voltooiing van 'n vasgestelde dienstdyperk geneem kon geword het en sodanige dienstdyperk op die datum waarop hierdie regulasies op sodanige lid van toepassing word, nog nie voltooi is nie, kan die berekening van die verlofkredit gebaseer word op daardie gedeelte van die dienstdyperk wat hy op laasgenoemde datum voltooi het en kan die verlof aldus bereken, onmiddellik toegestaan word.

(11) By die toepassing van subregulasie (10) word 'n gedeelte van 'n dag as een dag gereken wanneer 'n lid met die opgeloopte vakansieverlof gekrediteer word op die datum waarop hierdie regulasies op hom van toepassing word.

#### ALGEMENE BEPALINGS: VAKANSIEVERLOF.

55. (1) Akkumulatiewe vakansieverlof loop ten opsigte van elke voltooide maand diens op en wel teen een-twaalfde van die getal dae wat ooreenkomstig paragraaf (a) van subregulasie (4) van regulasie 54 op 'n lid van toepassing is.

(2) Indien 'n lid van die een na die ander vakansieverlofgroep genoem in subregulasie (4) van regulasie 54, oorgaan—

(a) behou hy die akkumulatiewe vakansieverlofkredit wat gedurende sy dienstdyperk in die vorige groep of groepe opgeloopt het; en

(b) word die akkumulatiewe vakansieverlof van die nuwe groep op hom van toepassing vanaf die eerste dag van die maand waarin sodanige oorgang van krag word;

tensy die bepalings van subregulasie (5) van regulasie 54 op hom van toepassing is.

(3) Die Kommissaris kan te eniger tyd van 'n lid vereis en die Minister kan te eniger tyd van die Kommissaris vereis dat hy 'n gedeelte van of al die vakansieverlof wat hom toekom, moet neem, met dien verstande dat verlof aldus geneem, nie langer as die maksimum tydperk van verlof wat in subregulasie (4) van hierdie regulasie voorgeskryf word, mag wees nie.

(4) Behoudens die bepalings van subregulasie (5) van hierdie regulasie, mag daar aan geen lid vakansieverlof van meer as 184 dae in enige tydperk van 18 kalendermaande toegestaan word nie, en ten opsigte van enige tydperk van afwesigheid wat hierdie beperking oorskry, moet daar, met behoorlike inagneming van die bepalings van regulasie 60, vakansieverlof sonder soldy toegestaan word. Vir die toepassing van hierdie subregulasie word vakansieverlof wat ooreenkomstig subregulasie (6) van regulasie 56 toegestaan word, buite rekening gelaat.

VACATION LEAVE GRANTED IN TERMS OF THE REPEALED REGULATIONS OR IN RESPECT OF PERSONS TRANSFERRED FROM ANOTHER DEPARTMENT OF STATE, THE SOUTH AFRICAN RAILWAYS AND HARBOURS ADMINISTRATION OR OTHER SIMILAR SERVICE AS A MEMBER OF THE FORCE.

(9) The promulgation of these regulations and the repeal of the regulations which were in force immediately prior to such promulgation shall in no way effect the continuity of the accumulative vacation leave privileges of a member who was in the Force immediately prior to the coming into force of these regulations, and such accumulated vacation leave shall, subject to the provisions of sub-regulation (11), remain to the credit of such member.

(10) Subject to the provisions of sub-regulation (11), a person in the full-time employment of another State Department, the South African Railways and Harbours, an educational institution under the control of the Department of Education, Arts and Science, the State Diggings, a provincial education department or a recognised university within the Republic and a person appointed under a provincial ordinance in the service of a provincial administration who, on transfer or otherwise, is appointed a member of the Force without a break in his service, shall retain the accumulative leave standing to his credit on the day before his appointment, and his previous service in respect of which the leave credit is carried forward shall count as service for leave purposes. If such leave could have been taken only after the completion of a specified period of service and such period of service is uncompleted on the date these regulations become applicable to such member, the calculation of the leave credit may be based on that portion of the period of service which he has completed on the last-mentioned date, and the leave so calculated, may be granted forthwith.

(11) For the purposes of sub-regulation (10), any portion of a day shall be regarded as one day when the accumulated vacation leave is placed to the credit of a member on the date on which these regulations become applicable to him.

#### GENERAL PROVISIONS.—VACATION LEAVE.

55. (1) Accumulative vacation leave shall accrue in respect of each complete month of service at the rate of one-twelfth of the number of days applicable to a member in terms of paragraph (a) of sub-regulation (4) of regulation 54.

(2) If a member passes from one vacation leave group to another group referred to in sub-regulation (4) of regulation 54—

(a) he shall retain the accumulative vacation leave credit which accrued during his service in the previous group or groups; and

(b) the accumulative vacation leave of the new group shall become applicable to him on the first day of the month during which such transfer becomes effective,

unless the provisions of sub-regulation (5) of regulation 54 are applicable to him.

(3) The Commissioner may at any time require a member and the Minister may at any time require the Commissioner to take a portion of the whole of the vacation leave due to him; provided that the leave so taken, may not exceed the maximum period of leave prescribed in sub-regulation (4) of this regulation.

(4) Subject to the provisions of sub-regulation (5) of this regulation, no member shall be granted vacation leave in excess of 184 days in any period of eighteen calendar months, and in respect of any absence from duty above this limit, vacation leave without pay shall be granted, due regard being had to the provisions of regulation 60. For the purposes of this sub-regulation, any vacation leave granted in terms of sub-regulation (6) of regulation 56, shall not be taken into account.

(5) Die Kommissaris kan magtiging verleen dat die vakansieverlof van 'n lid wat weens oorsake buite sy beheer verhinder word om hom vir diens aan te meld, vir 'n kort, redelike tydperk buite die perke voorgeskryf in subregulasie (4), verleng word mits so 'n lid voldoende vakansieverlof in sy kredit het om die vereiste verlenging te dek. Indien 'n lid nie voldoende vakansieverlof in sy kredit vir die verlangde verlenging het nie, moet alle verlof wat toegestaan mag word en wat meer is as sy vakansieverlofkredit, geag word vakansieverlof sonder soldy te wees.

(6) Die akkumulatiewe vakansieverlof wat 'n lid op 1 Januarie van elke jaar in sy kredit het, word in die verlofstaat aangeteken, en by die aantekening van sodanige kredit word 'n gedeelte van 'n dag as een dag bereken.

ALGEMENE BEPALINGS: SIEKTEVERLOF.

56. (1) Siekteverlof, soos voorgeskryf in subregulasie (4) van regulasie 54, kom 'n lid toe op die eerste dag van 'n tydkring, en as daar aan die ander bepalings van hierdie regulasies voldoen word, kan die volle getal dae van die betrokke tydkring met ingang van daardie aan hom toegestaan word; met dien verstande dat daar aan geen lid siekteverlof met volle of halwe soldy toegestaan mag word nie voordat hy dertig dae diens voltooi het en dan slegs ten opsigte van tydperke van afwesigheid na die voltooiing van sodanige diens.

(2) 'n Persoon wat gedurende 'n tydkring en sonder onderbreking van diens, ooreenkomstig subregulasie (10) van regulasie 54 by wyse van oorpasing of op 'n ander manier as lid van die Mag aangestel word, is onmiddellik op die siekteverlof gemeld in subregulasie (4) van regulasie 54 (min die siekteverlof met betaling wat hy reeds gedurende die betrokke tydkring mag geneem het), geregtig indien dit gunstiger is as die siekteverlofbepalings wat op hom van toepassing was onmiddellik voor sy aanstelling as lid.

(3) 'n Ongebruikte gedeelte van die siekteverlof wat vir 'n bepaalde tydkring voorgeskryf is, vervel aan die einde van daardie tydkring en kan nie na die volgende tydkring oorgedra word nie.

(4) Aan 'n lid wat minstens 21 jaar onafgebroke diens voltooi het en wat weens 'n langdurige siekte al die siekteverlof met volle soldy opgebruik het wat kragtens subregulasie (4) van regulasie 54 aan hom toegestaan kan word, kan, behoudens die bepalings van regulasie 57, addisionele siekteverlof met volle soldy toegestaan word in dié mate en op die voorwaardes wat die Kommissaris, op aanbeveling van die Staatsdienskommissie en met die goedkeuring van die Tesourie, mag bepaal.

(5) Indien 'n lid aan wie die maksimum hoeveelheid siekteverlof waarvoor daar in hierdie regulasies voorsiening gemaak word, toegestaan is, weens gesondheidsredes nog nie in staat is om sy pligte te hervat nie, kan die Kommissaris—

- (a) by die voorlegging aan hom van 'n bevredigende sertifikaat uitgereik deur 'n distriksgeneesheer of 'n ander geneeskundige praktisyn van die Staat of, as hulle nie beskikbaar is nie, deur 'n private geneeskundige praktisyn; en
- (b) as hy daarvan oortuig is dat die lid op daardie tyd-stip nie permanent ongeskik vir die hervatting van sy gewone pligte is nie; en
- (c) as die lid geen vakansieverlof in sy kredit het nie; na goedvinde verdere siekteverlof met halwe soldy vir hoogstens 92 dae in 'n bepaalde tydkring aan sodanige lid toestaan. Sodanige verdere siekteverlof kan ten opsigte van afsonderlike tydperke van afwesigheid en ten opsigte van verskillende soorte siektes toegestaan word.

(6) (a) Enige vakansieverlof wat in die kredit van 'n lid staan, kan in plaas van siekteverlof met halwe soldy of siekteverlof sonder soldy op sy skriftelike aansoek aan so 'n lid toegestaan word mits sodanige aansoek nie later as 30 dae nadat hy sy diens hervat het, ingedien word nie.

(b) Sodra die vakansieverlof bedoel in paragraaf (a), aan 'n lid toegestaan is en hy ten opsigte daarvan soldy ontvang het, mag dit nie weer in siekteverlof met halwe soldy of sonder soldy omgesit word nie.

(5) The Commissioner may grant authority that the vacation leave of a member who is prevented from reporting for duty by causes beyond his control, be extended for a short, reasonable period beyond the limits laid down in sub-regulation (4), provided that such member has sufficient vacation leave to his credit to cover the required extension. Where a member has not sufficient vacation leave to his credit to cover the extension desired, any period of leave that may be granted in excess of the vacation leave credit shall be regarded as vacation leave without pay.

(6) The accumulative vacation leave standing to the credit of a member on the 1st January of each year shall be recorded in the leave register, and in recording such credit any portion of a day shall be regarded as one day.

GENERAL PROVISIONS: SICK LEAVE.

56. (1) Sick leave, as prescribed in sub-regulation (4) of regulation 54, accrues to a member on the first day of a cycle, and if the other provisions of these regulations are complied with, the full number of days of the relative cycle may be granted to him as from that day; provided that no member may be granted sick leave with full or half pay until he has completed thirty days' service, and then only in respect of periods of absences subsequent to the completion of such service.

(2) A person who, during a cycle and without a break in service, is appointed in terms of sub-regulation (10) of regulation 54 as a member of the Force by way of transfer or in another manner, shall immediately be entitled to the sick leave referred to in sub-regulation (4) of regulation 54 (less any paid sick leave he may already have taken during the relative cycle) if such sick leave is more favourable than the sick leave provisions applicable to him immediately prior to his appointment as a member.

(3) Any unused portion of the sick leave prescribed for a particular cycle shall lapse at the end of that cycle and may not be carried forward to the next cycle.

(4) A member who has completed at least 21 years' continuous service and who, on account of prolonged illness, has taken all the sick leave with full pay which may be granted to him in terms of sub-regulation (4) of regulation 54, may, subject to the provisions of regulation 57, be granted additional sick leave with full pay to such an extent and subject to such conditions as the Commissioner may determine on the recommendation of the Public Service Commission and with the approval of the Treasury.

(5) If a member who has been granted the maximum amount of sick leave provided for in these regulations, is not yet able, for health reasons, to resume his duties, the Commissioner may—

- (a) on the submission to him of a satisfactory certificate issued by a district surgeon or other Government medical practitioner or, if they are not available, by a private medical practitioner; and
- (b) if he is satisfied that the member at that particular time is not permanently unfit to resume his normal duties; and
- (c) if the member has no vacation leave to his credit;

at his discretion grant such member further sick leave with half pay not exceeding 92 days in any one cycle. Such further sick leave may be granted in respect of separate periods of absence and in respect of different kinds of illnesses.

(6) (a) A member may, on application, in writing, be granted in lieu of sick leave with half pay or without pay, any vacation leave which he may have to his credit, provided such application is submitted not later than thirty days after he has resumed duty.

(b) Once the vacation leave referred to in paragraph (a) has been granted to a member and he has received pay in respect thereof, such leave may not be reconverted into sick leave with half pay or without pay.

(7) (a) Indien 'n lid aan wie vakansieverlof toegestaan is, sick, ongesteld of beseer word nadat hy reeds sy dienste gestaak het ten einde met vakansieverlof te gaan, kan daardie gedeelte van die vakansieverlof waarin hy sick of ongesteld was of aan 'n besering gely het, behoudens die bepalinge van subregulasie (1) van regulasie 57 in siekteverlof omgeskep word as—

(i) die lid ooreenkomstig subregulasie (3) van regulasie 57 'n sertifikaat uitgereik deur 'n distrikgeneesheer of 'n ander geneeskundige praktisyn van die Staat of, indien hulle nie beskikbaar is nie, deur 'n geregistreerde private geneeskundige praktisyn [of 'n geregistreerde tandarts as subregulasie (4) van regulasie 57 op hom van toepassing is], indien wat aan die vereistes van regulasie 57 voldoen;

(ii) die nodige siekteverlof kragtens hierdie regulasies beskikbaar is; en

(iii) die Kommissaris se goedkeuring verkry is.

(b) Verkansieverlof sonder soldy mag nie in siekteverlof omgeskep word nie.

#### TOESTAAN VAN SIEKTEVERLOF.

57. (1) Siekteverlof word slegs toegestaan in verband met afwesigheid weens siekte, ongesteldheid of besering wat nie aan 'n lid se wangedrag of ernstige en opsetlike versuim om redelike voorsorgsmaatreëls te tref, te wyte is nie.

(2) Siekteverlof kan ten opsigte van senuwee-aandoenings, slapeloosheid, swakheid en dergelike vaag omskrewe siektes of ongesteldhede aan 'n lid toegestaan word slegs as die Kommissaris daarvan oortuig is dat hierdie toestand—

(a) hom ongeskik maak vir sy werk; en

(b) nie voortvloei uit sy versuim om vakansieverlof te neem nie.

(3) (a) Indien 'n lid weens siekte, ongesteldheid of 'n besering afwesig is, kan siekteverlof aan hom toegestaan word slegs as hy 'n bevredigende sertifikaat, op die voorgeskrewe vorm, uitgereik deur 'n distrikgeneesheer of 'n ander geneeskundige praktisyn van die Staat of, indien hulle nie beskikbaar is nie, deur 'n geregistreerde private geneeskundige praktisyn [of 'n geregistreerde tandarts as subregulasie (4) van hierdie regulasie op hom van toepassing is], indien wat—

(i) die aard van die siekte, ongesteldheid of besering duidelik beskryf;

(ii) verklaar dat hy nie in staat is om sy amptelike pligte uit te voer of sy verantwoordelikhede na te kom nie; en

(iii) die tydperk of verdere tydperk meld wat nodig is vir sy herstel;

met dien verstande dat die Kommissaris of enige ander offisier aan wie hy sy bevoegdhede kragtens hierdie verlofregulasies gedelegeer het, kan vereis dat sodanige geneeskundige sertifikaat wat uitgereik is deur 'n tandarts of deur 'n ander geneeskundige praktisyn as 'n distrikgeneesheer, deur 'n distrikgeneesheer mede-onderteken moet word voordat dit aangeneem word.

(b) Indien die Kommissaris daarvan oortuig is dat 'n lid se afwesigheid werklik te wyte is aan siekte, ongesteldheid of 'n besering en dat daar grondige redes bestaan vir die nie-indiening van die sertifikaat wat in paragraaf (a) voorgeskryf word, kan hy die lid vrystel van die indiening van 'n geneeskundige sertifikaat ten opsigte van siekteverlof vir 'n aaneenlopende tydperk van nie langer as 14 dae nie. Sodanige vrystelling moet op die verlofaansoek aangeteken word.

(4) (a) Indien 'n lid se afwesigheid te wyte is aan 'n tandverswering, 'n kakebeenbreuk, akute Vincentbesmetting van die mond of komplikasies wat voortvloei uit die trek van tande, soos beenmurgontsteking, beenontsteking en sekondêre bloeding, kan 'n sertifikaat soos in subregulasie (3) voorgeskryf en uitgereik deur 'n geregistreerde tandarts, vir die toepassing van daardie subregulasie aangeneem word.

(7) (a) If a member to whom vacation leave has been granted, falls ill, becomes indisposed or is injured after he has ceased his duties in order to proceed on vacation leave, that portion of the vacation leave during which he was ill, indisposed or suffering from an injury may, subject to the provisions of sub-regulation (1) of regulation 57, be converted into sick leave if—

(i) the member, in terms of sub-regulation (3) of regulation 57, submits a certificate issued by a district surgeon or other Government medical practitioner or, if they are not available, by a registered private medical practitioner [or a registered dentist if sub-regulation (4) of regulation 57 is applicable to him] and complying with the requirements of regulation 57;

(ii) the necessary sick leave is available in terms of these regulations; and

(iii) the approval of the Commissioner has been obtained.

(b) Vacation leave without pay may not be converted into sick leave.

#### GRANTING OF SICK LEAVE.

57. (1) Sick leave shall be granted only in respect of absence owing to illness, indisposition or injury not due to a member's misconduct or serious or deliberate failure to take reasonable precautions.

(2) Sick leave may be granted to a member in respect of nervous complaints, insomnia, debility and similar ill-defined illnesses or indispositions only if the Commissioner is satisfied that this condition—

(a) incapacitates him for duty; and

(b) does not arise from his failure to take vacation leave.

(3) (a) If a member is absent from duty on account of illness, indisposition or an injury, he may be granted sick leave only if he furnishes a satisfactory certificate, on the prescribed form, issued by a district surgeon or other Government medical practitioner or, if they are not available, a registered private medical practitioner [or a registered dentist if sub-regulation (4) of this regulation is applicable to him], which—

(i) clearly describes the nature of the illness, indisposition or injury;

(ii) states that he is not capable of performing his official duties or carrying out his responsibilities; and

(iii) indicates the period or further period necessary for his recuperation;

provided that the Commissioner or any other officer to whom he has delegated his authority in terms of these leave regulations, may require that such medical certificate issued by a dentist or by a medical practitioner other than a district surgeon, be counter-signed by a district surgeon before it is accepted.

(b) If the Commissioner is satisfied that the member's absence is actually due to illness, indisposition or an injury and that there are good reasons for not producing the certificate prescribed in paragraph (a), he may exempt such member from submitting a medical certificate in respect of sick leave for a continuous period of not more than 14 days. Such exemption shall be endorsed on the leave application.

(4) (a) If a member's absence is attributable to a dental abscess, a fracture of the jaw, acute Vincent infection of the mouth or complications following dental extractions, such as osteomyelitis, osteitis and secondary haemorrhage, a certificate as prescribed in sub-regulation (3) and issued by a registered dentist may be accepted for the purposes of that sub-regulation.

SIEKTEVERLOF SONDER SOLDY.

61. (1) (a) Aan 'n lid wat sy siekteverlof met betaling, waarvoor daar in hierdie regulasies voorsiening gemaak word, opgebruik het, kan, ondanks die bepalings van subregulasie (6) van regulasie 56, siekteverlof sonder soldy toegestaan word vir hoogstens 365 dae in enige bepaalde tydkring.

(b) Die siekteverlof bedoel in paragraaf (a), kan toegestaan word afgesien daarvan of addisionele siekteverlof met volle soldy of verdere siekteverlof met halwe soldy kragtens subregulasies (4) of (5) van regulasie 56 aan so 'n lid toegestaan is.

(c) As die siekteverlof sonder soldy, waarvoor daar in hierdie regulasie voorsiening gemaak word, aan 'n lid toegestaan is, mag geen verdere verlof van watter aard ookal gedurende daardie bepaalde tydkring aan hom toegestaan word om sy afwesigheid weens siekte te dek nie, tensy die Kommissaris se goedkeuring verkry is.

(2) Die toestaan, aan 'n lid, van siekteverlof sonder soldy kragtens subregulasie (1) is onderworpe aan die indiening, deur hom, van 'n bevredigende geneeskundige sertifikaat soos voorgeskryf in subregulasie (3) van regulasie 57.

VERLOF WAT VIR DIE BEREKENING VAN VERLOF EN DIE BEPALING VAN SOLDYVERHOOGINGS TEL.

62. (1) Alle verlof, van watter aard ookal, met volle of gedeeltelike soldy, en vakansie- en siekteverlof sonder soldy van hoogstens altesaam 15 dae in 'n maand, tel vir die oloop van verlof. As die verlof sonder soldy die perk van 15 dae oorskry—

(a) word sodanige oorskryding, vir die toepassing van subregulasie (1) van regulasie 55, nie as diens gereken nie; en

(b) word die bepaling ten opsigte van siekteverlof met volle soldy en siekteverlof met halwe soldy wat by paragraaf (b) van subregulasie (4) van regulasie 54 op 'n lid van toepassing is, met een ses-en-dertigste verminder ten opsigte van elke sodanige oorskryding, en hierdie vermindering word afgetrek van die getal dae beskikbaar in die tydkring waarin die oorskryding plaasvind of, as die beskikbare siekteverlof van die betrokke tydkring reeds geneem is, van die getal dae beskikbaar in die eersvolgende tydkring.

(2) Vakansieverlof sonder soldy en siekteverlof sonder soldy tel as diens vir die vasstelling van 'n lid se verlofgroep ingevolge paragraaf (a) van subregulasie (4) van regulasie 54.

(3) Vakansieverlof wat kragtens subregulasie (1) gedurende 'n tydperk van vakansieverlof sonder soldy of siekteverlof sonder soldy oloop, mag nie aan 'n lid toegestaan word voordat hy, na sy afwesigheid met vakansie- of siekteverlof sonder soldy, weer sy dienste hervat het nie en mag ook nie met terugwerkende krag toegestaan word nie.

(4) Alle afwesighedsverlof, van watter aard ookal, hetsy met of sonder soldy, tel vir soldyverhogingsdoelindes.

BUITENGEWONE GEVALLE EN AFWYKINGS.

63. Indien daar omstandighede ontstaan wat so 'n stap regverdig, kan die Kommissaris na goedvinde toelaat dat daar van die bepalings van regulasies 51 tot 62 afgewyk word op die voorwaardes as hy mag goedkeur, of hy mag gelas dat enige tydperk ten opsigte van 'n bepaalde lid nie as afwesigheid beskou moet word nie.

SICK LEAVE WITHOUT PAY.

61. (1) (a) A member who has exhausted his paid sick leave provided for in these regulations may, notwithstanding the provisions of sub-regulation (6) of regulation 56, be granted sick leave without pay for a period not exceeding 365 days in any particular cycle.

(b) The sick leave referred to in paragraph (a) may be granted irrespective of whether such member has been granted additional sick leave with full pay or further sick leave with half pay in terms of sub-regulations (4) or (5) of regulation 56.

(c) If a member has been granted the sick leave without pay as provided for in this regulation, he may not during that particular cycle be granted any further leave of whatever nature to cover his absence owing to illness, unless the Commissioner's approval has been obtained.

(2) The granting to a member of sick leave without pay in terms of sub-regulation (1) is subject to the submission by him of a satisfactory medical certificate as prescribed in sub-regulation (3) of regulation 57.

LEAVE WHICH COUNTS FOR THE CALCULATION OF LEAVE AND THE DETERMINATION OF PAY INCREMENTS.

62. (1) All leave, of whatever nature, with full or part pay, and vacation and sick leave without pay not exceeding 15 days in the aggregate in any month, shall count for the purposes of leave accrual. If the leave without pay exceeds the limit of 15 days—

(a) such excess shall not be regarded as service for the purposes of sub-regulation (1) of regulation 55; and

(b) the provision in respect of sick leave with full pay and sick leave with half pay which is applicable to a member in terms of paragraph (b) of sub-regulation (4) of regulation 54, shall be reduced by one thirty-sixth in respect of each such excess, which reduction shall be made from the number of days available in the cycle in which the excess occurs or, if the available sick leave for the relative cycle has already been taken, from the number of days available in the next cycle.

(2) Vacation leave without pay and sick leave without pay shall count as service for the purpose of determining a member's leave group under paragraph (a) of sub-regulation (4) of regulation 54.

(3) Vacation leave accruing in terms of sub-regulation (1) during a period of vacation leave without pay or sick leave without pay may not be granted to a member until he has resumed his duties after his absence with vacation or sick leave without pay and may not be granted with retrospective effect.

(4) All leave of absence, of whatever nature, whether with or without pay, shall count for the purposes of pay increments.

EXCEPTIONAL CASES AND DEPARTURES.

63. In the event of circumstances arising which justify such a course, the Commissioner may, in his discretion, allow a departure from the provisions of regulations 51 to 62 on such conditions as he may approve, or he may order that any period in respect of a particular member shall not be regarded as absence.



# INVOERDERS UITVOERDERS NYWERAARS

**teken in op**



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van die Departement van Handel en Nywerheid**

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