

BUITENGEWONE

OFFISIËLE KOERANT

VAN SUIDWES-AFRIKA

OFFICIAL GAZETTE

EXTRAORDINARY



OF SOUTH WEST AFRICA

UITGAWE OP GESAG

PUBLISHED BY AUTHORITY

10c Woensdag 5 Julie 1978 WINDHOEK Wednesday 5 July 1978 No. 3778

INHOUD:

PROKLAMASIE:

Bladsy

No. AG. 45 Wysigingsproklamasie op Lone en Nywerheidsversoening, 1978

1

CONTENTS:

PROCLAMATION:

Page

No. AG. 45 Wage and Industrial Conciliation Amendment Proclamation, 1978

1

PROKLAMASIE

van die
ADMINISTRATEUR-GENERAAL VIR DIE GE-
BIED SUIDWES-AFRIKA

(Deur die Staatspresident goedgekeur op 26 Junie 1978)

No. AG. 45 1978

WYSIGING VAN DIE ORDONNANSIE OP LONE
EN NYWERHEIDSVERSOENING, 1952
(ORDONNANSIE 35 VAN 1952)

Kragtens die bevoegdheid my verleen by Proklamasie 181 van 19 Augustus 1977, maak ek hierby die wette in die Bylae vervat.

M. T. STEYN

Administrateur-generaal

Windhoek, 27 Junie 1978

BYLAE

Wysiging van artikel 25 van Ordonnansie 35 van 1952

1. Artikel 25 van die Ordonnansie op Lone en Nywerheidsversoening, 1952 (hieronder die Ordonnansie genoem), word hierby gewysig deur die volgende subartikels by te voeg terwyl die bestaande artikel subartikel (1) word:

“ (2) Nieteenstaande andersluidende bepalings in hierdie Ordonnansie of in die grondwet van enige geregistreerde vakvereniging of werkgewersorganisasie vervat —

PROCLAMATION

by the
ADMINISTRATOR-GENERAL FOR THE
TERRITORY OF SOUTH WEST AFRICA

(Approved by the State President on 26 June 1978)

No. AG. 45 1978

AMENDMENT OF THE WAGE AND
INDUSTRIAL CONCILIATION ORDINANCE,
1952 (ORDINANCE 35 OF 1952)

Under the powers vested in me by Proclamation 181 of 19 August 1977, I hereby make the laws set out in the Schedule.

M. T. STEYN

Administrator-General

Windhoek, 27 June 1978

SCHEDULE

Amendment of section 25 of Ordinance 35 of 1952

1. Section 25 of the Wage and Industrial Conciliation Ordinance, 1952 (hereinafter referred to as the Ordinance), is hereby amended by the addition of the following subsections, the existing section becoming subsection (1):

“ (2) Notwithstanding anything to the contrary contained in this Ordinance or in the constitution of any registered trade union or employers' organization —

- (a) mag geen sodanige vakvereniging of werkgewersorganisasie met enige politieke party affilieer nie of indien aldus geaffilieer by die inwerkingtreding van die Wysigingsproklamasie op Lone en Nywerheidsversoening, 1978, vir 'n tydperk van meer as twee maande vanaf die datum van daardie inwerkingtreding aldus geaffilieer bly nie;
- (b) mag geen sodanige vakvereniging of werkgewersorganisasie geldelike steun verleen aan of enige uitgawes aangaan met die doel om hulp te verleen aan enige politieke party of enige kandidaat vir verkiesing tot enige owerheid nie;
- (c) mag geen sodanige vakvereniging of werkgewersorganisasie geldelike steun ontvang van enige politieke party nie.
- (3) By die toepassing van hierdie artikel —
- (a) omvat “owerheid” —
- (i) enige owerheid ingestel by of kragtens —
- (aa) die Ordonnansie op die Instelling van 'n Gekose Kleurlingraad van Suidwes-Afrika, 1966 (Ordonnansie 29 van 1966);
- (bb) die Wet op die Konstitusie van Suidwes-Afrika, 1968 (Wet 39 van 1968);
- (cc) die Wet op die Ontwikkeling van Selfbestuur vir Naturellevolke in Suidwes-Afrika, 1968 (Wet 54 van 1968);
- (dd) die Wet op Selfregering vir Rehoboth, 1976 (Wet 56 van 1976); en
- (ii) enige plaaslike bestuur;
- (b) beteken “politieke party” enige liggaam of groep persone wat as sy oogmerk het of as een van sy oogmerke het, hetsy uitgedruk of andersins —
- (i) die nominasie van kandidate vir verkiesing tot enige owerheid; of
- (ii) die beïnvloeding van die openbare mening om so 'n liggaam of groep te ondersteun of teen te staan.”
- (a) no such trade union or employers' organization shall affiliate with any political party or if so affiliated at the commencement of the Wage and Industrial Conciliation Amendment Proclamation, 1978, shall continue to be so affiliated for a period exceeding two months from the date of such commencement;
- (b) no such trade union or employers' organization shall grant financial assistance to or incur expenditure with the object of assisting any political party or any candidate for election to any authority;
- (c) no such trade union or employers' organization shall receive financial assistance from any political party.
- (3) For the purposes of this section —
- (a) “authority” shall include —
- (i) any authority established by or under —
- (aa) the Establishment of an Elected Coloured Council for South West Africa Ordinance, 1966 (Ordinance 29 of 1966);
- (bb) the South West Africa Constitution Act, 1968 (Act 39 of 1968);
- (cc) the Development of Self-government for Native Nations in South West Africa Act, 1968 (Act 54 of 1968);
- (dd) the Rehoboth Self-Government Act, 1976 (Act 56 of 1976); and
- (ii) any local authority;
- (b) “political party” means any association or group of persons which has as its object, or as one of its objects, whether expressed or otherwise —
- (i) the nomination of candidates for election to any authority; or
- (ii) the influencing of public opinion to support or oppose any such association or group.”

Wysiging van artikel 37 van Ordonnansie 35 van 1952

2. Artikel 37 van die Ordonnansie word hierby gewysig deur by subartikel (1) die woorde “of andersins” by te voeg.

Amendment of section 37 of Ordinance 35 of 1952

2. Section 37 of the Ordinance is hereby amended by the addition to subsection (1) of the words “or otherwise”.

*Wysiging van artikel 46 van Ordonnansie 35 van 1952**Amendment of section 46 of Ordinance 35 of 1952*

3. Artikel 46 van die Ordonnansie word hierby gewysig deur subartikels (3) en (6) te skrap.

3. Section 46 of the Ordinance is hereby amended by the deletion of subsections (3) and (6).

*Herroeping van artikel 48 van Ordonnansie 35 van 1952**Repeal of section 48 of Ordinance 35 of 1952*

4. Artikel 48 van die Ordonnansie word hierby herroep.

4. Section 48 of the Ordinance is hereby repealed.

*Wysiging van artikel 58 van Ordonnansie 35 van 1952**Amendment of section 58 of Ordinance 35 of 1952*

5. Artikel 58 van die Ordonnansie word hierby gewysig deur subartikel (3) te skrap.

5. Section 58 of the Ordinance is hereby amended by the deletion of subsection (3).

*Wysiging van artikel 64 van Ordonnansie 35 van 1952**Amendment of section 64 of Ordinance 35 of 1952*

6. Artikel 64 van die Ordonnansie word hierby gewysig deur subartikel (7) te skrap.

6. Section 64 of the Ordinance is hereby amended by the deletion of subsection (7).

*Wysiging van artikel 79 van Ordonnansie 35 van 1952**Amendment of section 79 of Ordinance 35 of 1952*

7. Artikel 79 van die Ordonnansie word hierby gewysig —

7. Section 79 of the Ordinance is hereby amended —

(a) deur in die omskrywing van “werknemer” die woorde “buiten in Hoofstuk II” te skrap; en

(a) by the deletion in the definition of “employee” of the words “except in Chapter II”; and

(b) deur die omskrywing van “vakvereniging” deur die volgende omskrywing te vervang:

(b) by the substitution for the definition of “trade union” of the following definition:

“‘vakvereniging’ enige aantal werknemers in ’n bepaalde bedryf wat verenig is hoofsaaklik ten einde verhoudings tussen hulle of party van hulle en hulle onderskeie werkgewers te reël.”

“‘trade union’ means any number of employees in any particular trade, associated together primarily for the purpose of regulating relations between themselves or some of them and their respective employers.”

*Kort titel**Short title*

8. Hierdie Proklamasie heet die Wysigingsproklamasie op Lone en Nywerheidsversoening, 1978.

8. This Proclamation shall be called the Wage and Industrial Conciliation Amendment Proclamation, 1978.