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OF SOUTH WEST AFRICA.

BUITENGEWONE

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UITGAWE OP GESAG.

VAN SUIDWES-AFRIKA.

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Government Notice.

Goewermentskennisgewing.

The following Government Notice is published for general information.

J. J. KLOPPER,
Secretary for South West Africa.

Administrator's Office,
Windhoek.

Die volgende Goewermentskennisgewing word vir algemene inligting gepubliseer.

J. J. KLOPPER,
Sekretaris van Suidwes-Afrika.

Kantoor van die Administrateur,
Windhoek.

No. 110.] [16 September 1969

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The Administrator has been pleased, in terms of section 117 of the Education Ordinance, 1962, (Ordinance 27 of 1962) as amended, to amend the education regulations published in Government Notice 53 of 29 April, 1964 as follows.

Dit behaag die Administrateur om ingevolge artikel 117 van die Onderwysordonnansie 1962 (Ordonnansie 27 van 1962) soos gewysig, die onderwysregulasies soos gepubliseer by Goewermentskennisgewing 53 van 29 April 1964, soos gewysig, verder soos volg te wysig.

REGULATIONS ON THE CONDITIONS OF APPOINTMENT AND SERVICE OF WHITE TEACHERS (GOVERNMENT NOTICE 53 OF 1964).

REGULASIES OP DIE AANSTELLINGS- EN DIENS-VOORWAARDES VAN BLANKE ONDERWYSERS (GOEWERMENSKENNISGEWING 53 VAN 1964).

1. Regulations 68, 69, 70, 71, 72, 73, 74, 80, 81, 82, 83, 84, 85, 86, 87, 88, 90, 91, 92, 93, 94, 95, 96, 97, 98 and 99 are deleted and replaced by the following new regulations:—

1. Regulasies 68, 69, 70, 71, 72, 73, 74, 80, 81, 82, 83, 84, 85, 86, 87, 88, 90, 91, 92, 93, 94, 95, 96, 97, 98 en 99 word geskrap en vervang deur die volgende nuwe regulasies:—

LEAVE.

Application for leave.

68. (1) Every application for leave shall be submitted to the Department and any such application by a teacher who does not hold a post of principal, shall be so submitted through the principal of the relative educational institution or head of the educational ancillary service.

(2) Leave granted in terms of these regulations, may at any time be cancelled by the Department if it is of the opinion that the exigencies of the Department require such action.

Leave Computations.

69. (1) In any computation of leave for the purposes of these regulations, fractions of a day shall be transferable to any subsequent leave computation.

(2) A school vacation falling within a period of leave granted to a teacher, excluding a teacher who is employed during all school vacations, shall not be regarded as forming part of such leave: Provided that —

- (a) where such school vacation falls within a period of leave of the same kind, excluding leave for urgent private affairs, the conditions of pay for such school vacation shall be the same as the conditions of pay for the last school day immediately preceding such school vacation;
- (b) where such school vacation falls within a period of leave for urgent private affairs, the conditions of pay for such school vacation shall be as determined by the Department;
- (c) a school vacation falling within a period of leave granted to a teacher who is employed during all school vacations, shall be regarded as forming part of such leave and be taken into account as such.

(3) Subject to the provisions of subregulation (2) any leave shall commence on the first day on which a teacher is absent from duty and shall terminate on the last school day, and, in the case of a teacher who is employed during all school vacations, on the last working day preceding the day on which such teacher resumes duty.

(4) A public holiday, Saturday or Sunday falling within a period of leave, or a school vacation falling within a period of leave granted without pay in terms of regulation 75, shall be regarded as forming part of such leave and be taken into account as such: Provided that where a public holiday, Saturday or Sunday falls between two different kinds of leave, and such day or days and leave form a continuous period, any such day or days shall not be regarded as leave.

(5) Where the services of a teacher terminate and such teacher is reappointed with a break in his service, his service prior to such reappointment shall not be counted for leave purposes: Provided that —

- (a) the vacation leave credit of such teacher may be re-established to a maximum of 184 days;
- (b) such maximum number of days shall be decreased by the number of days in lieu of which a leave gratuity in terms of regulation 84 was paid;

VERLOF.

Aansoek om verlof.

68. (1) Elke aansoek om verlof moet aan die Departement voorgelê word, en enige sodanige aansoek deur 'n onderwyser wat nie 'n pos van hoof beklee nie, moet deur bemiddelling van die hoof van die betrokke onderwysinrigting of onderwys hulpsdiens aldus voorgelê word.

(2) Verlof wat ingevolge hierdie regulasies toegestaan is, kan te eniger tyd deur die Departement ingetrek word indien hy van oordeel is dat die behoeftes van die Departement van hom vereis om aldus op te tree.

Verlofberekenings.

69. (1) By enige berekening van verlof vir die toepassing van hierdie regulasies is breuke van 'n dag oordraagbaar na 'n daaropvolgende verlobberekening.

(2) 'n Skoolvakansie wat binne 'n tydperk van verlof, toegestaan aan 'n onderwyser, uitgesonderd 'n onderwyser wat gedurende alle skoolvakansies diens doen, val, word nie beskou as deel van sodanige verlof nie: Met dien verstande dat —

- (a) waar sodanige skoolvakansie binne 'n tydperk van verlof van dieselfde soort, uitgesonderd verlof vir dringende private sake, val, die betalingsvoorwaardes van sodanige skoolvakansie dieselfde is as die betalingsvoorwaardes vir die laaste skooldag wat sodanige skoolvakansie onmiddellik voorafgaan;
- (b) waar sodanige skoolvakansie binne 'n tydperk van verlof wat vir dringende private sake toegestaan is, val, die betalingsvoorwaardes vir sodanige vakansie is soos deur die Departement bepaal;
- (c) 'n skoolvakansie wat binne 'n tydperk van verlof val wat aan 'n onderwyser wat gedurende alle skoolvakansies diens doen, toegestaan is, beskou word as deel van sodanige verlof en as sodanig gereken word.

(3) Behoudens die bepalings van subregulasie (2) begin enige verlof op die eerste dag waarop 'n onderwyser van diens afwesig is en eindig op die laaste skooldag, en in die geval van 'n onderwyser wat gedurende alle skoolvakansies diens doen, op die laaste werksdag, voor die dag waarop sodanige onderwyser weer diens aanvaar.

(4) 'n Openbare vakansiedag, Saterdag of Sondag wat binne 'n tydperk van verlof val of 'n skoolvakansie wat binne 'n tydperk van verlof wat ingevolge regulasie 75 sonder besoldiging toegestaan is, val, word beskou as deel van sodanige verlof en word as sodanig gereken: Met dien verstande dat waar 'n openbare vakansiedag, Saterdag of Sondag tussen twee verskillende soorte verlof val, en sodanige dag of dae en verlof vorm 'n aaneenlopende tydperk, enige sodanige dag of dae nie as verlof gereken word nie.

(5) Waar die dienste van 'n onderwyser eindig en sodanige onderwyser word weer met 'n onderbreking van sy diens aangestel, word sy diens voor sodanige heraanstelling nie vir verlobdoeleindes gereken nie: Met dien verstande dat —

- (a) die vakansieverlofkrediet van sodanige onderwyser tot 'n maksimum van 184 dae herstel kan word;
- (b) sodanige maksimum getal dae verminder word met die getal dae waarvoor 'n verlobgratifikasie ingevolge regulasie 84 betaal is;

(c) no vacation leave shall be granted in terms of regulation 70 (4) within two years after such re-appointment.

Vacation Leave.

70. (1) (a) A teacher, excluding a teacher referred to in subregulation (8), shall be credited with leave, hereafter referred to as vacation leave, at a rate of *12 days per annum* for any period of service under the Department.

(b) For the computation of the leave credit of a teacher in the service of the Department on the fixed date, all previous service under the Department shall be taken into consideration and for every calendar quarter's vacation leave granted to the teacher, his total period of service shall be reduced by five years. For the remaining years of service, he will be credited with 12 days leave per annum: Provided that this regulation shall not be applicable to teachers who have reached the pensionable age and have retired.

(2) A teacher, excluding a teacher referred to in subregulation (8) *who is required by the Department to be on duty during any period of a school vacation*, shall be credited in addition to vacation leave referred to in subregulation (1), with one half of the number of days on which he actually executed such duty, but not exceeding a maximum of 24 days additional vacation leave in any calendar year: Provided that such teacher may apply within one month of the execution of such duty that he be credited with such additional leave or that such leave be converted into a non-pensionable cash payment equal to his basic annual salary plus a teacher's allowance for a corresponding period at the time of the execution of such duty.

(3) Any application by a teacher, excluding a teacher referred to in subregulation (8), for vacation leave shall reach the Department not less than a full school term before the date on which the leave, if granted, would commence.

(4) No teacher, excluding a teacher referred to in subregulation (8), shall be granted any vacation leave for a period which is either less than one school term, or two school terms or more than two school terms.

(5) Vacation leave shall be with full pay: Provided that where a teacher has at least one school term's vacation leave to his credit, he may, for the purpose of obtaining leave for two school terms, convert any vacation leave standing to his credit, to leave with half pay on the basis of two days with half pay for each day with full pay.

(6) A person who is appointed as a teacher in the service of the Department and who immediately prior to such appointment held a teaching post in the Department or the Department of Higher Education or the Education Department of any one of the other provinces, shall retain his leave under these regulations, the vacation leave standing to his credit on the last day of his service with his Department or his previous Department.

(7) A person who is appointed in a permanent capacity as a teacher in the service of the Department and who, immediately prior to such appointment —

(a) was employed in a permanent capacity by any Department of the Republic, the South African Railways and Harbours Administration, a Provincial Administration, the South West Africa Ad-

(c) geen vakansieverlof kragtens regulasie 70 (4) binne twee jaar na sodanige heraanstelling toegestaan word nie.

Vakansieverlof.

70. (1) (a) 'n Onderwyser, uitgesonderd 'n onderwyser genoem in subregulasie (8), word gekrediteer met verlof, (hierna vakansieverlof genoem), teen *12 dae per jaar* vir enige tydperk van diens onder die Departement.

(b) Vir die berekening van die verlofkrediet van 'n onderwyser in diens van die Departement op die vasgestelde datum word alle vorige diens onder die Departement in berekening gebring en vir elke kalenderkwartaal vakansieverlof reeds deur die onderwyser benut, word sy totale dienstyd met vyf jaar verminder. Vir die oorblywende diensjare word hy gekrediteer met 12 dae verlof per jaar: Met dien verstande dat hierdie bepaling nie van toepassing is nie op onderwysers wat reeds die pensioenleeftyd bereik en uit die diens getree het.

(2) 'n Onderwyser, uitgesonderd 'n onderwyser genoem in subregulasie (8) *van wie die Departement vereis om diens te doen gedurende enige tydperk van 'n skoolvakansie word*, benewens die vakansieverlof in subregulasie (1) genoem, gekrediteer met een helfte van die aantal dae waarop hy werklik aldus diens gedoen het, maar met hoogstens 24 dae addisionele vakansieverlof in enige kalenderjaar: Met dien verstande dat sodanige onderwyser binne een maand na verrigting van sodanige diens, kan versoek dat hy met sodanige addisionele verlof gekrediteer word of dat sodanige verlof omgeskep word in 'n nie-pensioendraende kontantbetaling wat gelykstaan aan sy basiese jaarlikse salaris en onderwyserstoelaag vir 'n ooreenstemmende tydperk ten tye van die verrigting van sodanige diens.

(3) Enige aansoek om vakansieverlof deur 'n onderwyser, uitgesonderd 'n onderwyser genoem in subregulasie (8), moet die Departement bereik minstens 'n volle skoolkwartaal voor die datum waarop die verlof, indien toegestaan, 'n aanvang sal neem.

(4) Aan geen onderwyser, uitgesonderd 'n onderwyser genoem in subregulasie (8), word enige vakansieverlof toegestaan nie wat of minder as een skoolkwartaal of twee skoolkwartale is of meer as twee skoolkwartale.

(5) Vakansieverlof is met volle besoldiging: Met dien verstande dat waar 'n onderwyser minstens een skoolkwartaal sodanige verlof tot sy krediet het, hy vir die doel om verlof vir twee skoolkwartale te kry, vakansieverlof wat hy te goed het, kan omskep in verlof met half besoldiging op die basis van twee dae met half besoldiging vir elke dag met volle besoldiging.

(6) Iemand wat as 'n onderwyser in diens van die Departement aangestel word en wat onmiddellik voor sodanige aanstelling 'n onderwyserspos in die Departement of in die Departement van Hoër Onderwys of die Onderwysdepartement van enigen van die ander provinsies bekleed het, behou die vakansieverlof wat hy te goed gehad het op die laaste dag van sy diens by die Departement of sy vorige departement as verlof ingevolge hierdie regulasies.

(7) Iemand wat as 'n onderwyser in 'n permanente hoedanigheid in die diens van die Departement aangestel is en wat onmiddellik voor sodanige aanstelling —

(a) in die permanente diens was van enige departement van die Republiek, die Administrasie van die Suid-Afrikaanse Spoorweë en Hawens, 'n provinsiale administrasie, die Administrasie van Suidwes-

ministration or a body or institution having a pension or provident fund administered by the State, shall retain the vacation leave standing to his credit on the last day of his service with his previous employer: Provided that where the vacation leave accrual exceeded 36 days per annum, the vacation leave credit in respect of service with his previous employer shall be calculated at a rate of 36 days per annum: Provided further that such credit be reduced by the number of days vacation leave already granted; or

- (b) held a post at a school, college or university not attached to any of the institutions mentioned in subregulation (6) and of which the pension or provident fund is administered by the State, his vacation leave credit shall be calculated for vacation leave purposes as though he served the Department for the period he was employed by such school, college or university: Provided that such credit be reduced by the number of days vacation leave already granted.

(8) A teacher holding a post not attached to an educational institution or who is seconded to such post and who is required to be on duty during all school vacations, shall be credited with 36 days vacation leave per annum for any period of continuous service in such post: Provided that a teacher appointed in or seconded to such post prior to the fourteenth day of August, 1968, shall be credited with 38 days vacation leave per annum for any period of continuous service in such post.

Special leave: For study purposes.

71. (1) Special leave may be granted to a teacher who has completed at least five years' continuous satisfactory service with the Department for such course of study and such period as the Department may approve.

(2) Leave, as contemplated in subregulation (1), shall be granted to a teacher with full pay to the extent that such teacher has vacation leave to his credit or, on such teacher's written request, with half pay on the basis of two days with half pay for each day with full pay standing to his credit, and without pay for such period as the Department may determine.

(3) In respect of each day granted with full pay in terms of subregulation (2), one additional day special leave with full pay, or on such teacher's written request, two additional days special leave with half pay may be granted, or in respect of each day granted with half pay in terms of subregulation (2), one additional day special leave with half pay may be granted: Provided that not more than one half of such period of study leave is debited as vacation leave: Provided further that where leave is granted in terms of this subregulation, such teacher enters into an agreement as in Schedule II to these regulations, with the Department.

(4) Notwithstanding anything to the contrary contained in this regulation, a teacher who has completed less than five years' satisfactory continuous service with the Department, may be granted special leave without pay for such course of study and such period as the Department may determine: Provided that on the written request of such teacher, special leave with full pay may be granted

Afrika of 'n liggaam of inrigting wat 'n pensioen- of voorsorgfonds het wat deur die Staat geadministreer word, behou die vakansieverlof wat hy te goed gehad het op die laaste dag van sy diens by sy vorige werkgever: Met dien verstande dat waar die vakansieverlofverdiens 36 dae per jaar oorskry het, die vakansieverlofkrediet ten opsigte van sy diens by sy vorige werkgever bereken word teen 36 dae per jaar: Voorts met dien verstande dat sodanige krediet verminder word met die aantal dae vakansieverlof wat alreeds toegestaan is; of

- (b) 'n pos beklee het aan 'n skool, kollege of universiteit wat nie aan een van die instellings genoem in subregulasie (6) verbonde is nie en waarvan die pensioen- of voorsorgfonds deur die Staat geadministreer word, se vakansieverlofkrediet bereken word asof hy vir die tydperk van sy diens by sodanige skool, kollege of universiteit, vir vakansieverlofdoeleindes geag word, diens by die Departement gedoen het: Met dien verstande dat sodanige krediet verminder word met die aantal dae vakansieverlof wat alreeds toegestaan is.

(8) 'n Onderwyser wat 'n pos beklee wat nie aan 'n onderwysinrigting verbonde is nie of wat in so 'n pos gesekondeer word en van wie dit vereis word om gedurende alle skoolvakansies diens te doen, word gekrediteer met 36 dae vakansieverlof per jaar vir enige tydperk van onafgebroke diens in sodanige pos: Met dien verstande dat 'n onderwyser wat voor die veertiende dag van Augustus 1968 in sodanige pos aangestel of gesekondeer was, gekrediteer word met 38 dae vakansieverlof per jaar vir enige tydperk van onafgebroke diens in sodanige pos.

Spesiale verlof: Vir studiedoeleindes.

71. (1) Spesiale verlof kan aan 'n onderwyser wat minstens vyf jaar onafgebroke bevredigende diens by die Departement voltooi het, toegestaan word vir sodanige studiekursus en sodanige tydperk soos die Departement goedkeur.

(2) Verlof, soos in subregulasie (1) bedoel, word met volle besoldiging aan 'n onderwyser toegestaan in die mate wat hy vakansieverlof te goed het of, op sodanige onderwyser se skriftelike versoek, met halfbesoldiging op die basis van twee dae met halfbesoldiging vir elke dag vakansieverlof met volle besoldiging wat hy te goed het en sonder besoldiging vir sodanige tydperk soos die Departement bepaal.

(3) Ten opsigte van elke dag verlof wat ingevolge subregulasie (2) met volle besoldiging toegestaan word, kan een addisionele dag spesiale verlof met volle besoldiging, of, op sodanige onderwyser se skriftelike versoek, twee addisionele dae spesiale verlof met halfbesoldiging toegestaan word, of ten opsigte van elke dag verlof wat ingevolge subregulasie (2) met halfbesoldiging toegestaan word, kan een addisionele dag spesiale verlof met halfbesoldiging toegestaan word: Met dien verstande dat nie meer as die helfte van sodanige tydperk studieverlof as vakansieverlof gedebiteer word nie: Voorts met dien verstande dat waar verlof ingevolge hierdie subregulasie toegestaan word, sodanige onderwyser 'n verbintenis in Bylae II tot hierdie regulasies, met die Departement aangaan.

(4) Ondanks andersluidende bepalings in hierdie regulasie vervat, kan aan 'n onderwyser wat minder as vyf jaar bevredigende, onafgebroke diens by die Departement voltooi het, spesiale verlof sonder besoldiging toegestaan word vir sodanige studiekursus en sodanige tydperk soos die Departement bepaal: Met dien verstande dat op die skriftelike versoek van sodanige onderwyser, spesiale ver-

to the extent that such teacher has vacation leave to his credit or with half pay on the basis of two days with half pay for each day with full pay standing to his credit: Provided further that such special leave shall be debited against such teacher's vacation leave credit.

Special leave: Military training.

72. (1) Special leave with full pay may be granted to a teacher —

- (a) (i) when such teacher, appointed in a permanent capacity, as a member of the Citizen Force is required, in terms of the Defence Act, 1957, or any regulations made thereunder, to undergo continuous or non-continuous training: Provided that the provisions of this subregulation are not applicable when such teacher is performing full-time service in lieu of training in terms of section 20 or, continuous training in terms of any provision of the Defence Act, 1957;
- (ii) when such teacher is called up for his initial compulsory military training period by the Department of Defence in terms of any provision of the Defence Act, 1957: Provided that such teacher shall receive pay equal to the difference between his normal salary as a teacher and the pay which he receives in terms of the Citizen Force Regulations: Provided further that such teacher enters into an agreement with the Department in the form of Schedule III to these regulations.
- (b) when, as a member of the Citizen Force as defined in paragraph (a), he voluntarily, or in pursuance of a special agreement between him and the Department of Defence relating to his training and with the permission of the Department, undertakes any continuous or non-continuous training or attends an instructional or qualifying course over and above any training to which he is liable in terms of the said Act, provided the Officer Commanding the respective Command or Air Force group certifies that such training or course is necessary in the interests of the South African Defence Force;
- (c) when, as a member of a Commando, he is required in terms of the said Act, or any regulations made thereunder, to attend training exercises or other annual training in terms of section 44 of the said Act, provided that the Officer Commanding the respective Command certifies that attendance at such training exercises or other annual training is in accordance with the provisions of the aforesaid regulations;
- (d) when, as a member of a Commando, he attends an instructional or qualifying course, provided the Officer Commanding the respective Command certifies that attendance at such course is necessary in the interests of the South African Defence Force;
- (e) when, as a member of the Reserve of Officers, he is required to attend a refresher course or undergo refresher training in order to maintain his proficiency, provided that the relative Army, Air or Naval Chief of Staff certifies that such course or

lof met volle besoldiging in die mate waarin sodanige onderwyser vakansieverlof te goed het, of met halfbesoldiging op die basis van twee dae met halfbesoldiging vir elke dag met volle besoldiging wat hy te goed het, toegestaan kan word: Voorts met dien verstande dat sodanige spesiale verlof gedebiteer word teen sodanige onderwyser se vakansieverlofkrediet.

Spesiale verlof: Militêre opleiding.

72. (1) Spesiale verlof met volle besoldiging kan aan 'n onderwyser toegestaan word —

- (a) (i) wanneer sodanige onderwyser, aangestel in 'n permanente hoedanigheid, as lid van die Burgermag kragtens die Verdedigingswet, 1957, of enige regulasie daaringevolge uitgevaardig, onafgebroke of afgebroke opleiding moet ondergaan: Met dien verstande dat die bepaling van hierdie subregulasie nie van toepassing is nie as sodanige onderwyser voltydse diens in plaas van opleiding kragtens artikel 20 of onafgebroke opleiding kragtens enige bepaling van die Verdedigingswet 1957, verrig;
- (ii) wanneer sodanige onderwyser vir sy aanvanklike opleidingstydperk van verpligte militêre diensplig kragtens enige bepaling van die Verdedigingswet 1957 deur die Departement van Verdediging opgeroep word: Met dien verstande dat sodanige onderwyser die salaris gelyk aan die verskil tussen sy gewone salaris as 'n onderwyser en die soldy wat hy kragtens die Burgermagregulasies ontvang, betaal word: Voorts met dien verstande dat sodanige onderwyser 'n verbintenis in die vorm van Bylae III tot hierdie regulasies, met die Departement aangaan.
- (b) wanneer hy as lid van die Burgermag soos in paragraaf (a) omskryf met die toestemming van die Departement vrywillig of as gevolg van enige spesiale ooreenkoms tussen hom en die Departement van Verdediging in verband met sy opleiding, bo en behalwe enige opleiding wat hy ooreenkomstig genoemde Wet ondergaan, enige onafgebroke of afgebroke opleiding onderneem of 'n instruksie- of kwalifiserende kursus bywoon, mits die bevelvoerder van die betrokke kommandement of Suid-Afrikaanse Lugmaggroep sertifiseer dat sodanige opleiding of kursus nodig is in belang van die Suid-Afrikaanse Weermag;
- (c) wanneer hy as lid van 'n kommando kragtens genoemde wet, of enige regulasie daaringevolge uitgevaardig, opleidingsoefeninge of ander jaarlikse opleiding kragtens artikel 44 van genoemde wet bywoon, mits die Bevelvoerder van die betrokke kommandement sertifiseer dat bywoning van sodanige opleidingsoefeninge of ander jaarlikse opleiding in ooreenstemming met die bepalinge van voormelde regulasies is;
- (d) wanneer hy as lid van 'n kommando 'n instruksie- of kwalifiserende kursus bywoon, mits die bevelvoerder van die betrokke kommandement sertifiseer dat bywoning van sodanige kursus nodig is in belang van die Suid-Afrikaanse Weermag;
- (e) wanneer hy as lid van die Reserwe van Offisiere 'n herhalingsopleidingkursus moet bywoon of herhalingsopleiding moet ondergaan ten einde sy bekwaamheid te behou, mits die Stafhoof van die betrokke landmag, lugmag of vlootmag sertifiseer

training is necessary in the interests of the South African Defence Force;

(f) when, as a member of any section of the South African Defence Force (except a member of the Citizen Force who is performing full-time service in lieu of peace-time training in terms of section 20 or is undergoing continuous training in terms of any provision of the said Act), including a member of the Commando who is attending a training exercise or annual training in terms of section 44 of the said Act, he is called up in terms of the provisions of Chapter X of the said Act, for service in the prevention or suppression of disorder or other emergency in the Republic and South West Africa;

(g) when, as a member of the Reserve Police Force, he is called up in terms of the Police Act, 1958 or any regulations made thereunder, for full-time training, attendance at compulsory rifle practice necessitating his absence from duty for one or more full school days or service in the prevention or suppression of disorders and other emergencies in the Republic and South West Africa.

(2) Special leave granted in terms of subregulation (1) may include any period actually and necessarily occupied in travelling for the purpose for which the leave is granted.

Special leave: Examinations.

73. (1) Special leave with full pay may be granted to a teacher for each day on which he sits as a candidate at any approved examination: Provided that one additional day special leave with full pay may be granted for each day such teacher actually sits for the examination.

(2) Special leave granted in terms of subregulation (1) may include any period actually and necessarily required for travelling in connection with such examination.

Special leave: Quarantine.

74.(1) When a teacher is compelled to take leave on account of the existence of infectious or contagious disease in his family or at his place of residence or elsewhere, special leave with full pay may be granted to such teacher.

(2) Any application for such leave shall be accompanied by the certificate of a medical practitioner wherein shall be stated the reasons necessitating such leave.

(3) Such leave shall not exceed the period required for removal from contagion or infection or for the disinfection.

Special leave: Extraordinary.

75. Where, in the opinion of the Department circumstances justify it, a teacher may be granted special leave for such purpose and for such period as may be determined, and such leave shall be without pay unless the Administrator otherwise directs.

dat sodanige kursus of opleiding nodig is in belang van die Suid-Afrikaanse Weermag;

(f) Wanneer hy as lid van enige afdeling van die Suid-Afrikaanse Weermag (behalwe 'n lid van die Burgermag wat voltydse diens in plaas van vredestrydse opleiding kragtens artikel 20 verrig of onafgebroke opleiding kragtens enige bepaling van genoemde wet, ondergaan), met inbegrip van 'n lid van die kommando wat opleidingsoefening of jaarlikse opleiding kragtens artikel 44 van die genoemde wet ondergaan kragtens die bepalings van Hoofstuk X van genoemde wet opgeroep word vir diens in verband met die voorkoming of onderdrukking van onluste of ander nood in die Republiek en Suidwes-Afrika;

(g) wanneer hy as lid van die Reserwepolisiemag kragtens die Polisiewet 1958, of enige regulasie daar kragtens uitgevaardig, voltydse opleiding ondergaan, 'n verpligte skietoefening bywoon wat sy afwesigheid vir een of meer volle skooldae noodsaak of opgeroep word vir diens in verband met die voorkoming of onderdrukking van onluste en ander noodtoestande in die Republiek en Suidwes-Afrika.

(2) Spesiale verlof wat ingevolge subregulasie (1) toegestaan word, kan enige tydperk insluit wat werklik en noodsaaklik in beslag geneem word deur reise afgelê vir die doel waarvoor die verlof toegestaan word.

Spesiale verlof: Eksamens.

73. (1) Spesiale verlof met volle besoldiging kan aan 'n onderwyser toegestaan word vir elke dag waarop die kandidaat enige goedgekeurde eksamen doen: Met dien verstande dat een addisionele dag spesiale verlof met volle besoldiging toegestaan kan word vir elke dag waarop werklik eksamen afgelê word.

(2) Spesiale verlof wat ingevolge subregulasie (1) toegestaan word, kan enige tydperk insluit wat werklik en noodsaaklik nodig is om in verband met sodanige eksamen te reis.

Spesiale verlof: Kwarantyn.

74. (1) Waar 'n onderwyser verplig word om verlof te neem omdat daar besmetlike of aansteeklike siekte in sy gesin of in sy tuiste of elders heers, kan spesiale verlof met volle besoldiging aan sodanige onderwyser toegestaan word.

(2) Enige aansoek om sodanige verlof moet vergesel wees van die sertifikaat van 'n praktiserende geneesheer waarin die redes vermeld moet word waarom sodanige verlof nodig is.

(3) Sodanige verlof mag nie vir langer wees nie as die tydperk wat nodig is vir die verwydering van die besmetting of aansteeking of vir ontsmetting.

Spesiale verlof: Buitengewone.

75. Waar die Departement van oordeel is dat omstandighede dit regverdig, kan hy aan 'n onderwyser spesiale verlof toestaan vir sodanige doeleinde en vir sodanige tydperk as wat hy mag bepaal, en sodanige verlof is sonder besoldiging, tensy die Administrateur anders bepaal.

Extraordinary leave for urgent private affairs.

76. (1) A teacher may be granted leave to attend to private affairs (to be known as leave for urgent private affairs).

(2) Leave for urgent private affairs shall be with or without pay as the Department may determine: Provided that such leave with pay shall not be granted in excess of the vacation leave standing to the credit of the teacher concerned and shall be set off against such vacation leave.

(3) Leave with full pay may be granted to a teacher during the serious illness or death of a wife/husband, own child, father or mother: Provided that the sum total of such period or periods of leave shall not exceed ten school days in any calendar year.

Extraordinary accouchement leave.

77. (1) A married woman teacher shall be obliged to take leave on account of her accouchement (to be known as accouchement leave) for such period as the Department may determine, but not less than a period of three months before the anticipated date thereof and six weeks after such accouchement.

(2) At least one month's notice of intention to take such leave shall be given to the Department and any such leave granted, shall be without pay.

(3) Notwithstanding anything to the contrary contained in these regulations, a teacher may at her request, be granted in lieu of any portion of accouchement leave, vacation leave with full pay to the extent that such teacher has vacation leave standing to her credit or with half pay on the basis of two days with half pay for each day with full pay standing to her credit.

Sick leave.

78. (1) Sick leave shall accrue to a teacher on the first day of a cycle, and with effect from that day the full provision of the cycle may be granted to him subject to the provisions of this regulation: Provided that no teacher may be granted sick leave with full or half pay until he has completed 30 days' continuous service, and then only in respect of absences subsequent to the completion of such service.

(2) A cycle referred to in subregulation (1) means a period of three years calculated from 1 January, 1959 and each ensuing period of three years thereafter: Provided that a teacher in the service of the Department on the fixed date shall not be entitled to sick leave in terms of this regulation for any period prior to the fixed date: Provided further that in the case of a teacher appointed after 1 January 1959 and whose date of appointment does not coincide with the commencing date of a cycle, the period of his service from date of appointment to the commencing date of the next cycle, shall, for the purpose of these regulations, be deemed to be a full cycle.

(3) A teacher, excluding a teacher referred to in subregulation (5), may be granted leave on account of his illness for 90 days with full pay and 90 days with half pay in the first cycle in which such teacher renders ser-

Buitegewone Verlof vir dringende private sake.

76. (1) Aan 'n onderwyser kan verlof toegestaan word om aandag te skenk aan private sake (as verlof vir dringende private sake bekend te staan).

(2) Verlof vir dringende private sake is met of sonder besoldiging al na die Departement bepaal: Met dien verstande dat sodanige verlof met besoldiging nie toegestaan word vir langer as die vakansieverlof wat die betrokke onderwyser te goed het nie en dit word teen sodanige vakansieverlof in rekening gebring.

(3) Verlof met vol salaris kan aan 'n onderwyser toegestaan word tydens die ernstige siekte of afsterwe van 'n eggenote/eggenoot, eie kind, vader of moeder: Met dien verstande dat sodanige tydperk of tydperke van verlof tesame gereken, nie tien skooldae in enige kalenderjaar oorskry nie.

Buitengewone Bevallingsverlof.

77. (1) 'n Getroude onderwyseres moet verlof neem vir haar bevalling (as bevallingsverlof bekend te staan) vir sodanige tydperk as wat die Departement mag bepaal, maar vir minstens 'n tydperk van drie maande voor die verwagte datum en ses weke na sodanige bevalling.

(2) Daar moet minstens een maand kennis aan die Departement gegee word van die voorneme om sodanige verlof te neem en enige sodanige verlof wat toegestaan word, is verlof sonder besoldiging.

(3) Ondanks andersluidende bepalings in hierdie regulasies vervat, kan aan sodanige onderwyseres op haar versoek, vakansieverlof met volle besoldiging toegestaan word in die plek van enige gedeelte van die bevallingsverlof, in die mate wat sodanige onderwyseres vakansieverlof te goed het of met halfbesoldiging op die basis van twee dae met halfbesoldiging vir elke dag met volle besoldiging wat sy te goed het.

Siekteverlof.

78. (1) Siekteverlof val toe aan 'n onderwyser op die eerste dag van 'n tydkring, en met ingang van daardie dag af kan die volle voorsiening vir die betrokke tydkring, behoudens die bepalings van hierdie regulasie, aan hom toegestaan word: Met dien verstande dat aan geen onderwyser siekteverlof met volle of halfbesoldiging toegestaan kan word voordat hy 30 dae diens voltooi het nie, en dan slegs ten opsigte van afwesighede na voltooiing van sodanige diens.

(2) 'n Tydkring waarna in subregulasie (1) verwys word, beteken 'n tydperk van drie jaar gereken vanaf 1 Januarie 1959 en elke daaropvolgende tydperk van drie jaar: Met dien verstande dat 'n onderwyser in die diens van die Departement op die vasgestelde datum nie op siekteverlof ingevolge hierdie regulasie vir enige tydperk voor die vasgestelde datum geregtig is nie: Voorts met dien verstande dat in die geval van 'n onderwyser wat na 1 Januarie 1959 aangestel is en wie se datum van aanstelling nie met die aanvangsdatum van 'n tydkring saamval nie, die tydperk van sy diens vanaf die datum van aanstelling tot die datum van aanvang van die eersvolgende tydkring vir die toepassing van hierdie regulasies as 'n volle tydkring beskou word.

(3) Aan 'n onderwyser, uitgesonderd 'n onderwyser genoem in subregulasie (5), kan weens sy siekte siekteverlof toegestaan word vir 90 dae met volle besoldiging en 90 dae met halfbesoldiging in die eerste tydkring waar-

vice, which number of days sick leave shall increase, subsequent to the completion of each cycle by three days with full pay and three days with half pay until a maximum of 120 days with full pay and 120 days with half pay has been reached: Provided that —

- (a) such teacher may be granted sick leave for such further period without pay as the Department may determine;
- (b) when a teacher who has retained his vacation leave credit as set out in regulation 70 (6) and who has been appointed as a teacher in the service of the Department, shall retain the commencing date of his cycle in his previous department as the commencing date of his cycle in terms of this regulation;
- (c) a teacher referred to in paragraph (b) shall not be granted more sick leave with pay during the unexpired period of the cycle in which he has thus been transferred than would have been granted, had all his service during such cycle been service in the Department.

(4) Notwithstanding anything to the contrary contained in subregulation (3), additional sick leave may, subsequent to the completion of nine years' continuous service and in every three cycles thereafter, on the recommendation of a registered medical practitioner or a registered dentist, be granted to a teacher, excluding a teacher referred to in subregulation (5), to a maximum of 90 days with full pay and 90 days with half pay.

(5) Notwithstanding anything to the contrary contained in this regulation, a teacher who is employed full-time during all school vacations may, subject to the provisions of subregulation (1), be granted sick leave for 120 days with full pay and 120 days with half pay in each cycle.

(6) If a teacher referred to in subregulation (5) to whom 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 Department —

- (a) on the submission of a satisfactory certificate by a registered medical practitioner or a registered dentist; and
- (b) if it is satisfied that such teacher at that particular time is not permanently unfit to resume his normal duties; and
- (c) if the teacher has no vacation leave to his credit;

may at its discretion, grant such teacher further sick leave with half pay not exceeding 92 days in any one cycle in respect of separate periods of absence and in respect of different kinds of illnesses.

(7) Any application for sick leave in respect of a continuous period of more than three days shall be supported by a certificate of indisposition, and the Department may require a certificate to be furnished in support of any application for sick leave for a period of three days or less if it considers that the circumstances warrant the furnishing of such a certificate: Provided that —

in sodanige onderwyser diens doen, welke getal dae siekteverlof na voltooiing van elke tydkring vermeerder met 3 dae met volle besoldiging en 3 dae met halfbesoldiging tot 'n maksimum van 120 dae met volle besoldiging en 120 dae met halfbesoldiging bereik is: Met dien verstande dat —

- (a) aan sodanige onderwyser siekteverlof toegestaan kan word vir sodanige verdere tydperk sonder besoldiging soos die Departement bepaal;
- (b) in die geval van 'n onderwyser wat sy vakansieverlofkrediet behou soos uiteengesit in regulasie 70 (6) en wat as onderwyser in die diens van die Departement aangestel word, die begindatum van die tydkring vir siekteverlof in sy vorige departement beskou word as die begindatum van die tydkring vir siekteverlof kragtens die bepalings van hierdie regulasie;
- (c) aan 'n onderwyser genoem in paragraaf (b), nie meer siekteverlof met besoldiging gedurende die onverstreke tydperk van die tydkring waarin hy aldus oorgeplaas is, toegestaan mag word as wat aan hom toegestaan kon word indien al sy diens gedurende so 'n tydkring diens by die Departement was nie.

(4) Ondanks andersluidende bepalings in subregulasie (3) vervat, kan na voltooiing van nege jaar onafgebroke diens en in elke drie tydkringe daarna, addisionele siekteverlof vir hoogstens 90 dae met volle besoldiging en 90 dae met halfbesoldiging, op aanbeveling van 'n geregistreerde geneesheer of 'n geregistreerde tandarts, aan 'n onderwyser, uitgesonderd 'n onderwyser genoem in subregulasie (5), toegestaan word.

(5) Ondanks andersluidende bepalings in hierdie regulasie vervat, kan aan 'n onderwyser wat gedurende alle skoolvakansies voltyds diens doen, behoudens die bepalings van subregulasie (1), siekteverlof toegestaan word vir 120 dae met volle gesoldiging en 120 dae met halfbesoldiging in elke tydkring.

(6) As aan 'n onderwyser genoem in subregulasie (5) die maksimum hoeveelheid siekteverlof waarvoor in hierdie regulasie voorsiening gemaak is, toegestaan is, en hy weens gesondheidsredes nog nie in staat is om sy pligte te hervat nie, kan die Departement —

- (a) by die voorlegging aan hom van 'n bevredigende sertifikaat van 'n geregistreerde geneesheer of 'n geregistreerde tandarts; en
- (b) as hy oortuig is dat sodanige onderwyser op die betrokke tydperk nie permanent ongeskik is vir die hervatting van sy normale pligte nie; en
- (c) as die betrokke onderwyser geen vakansieverlof tot sy krediet het nie,

na goeddunke, verdere siekteverlof met halfbesoldiging aan sodanige onderwyser toeken vir hoogstens 92 dae in enige besondere tydkring ten opsigte van afsonderlike tydperke van afwesigheid en ten opsigte van ongesteldhede van verskillende aard.

(7) Enige aansoek om siekteverlof ten opsigte van 'n onafgebroke tydperk van meer as drie dae moet gestaaf word deur 'n sertifikaat van ongesteldheid, en die Departement kan eis dat 'n sertifikaat verstrekkend word ter staving van enige aansoek om siekteverlof vir 'n tydperk van drie dae of minder indien hy meen dat omstandighede die verstreking van sodanige sertifikaat regverdig: Met dien verstande dat —

- (a) where in exceptional circumstances, the Department is satisfied that the absence of a teacher is *bona fide* due to sickness and is further satisfied that there are sufficient reasons why a certificate of indisposition is not submitted, it may, in its discretion, dispense with the submission of such certificate for a period not exceeding fourteen days;
- (b) sick leave in respect of which a certificate as defined in this subregulation, has not been submitted, may be granted only for an aggregate of 10 days during any calendar year;
- (c) any further absences shall be covered by the grant of extraordinary leave for urgent private affairs with pay, or, if the teacher concerned has no vacation leave to his credit, by extraordinary leave for urgent private affairs without pay;
- (d) the provisions of paragraphs (b) and (c) shall not apply to any period of absence in respect of which exemption in terms of this subregulation was granted.

(8) Sick leave shall not be granted to a teacher in respect of —

- (a) illness, disease or injury due to misconduct or failure to take reasonable care or precautions on the part of such teacher; or
- (b) neurasthenia, insomnia, debility or other similar ill-defined disease or condition of ill-health, unless it is established to the satisfaction of the Department that —
 - (i) such teacher is not in a fit state of health to perform his duties; and
 - (ii) the condition could not have been avoided by the taking of reasonable care or precautions on the part of such teacher or by the utilization of the facilities available to him in regard to vacation leave.

(9) Where any sick leave is granted to a teacher, the date from which such leave shall be deemed to have commenced and the date on which it shall be deemed to have ended, shall, subject to the medical requirements of the case, be as determined by the Department which may, in determining the period of such leave, take into consideration the interests of any school, college or institution affected by the grant thereof.

(10) Notwithstanding anything to the contrary contained in these regulations, a teacher may, at his request, be granted, in lieu of any portion of sick leave granted with half pay or without pay, vacation leave with full pay to the extent of vacation leave standing to his credit or with half pay on the basis of two days with half pay for each day with full pay standing to his credit.

(11) In the event of a teacher becoming ill whilst he is on vacation leave, the period for which he was ill, may, subject to the provisions of subregulation (7), be converted into sick leave if such period of illness exceeds seven days and such teacher applies in writing within 30 days after the expiry of his vacation leave for such conversion.

(12) Notwithstanding anything to the contrary contained in subregulation (1), a teacher who is absent from

- (a) waar die Departement oortuig is dat in uitsonderlike gevalle waar die afwesigheid van 'n onderwyser *bona fide* te wyte is aan siekte en as hy verder oortuig is dat daar genoegsame redes bestaan waarom 'n sertifikaat van ongesteldheid nie ingedien is nie, kan hy, na goeddunke, vrystelling verleen van die voorlegging van sodanige sertifikaat vir 'n tydperk van hoogstens veertien dae;
- (b) siekteverlof ten opsigte waarvan 'n sertifikaat soos in hierdie subregulasie omskryf, nie ingedien is nie, slegs toegestaan kan word vir altesaam 10 dae gedurende enige kalenderjaar;
- (c) enige verdere afwesigheid gedek moet word deur die toestaan van buitengewone verlof vir dringende private sake met besoldiging, of as die betrokke onderwyser geen vakansieverlof te goed het nie, deur buitengewone verlof vir dringende private sake sonder besoldiging; en
- (d) die bepaling vervat in paragrawe (b) en (c) nie van toepassing is nie op enige tydperk van afwesigheid ten opsigte waarvan vrystelling in hierdie subregulasie verleen is.

(8) Siekteverlof word nie aan 'n onderwyser toegestaan nie ten opsigte van —

- (a) siekte, ongesteldheid of besering wat toe te skrywe is aan die onderwyser se wangedrag of gebrek aan 'n redelike mate van sorg of voorsorg; of
- (b) neurastenie, slaaploosheid, swakheid of ander dergelike minder goed omskrywe siekte of ongesteldheid, tensy die Departement oortuig is dat —
 - (i) sodanige onderwyser se gesondheidstoestand hom ongeskik maak vir sy werk;
 - (ii) die toestand waarin hy verkeer nie deur 'n redelike mate van sorg of voorsorg aan sy kant of deur gebruik te maak van sy vakansieverlofvoorregte, vermy kon geword het nie.

(9) Waar enige siekteverlof aan 'n onderwyser toegestaan word, is die datum waarop daar geag word dat sodanige verlof begin het en die datum waarop daar geag word dat dit geëindig het, onderworpe aan die geneeskundige vereistes van die geval, soos bepaal deur die Departement wat, by vasstelling van die tydperk van sodanige verlof, die belange van enige skool, kollege of inrigting wat deur die toestaan daarvan geraak word, in aanmerking kan neem.

(10) Ondanks andersluidende bepalinge in hierdie regulasies vervat, kan daar aan 'n onderwyser op sy versoek, in die plek van enige gedeelte van die siekteverlof wat met halfbesoldiging of sonder besoldiging toegestaan is, vakansieverlof met volle besoldiging toegestaan word in die mate van die vakansieverlof wat hy te goed het of met halfbesoldiging op die basis van twee dae met halfbesoldiging vir elke dag met volle besoldiging wat hy te goed het.

(11) Indien 'n onderwyser siek word terwyl hy met vakansieverlof is, kan die tydperk waarin hy siek was, behoudens die bepalinge van subregulasie (7) omgeskep word in siekteverlof, indien sodanige tydperk van siekte meer as sewe dae is en sodanige onderwyser binne 30 dae na verstryking van sy vakansieverlof skriftelik om sodanige omskepping aansoek doen.

(12) Ondanks andersluidende bepalinge in subregulasie (1) vervat, kan aan 'n onderwyser wat van diens

duty owing to an injury sustained in an accident arising out of and in the course of his duties or owing to a disease contracted in the course of and as a result of his duties, may be granted special sick leave with full pay for the period he is incapacitated for such duties, or, if the case falls within the scope of the Workmen's Compensation Act, 1941, as amended, sick leave with remuneration equal to the difference between full pay and the compensation payable to him in terms of that Act: Provided that such leave shall not interfere with sick leave which may be granted in terms of any cycle.

(13) Notwithstanding the submission of a certificate as defined in subregulation (7), the Department may, in its discretion, refuse to grant sick leave with pay in respect of any absence from duty to which the certificate relates, and such absence shall, without prejudice to any disciplinary action which may be taken against such teacher, be regarded as extraordinary leave for urgent private affairs without pay.

Lapse of leave on termination of service.

79. Leave cannot be claimed as of right, and when a teacher leaves the service for any reason whatsoever, his leave shall lapse on the last day on which he was on duty and he cannot claim payment in respect of the cash value of leave not utilized: Provided that the payment of a leave gratuity in terms of the provisions of regulations 83 and 84 is not precluded by this regulation.

Voluntary termination of leave by teacher.

80. A teacher who wishes to assume duty before the expiration of a period of leave granted to him under these regulations, shall not do so before having obtained the prior approval of the Department.

Leave granted in error.

81. In the event of a teacher being granted in good faith vacation leave with full or half pay and utilized by him in excess of that for which he qualified at that stage in terms of these regulations, such over-grant may be deducted from vacation leave which subsequently accrues to him: Provided that in the event of the teacher resigning or his services being terminated before sufficient vacation leave has accrued to him for the purpose of such deduction, the portion of the over-grant which has not yet been set off against his vacation leave accrual on his last day of service, shall be regarded as an overpayment of salary.

Leave under previous regulations.

82. In respect of a teacher who was in the service of the Department when these regulations came into force —

- (a) the vacation leave standing to the credit of such teacher shall be deemed to be a credit under these regulations;
- (b) leave granted to such teacher in terms of the previous regulations for a period which expires after the fixed date, shall be deemed to be leave granted lawfully.

Leave gratuities.

83. (1) A leave gratuity, calculated as set out in regulation 84, may be paid —

afwesig is weens 'n besering opgedoen in 'n ongeluk wat voortvloei uit en in die loop van sy pligte of weens 'n siekte opgedoen in die loop of as gevolg van sy pligte, spesiale siekteverlof met volle besoldiging toegestaan word vir die tydperk wat hy onbevoeg is vir sodanige pligte, of, indien die geval onder die Ongevalwet 1941, soos gewysig, ressorteer, siekteverlof met besoldiging gelyk aan die verskil tussen volle besoldiging en die vergoeding wat ingevolge genoemde wet aan hom betaalbaar is: Met dien verstaande dat sodanige verlof nie siekteverlof wat ingevolge enige tydkring toegestaan kan word, aantas nie.

(13) Ondanks die indiening van 'n sertifikaat soos in subregulasie (7) omskryf, kan die Departement, na goeddunke, weier om siekteverlof met besoldiging toe te staan ten opsigte van enige afwesigheid van diens waarop die sertifikaat betrekking het, en so 'n afwesigheid word as buitengewone verlof vir dringende private sake sonder besoldiging beskou met voorbehoud van regte betreffende enige tugmaatreëls teen so 'n onderwyser.

Verval van verlof by beëindiging van diens.

79. Verlof kan nie as 'n reg geëis word nie, en wanneer 'n onderwyser die diens verlaat, om watter rede ook al, verval sy verlof op die laaste dag waarop hy in diens was en kan hy nie eis dat die geldwaarde van ongebruikte verlof aan hom uitbetaal word nie: Met dien verstaande dat die bepaling van 'n verlofgratifikasie ingevolge die bepalings van regulasies 83 en 84 nie deur hierdie regulasie belet word nie.

Vrywillige beëindiging van verlof deur 'n onderwyser.

80. 'n Onderwyser wat diens wil aanvaar voor die verstryking van 'n tydperk van verlof wat ingevolge hierdie regulasies aan hom toegestaan is, mag dit nie sonder voorafverkreë goedkeuring van die Departement doen nie.

Verlof per abuis toegestaan.

81. As daar te goeder trou aan 'n onderwyser meer vakansieverlof teen vol- of halfbetaling toegestaan en deur hom gebruik is as waarop hy op daardie tydstip ingevolge hierdie regulasies geregtig was, kan so 'n oortoekeening afgetrek word van vakansieverlof wat later aan hom toeval: Met dien verstaande dat, as die onderwyser bedank of sy dienste beëindig word voordat voldoende vakansieverlof vir die doel van so 'n aftrekking aan hom toegeval het, daardie gedeelte van die oortoekeening wat sy vakansieverlofaanwas op die laaste dag van sy diens oorskry, as 'n oorbetalings van salaris geag word.

Verlof ingevolge vorige regulasies.

82. Ten opsigte van 'n onderwyser wat met die inwerkingtreding van hierdie regulasies in die diens van die Departement is —

- (a) word daar geag dat die vakansieverlof wat sodanige onderwyser te goed het, verlof te goed is ingevolge hierdie regulasies;
- (b) word verlof wat aan sodanige onderwyser toegestaan is ingevolge die vorige regulasies vir 'n tydperk wat na die vasgestelde datum verstryk, as verlof beskou wat wettig toegestaan is.

Verlofgratifikasies.

83. (1) 'n Verlofgratifikasie, bereken soos in regulasie 84 uiteengesit, kan betaal word —

- (a) on his written request not more than five years before reaching the pensionable age, to a teacher in the service of the Department in a permanent capacity who has completed at least five years of continuous service;
- (b) to a teacher who retires in terms of section 45 (1) (b) or (c) of the Education Ordinance, 1962, or who retires on pension before reaching the pensionable age;
- (c) to a woman teacher, excluding a woman teacher to whom a leave gratuity in terms of paragraph (a) was paid, who, after having completed at least five years' continuous satisfactory full-time service, resigns in contemplation of marriage and marries within 90 days of her last day of service or who is discharged as a result of her marriage: Provided that such teacher shall be deemed to have completed five years' continuous satisfactory full-time service if she so served for a period covering all the school terms contained in five years;

(d) where a teacher dies, to the person or persons in the following order of preference:

- (i) widow or widower;
- (ii) dependent children and step children in equal shares; or
- (iii) dependent parent or parents:

Provided that if there are no such person or persons, the gratuity be paid into the estate of the deceased;

(e) to a teacher in service in a temporary capacity whose services terminate after having completed at least five years' satisfactory full-time temporary service: Provided that in calculating the five year period, a full school term shall be deemed to be three months.

(2) Vacation leave credit exceeding the number of days in respect of which a gratuity in terms of regulation 84 (1) (a) has been paid, shall be retained by a teacher.

(3) A further leave gratuity, calculated as set out in regulation 84, may be paid to a teacher to whom a leave gratuity in terms of subregulation (1) (a) has already been paid or is still payable, and whose services remain continuous to —

- (a) his retirement or
- (b) the date of his death,

and in the latter case, such gratuity shall be paid to the person or persons mentioned in subregulation (1) (d).

84. (1) The maximum vacation leave in respect of which —

- (a) a leave gratuity may be paid in terms of regulation 83 (1), is 184 days; and
- (b) the further leave gratuity may be paid in terms of regulation 83 (3), is 90 days: Provided that the number of 90 days shall be reduced by 18 days per annum on a *pro rata* basis in respect of the period calculated from the date of retirement up to and including the date on which such teacher reaches the pensionable age, where such man or woman

(a) op sy skriftelike versoek hoogstens vyf jaar voor bereiking van die ouderdomsgrens aan 'n onderwyser in diens van die Departement in 'n permanente hoedanigheid wat minstens vyf jaar deurlopende diens voltooi het;

(b) aan 'n onderwyser wat aftree ingevolge artikel 45 (1) (b) of (c) van die Onderwysordonnansie 1962 of wat met pensioen aftree voor bereiking van die ouderdomsgrens;

(c) aan 'n onderwyseres, uitgesonderd 'n onderwyseres aan wie 'n verlofgratifikasie ingevolge paragraaf (a) betaal is, wat na voltooiing van minstens vyf jaar bevredigende deurlopende voltydse diens bedank met die voorneme om in die huwelik te tree en binne 90 dae vanaf haar laaste dag van diens in die huwelik tree, of afgedank word as gevolg van haar huwelik: Met dien verstande dat sodanige onderwyseres geag word vyf jaar bevredigende deurlopende voltydse diens te voltooi het as sy vir 'n tydperk wat strek oor al die skoolkwartale in vyf jaar, aldus diens gedoen het;

(d) waar 'n onderwyser te sterwe kom, aan die persoon of persone in die volgende orde van voorrang:

- (i) Weduwee of wewenaar;
- (ii) afhanklike kinders en stiefkinders in gelyke dele; of
- (iii) afhanklike ouer of ouers:

Met dien verstande dat indien daar nie sodanige persoon of persone is nie, die gratifikasie in die boedel van die oorledene inbetaal word;

(e) aan 'n onderwyser in diens in 'n tydelike hoedanigheid wie se dienste na voltooiing van minstens vyf jaar bevredigende voltydse tydelike diens eindig: Met dien verstande dat by die berekening van die vyf jaar tydperk 'n volle skoolkwartaal geag word drie maande te wees.

(2) Verlofkrediet, wat die getal dae waarvoor 'n gratifikasie ingevolge regulasie 84 (1) (a) betaal is, oorskry, word deur 'n onderwyser behou.

(3) 'n Verdere verlofgratifikasie, bereken soos in regulasie 84 uiteengesit, kan betaal word aan 'n onderwyser aan wie 'n verlofgratifikasie ingevolge subregulasie (1) (a) reeds betaal of nog betaalbaar is, en wie se dienste deurlopend bly tot —

- (a) sy uitdienstreding, of
- (b) die datum waarop hy te sterwe kom,

en in laasgenoemde geval word sodanige gratifikasie betaal aan die persoon of persone wat in subregulasie (1) (d) genoem word.

84. (1) Die maksimum vakansieverlof ten opsigte waarvan —

- (a) 'n verlofgratifikasie ingevolge regulasie 83 (1) betaal kan word, is 184 dae; en
- (b) die verdere verlofgratifikasie ingevolge regulasie 83 (3) betaal kan word, is 90 dae: Met dien verstande dat die getal van 90 dae verminder word met 18 dae per jaar op 'n *pro rata*-basis ten opsigte van die tydperk gereken vanaf die datum van uitdienstreding tot en met die datum waarop sodanige onderwyser die ouderdomsgrens bereik waar sodanige man of vrou uit diens tree voor bereiking van

retires before reaching the pensionable age, and provided further that in the case of a teacher who is employed during all school vacations, the number of 90 days be further reduced by —

(i) the number of days vacation leave granted with pay to such teacher in excess of his total accrual during the period following on the earliest date on which such teacher could have retired on pension to the date of retirement: Provided that in the case of a woman teacher who retires with a pension as defined and provided for in the Education Ordinance, 1962, (Ordinance 27 of 1962), from a date after reaching the pensionable age, the provisions of this paragraph shall apply only in respect of the last five years of her service; and

(ii) the number of days vacation leave granted with pay to such teacher in excess of his annual accrual during the year immediately preceding his retirement.

(2) Vacation leave granted in terms of regulation 78 (10), shall not be regarded as vacation leave in excess in calculating the gratuity mentioned in subregulation (1).

(3) Subject to the provisions of subregulation (1), the amount of the leave gratuity shall be calculated in respect of the number of days vacation leave which a teacher has to his credit on the date of payment of the gratuity and at a rate equal to the total of his basic annual salary plus any pensionable allowance, including teachers' allowance, and the personal non-pensionable allowance paid as a remainder of cost of living allowance, payable in respect of the post he occupied on the date of the payment of such gratuity.

2. Regulation 75 is renumbered 85.

3. Regulation 76 is renumbered 86.

4. Regulation 77 is renumbered 87 and the expression "seventy-six" appearing therein is replaced by "eighty-six".

5. Regulation 78 is renumbered 88 and the expression "seventy-seven" appearing therein is replaced by "eighty-seven".

6. Regulation 79 is renumbered 89 and the expression "seventy-seven" appearing therein is replaced by "eighty-seven".

7. Regulation 89 is renumbered 90.

8. Regulation 100 is renumbered 91.

9. Regulation 101 is renumbered 92.

10. Regulation 102 is renumbered 93.

11. Schedule II is deleted and replaced by the following:

die ouderdomsgrens en voorts met dien verstande dat in die geval van 'n onderwyser wat gedurende alle skoolvakansies diens doen, die getal van 90 dae verder verminder word met —

(i) die getal dae vakansieverlof met besoldiging wat aan sodanige onderwyser gedurende die tydperk na bereiking van die vroegste datum waarop hy kon aftree tot die datum van uitdienstreding bo sy totale aanwas ten opsigte van gemelde tydperk toegestaan is: Met dien verstande dat in die geval van 'n onderwyseres wat met 'n pensioen soos omskryf en bepaal in die Onderwysordonnansie 1962 (Ordonnansie 27 van 1962) uit die diens tree vanaf 'n datum na bereiking van die ouderdomsgrens die bepalings van hierdie paragraaf alleenlik geld ten opsigte van die laaste 5 jaar van haar diens; en

(ii) die getal dae vakansieverlof met besoldiging wat gedurende die jaar wat sodanige onderwyser se uitdienstreding onmiddellik voorafgaan, bo sy jaarlikse aanwas toegestaan is.

(2) Vakansieverlof wat ingevolge regulasie 78 (10) toegestaan is, word nie as 'n oorskryding van vakansieverlof beskou by die berekening van die gratifikasie in subregulasie (1) genoem nie.

(3) Die bedrag van die verlofgratifikasie word, behoudens die bepalings van subregulasie (1), bereken ten opsigte van die getal dae vakansieverlof wat 'n onderwyser te goed het op die datum van die betaling van die gratifikasie en teen 'n tarief gelykstaande met die totaal van sy basiese jaarlikse salaris plus enige pensioengewende toelae insluitende onderwyserstoelaag en die persoonlike nie-pensioengewende toelae wat betaal is as 'n restant van lewenskostetoelae betaalbaar ten opsigte van die pos wat hy beklee op die datum van betaling van sodanige gratifikasie.

2. Regulasie 75 word hernoem 85.

3. Regulasie 76 word hernoem 86.

4. Regulasie 77 word hernoem 87 en die uitdrukking „ses-en-sewentig” wat daarin voorkom word vervang deur „ses-en-tagtig”.

5. Regulasie 78 word hernoem 88 en die uitdrukking „sewe-en-sewentig” wat daarin voorkom, word vervang deur „sewe-en-tagtig”.

6. Regulasie 79 word hernoem 89 en die uitdrukking „sewe-en-sewentig” wat daarin voorkom, word vervang deur „sewe-en-tagtig”.

7. Regulasie 89 word hernoem 90.

8. Regulasie 100 word hernoem 91.

9. Regulasie 101 word hernoem 92.

10. Regulasie 102 word hernoem 93.

11. Bylae II word geskrap en vervang deur die volgende:—

SCHEDULE II.

(REGULATION 71 (3)).

AGREEMENT.

I undertake, if required to do so by the S.W.A. Education Department, immediately after expiry of the period of special leave for study purposes granted to me for the period from to in terms of regulation 71 (3) of the Regulations on the Conditions of Appointment and Service of White Teachers as published by Government Notice 53 dated 29 April, 1964, to serve the said Department as a teacher (hereinafter referred to as my service obligation) for a continuous period equal to the period for which such special leave was granted to me, viz. days.

I hereby declare that I understand that authorised leave of absence with full or part pay shall normally count as service in fulfilment of my service obligation and that if I am granted leave of absence without pay, or if I am absent from duty without permission before I have met my service obligation, such obligation shall be extended by a number of days equal to the period(s) of such leave which was granted and/or the periods that I was absent from duty without permission.

I further undertake, should I in anyway fail, except through my death, to comply fully with this undertaking, irrespective of whether such failure be a result of discharge by the said department on grounds of misconduct, to refund to the said Department on demand, the full remuneration and vacation savings bonus which I received during the above-mentioned period.

Signed at on this the day of 19.....

Signature of Teacher.

Witnesses:

- 1.
2.

BYLAE II.

(Regulasie 71 (3).)

VERBINTENIS.

Ek onderneem om, indien aldus deur die S.W.A. Onderwysdepartement vereis, onmiddellik na verstryking van die tydperk van spesiale verlof vir studietoelae wat ingevolge regulasie 71 (3) van die Regulasies op die Aanstellings- en Diensvoorwaardes van Blanke Onderwysers soos gepubliseer by Goewermentskennisgewing 53 van 29 April 1964, vir die tydperk vanaf tot aan my toegestaan is, diens as onderwyser in gemelde Departement te doen (hierna verwys as my diensverpligting) vir 'n ononderbroke tydperk gelyk aan die tydperk waarvoor sodanige spesiale verlof aan my toegestaan was, naamlik dae.

Ek verklaar hierby dat ek begryp dat gemagtigde afwesighedsverlof met volle of gedeeltelike betaling normaalweg as diens ter nakoming van my diensverpligting tel en dat indien afwesighedsverlof sonder betaling aan my toegestaan word, of as ek sonder toestemming van diens afwesig is voordat ek my diensverpligting ten volle nagekom het, my diensverpligting verleng word met 'n getal dae gelykstaande met die tydperk(e) waarvoor sodanige verlof aan my toegestaan is en/of die tydperk(e) wat ek sonder toestemming van diens afwesig was.

Ek onderneem verder dat, indien ek op enige wyse hoegenaamd versuim om hierdie onderneming ten volle na te kom, ongeag of sonder versuim die gevolg is van ontslag deur gemelde Departement op grond van wangedrag, behalwe as ek te sterwe kom, ek die volle besoldiging en vakansiebesparingsbonus wat ek gedurende bogemelde tydperk ontvang het, aan gemelde Departement op aanvraag moet terugbetaal.

Geteken te op hierdie die dag van 19.....

Handtekening van onderwyser.

Getuies:

- 1.
2.

SCHEDULE III.

(REGULATION 72 (1) (a)).

AGREEMENT.

I undertake, if required to do so by the Department, immediately on completion of my initial period of compulsory military training from to assume duty as a teacher in the S.W.A. Education Department and to serve the said Department (hereinafter referred to as my service obligation) for a continuous period equal to the period of special leave granted to me viz. days.

I hereby declare that I understand that authorised leave of absence with full or part pay shall normally count as service in fulfilment of my service obligation and that if I am granted leave of absence without pay, or if I am absent from duty without permission before I have met my service obligation, such obligation shall be extended by a number of days equal to the period(s) of such leave which was granted and/or the period(s) that I was absent from duty without permission.

I further undertake, should I in any way fail, except through my death, to comply fully with this undertaking, irrespective of whether such failure be a result of discharge by the said Department on grounds of misconduct, to refund to the said Department on demand, the full remuneration and vacation savings bonus which I received during the above-mentioned period.

Signed at on this the day of 19.....

Signature of Teacher.

Witnesses:

- 1.
2.

Aided by (in the case of a minor)

Signature of parent or guardian.

Witnesses:

- 1.
2.

12. The amendments to the regulations which are contained herein, are applicable with retrospective effect from 14 August 1968.

BYLAE III.

(Regulasie 72 (1) (a).)

VERBINTENIS.

Ek onderneem om, indien aldus deur die Departement vereis, onmiddellik na die voltooiing van my eerste tydperk van verpligte militêre opleiding vanaf tot diens as onderwyser in die S.W.A. Onderwysdepartement te aanvaar en gemelde Departement te dien (hierna verwys as my diensverpligting) vir 'n ononderbroke tydperk gelyk aan die tydperk waarvoor spesiale verlof aan my toegestaan was, naamlik dae.

Ek verklaar hierby dat ek begryp dat gemagtigde afwesighedsverlof met volle of gedeeltelike betaling normaalweg as diens ter nakoming van my diensverpligting tel en dat indien afwesighedsverlof sonder betaling aan my toegestaan word, of as ek sonder toestemming van diens afwesig is voordat ek my diensverpligting ten volle nagekom het, my diensverpligting verleng word met 'n getal dae gelyk met die tydperk(e) waarvoor sodanige verlof aan my toegestaan is en/of die tydperk(e) wat ek sonder toestemming van diens afwesig was.

Ek onderneem verder dat, indien ek op enige wyse hoegenaamd versuim om hierdie onderneming ten volle na te kom, ongeag of sonder versuim die gevolg is van ontslag deur gemelde Departement op grond van wangedrag, behalwe as ek te sterwe kom, ek die volle besoldiging en vakansiebesparingsbonus wat ek gedurende bogemelde tydperk ontvang het, aan gemelde Departement op aanvraag moet terugbetaal.

Geteken te op hierdie die dag van 19.....

Handtekening van onderwyser.

Getuies:

- 1.
2.

Bygestaan deur (in die geval van 'n minderjarige):

Handtekening van ouer of voog.

Getuies:

- 1.
2.

12. Die wysigings van die regulasies wat hierin vervat is, is met terugwerkende krag van toepassing vanaf 14 Augustus 1968.