

HOOFSTUK I.

ALGEMEEN

1. *Woordbepaling:*

„Administrateur” beteken die Administrateur van die Gebied Suidwes-Afrika handelende in Uitvoerende Komitee.

„bepaling” beteken die salaris wat normaalweg aan 'n werknemer betaalbaar is wanneer hy op diens is en sluit in toelaes wat nie by salaris inbegrepe is nie.

„dag” beteken elke aaneenlopende tydperk van 24 uur.

„diens” beteken voltydse aaneenlopende diens by die Raad vir Buitestedelike Ontwikkeling.

„hoofkwartier” beteken stad, dorp of plek waar die vernaamste werk van 'n werknemer verrig word of wat deur sy afdelingshoof as sy hoofkwartier aangewys is.

„hoof van kantoor” beteken hoof van 'n werknemer se kantoor, inrigting, kamp, seksie, onderafdeling of afdeling.

„herberg” beteken slaapplek en beddegoed en sluit in etes of vloeibare verversings, uitgesonderd alkoholiese drank, of enige samestelling van hierdie items.

„kalenderjaar” beteken 'n tydperk wat strek van 1 Januarie tot 31 Desember van 'n jaar, albei datums inbegrepe.

„kalenderkwartaal” beteken 'n tydperk wat strek vanaf 1 Januarie tot 31 Maart, 1 April tot 30 Junie, 1 Julie tot 30 September en 1 Oktober tot 31 Desember van 'n jaar, in elke geval albei datums inbegrepe.

„maand” beteken 'n tydperk van 'n datum in die een maand wat tot die datum onmiddellik voor die ooreenstemmende datum in die volgende maand strek of in die geval van Februarie die laaste dag van genoemde maand indien nodig (albei datums inbegrepe).

„mediese raad” beteken 'n raad bestaande uit twee geregisteerde mediese praktisyns wat deur die Sekretaris aangestel is, en, indien die werknemer dit verlang, 'n derde lid deur hom benoem en deur die Sekretaris aangestel.

„salaris” beteken die jaarlikse basiese salaris of loon en die kontantvergoeding van enige pensioendraende voorregte wat *in natura* verskaf word.

„Sekretaris” beteken die Sekretaris van die Raad vir Buitestedelike Ontwikkeling of sy gevolmagtigde verteenwoordiger.

„toetreegraad” beteken die laagste graad in elke groep van werknemers van die raad.

„werknemer” beteken elke persoon in diens van die raad.

CHAPTER I.

GENERAL.

1. *Definitions:*

“Administrator” shall mean the Administrator of the Territory of South West Africa acting in Executive Committee;

“payment” shall mean the salary which is normally payable to an employee when he is on duty, and shall include allowances which are not included in his salary;

“day” shall mean every continuous period of 24 hours;

“service” shall mean full-time continuous service with the Peri-urban Development Board;

“headquarters” shall mean the town, village or place where an employee's main work is performed, or which is so designated by the head of his division;

“head of office” shall mean the head of an employee's office, institution, camp, section, sub-division or division;

“accommodation” shall mean sleeping accommodation and bedding, and shall include meals or liquid refreshments, except alcoholic drinks, or any combination of these items;

“calendar year” shall mean a period extending from 1 January to 31 December of any year, both dates inclusive;

“calendar quarter” shall mean a period extending from 1 January to 31 March, 1 April to 30 June, 1 July to 30 September and 1 October to 31 December of any year, both dates in each case to be inclusive;

“month” shall mean a period from a date in one month extending to the date immediately preceding the corresponding date in the next month, or, in the case of February, the last day of this month if necessary (both dates inclusive);

“medical board” shall mean a board consisting of two registered medical practitioners appointed by the Secretary, and, where the employee desires it, a third member nominated by him and appointed by the Secretary;

“salary” shall mean the annual basic salary or wages and the cash compensation for any pensionable privilege provided in kind;

“Secretary” shall mean the Secretary of the Peri-urban Development Board or his authorised representative;

“school quarter” shall mean the quarter as fixed by the Director of Education;

“entry grade” shall mean the lowest grade in each group of employees of the Board;

“employee” shall mean a person in the service of the Board.

2. ALGEMEEN

(1) Die datum van inwerkingtreding van hierdie regulasies is 14 Desember 1970.

(2) *Buitengewone gevalle.*

As daar enige omstandighede ontstaan waarvoor geen voorsiening in hierdie regulasies gemaak is nie, kan die geval aan die Sekretaris voorgelê word vir beslissing deur die raad.

3. *Bepaling, Indeling en Rangskikking van poste.*

(1) Die personeel in diens van die raad word in die volgende afdelings ingedeel:

- (a) Vakkundige afdeling.
- (b) Administratiewe afdeling.
- (c) klerklike afdeling.
- (d) Tegnieese afdeling.
- (e) Algemene afdeling.
- (f) Nie-geklassifiseerde afdeling (blank en nie-blank).
- (g) Verpleegafdeling.

Bogenoemde afdelings omvat alle werknemers wie se betrekking of poste deur die raad gelas is om in dié afdelings opgeneem te word.

(2) Die raad is bevoeg om te gelas dat 'n betrekking of pos wat in een van die afdelings is, daaruit geneem word en in 'n ander afdeling opgeneem word.

(3) Die Sekretaris bepaal die sterkte van die diensstaat in elke afdeling van die raad.

4. *Mededelings aan die Sekretaris of Afdelingshoof.*

(1) Alle mededelings van onderafdelings, kantore of seksies bestem vir die Sekretaris moet deur bemiddeling van die afdelingshoof aan die Sekretaris gerig word.

(2) 'n Werknemer is geregtig om iets wat hy wil voorstel aan die Sekretaris voor te lê, mits dit deur die daarvoor aangewese kommunikasiekanaal geskied.

5. *Pligte van Hoofde van Kantore.*

(1) Die hoof van 'n kantoor is verantwoordelik vir dienstug, doeltreffende en spaarsame administrasie en vir die behoorlike gebruik en versorging van die raad se eiendom wat onder sy beheer is en 'n werknemer wat gesag voer oor 'n tak, kantoor of inrigting is teenoor die hoof van sy afdeling verantwoordelik vir die behoorlike bestuur, dienstug en doeltreffendheid van die diens wat onder sy toesig is.

(2) Elke werknemer moet die eiendom van die raad na behore gebruik en die opdragte wat van tyd tot tyd aangaande die gebruik van sodanige eiendom uitgevaardig word, stiptelik nakom en mag sodanige eiendom nie aanwend vir 'n ander doel as dié waarvoor dit bestem is nie.

(3) Elke werknemer is verantwoordelik vir alle uitrusting, gereedskap en ander eiendom van die raad wat omrede sy bekleding van 'n bepaalde betrekking onder sy toesig geplaas is.

6. *Inspeksie van Kantore, Inrigtings of Afdelings van die raad.*

Die Sekretaris kan te eniger tyd 'n persoon aanwys om enige kantoor, inrigting of afdeling te inspekteer en verslag te doen oor wat hy bevind het.

2. *General.*

(1) The date of commencement of these regulations shall be 14 December, 1970.

(2) *Special Cases.*

If circumstances should arise for which no provision is made in these regulations, the matter may be submitted to the Secretary for a decision by the Board.

3. *Definition, Classification and Arrangement of Posts.*

(1) The staff in the service of the Board shall be divided into the following sections:

- (a) Professional division.
- (b) Administrative division.
- (c) clerical division.
- (d) Technical division.
- (e) General division.
- (f) Non-classified division (white and non-white).
- (g) Nursing division.

The above-mentioned divisions include all employees whose posts fall within these divisions as directed by the Board.

(2) The Board may direct that any posts in any division shall be transferred from that division to another.

(3) The Secretary shall determine the strength of the establishment in each division of the Board.

4. *Communications to Secretary or Head of Division.*

(1) All communications from sub-divisions, offices or sections intended for the Secretary shall be addressed to the Secretary through the head of the division concerned.

(2) An employee shall have the right to submit any proposal made by him to the Secretary, provided such submission is made through the appropriate channels of communication.

5. *Duties of Heads of Offices.*

(1) The head of an office shall be responsible for discipline, efficient and economic administration, and for the proper use and care of the Board's property under his control, and any employee in charge of a division, office or institution shall be responsible to the head of his division for the proper management discipline and efficiency of the service under his charge.

(2) Each employee shall use the property of the Board properly and shall strictly observe the instructions issued from time to time as regards the use of such property and shall not use such property for a purpose other than that for which it is intended.

(3) Each employee shall be responsible for all equipment, implements and other property of the Board which have been placed in his charge by virtue of his occupation of a particular post.

6. *Inspection of Offices, Institutions or Divisions of the Board.*

The Secretary may at any time designate a person to inspect any office, institution or division and to report on what he found.

7. Verrigting van besoldigde Werk buite die Diens van die Raad.

Geen werknemer mag sonder die voorafverskreë goedkeuring van die raad of aanbeveling van die Sekretaris besoldigde werk buite die diens van die raad verrig nie

8. Gehoorsaamheid aan Opdragte.

'n Werknemer moet enige wettige opdrag van 'n daartoe gemagtigde persoon onvoorwaardelik uitvoer. As so 'n werknemer enige beswaar teen sodanige opdrag het, is hy, voor uitvoering van die opdrag, op 'n SKRIFTELIKE herhaling van die opdrag deur die betrokke persoon geregig.

9. Verstrekking van persoonlike Inligting.

Elke werknemer moet sy hoof skriftelik van die volgende in kennis stel en van enige verandering wat teen opsigte daarvan plaasvind —

1. Woonadres
2. Huwelikstaat
3. Ouderdom, getal en verwantskap van afhanklikes, en
4. Adres van verblyf gedurende verloftydperk.

10. Toewyding aan Diens.

(1) Gedurende diensure moet 'n werknemer hom met die werk van sy diens besig hou en mag hy nie sy aandag aan private aangeleenthede wy nie.

(2) Geen werknemer mag sonder die toestemming van die hoof van sy kantoor gedurende diensure sy werk verlaat om private besigheid te verrig nie.

11. Laatkom en Ongereeldheid.

As 'n werknemer in die gewoonte raak om laat te kom of gedurende die voorgeskrewe ure nie gereeld op diens is nie, is hy skuldig aan 'n oortreding van hierdie regulasies.

12. Private geldelike Transaksies.

Vir skikkingsdoeleindes mag 'n werknemer nie medepligtig wees aan enige vorm van skuldbewys nie: Met dien verstande dat die Sekretaris skriftelike toestemming daartoe kan verleen dat daar van die bepalings van hierdie regulasies afgewyk word as hy hom deur ondersoek oortuig het dat die voorgenome transaksie aangaan word om aanneemlike redes wat niks met spekulasie, dobbelary of enige onbehoorlike handeling wat die betrokke werknemer in geldelike moeilikheid kan laat kom, te doen het nie: Met dien verstande verder dat sodanige toestemming nie ten opsigte van 'n transaksie tussen twee werknemers verleen mag word nie.

13. Leen van Geld by Ondergeskiktes.

Onder geen omstandighede mag 'n werknemer geld leen van 'n ondergeskikte nie.

14. Regsvordering weens Skuld.

(1) Die Griffier en Weesheer van die Hooggeregshof van S.W.A. en landdroste moet maandeliks by uitreiking van dagvaardings weens skuld of gyseling of vonnis of insolvensiegedinge teen enige werknemer die feit aan die Sekretaris rapporteer met verstrekking van volledige besonderhede.

(2) Die Sekretaris kan van 'n werknemer verlang om 'n verduideliking te verstrek oor enige dagvaarding,

7. Performance of Remunerative Work outside the Service of the Board.

No employee may perform any remunerative work outside the service of the Board without the prior approval of the Board granted on the recommendation of the Secretary.

8. Obedience to Instructions.

Every employee shall obey implicitly any lawful instructions given to him by any person duly authorised to give such instruction. If any such employee has any objection to any such instruction, he shall before the execution of the instruction be entitled to have the instruction repeated IN WRITING by the person concerned.

9. Giving of Personal Information.

Each employee shall give his head the following information in writing and likewise notify him of any change that may occur in respect of it:

- (i) Residential address;
- (ii) marital state;
- (iii) age, number and relationship of dependants; and
- (iv) address of dwelling place during period of leave.

10. Devotion to Duty.

(1) During the hours of attendance an employee shall devote himself to the discharge of his duties and shall not allow his attention to be engaged on private affairs.

(2) No employee shall leave his office on private business during the hours of attendance except with the permission of the head of his office.

11. Unpunctuality and Irregularity.

An employee who develops habits of unpunctuality or irregularity in his attendance during the prescribed hours shall be guilty of a contravention of these regulations.

12. Private Financial Transaction.

An employee shall not become a party to any form of promissory note for compromising purposes: Provided that the Secretary may give his written consent to a departure from the provisions of this regulation if he has satisfied himself by investigation that the proposed transaction is being entered into for acceptable reasons not connected with speculation, gambling or any other improper dealing which may lead to the pecuniary embarrassment of the employee concerned: Provided further that such consent shall not be given in respect of a transaction between two employees.

13. Borrowing Money from Subordinates.

Under no circumstances shall an employee borrow money from any subordinate.

14. Legal Proceedings for Debt.

(1) The Registrar and Master of the Supreme Court of South West Africa and magistrates shall, every month upon the issue of process for debt or civil imprisonment or of any judgments or insolvency proceedings against any employee, report the fact to the Secretary with full particulars.

(2) The Secretary may require an employee to give an explanation of any process, civil imprisonment or

yseling of vonnis vir skuld. Van hom kan ook verlang word om 'n staat van sy skuld voor te lê en om te verlaar hoe die skuld aangegaan is en hoe hy voornemens is om dit te vereffen. Indien 'n werknemer weier of veruim om so 'n staat voor te lê of 'n onjuiste staat voor te lê, wetende dat dit onjuis is, is hy skuldig aan 'n oortreding van hierdie regulasies.

15. *Aanneem van Geskenke, Kommissie, Geld of Beloning.*

(1) 'n Werknemer mag nie sonder die toestemming van die Sekretaris of, in die geval van die Sekretaris, onder die toestemming van die raad 'n geskenk, geld of anders, aanneem wat hom deur 'n lid van die publiek aangebied word uit hoofde daarvan dat hy 'n beaalde amp of pos in diens van die raad beklee of beklee het nie.

(2) 'n Werknemer mag nie sonder die toestemming van die Sekretaris enige kommissie, geld of beloning, eldelik of andersins (wat nie die emolumente is wat en opsigte van sy pligte aan hom betaalbaar is nie) aanneem of dit eis ten opsigte van die uitvoering van sy pligte of die versuim om sy pligte uit te voer, of versuim aan die Sekretaris die aanbod van so 'n kommissie, geld of beloning te rapporteer nie.

16. *Beantwoording van Vrae*

Indien 'n daartoe gemagtigde persoon 'n werknemer 'n regmatige vraag vra betreffende enige amptelike saak, moet hy gereedelik daarop antwoord en indien hy or inligting of kennis van die betrokke saak beskik en oornoemde persoon hom versoek om sodanige inligting of kennis aan hom te verstrek, moet hy dit gereedelik doen.

17. *Strafregtelike Vervolging.*

As 'n werknemer vrygespreek word van 'n strafregtelike aanklag, is hy nie om die rede vrygestel van 'n oortreding van wangedrag van wangedrag ingevolge hierdie regulasies nie.

18. *'n Werknemer wat van Wangedrag aangekla word, moet op sy Pos bly.*

'n Werknemer wat van wangedrag aangekla word moet op sy pos bly tensy toestemming andersins deur die Sekretaris gegee is.

19. *Aanneem van Nominasie vir die Parlement, Provinsiale Raad, ens.*

(1) As 'n werknemer 'n nominasie of rekwisisie aanvaar as kandidaat vir verkiesing tot lid van die Parlement, van enige provinsiale raad, die Wetgewende Vergadering, afdelingsraad, stadsraad, munisipale raad, dorpsbestuur, gesondheidskomitee of plaaslike bestuur, moet hy geag vrywillig uit die diens te getree het met inagting van die datum waarop hy sodanige nominasie of rekwisisie aanvaar het.

(2) Ondanks die bepalinge van subregulasie (1) in 'n werknemer —

(a) wat onmiddellik voor die datum van inwerking-treding van hierdie regulasie 'n lid was van 'n afdelingsraad, stadsraad, munisipale raad, dorpsbestuur, gesondheidskomitee of plaaslike bestuur, lid van sodanige raad, komitee of bestuur bly vir die onverstreke gedeelte van die termyn waarvoor hy verkies is;

(b) met die toestemming van die raad aanstelling aanvaar en diens doen as lid van 'n afdelingsraad,

judgment for debt. He may also be required to submit a statement of his debts and to explain how he incurred them and how he intends to pay them. If an employee refuses or neglects to submit such a statement, or submits an incorrect statement, knowing it to be incorrect, he shall be guilty of a contravention of these regulations.

15. *Acceptance of Gifts, Commission, Money or Reward.*

(1) An employee shall not accept without the permission of the Secretary or in the case of the Secretary, without the permission of the Board a gift, pecuniary or otherwise, offered to him by a member of the public by reason of his occupying or having occupied a particular office or post in the service of the Board.

(2) An employee shall not without the permission of the Secretary accept or demand in respect of the carrying out of, or the failure to carry out, his duties, any commission, fee or reward, pecuniary or otherwise (not being the emoluments payable to him in respect of his duties) and shall not fail to report to the Secretary the offer of such commission, fee or reward.

16. *The Answering of Questions.*

Should any person authorised thereto put a legitimate question to an employee relating to any official matter, the said employee shall readily reply thereto, and should he have information relating to, or knowledge of the matter concerned at his disposal and the aforesaid person requests him to furnish him with such information or knowledge, he shall do so readily.

17. *Criminal Proceedings*

An employee acquitted of a criminal charge shall not thereby be rendered exempt from any charge of misconduct under these regulations.

18. *Employee charged with Misconduct to remain at his Station.*

An employee who has been charged with misconduct shall remain at his station unless he has been given permission by the Secretary to do otherwise.

19. *Acceptance for Nomination for Parliament, Provincial Council, etc.*

(1) If an employee accepts a nomination or requisition as candidate for election as member of Parliament, of any provincial council, the Legislative Assembly, divisional council, city council, municipal council, village management board, health committee or local authority, he shall be deemed to have voluntarily retired from the service with effect from the date on which he accepted such nomination or requisition.

(2) Notwithstanding the provisions of subregulation (1) an employee —

(a) who, immediately prior to the date of the coming into operation of this regulation, was a member of a divisional council, city council, municipal council, village management board, health committee or local authority, may remain a member of such council, committee or authority for the unexpired portion of the period for which he was elected;

(b) may with the permission of the Board accept an appointment and serve as a member of a division-

stadsraad, munisipale raad, dorpsbestuur, gesondheidskomitee of plaaslike bestuur, mits sodanige aanstelling nie as gevolg van die aanvaarding van 'n nominasie of rekwisisie as kandidaat vir verkiesing plaasvind nie, en mits die raad oortuig is dat daar nie inbreuk op die werknemer se amppligte gemaak sal word nie.

(3) As 'n geskil ontstaan tussen die raad en 'n in subregulasie (2) bedoelde raad, komitee of bestuur, mag 'n werknemer wat lid is van sodanige raad, komitee of bestuur nie aan die bespreking of stemming oor daardie geskilpunt deelneem nie.

20. *Waarneming in hoër of laer Betrekkings.*

Die Sekretaris is bevoeg om enige werknemer opdrag te gee om 'n hoër of laer betrekking as dié wat die betrokke werknemer beklee, tydelik waar te neem of enige ander werk wat nie in verband met sy betrekking staan nie maar wat hy bevoeg is om te doen, tydelik te verrig.

21. *Delegasie van Magte.*

Die raad en die Sekretaris is gemagtig om alle of enigeen van die bevoeghede aan hulle by hierdie regulasies verleen of aan die Sekretaris gedelegeer, te deleger aan sodanige werknemer van die raad wat hulle bepaal, onderworpe aan die voorwaardes wat hulle stel. 'n Afdelingshoof kan magte wat aan hom afgestaan is, verder deleger met die vooraf verkreeë goedkeuring van die raad of die Sekretaris.

22. *Byhou van Diensstaat.*

As die Sekretaris dit verlang, moet 'n afdelingshoof 'n diensstaat ten opsigte van elke pos onder sy beheer en 'n persoonlike rekord ten opsigte van elke werknemer in sy afdeling, op 'n vorm, wyse en plek soos deur die Sekretaris voorgeskryf of goedgekeur, byhou.

23. *Afwykinge in Tyd van Oorlog of Landsnood.*

As daar 'n toestand van oorlog of landsnood ontstaan kan die raad 'n afwyking van die bepalinge van hierdie regulasies aanbeveel, hetsy in die algemeen of ten opsigte van 'n besondere werknemer of persoon of klasse werknemers of persone.

HOOFSTUK II

AANSTELLINGS EN AANSTELLINGS- VOORWAARDES.

24. *Aanstellings.*

(1) Die aanstelling van 'n werknemer berus by die raad.

(2) Die raad kan goedkeuring verleen vir die aanstelling van 'n werknemer in 'n pos wat nie 'n toetree-rang is nie, indien die pos nie bevredigend deur oorplasing of bevordering gevul kan word nie.

(3) Dit word van elke werknemer verwag om voor sy aanstelling 'n aansoekvorm soos voorgeskryf deur die Sekretaris in te vul.

25. *Vereistes vir Aanstelling.*

(1) Tensy deur die Administrateur goedgekeur, mag geen werknemer aangestel word wat nie 'n Suid-Afrikaanse burger is nie.

al council, city council, municipal council, village management board, health committee or local authority, provided such appointment does not take place as a result of the acceptance of a nomination or requisition as candidate for election, and provided the Board is satisfied that there will be no interference with the employee's official duties.

(3) Should a question arise between the Board and a council, committee or authority mentioned in subregulation (2), an employee who is a member of such council, committee or authority shall not take part in the discussion or give any vote on that question.

20. *Acting in higher or lower Posts.*

(1) The Secretary may instruct any employee to act temporarily in a higher or lower post than that occupied by the employee concerned or to perform temporarily any work not related to his post but of which he is capable.

21. *Delegation of Powers.*

The Board and the Secretary are empowered to delegate all or any of the powers conferred upon them by these regulations or delegated to the Secretary, to such employee of the Board as they may decide, subject to such conditions as they may determine. The head of a division may further delegate powers delegated to him subject to the prior approval of the Board or the Secretary.

22. *Establishment Record to be kept.*

Whenever the Secretary requires it, any head of a division shall keep an establishment record in respect of every post under his control and a personal record in respect of each employee in his division, in a form, manner and place as prescribed or approved by the Secretary.

23. *Departures in Time of War or National Emergency.*

If a state of war or national emergency arises the Board may recommend a departure from the provisions of these regulations either in general or in respect of a particular employee or person or class of employees or persons.

CHAPTER II.

APPOINTMENTS AND CONDITIONS OF APPOINTMENT.

24. *Appointments.*

(1) The appointment of an employee vests in the Board.

(2) The Board may approve the appointment of an employee to a post not in the entry grade, if such post cannot be satisfactorily filled by transfer or promotion.

(3) Every employee shall be expected to complete an application form as prescribed by the Secretary, before he is appointed.

25. *Requirements for Appointment.*

(1) Unless approval is obtained from the Administrator no employee shall be appointed who is not a South African citizen.

(2) Tensy deur die raad goedgekeur, mag geen werknemer aangestel word tensy hy minstens 15 jaar maar nie ouer as 55 jaar is nie.

(3) Dit kan van enige werknemer verwag word om 'n geneeskundige sertifikaat voor te lê op 'n vorm soos deur die Sekretaris voorgeskryf, wat deur 'n distriksgeneesheer of ander mediese beampte van die staat ingevul is, om aan te toon of die werknemer aan enige geestes- of liggaamlike gebrek, siekte of swaakteit ly wat die eërbare vervulling van sy pligte kan belemmer. Soanige gesondheidsertifikaat word in die geval van blanke werknemers, deur die Sekretaris goedgekeur en, in die geval van nie-blankes deur die afdelingshoof.

(4) Geen werknemer word in die pos van 'n erkende werknemer aangestel nie, tensy hy, benewens voldoening aan oormelde vereistes, in besit is van 'n ambags- of gekwaardige sertifikaat of minstens vyf jaar toepaslike ondervinding het.

(5) Dit kan van enige werknemer verwag word om bevredigende bewys van sy geboortedatum en sy hoogste geneeskundige sertifikaat voor te lê.

(6) Dit kan van 'n nie-blanke werknemer verwag word om bevredigende bewys van sy geboortedatum voor te lê.

26. *Aanstellings op Proef.*

(1) Die aanstelling van werknemers kan op proef geskied.

(2) 'n Proefaanstelling word nie bekragtig nie tensy die hoof van die kantoor waar die werknemer diens doen, verklaar dat sodanige werknemer gedurende die proef-tydperk ywerig was, dat sy gedrag voortdurend bevredigend was en dat hy in alle opsigte geskik is vir die bekragtiging van sy aanstelling.

(3) Ten opsigte van alle aanstellings wat op proef geskied langer as ses maande geskied, moet kwartaalike voorleesingsverslae, op 'n vorm soos deur die Sekretaris voorgeskryf, deur die hoof van die kantoor voorgelê word.

(4) 'n Aanstelling op proef kan sonder opgaaf van die rede beëindig word voor afloop van die proef-tydperk deur een maand kennisgewing van diensbeëindiging aan die werknemer te gee: Met dien verstande dat 'n proefaanstelling sonder kennisgewing beëindig kan word indien die gedrag van die werknemer onbevredigend is.

(5) Die bevordering van 'n werknemer tot 'n hoër pos kan op proef geskied vir 'n tydperk van minstens drie maande en hoogstens twee jaar: Met dien verstande dat as hy aan die einde van sodanige proef-tydperk nie in 'n hoër betrekking behou word nie, hy na sy vroeëre pos terugverplaas kan word.

27. *Geneeskundige Ondersoek tydens Dienstyl.*

(1) Indien die Sekretaris of die hoof van die afdeling dit nodig ag, kan hy te eniger tyd van 'n werknemer vereis dat hy hom aan ondersoek deur 'n geregistreerde geneesheer of mediese raad deur die Sekretaris of hoof van die afdeling aangewys, onderwerp.

(2) Wanneer die Sekretaris of hoof van 'n afdeling dit nodig vind, en tensy dit strydig is met die bepalings van die Ongevalwet 1914, soos gewysig, om die gesondheidsstoestand van 'n werknemer vas te stel, kan hy op 'n beveling van, en in samewerking met, die Direkteur van Gesondheidsdienste, 'n mediese raad saamstel om die werknemer te ondersoek en verslag te doen. Die beoogde werknemer kan 'n geneesheer inroep om by die ondersoek te wees en desgeliks verslag te doen: Met

(2) Unless approval is obtained from the Board, no employee shall be appointed unless he is at least fifteen years old and not older than 55 years.

(3) Any employee may be required to submit a medical certificate on a form prescribed by the Secretary, which form shall be completed by a district surgeon or other medical officer of the State to show whether the employee is suffering from any mental or physical deficiency, illness or weakness which may hinder him in the performance of his duties. Such medical certificate shall be accepted or rejected in the case of white employees by the Secretary, and in the case of non-whites, by the head of the division concerned.

(4) No employee shall be appointed to a post in a recognised trade, unless he, in addition to complying with the above-mentioned requirements, is in possession of an artisan's or equivalent certificate or has had at least five years' appropriate experience.

(5) Any employee may be required to submit satisfactory proof of his date of birth and his highest educational certificate.

(6) A non-white employee may be required to submit satisfactory proof of his date of birth.

26. *Appointments on Probation.*

(1) The appointment of employees may be on probation.

(2) An appointment on probation shall not be confirmed unless the head of the office in which the employee is serving, has declared that such employee has during his probationary period performed his work diligently, that his conduct was continuously satisfactory and that he is in all respects suitable for the confirmation of his appointment.

(3) Quarterly progress reports in respect of all appointments on probation lasting longer than six months shall be submitted by the head of the office on a form prescribed by the Secretary.

(4) An appointment on probation may be terminated before expiry of the probationary period without stating reasons by giving the employee one month's notice of termination of appointment: Provided that an appointment on probation may be terminated without notice if the conduct of the employee is unsatisfactory.

(5) The promotion of an employee to a higher post may be on probation for a period of at least three months but not more than two years: Provided that if at the end of any such probationary period he is not retained in the higher post he may be reinstated in his previous post.

27. *Medical Examination during Period of Service.*

(1) The Secretary or the head of the division may at any time when he deems it necessary require an employee to submit to a medical examination by a registered medical practitioner or a medical board designated by the Secretary or the head of the division.

(2) Except where it is inconsistent with the provisions of the Workmen's Compensation Act, 1941, as amended, the Secretary or the head of a division may, when he deems it necessary to determine the condition of health of an employee, appoint, on the recommendation of, and in conjunction with the Director of Health Services, a medical board to examine the employee and to report on such examination. The employee concerned may call in a medical practitioner to be present at the

dien verstande dat die gelde betaalbaar aan sodanige geneesheer deur die werknemer betaal moet word.

(3) Behalwe soos anders in hierdie regulasie bepaal, is alle verpleegpersoneel en nie-blanke werknemers geregtig op mediese behandeling, op koste van die raad, in staatshospitale en staatsondersteunde mediese inrigtings.

28. *Bevorderings.*

(1) Bevordering in die verskeie afdelings van die raad berus by die raad.

(2) Geen werknemer het die reg om bevordering tot 'n hoër rang te eis nie en bevorderings geskied na gelang van die vereistes van die diens.

(3) Die raad is bevoeg om die vereistes en procedure vir bevordering tot enige rang, as daar is te bepaal.

29. *Opleiding.*

Die hoof van 'n afdeling is bevoeg om van tyd tot tyd die reëlings te tref wat hy nodig en doenlik vind vir die opleiding van werknemers. Geen werknemer het die reg om in sy diens opleiding in enige of 'n bepaalde rigting te eis nie maar opleiding geskied al na gelang van die vereistes van die diens.

30. *Kennisgewing van Diensbeëindiging.*

(1) Iedere werknemer moet minstens dertig dae voor sy voorgenome uitdienstreding aan die Sekretaris kennis gee van sodanige uitdienstreding: Met dien verstande dat die Sekretaris na goeëdunde kennisgewing van bedanking van korter as dertig dae kan aanvaar.

(2) Die salaris van 'n werknemer wat bedank het of wie se diens om enige rede beëindig word, word betaal tot die laaste dag waarop hy diens gedoen het: Met dien verstande dat aan 'n werknemer wat sy bedanking uit die diens van die raad indien deur minstens een kalendermaand kennis te gee (d.w.s. kennis wat nie later as die eerste werkdag van enige kalendermaand gegee word om diens aan die end van die maand te beëindig) salaris vir die volle kalendermaand betaal word onverskillig of dit op 'n Sondag of openbare vakansiedag eindig al dan nie, openbare vakansiedae, al na die geval, betaal word en mits hy ook in diens tot en met die laaste werkdag van mits hy ook in diens bly tot en met die laaste werkdag van die maand.

(3) 'n Werknemer wat sonder die verlof van sy afdelingshoof of hoof van sy kantoor of inrigting, vir 'n tydperk van meer as een kalendermaand van sy ampspligte wegbly, word geag weens wangedrag uit die raad se diens ontslaan te gewees het met ingang van die datum wat onmiddellik volg op die laaste dag waarop hy op sy plek van diens teenwoordig was: Met dien verstande dat as so 'n werknemer ander werk aanvaar hy geag word ontslaan te gewees het soos voormeld, niesteenstaande dat die bedoelde tydperk nog nie verstryk het nie: Met dien verstande voorts dat as so 'n werknemer hom te eniger tyd na die verstryking van bedoelde tydperk vir diens aanmeld, die raad ondanks andersluidende bepalinge in hierdie regulasies, kan goedkeur dat hy in diens van die raad in sy vorige of enige ander pos of betrekking herstel word op die voorwaardes wat die raad goedkeur, en in so 'n geval word die tydperk van sy afwesigheid van sy ampspligte beskou as afwesigheid met vakansieverlof sonder besoldiging, of verlof op die voorwaardes wat die raad goedkeur.

examination and to report likewise, provided that the costs payable to such medical practitioner shall be paid by the employee.

(3) Except where otherwise provided for in this regulation, all nursing staff and non-white employees shall be entitled to free medical treatment in state hospitals and state-aided medical institutions at the expense of the Board.

28. *Promotions*

(1) Promotions in the various divisions of the Board shall vest in the Board.

(2) No employee shall have the right to claim promotion to a higher rank and promotions shall take place in accordance with the exigencies of the service.

(3) The Board shall be competent to determine the requirements and procedure for promotion to any rank, if any.

29. *Training*

The head of a division shall be competent from time to time to take the measures which he considers necessary and feasible for the training of employees. No employee shall have the right to demand training in any or a definite direction in his service, but training shall be in accordance with the exigencies of the service.

30. *Notice of Termination of Service*

(1) Every employee shall notify the Secretary of his intention to resign not less than thirty days prior to such resignation: Provided that the Secretary may at his discretion accept notice of resignation of less than thirty days.

(2) The salary of an employee who has resigned or whose services, for any reason whatsoever, have been terminated, shall be paid up to the last day of his attendance: Provided that salary for the full calendar month shall be paid to an employee who has resigned from the service of the Board by giving at least one calendar month's notice (that is, notice handed in at the latest on the first working day of any calendar month to take effect at the end of that month) whether that month ends on a Sunday or public holiday or not, provided that such employee shall normally be paid for such Sunday or public holiday, as the case may be, and provided further that he remains in service up to, and including, the last working day of that month.

(3) An employee who absents himself from his official duties without permission of the head of his division, office or institution for a period exceeding one calendar month shall be deemed to have been discharged from the employ of the Board on account of misconduct with effect from the date immediately succeeding his last day of attendance at his place of duty: Provided that if such employee assumes other employment he shall be deemed to have been discharged as aforesaid notwithstanding that the said period has not expired: Provided further that if such employee reports for duty at any time after the expiry of the said period the Board may, notwithstanding anything to the contrary contained in these regulations, approve that he be reinstated in the employ of the Board in his former or any other post or appointment on such conditions as the Board may approve, and in that event the period of his absence from official duty shall be deemed to have been absence on vacation leave without pay or leave on such conditions as the Board may approve.

31. (a) *Kontrakwerknemers.*

'n Werknemer wat onder 'n bepaalde kontrak in diens geneem word, word aangestel volgens die diensvoorwaardes en besoldig volgens die salaris en salarisskaal soos in die kontrak bepaal word.

(b) *Tydlike Werknemers.*

Nieteenstaande enige bepaling in hierdie hoofstuk, kan 'n werknemer met goedkeuring van die raad in 'n tydelike hoedanigheid in 'n vakante pos in diens geneem word. Die besoldiging en diensvoorwaardes van sodanige tydelike werknemer word deur die raad voorgeskryf.

(c) *Vakleerlinge.*

Hierdie regulasie is, tensy strydig met die bepalinge van die Vakleerlinge-ordonnansie, van toepassing op 'n werknemer wat 'n vakleerling is.

(d) *Deeltydse werknemers.*

Die besondere diensvoorwaardes (as daar is) en salarisse van deeltydse werknemers word deur die raad bepaal.

HOOFSTUK III

SALARISSE.

32. Die salarisskaal verbonde aan poste van werknemers word van tyd tot tyd deur die raad bepaal en is onderhewig aan goedkeuring deur die Administrateur.

33. *Hoër Aanvangsalarisse en Maksimum Salarisse.*

(1) Die raad kan goedkeuring verleen dat by sekere kantore of inrigtings aanvangsalarisse, hoër as die minimum van die toepaslike salarisskaal, aan sekere werknemers betaal word.

(2) In gevalle waar die raad aan die Sekretaris magtiging verleen om, as spesiale werwingsmaatreël, aanvangsalarisse hoër as die minimum van die toepaslike skaal te betaal, kan die raad 'n maksimum aanvangsalaris bepaal.

34. *Rantsoene.*

Geen rantsoen word aan enige werknemer as deel van sy besoldiging verskaf nie tensy sodanige verskaffing uitdruklik deur die werknemer se indiensnemingskontrak bepaal word.

35. *Inwoning en losies.*

(1) Elke werknemer wat 'n gemeubileerde kamer, wat die eiendom van die raad is, bewoon, betaal die huurgeld wat die raad daarvoor bepaal.

(2) Die bedrae ten opsigte van kamerhuur soos in subregulasie (1) bepaal, is ook gedurende tydperke van afwesigheid met verlof betaalbaar.

(3) Alle Bantoemans en -vrouens, wat met goedkeuring van die raad van rantsoene voorsien word, betaal die bedrag wat die raad bepaal.

36. *Betaaldatum.*

Die salarissate van werknemers in alle afdelings sluit op die 25ste dag van elke maand en strek oor die tydperk van die 26ste van 'n maand tot en met die 25ste van die volgende maand: Met dien verstande dat die Sekretaris 'n uitsondering op hierdie regulasie kan goedkeur.

31. (a) *Employees under Contract.*

An employee appointed under a specific contract shall be appointed subject to the conditions of service and on the salary scale and salary provided for in the contract.

(b) *Temporary Employees.*

Notwithstanding anything contained in this chapter an employee may be appointed temporarily in a vacant post with the approval of the Board. The remuneration and conditions of service of such temporary employee shall be prescribed by the Board.

(c) *Apprentices.*

Except where it is inconsistent with the provisions of the Apprenticeship Ordinance, this regulation shall apply to an employee who is an apprentice.

(e) *Part-time Employees*

The special conditions of service (if any) and salaries of part-time employees shall be determined by the Board.

CHAPTER III.

SALARIES.

32. The salary scales attaching to employees' posts shall be determined by the Board from time to time and shall be subject to approval by the Administrator.

33. *Higher initial Salaries and Maximum Salaries.*

(1) The Board may grant approval for the payment to certain employees in particular offices or institutions of initial salaries which are higher than the minimum of the appropriate salary scale.

(2) In cases where the Board grants authority to the Secretary to pay initial salaries which are higher than the minimum of the appropriate scale as a special recruiting measure, the Board may determine a maximum initial salary.

34. *Rations.*

No employee shall be provided with rations as part of his remuneration, unless the employee's contract of employment expressly stipulates such provisions.

35. *Board and Lodging.*

(1) Every employee who occupies a furnished room which is the property of the Board shall pay such rental as the Board may prescribe.

(2) The amounts payable in respect of room rental as provided in subregulation (1) shall also be payable during periods of absence with leave.

(3) All Bantu men and women, who receive rations with the approval of the Board shall pay such amount as the Board may determine.

36. *Date of Payment.*

The salary statements of employees in all the divisions shall be completed on the 25th day of every month and shall include the period from the 26th day of a month to the 25th day of the next month, both days inclusive: Provided that the Secretary may approve any deviation from this regulation.

37. *Salarisverhogings.*

(1) Behoudens die bepalings van subregulasie (2) word die salaris van 'n werknemer verhoog met een salarisverhoging binne die perke van die skaal wat op hom van toepassing is, na die voltooiing van elke salarisverhogingstydperk en wel met ingang van die eerste dag van sodanige werknemer se verhogingsmaand.

(2) As die hoof van die kantoor 'n sertifikaat uitreik waarin verklaar word dat 'n werknemer se gedrag met betrekking tot ywer, dissipline, presiesheid op tyd of matigheid gedurende 'n salarisverhogingstydperk nie deurgaans bevredigend was nie of dat hy sy werk gedurende sodanige salarisverhogingstydperk nie deurgaans op 'n bevredigende wyse verrig het nie, word die salaris van sodanige werknemer nie kragtens die bepalings van subregulasie (1) verhoog nie: Met dien verstande dat die Sekretaris na goeddunke kan goedkeur dat die salaris van 'n werknemer kragtens die bepalings van subregulasie (1) verhoog word nieteenstaande dat 'n sertifikaat soos in hierdie subregulasie bedoel, uitgereik is.

(3) Indien die salaris van 'n werknemer nie kragtens die bepalings van subregulasie (1) of van die voorbehoudsbepaling by subregulasie (2) verhoog word nie vanweë die uitreiking van 'n in subregulasie (2) bedoelde sertifikaat, word sodanige werknemer deur die Sekretaris skriftelik verwittig van die redes daarvoor asook dat by verstryking van 'n aaneenlopende tydperk wat aangedui moet word en wat nie langer as 'n salarisverhogingstydperk is nie, 'n salarisverhoging deur die Sekretaris toegeken kan word op voorwaarde dat 'n sertifikaat deur die hoof van die kantoor uitgereik word waarin verklaar word dat die werknemer se werkverrigting en gedrag met betrekking tot die in subregulasie (2) bedoelde eienskappe gedurende sodanige tydperk bevredigend was.

(4) (a) Indien die in subregulasie (3) bedoelde tydperk korter is as 'n salarisverhogingstydperk, word een salarisverhoging deur die Sekretaris aan die werknemer toegeken met ingang van die eerste dag van die maand wat volg op die datum waarop genoemde tydperk verstryk: Met dien verstande dat sodanige salarisverhoging net toegeken kan word as die hoof van die kantoor 'n sertifikaat uitreik waarin verklaar word dat die werknemer se werkverrigting en gedrag met betrekking tot die in subregulasie (2) bedoelde eienskappe gedurende sodanige tydperk bevredigend was.

(b) Indien 'n salarisverhoging kragtens paragraaf (a) aan 'n werknemer toegeken is, word 'n verdere salarisverhoging deur die Sekretaris aan hom toegeken na verstryking van 'n salarisverhogingstydperk gereken vanaf die datum waarop sy salaris kragtens subregulasie (1) verhoog sou gewees het as sodanige verhoging nie kragtens die bepalings van subregulasie (2) weerhou was nie: Met dien verstande dat sodanige salarisverhoging net toegeken kan word as die hoof van die kantoor 'n sertifikaat uitreik waarin verklaar word dat die werknemer se werkverrigting en gedrag met betrekking tot die in subregulasie (2) bedoelde eienskappe steeds bevredigend was vanaf die datum van toekenning van die in paragraaf (a) bedoelde salarisverhoging tot die datum voor dié waarop 'n salarisverhoging kragtens hierdie paragraaf toegeken kan word: Met dien verstande voorts dat die bepalings van hierdie paragraaf nie op 'n werknemer van toepassing is nie as sy salaris reeds gelyk is aan die maksimum kerf van die toepaslike skaal.

(5) Indien 'n salarisverhoging kragtens paragraaf (a) van subregulasie (4) nie aan 'n werknemer toegeken word nie —

37. *Salary Increments.*

(1) Subject to the provisions of subregulation (2) the salary of an employee shall be increased by one salary increment within the limits of the scale applicable to him after completion of each incremental period and with effect from the first day of such employee's incremental month.

(2) If the head of the office issues a certificate in which it is declared that an employee's conduct as to industry, discipline, punctuality or sobriety was not uniformly satisfactory during an incremental period or that he did not perform his work uniformly satisfactorily during such incremental period, the salary of such employee shall not be increased in terms of the provisions of subregulation (1): Provided that the Secretary may at his discretion approve that the salary of an employee be increased in terms of the provisions of subregulation (1) notwithstanding that a certificate mentioned in this subregulation has been issued.

(3) If the salary of an employee is not increased in terms of the provisions of subregulation (1) or of the proviso to subregulation (2) on account of the issue of a certificate mentioned in subregulation (2), the Secretary shall notify such employee in writing of the reasons therefor and also that at the expiry of a continuous period to be indicated and which shall not be longer than an incremental period, a salary increment may be granted by the Secretary on condition that a certificate is issued by the head of the office in which it is declared that the employee's work performance and his conduct in regard to the qualities mentioned in subregulation (2) were satisfactory during such period.

(4) (a) If the period mentioned in subregulation (3) is shorter than an incremental period the Secretary shall grant the employee one salary increment with effect from the first day of the month following the date on which such period expired: Provided that such salary increment may be granted only if the head of the office issues a certificate in which it is declared that the employee's work performance and his conduct in regard to the qualities mentioned in subregulation (2) were satisfactory during such period.

(b) If an employee has been granted a salary increment in terms of paragraph (a) the Secretary shall grant him a further salary increment after the expiry of an incremental period reckoned from the date on which his salary would have been increased in terms of subregulation (1) if it had not been withheld in terms of subregulation (2): Provided that such salary increment may be granted only if the head of the office issues a certificate in which it is declared that the employee's work performance and conduct in regard to the qualities mentioned in subregulation (2) continued to be satisfactory from the date of the granting of the salary increment mentioned in paragraph (a) to the date preceding that on which a salary increment may be granted in terms of this paragraph: Provided further that the provisions of this paragraph shall not apply to an employee if his salary is already equal to the maximum notch of the appropriate scale.

(5) If an employee is not granted a salary increment in terms of paragraph (a) of subregulation (4) —

(a) word sodanige werknemer weereens deur die Sekretaris skriftelik verwittig van die redes daarvoor asook dat by verstryking van 'n aaneenlopende tydperk wat aangedui moet word en wat gelyk moet wees aan die verskil tussen die in subregulasie (3) bedoelde tydperk en 'n salarisverhogings-tydperk, 'n salarisverhoging deur die Sekretaris toegeken kan word op voorwaarde dat 'n sertifikaat deur die hoof van die kantoor uitgereik word waarin verklaar word dat die werknemer se werkverrigting en gedrag met betrekking tot die in subregulasie (2) bedoelde eienskappe bevredigend was gedurende genoemde aaneenlopende tydperk;

(b) word twee salarisverhogings deur die Sekretaris aan sodanige werknemer toegeken na verstryking van 'n salarisverhogingstydperk gereken van die datum waarop sy salaris kragtens subregulasie (1) verhoog sou gewees het as sodanige verhoging nie kragtens die bepalinge van subregulasie (2) weerhou was nie: Met dien verstande dat sodanige salarisverhogings slegs toegeken kan word as die hoof van die kantoor 'n sertifikaat uitreik waarin verklaar word dat die werknemer se werkverrigting en gedrag met betrekking tot die in subregulasie (2) bedoelde eienskappe bevredigend was gedurende die in paragraaf (a) bedoelde aaneenlopende tydperk: Met dien verstande voorts dat slegs een salarisverhoging aan sodanige werknemer toegeken kan word as sy salaris reeds gelyk is aan die tweede-laaste kerf van die toepaslike skaal.

(6) Indien die in subregulasie (3) bedoelde tydperk gelyk is aan 'n salarisverhogingstydperk, word twee salarisverhogings deur die Sekretaris aan sodanige werknemer toegeken na verstryking van sodanige tydperk: Met dien verstande dat sodanige salarisverhogings slegs toegeken kan word as die hoof van die kantoor 'n sertifikaat uitreik waarin verklaar word dat die werknemer se werkverrigting en gedrag met betrekking tot die in subregulasie (2) bedoelde eienskappe gedurende sodanige tydperk bevredigend was: Met dien verstande voorts dat slegs een salarisverhoging aan sodanige werknemer toegeken kan word as sy salaris reeds gelyk is aan die tweede-laaste kerf van die toepaslike skaal.

(7) Indien 'n salarisverhoging nie kragtens paragraaf (b) van subregulasie (4), paragraaf (b) van subregulasie (5) of subregulasie (6) aan 'n werknemer toegeken word nie, tree die bepalinge van subregulasies (2), (3), (4), (5) en (6) *mutatis mutandis* opnuut in werking.

(8) Behoudens die bepalinge van hierdie regulasie word die salaris van 'n werknemer aan wie 'n salarisverhoging kragtens paragraaf (b) van subregulasie (4) paragraaf (b) van subregulasie (5) of subregulasie (6) toegeken is, by die verstryking van elke verdere salarisverhogingstydperk verhoog met een salarisverhoging binne die perke van die skaal wat op hom van toepassing is.

(9) Aan 'n werknemer met buitengewone bekwaamheid, of in besit van spesiale kwalifikasies, kan met goedkeuring van die raad 'n salaris of toelaag volgens 'n spesiale kerf binne of bo die perke van sy toepaslike salarisskaal of 'n skaal hoër as die toepaslike salarisskaal, betaald word.

38. *Betaling van Salarisse.*

(1) Die salaris van 'n werknemer word betaald vanaf die dag waarop hy in sy betrekking diens aanvaar.

(2) 'n Werknemer word by eerste aanstelling teen die minimum kerf van die betrokke salarisskaal betaald,

(a) such employee shall again be notified in writing by the Secretary of the reasons therefor as well as that at the expiry of a continuous period which must be indicated and which shall be equal to the difference between the period mentioned in subregulation (3) and an incremental period, a salary increment may be granted by the Secretary on condition that the head of the office issues a certificate in which it is declared that the employee's work performance and his conduct in regard to the qualities mentioned in subregulation (2) were satisfactory during the continuous period mentioned;

(b) the Secretary shall grant the employee two salary increments after the expiry of an incremental period reckoned from the date on which his salary would have been increased in terms of subregulation (1) if such increase had not been withheld in terms of the provisions of subregulation (2): Provided that such salary increments may be granted only if the head of the office issues a certificate in which it is declared that the employee's work performance and his conduct in regard to the qualities mentioned in subregulation (2) were satisfactory during the continuous period mentioned in paragraph (a): Provided further that only one salary increment may be granted to such employee if his salary is already equal to the penultimate notch of the appropriate scale.

(6) If the period mentioned in subregulation (3) is equal to an incremental period, the Secretary shall grant such employee two salary increments after the expiry of such period: Provided that such salary increments may be granted only if the head of the office issues a certificate in which it is declared that the employee's work performance and his conduct in regard to the qualities mentioned in subregulation (2) were satisfactory during such period: Provided further that such employee may be granted one salary increment only if his salary is already equal to the penultimate notch of the appropriate scale.

(7) If an employee is not granted a salary increment in terms of paragraph (b) of subregulation (4), paragraph (b) of subregulation (5) or subregulation (6) of the provisions of subregulations (2), (3), (4), (5) and (6) shall *mutatis mutandis* become operative afresh.

(8) Subject to the provisions of this regulation the salary of an employee to whom a salary increment has been granted in terms of paragraph (b) of subregulation (4), paragraph (b) of subregulation (5) or subregulation (6) shall, at the expiry of each further incremental period be increased by one salary increment within the limits of the scale applicable to him.

(9) An employee of exceptional ability or possessing special qualifications may with the Board's approval be paid a salary or allowance on a special scale within or above the limits of his appropriate salary scale or on a scale higher than the scale appropriate to the post.

38. *Payment of Salaries.*

(1) An employee's salary shall be paid from the date on which he assumes duty in his post.

(2) An employee shall on his initial appointment be paid according to the minimum notch on the salary scale

tensy 'n hoër aanvangsalaris deur die raad goedgekeur word.

(3) Erkenning van vorige diens vir senioriteits- en salarisdoeleindes kan verleen word op die grondslag van tyd tot tyd deur die raad voorgeskryf.

39. *Salarisaanpassing by Bevordering of Verlagings van Rang.*

(1) Die salaris van 'n werknemer wat tot 'n pos bevorder word waaraan 'n hoër salarisskaal verbonde is, word vanaf die datum van sy bevordering teen dieselfde kerf op die hoër skaal betaal en hy behou sy ou verhogingsdatum.

(2) Indien daar nie 'n kerf op die hoër skaal is wat met die werknemer se kerf op die laer skaal ooreenstem nie, word sy salaris vanaf die datum van sy bevordering teen die naaste hoër kerf op die hoër skaal betaal en neem die werknemer die jaardag van sy bevordering as verhogingsdatum.

(3) Indien 'n werknemer se salaris vir langer as 'n jaar teen die maksimum kerf van die laer skaal betaal is, word hy van die datum van sy bevordering teen die naaste hoër kerf van die hoër skaal betaal en neem hy die jaardag van sy bevordering as verhogingsdatum.

(4) Die salaris aanpassing, as daar is, in die geval van 'n werknemer wie se rang verlaag is, word deur die raad bepaal.

HOOFSTUK IV

TUGMAATREËLS.

40. *Bepaling van Wangedrag.*

'n Werknemer is skuldig aan wangedrag en daar kan ooreenkomstig die bepalings van regulasies 41 en 42 met hom gehandel word, as hy —

- (a) 'n bepaling van sy dienskontrak of 'n bepaling van hierdie regulasies oortree of versuim om te voldoen aan 'n bepaling daarvan waaraan dit sy plig is om te voldoen; of
- (b) 'n daad wat nadelig vir die raad, dissipline of doeltreffendheid van die afdeling, kantoor of inrigting van die raad is, doen, laat doen of toelaat of oogluikend toelaat dat dit gedoen word, of
- (c) 'n wettige bevel wat aan hom gegee is deur 'n persoon wat die bevoegdheid het om dit te gee, nie gehoorsaam nie, dit verontagsaam of opsetlik versuim om dit uit te voer, of deur woord of gedrag hom aan insubordinasie skuldig maak; of
- (d) nalatig of traag is in die vervulling van sy pligte; of
- (e) sonder die toestemming van die raad enige private agentskap of private werk in enige aangeleentheid in verband met die uitvoering van sy amppligte onderneem; of
- (f) hom in die openbaar uitlaat oor die raad; of
- (g) lid van 'n politieke organisasie word of aktief aan politieke aangeleenthede deelneem; of
- (h) probeer om uit politieke of ander buitebronne ingryping in verband met sy posisie en diensvoorwaardes in die raad se diens te verkry: Met dien verstande dat die bepalings van hierdie paragraaf nie 'n werknemer verhinder om herstel van 'n

concerned, unless a higher initial salary has been approved by the Board.

(3) Recognition of previous service for the purpose of seniority or salary may be granted on a basis prescribed by the Board from time to time.

39. *Salary Adjustments on Promotion or Demotion in Rank.*

(1) The salary of an employee who has been promoted to a post to which is attached a higher salary scale, shall be paid according to the same notch on the higher scale as from the date of his promotion, and he shall retain his existing incremental date.

(2) If there is no notch on the higher salary scale corresponding with the employee's notch on the lower scale, his salary shall be paid according to the nearest higher notch on the higher scale as from the date of his promotion, and the anniversary of the date of the employee's promotion shall then be his incremental date.

(3) If an employee's salary has been paid on the maximum notch of the lower scale for longer than one year, his salary shall be adjusted to the nearest higher notch on the higher scale as from the date of his promotion, and the anniversary of the date of his promotion shall then be his incremental date.

(4) The salary adjustment, if any, in the case of an employee whose rank has been lowered, shall be determined by the Board.

CHAPTER IV.

DISCIPLINARY MEASURES.

40. *Definition of Misconduct.*

An employee shall be guilty of misconduct and will be dealt with in terms of the provisions of regulations 41 and 42, should he —

- (a) contravene or fail to comply with any provision of his contract of service or any provision of these regulations with which it is his duty to comply; or
- (b) do, or cause to be done, or allow or connive at anything detrimental to the Board, discipline or efficiency of the division, office or institution of the Board; or
- (c) disobey a lawful instruction given to him by any person authorised thereto, or disregard or willfully refuse to carry it out or commit insubordination by word or conduct; or
- (d) be negligent or indolent in the performance of his duties; or
- (e) without the permission of the Board undertake any private agency or private work in any matter connected with the performance of his official duties; or
- (f) comment on the Board in public;
- (g) become a member of a political organisation or take active part in political matters; or
- (h) try to obtain intervention from political or other external sources in connection with his position and conditions of service in the Board's service: Provided that the provisions of this paragraph shall not prevent an employee from trying to

grief deur bemiddeling van die Administrateur te probeer verkry nie; of

- (i) hom op 'n skandelige, onbehoorlike of onbetaamlike wyse gedra, of, terwyl hy diens doen, hom aan growwe onbeleefdheid teenoor enigiemand skuldig maak; of
- (j) buitensporig gebruik maak van sterk drank of bedwelmende middels, onder die invloed van sterk drank of bedwelmende middels gedurende diensure verkeer of sterk drank of bedwelmende middels gedurende diensure gebruik; of
- (k) insolvent word of 'n akkoord met sy skuldeisers aangaan of as 'n bevel tot siviele gyseling deur 'n gereghof teen hom gegee is, tensy daar bewys word dat sy insolvensie of akkoord of die gee van 'n bevel tot siviele gyseling teen hom deur onvermydelike teenspoed veroorsaak is; of
- (l) in geldelike moeilikheid raak, tensy daar bewys word dat sy geldelike moeilikheid nie die gevolg is van onversigtigheid of ander laakbare oorsaak nie en nie nadelig is vir getroue uitvoering van sy pligte nie; of
- (m) sonder dat hy eers die toestemming van die Sekretaris verkry het, inligting wat hy ingewin of waaraan hy gekom het weens sy werk in diens van die raad, openbaar maak anders as in die vervulling van sy ampspligte of sodanige inligting gebruik vir 'n ander doel as vir die vervulling van sy ampspligte, hetsy hy sodanige inligting openbaar maak of nie; of
- (n) sonder die toestemming van die raad enige kommissie, geld of beloning, geldelik of andersins (wat nie die emolumente is wat ten opsigte van sy pligte aan hom betaalbaar is nie) aanneem of dit eis ten opsigte van die uitvoering van sy pligte of die versuim om sy pligte uit te voer, of versuim om aan die Sekretaris die aanbod van so 'n kommissie, geld of beloning te rapporteer; of
- (o) hom eiendom van die raad wederregtelik toeëien of onbehoorlike gebruik daarvan maak onder sodanige omstandighede dat sy daad nie 'n kriminele misdryf uitmaak nie; of
- (p) 'n strafregtelike misdryf begaan; of
- (q) sonder verlof of geldige rede van sy kantoor of diens wegbly; of
- (r) met die oog op die verkryging van enige voorreg of voordeel met betrekking tot sy amptelike posisie of sy pligte, of op die veroorsaking van enige nadeel of skade aan die raad of 'n werknemer van die raad, 'n valse of onjuiste verklaring doen, wettende dat dit vals of onjuis is.

41. Aanklag van Wangedrag.

(i) Wanneer 'n werknemer beskuldig word van wangedrag, kan die Sekretaris die betrokke werknemer skriftelik van sodanige wangedrag aankla en die aanklag per angetekende pos stuur of per hand aan die aangeklaagde of sy jongste bekende adres aflewer.

(ii) Die aanklagbrief moet 'n opdrag bevat, of van sodanige opdrag vergeselskap gaan waarby die aangeklaagde angesê word om binne 'n redelike tydperk, genoem in die opdrag, aan 'n persoon insgelyks genoem, 'n skriftelike erkenning of ontkenning van die aanklag en as hy dit weens 'n skriftelike verduideliking van die wangedrag waarvan hy aldus aangekla is, te stuur of af te lewer.

redress a grievance through the mediation of the Administrator; or

- (i) conduct himself in a disgraceful, improper or unbecoming manner or be uncivil or rude to any person while on duty; or
- (j) use intoxicating liquor or narcotics to excess, be under the influence of intoxicating liquor or narcotics during his hours of duty or use intoxicating liquor or narcotics during his hours off duty; or
- (k) become insolvent or make a composition with his creditors or if a civil imprisonment judgment is given against him by a court of law, unless it is proved that his insolvency or the composition or the issue of an order of civil imprisonment against him was caused by unavoidable circumstances; or
- (l) get into financial difficulties unless it is proved that his financial difficulties are not the result of carelessness or other reprehensible cause and do not affect the faithful performance of his duties adversely; or
- (m) without the prior approval of the Secretary divulge information gained by him of his duties in the service of the Board otherwise than in the performance of those duties, or use such information for a purpose other than the performance of his official duties whether he divulges such information or not; or
- (n) without the permission of the Board accept or claim any commission, fee or reward, monetary or otherwise (not being the emoluments payable to him in respect of his duties) in connection with the performance or non-performance of his duties, or fail to report the offer of such commission, fee or reward to the Secretary; or
- (o) unlawfully appropriate or improperly use property of the Board under circumstances not constituting a criminal offence; or
- (p) commit a criminal offence; or
- (q) be absent from his office or from service without leave or good reason; or
- (r) for the purpose of obtaining a privilege or benefit with regard to his official position or duties or to the detriment or damage of the Board or a member of it, make a false or incorrect declaration knowing it to be false or incorrect.

41. Charge of Misconduct.

(i) When an employee is charged with misconduct the Secretary may charge the employee concerned in writing with such misconduct and forward the charge by registered post or deliver it by hand to the person charged at his last known address.

(ii) The written charge shall contain an instruction, or be accompanied by such instruction, calling upon the person charged to forward or deliver, within a reasonable period referred to in the instruction, to a person likewise referred to, an admission or denial of the charge in writing, and if he chooses to do so, an explanation in writing of the misconduct with which he is so charged.

42. *Procedure wat gevolg moet word in Gevalle van Onderzoek na Beskuldiging van Wangedrag.*

(1) As 'n werknemer wat van wangedrag aangekla is soos in regulasie 41 bepaal, die wangedrag erken, word hy skuldig geag aan die wangedrag waarvan hy aangekla is en word daar gehandel soos in subregulasie (7) bepaal.

(2) As 'n werknemer van wangedrag aangekla is en hy sodanige wangedrag ontken of versuim om binne die bepaalde tyd op die aanklag te antwoord, kan die raad 'n bevoegde persoon benoem om ondersoek na die aanklag van wangedrag in te stel en die persoon aldus aangestel, het die bevoegdheid om enige persoon wie se getuienis ter sake betreffende die onderwerp van die ondersoek blyk, as getuie te dagvaar om voor hom te verskyn en getuienis onder eed af te lê, en enige boek, stuk, dokument of ding in sy besit of bewaring of onder sy beheer voor te lê.

(3) Indien die wangedrag waarvan die werknemer beskuldig is, neerkom op 'n strafregtelike misdryf waarvan hy reeds deur 'n geregshof skuldig verklaar is, is 'n ondersoek nie nodig nie en is 'n gewaarmerkte afskrif van die hofverrigtinge genoegsame bewys dat hy aan die wangedrag skuldig is tensy sodanige hofverrigtinge deur 'n hoër hof ter syde gestel is.

(4) Die Sekretaris kan enige persoon benoem om by 'n ondersoek teenwoordig te wees om getuienis en argumente ter staving van die aanklag aan te voer en die aangeklaagde en enige persoon wat as getuie vir die aangeklaagde verskyn onder kruisverhoor te neem.

(5) Die raad, na raadpleging met die persoon deur hom benoem om die ondersoek in te stel, bepaal die tyd en plek van die ondersoek, en verwittig die aangeklaagde tydig daarvan en ook dat hy sy saak persoonlik of deur 'n verteenwoordiger by die ondersoek kan stel, enige persoon as getuie kan dagvaar, enige getuie onder kruisverhoor kan neem en enige boek, stuk, dokumente of ding as getuienis voorlê, kan inspekteer. Die versuim van die betrokke werknemer om die ondersoek by te woon, maak die verrigtinge nie ongeldig nie.

(6) Die persoon benoem om die ondersoek in te stel hou 'n geskrewe rekord van die verrigtinge en van die getuienis afgelê, en by voltooiing van die ondersoek deel hy sy bevinding aan die aangeklaagde mee en sy redes daarvoor en doen verder verslag van die ondersoek aan die raad.

(7) Indien 'n werknemer skuldig is aan wangedrag en hy nie appél teen die bevinding soos by hierdie regulasies bepaal, aangeteken het nie, of as hy aldus appél aangeteken het en sy appél afgewys is, kan die raad hom:

- (a) vermaan of berispe;
- (b) 'n boete van hoogstens R200 oplê, wat paaientgewys van sy salaris ingevorder kan word;
- (c) in rang verlaag of sy salaris verminder, of beide sy rang verlaag en sy salaris verminder; of
- (d) ontslaan, of hom versoek om van 'n bepaalde datum te bedank: Met dien verstande dat die raad nie die Sekretaris uit sy betrekking mag verwyder of sy besoldiging mag verminder sonder die voorafverkreë toestemming van die Administrateur nie.

42. *Procedure to be followed in Cases of Inquiry into Charges of Misconduct.*

(1) Should an employee charged with misconduct as provided in regulation 41 admit the misconduct, he shall be deemed to be guilty of the misconduct with which he is charged, and steps shall be taken as sub-regulation (7) provides.

(2) Should an employee be charged with misconduct and deny such misconduct or fail to reply to the charge within the specified time, the Board may appoint a competent person to inquire into the charge of misconduct and the person so appointed shall be empowered to summon as witness any person, whose evidence appears to be relevant to the subject of inquiry, to appear before him and to give evidence under oath and to produce any book, paper, document or thing in his possession or care or under his control.

(3) Should the misconduct with which the employee is charged be tantamount to a criminal offence of which he has already been convicted by a court of law, an inquiry will not be necessary and a certified copy of the court proceedings shall be adequate proof that he is guilty of the misconduct, unless such court proceedings have been set aside by a superior court.

(4) The Secretary may appoint any person to be present at an inquiry to adduce evidence and arguments in support of the charge and to cross-examine the person appearing as witness for the person charged.

(5) The Board shall, after consultation with the person appointed by him to make the inquiry, fix the time and place of the inquiry, and shall notify the person charged thereof timeously and also that he may put his case personally or through a representative at the inquiry; may summon any person as witness; cross-examine any witness, and examine any book, paper, document or thing produced in evidence. Failure on the part of the employee concerned to attend the inquiry shall not invalidate the proceedings.

(6) The person appointed to make an inquiry shall keep a record in writing of the proceedings and of the evidence given and on completion of the inquiry he shall notify the person charged of his finding and his reasons therefor, and shall further report on the inquiry to the Board.

(7) Should an employee be guilty of misconduct and not have lodged an appeal against the finding as provided by these regulations, or should he have so lodged an appeal be refused, the Board may —

- (a) admonish or reprimand him;
- (b) impose upon him a fine not exceeding R200, recoverable from his salary by instalments;
- (c) demote him or reduce his salary, or both demote him and reduce his salary; or
- (d) dismiss him or request him to resign with effect from a specific date: Provided that the Board shall not remove the Secretary from his post or reduce his remuneration without the prior consent of the Administrator.

43. *Skorsing van Werknemers in hulle Diens.*

(1) Die raad is bevoeg om 'n werknemer teen wie n beskuldiging van wangedrag gemaak is, in sy diens te skors, en sodanige werknemer is gedurende die tydperk van sy skorsing nie op enige besoldiging geregtig nie, tensy hy onskuldig bevind word aan wangedrag, in welke geval hy vir volle besoldiging vir die tydperk van skorsing bevoeg is, die skorsing opgehef word en hy in sy betrekking herstel word: Met dien verstande dat die raad as hy dit wenslik ag die betaling van 'n gedeelte of die geheel van die werknemer se besoldiging tydens die geheel of 'n gedeelte van sy skorsing kan gelas.

(2) Die raad is bevoeg om te eniger tyd 'n bevel tot skorsing op te hef, en die betrokke werknemer in sy betrekking te herstel en in so 'n geval is die werknemer nie op enige besoldiging gedurende die tydperk van sy skorsing geregtig nie, tensy die raad na goeiedunke uitdruklik die betaling van die geheel of gedeelte van sodanige werknemer se besoldiging gelas.

44. *Prosedure wat gevolg moet word in gevalle van ondersoek na beskuldiging van aanspreeklikheid vir skade aan Eiendom van die Raad.*

(1) As 'n werknemer deur 'n wederregtelike daad, alatiheid of onverskilligheid skade berokken aan eiendom van die raad, kan die Sekretaris of 'n deur hom aartoe gemagtigde amptenaar die werknemer skriftelik an sodanige skade beskuldig. Indien die werknemer aanspreeklikheid erken, is die Sekretaris gemagtig om die bedrag van sodanige skade op die werknemer te verhaal, indien nodig by wyse van korting op sy besoldiging.

(2) Indien die werknemer aanspreeklikheid ontken, noem die raad 'n bevoegde persoon om ondersoek na die geval in te stel en word dieselfde prosedure, soos bepaal by subregulasies (2), (4), (5) en (6) van regulasie 42 gevolg.

(3) Indien die werknemer by voltooiing van die ondersoek aanspreeklik bevind word vir die skade berokken, en die werknemer nie appél teen die bevinding soos hierdie regulasies bepaal, aangeteken het nie, of, as 'n aldus appél aangeteken het en sy appél afgewys is, moet die Sekretaris die bedrag van sodanige skade op die werknemer verhaal, indien nodig by wyse van korting op sy besoldiging.

45. *Prosedure wat gevolg moet word in gevalle waar werknemers van onbevoegdheid aangekla word.*

(1) Indien daar gerapporteer word dat 'n werknemer ongeskik is of onbekwaam is om die amppligte van betrekking doeltreffend uit te voer, kan die raad of 'n deur hom daartoe gemagtigde persoon die werknemer skriftelik van sodanige ongeskiktheid of onbekwaamheid aankla en die aanklag per aangetekende pos stuur of hand aan die aangeklaagde by sy jongste bekende adres aflewer.

(2) Die aanklagbrief moet 'n opdrag bevat of van sodanige opdrag vergesel gaan waarby die aangeklaagde nagesê word om binne 'n redelike tydperk, genoem in die opdrag, aan 'n persoon insgelyks genoem, 'n skriftelike erkenning of ontkenning van die aanklag en, as hy dit verlang, 'n skriftelike verduideliking van die ongeskiktheid of onbekwaamheid waarvan hy aldus aangekla is te stuur of af te lewer.

43. *Suspension of Employees in their Service.*

(1) It shall be competent for the Board to suspend an employee against whom a charge of misconduct has been preferred, in his service, and such employee shall not be entitled to any remuneration during the period of his suspension, unless he is found not guilty of misconduct, in which case he shall qualify for full remuneration for the period of such suspension, the suspension shall be cancelled and he shall be reinstated in his post: Provided that the Board may, if he deems it desirable, direct payment of a part of, or of the whole of, the employee's remuneration in respect of a part or whole of the period of his suspension.

(2) It shall be competent for the Board to cancel an order for suspension at any time, and to reinstate the employee concerned in his post, and in such case the employee shall not be entitled to any remuneration during the period of his suspension, unless the Board at his discretion, specifically orders the payment in full or in part of the portion of such employee's remuneration.

44. *Procedure to be followed in Cases of Inquiry into Charge of Liability for Damage to Property of the Board.*

(1) Should an employee cause damage to property of the Board through any unlawful act, negligence or carelessness, the Secretary or an officer authorised thereto, by him, may charge the employee with liability for such damage in writing. Should the employee admit liability, the Secretary shall have the power to recover the amount of such damage from the employee if necessary by way of deduction from his remuneration.

(2) Should the employee deny liability, the Board shall appoint a competent person to inquire into the case and the same procedure as provided by subregulations (2), (4), (5) and (6) of regulation 42 shall be followed.

(3) Should the employee, on completion of the inquiry, be found liable for the damage caused, and the employee not have lodged an appeal against the finding as provided by these regulations, or, if he has so lodged an appeal and his appeal is refused, the Secretary shall recover the amount of such damage from the employee, if necessary by way of deduction from his remuneration.

45. *Procedure to be followed in Cases where Employees are charged with Incompetence.*

(1) Should an employee be reported unsuitable or incompetent for the efficient performance of the official duties attached to his office, the Board or the person authorised thereto by him, may charge the employee with such unsuitability or incompetence in writing and forward the charge by registered post, or deliver it by hand, to the person charged, at his last known address.

(2) The written charge shall contain an instruction or be accompanied by such instruction calling upon the person charged to forward or deliver within a reasonable period referred to in the instruction, to a person likewise referred to, an admission or denial of the charge in writing and if he chooses to do so, an explanation in writing of the unsuitability or incompetence with which he is so charged.

(3) Indien 'n werknemer wat aldus van ongeskiktheid of onbekwaamheid aangekla is, sodanige ongeskiktheid of onbekwaamheid erken, word daar gehandel soos in subregulasie (5) bepaal.

(4) Indien 'n werknemer wat van ongeskiktheid of onbekwaamheid aangekla is, sodanige ongeskiktheid of onbekwaamheid ontken of versuim om binne die bepaalde tyd op die aanklag te antwoord, kan die raad 'n bevoegde persoon benoem om ondersoek na die aangeklaagde se ongeskiktheid of onbekwaamheid in te stel en verslag te doen ten opsigte van sodanige ondersoek.

(5) Indien daar bevind word dat die betrokke werknemer ongeskik of onbekwaam is vir die doeltreffende verrigting van die amppligte aan sy betrekking verbonde en die werknemer nie appél teen die bevinding soos by hierdie regulasies bepaal, aangeteken het nie, of, as hy aldus appél aangeteken het en sy appél afgewys is, kan die raad:

- (a) sy rang verlaag of sy salaris verminder of beide sy rang verlaag en sy salaris verminder; of
- (b) hom uit die diens ontslaan; of
- (c) hom verplaas: Met dien verstande dat die raad nie die Sekretaris uit sy betrekking mag verwyder of sy besoldiging mag verminder sonder die voorafverkreë toestemming van die Administrateur nie.

46. Appél teen Skuldigbevinding.

(1) As die werknemer skuldig bevind is aan wangedrag of aanspreeklik bevind is vir skade berokken aan eiendom van die raad of onbevoeg bevind is vir sy betrekking, kan hy binne 7 dae vanaf sodanige bevinding die raad skriftelik kennis van appél gee, waarin hy ten volle die gronde van sy appél uiteensit en enige vertoë wat hy in verband daarmee wil rig. Die Sekretaris lê dan die kennisgewing van appél en vertoë tesame met die verslag van die persoon wat die ondersoek ingestel het, aan die raad voor met die aanbeveling wat hy na goeddunke doen.

(2) Die raad kan die appél in die geheel of gedeeltelik toestaan, of die bevinding in die geheel of gedeeltelik bekrachtig, of gelas dat verdere ondersoek ingestel word.

(3) Die eindbeslissing berus by die raad: Met dien verstande dat in die geval van die Sekretaris die eindbeslissing by die Administrateur berus.

HOOFTUK V

VERLOF

47. Woordbepaling.

In hierdie afdeling van die regulasies, tensy uit die samehang anders blyk, beteken —

„Betaling” die salaris of loon wat gewoonlik aan 'n werknemer betaalbaar is wanneer hy in diens is en sluit dit in toelaes wat nie by salaris of loon inbegrepe is nie.

„diens” enige onafgebroke voltydse diens in enige hoedanigheid by die raad;

(3) Should an employee so charged with unsuitability or incompetence admit such unsuitability or incompetence, steps shall be taken as provided in subregulation (5).

(4) Should an employee charged with unsuitability or incompetence deny such unsuitability or incompetence or fail to reply to the charge within the specified time, the Board may appoint a competent person to inquire into the unsuitability or incompetence of the person charged and report on such inquiry.

(5) Should the employee concerned be found unsuitable or incompetent for the efficient performance of the official duties attached to his post and the employee not have lodged an appeal against the finding as provided by these regulations, or, if he has so lodged an appeal and his appeal is refused, the Board may —

- (a) demote him or reduce his salary, or both demote him and reduce his salary; or
- (b) dismiss him from the service; or
- (c) transfer him: Provided that the Board shall not remove the Secretary from his post or reduce his remuneration without the prior consent of the Administration.

46. Appeal against Conviction.

(1) Should an employee be found guilty of misconduct or be found liable for damage caused to property of the Board or be found incompetent for his post, he may, within seven days of such finding give notice of appeal in writing to the Board, setting out in detail the grounds of his appeal and any representations he desires to make in connection therewith. The Secretary shall then submit the notice of appeal and representations together with the report of the person who made the inquiry, to the Board with such recommendation as he may deem fit to make.

(2) The Board may grant the appeal in whole or in part or confirm the finding in whole or in part, or order further inquiry to be made.

(3) The decision of the Board shall be final: Provided that in the case of the Secretary the final decision shall vest in the Administrator.

CHAPTER V.

LEAVE.

47. Definition.

In this section, unless the context otherwise indicates —

“pay” means the salary or wage normally payable to an employee when on duty and includes allowances which do not form part of salary or wage;

“service” means any continuous full-time service in any capacity with the Board;

„rusdag” —

- (a) 'n Sondag of 'n openbare feesdag, in die geval van 'n werknemer wat nie gewoonlik op sodanige dag werk nie; of
- (b) in die geval van 'n werknemer wat gewoonlik op 'n Sondag of 'n openbare feesdag werk, enige ander dag waarop hy gewoonlik in plaas daarvan van diens vrygestel is;

„salaris of loon” die jaarlikse salaris of loon insluitende enige toelaes en die kontantwaarde van enige voorregte wat *in natura* verskaf word, mits sulke toelaes en voorregte tot pensiondraend verklaar is.

48. Afwesigheidsverlof.

(1) Afwesigheidsverlof waarvoor in hierdie regulasie voorsiening gemaak word, is 'n vergunning en word alleen toegestaan met inagneming van die behoeftes van die raad.

(2) Verlof kan nie as 'n reg geëis word nie en wanneer 'n werknemer die raad se diens verlaat, om welke rede ook al, kan hy nie eis dat die geldwaarde van ongebruikte verlof aan hom uitbetaal word nie, behalwe egter soos bepaal in regulasie 53 (4). Hierdie bepaling verhoed nie die betaling van verlofgratifikasies ingevolge ander voorwaardes soos in hierdie regulasies bepaal nie. Behalwe soos in hierdie regulasies voorgeskryf, het geen werknemer die reg om verlof te eis, wanneer en soos hy wil nie, maar verlof word toegestaan al na die raad dit toelaat.

(3) Nieteenstaande andersluidende bepalinge in hierdie regulasies word alle vakansieverlof wat verdien is deur werknemers wat onderhewig is aan die bepalinge van die Ordonnansie op Fabriekke, Masjinerie en Bouwerk 1952 as 'n reg erken en moet daar aan die bepalinge van genoemde ordonnansie voldoen word. Elke sodanige werknemer moet sy volle vakansieverlofkrediet in een aaneenlopende tydperk neem.

49. Toestaan en Intrekking van Verlof en Verlofaansoekvorms.

(1) Die toestaan van alle afwesigheidsverlof is onderworpe aan die goedkeuring van die raad.

(2) Behalwe waar 'n werknemer in sy diens geskors is of waar 'n werknemer weens sy skielike siekte of weens ander omstandighede wat vir die Sekretaris aanneemlik is, verhinder word om op sy werk aan te bly of hom vir diens aan te meld, mag hy nie sy werk verlaat of van diens wegbly voordat hy skriftelik om verlof aansoek gedoen het en hy deur die hoof van sy kantoor in kennis gestel is dat die verlofaansoek goedgekeur is nie.

(3) Aansoeke om verlof moet skriftelik gedoen word op die vorm voorgeskryf deur die Sekretaris. Die vorm van die geneeskundige sertifikaat wat ter staving van 'n aansoek om siekteverlof moet dien, word ook deur die Sekretaris voorgeskryf.

(4) Verlof reeds toegestaan, kan te eniger tyd deur die Sekretaris ingetrek word.

50. Verval van Verlof by Uitdienstreding.

(1) Sodra 'n werknemer kennis gee van bedanking of sodra 'n vroulike werknemer kennis gee van haar voorneme om in die huwelik te tree, verval enige toegestane verlof met betaling met ingang van die datum van

“day of rest” means—

- (a) a Sunday or a public holiday in the case of an employee who normally does not work on such a day; or
- (b) in the case of an employee who normally works on a Sunday or a public holiday, such other day on which he is normally relieved from duty in lieu thereof;

“salary or wage” means the annual salary or wage including any allowances and the cash value of any privileges granted in kind, if such allowances and privileges have been declared pensionable.

48. Leave of Absence.

(1) Leave of absence provided for in these regulations is a privilege and is only granted with due regard to the exigencies of the Board.

(2) Leave may not be claimed as a right and when an employee leaves the Board's service, for any reason whatsoever, he may not claim payment in respect of the cash value of leave standing to his credit, except, however, as provided by regulation 53 (4). These provisions do not preclude the payment of leave gratuities on other conditions provided in these regulations. Except as prescribed in these regulations no employee shall have the right to demand leave when and as he wishes, but leave shall only be granted as permitted by the Board.

(3) Notwithstanding anything contained in these regulations all vacation leave earned by employees who are subject to the provisions of the Factories, Machinery and Building Work Ordinance, 1952, shall be deemed a right, and in the granting of such leave the provisions of the said ordinance shall be complied with. Each such an employee shall take his full vacation leave credit in one continuous period.

49. Grant and Withdrawal of Leave, and Leave Application Forms.

(1) The grant of all leave of absence is subject to the approval of the Board.

(2) Except in the case where an employee has been suspended from duty or where an employee is prevented by his sudden illness or by other circumstances which are acceptable to the Secretary, from remaining on, or reporting for duty, he may not leave or stay away from work, unless he has applied in writing for leave, and has been advised by the head of his office that the leave application has been approved.

(3) Applications for leave shall be made in writing on a form prescribed by the Secretary. The form of the medical certificate to serve in support of an application for sick leave, shall also be prescribed by the Secretary.

(4) Leave already granted may at any time be withdrawn by the Secretary.

50. Lapse of Leave on Retirement.

(1) Immediately after an employee has given notice of resignation or immediately after a female employee has given notice of her contemplation of marriage, any leave with pay granted to him/her shall terminate with

sy/haar kennisgewing, of indien die kennisgewing nie gedateer is nie, van die datum van ontvangs daarvan deur die hoof van sy/haar kantoor, en enige verlof aangevra of afwesigheid van diens na daardie datum word geag vakansieverlof sonder betaling te wees: Met dien verstande dat die bepalings van hierdie paragraaf

- (a) net van toepassing is ten opsigte van afwesigheid gedurende die laaste maand van 'n werknemer se diens; en
- (b) nie van toepassing is op siekteverlof nie; en
- (c) 'n werknemer wie se dienskontrak of aanstellingsbrief 'n bepaling bevat wat uitdruklik aandui dat sy dienste met 24 uur kennisgewing aan beide kante beëindig kan word, maar wat desnieteenstaande meer as 24 uur kennisgewing van diensbeëindiging gee.

(2) As 'n werknemer uit die diens tree, eindig sy afwesigheidsverlof op die laaste dag van sy diens of op die datum wat kragtens subregulasie (1) bepaal word indien gemelde subregulasie op hom van toepassing is. 'n Werknemer se dienstydperk mag nie verleng word ten einde hom in staat te stel om gebruik te maak van verlof wat aan hom toegestaan is nie.

51. *Betaling van Toelaes, ens. tydens verlof.*

Die voortsetting of staking van die betaling aan 'n werknemer van toelaes of ander besoldiging as sy salaris of loon en die aanspreeklikheid van 'n werknemer vir die betaling aan die raad van gelde vir goedere of dienste deur die raad gelewer gedurende tydperke van verlof, is onderworpe aan die bepalings van die reëls wat daarop van toepassing is.

52. *Indeling van Afwesigheidsverlof.*

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

- (a) Vakansieverlof (oplopend) met vol betaling;
- (b) Nie-oplopende vakansieverlof met vol betaling;
- (c) Vakansieverlof sonder betaling;
- (d) Siekteverlof met vol betaling;
- (e) Siekteverlof met halwe betaling;
- (f) Siekteverlof sonder betaling;
- (g) Spesiale siekteverlof met vol of verminderde betaling;
- (h) Spesiale verlof met vol betaling; en
- (i) Spesiale verlof met betalingsvoorwaardes soos deur die raad goedgekeur.

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

(3) Behalwe soos in subregulasie (3) van regulasie 63 bepaal word, word alle ongemagtigde afwesigheid van diens, ongeag enige ander tugmaatreëls wat teen 'n werknemer geneem word, geag vakansieverlof sonder betaling te wees, tensy die raad andersins goedkeur; die indiening van 'n skriftelike verlofaansoek waarna in subregulasie (3) van regulasie 49 verwys word, is nie 'n vereiste in die geval van ongemagtigde afwesighede nie.

effect from the date of his/her notice, or, if the notice is undated, from the date the notification is received by the head of his/her office, and any leave applied for or absence from duty thereafter shall be regarded as vacation leave without pay: Provided that the provisions of this paragraph —

- (a) shall only apply in respect of absences during an employee's last month of service;
- (b) shall not apply to sick leave; and
- (c) an employee whose contract of service or letter of appointment contains 2 clauses expressly providing that his services may be terminated on 24 hours notice on either side, but who nevertheless gives more than 24 hours notice of resignation.

(2) When an employee leaves the service his leave of absence shall lapse on the last day of his service or on the date determined upon in terms of subregulation (i), if that subregulation is applicable to him. An employee's period of service may not be extended in order to enable him to utilise leave which may have been granted to him.

51. *Payment of Allowances, etc., during Leave.*

The continuance or cessation of the payment to an employee of allowances or remuneration other than salary or wage and the liability of an employee for payment due to the Board in respect of goods or services delivered or rendered by the Board during periods of leave, shall be subject to the provisions of the rules applicable thereto.

52. *Classification of Leave of Absence.*

(1) All absences from duty with leave are classified under one or more of the following heads:

- (a) vacation leave (accumulative) with full pay;
- (b) non-accumulative vacation leave with full pay;
- (c) vacation leave without pay;
- (d) sick leave with full pay;
- (e) sick leave with half pay;
- (f) sick leave without pay;
- (g) special sick leave with full or reduced pay;
- (h) special leave with full pay; and
- (i) special leave with pay conditions as approved by the Board.

(2) The grant of leave under any of the heads mentioned in subregulation (1) shall not affect the grant of leave under any of the other heads mentioned except in so far as is specifically provided for elsewhere in these regulations.

(3) Except as provided for in subregulation (3) of regulation 63 all unauthorised absences from duty, shall apart from any other disciplinary steps which may be taken against an employee, be regarded as vacation leave without pay, unless the Secretary approves otherwise; the submission of a written application for leave referred to in subregulation (3) of regulation 49 is not required in the case of unauthorised absences.

(4) 'n Werknemer word nie beskou as afwesig van diens nie as hy verskyn as (a) getuie by 'n strafszaak, (b) getuie of verweerder in 'n siviele hofszaak (insluitende 'n egskeidingszaak), en (c) getuie of gedaagde by 'n huurraadszaak. Wanneer hy egter die eiser in 'n siviele hofszaak (insluitende 'n egskeidingszaak) is of die persoon is wat die inisiatief in 'n huurraadondersoek neem, moet sy afwesigheid van diens gedek word deur die toestaan van vakansieverlof met of sonder betaling, na gelang.

53. (1) Met inagneming van die bepalings van regulasies 59 (2) (a) en 61 (3) (ii) word werknemers vir die toestaan van afwesigheidsverlof in ondergemelde groepe ingedeel en kan verlof dienooreenkomstig aan hulle toegestaan word:—

(a) *Vakansieverlof (oplopend)*

Indeling:	Groep	Aanwas (dae per jaar)
(i) Voltydse blanke werknemers wat voor 1 Mei 1971 aangestel is; of in die vakkundige afdeling is, sodra hulle 5 jaar diens voltooi het; of in die administratiewe, klerklike, tegniese en algemene afdeling is, sodra hulle 15 jaar diens voltooi het;	IA	38
(ii) Voltydse blanke werknemers wat op of na 1 Mei 1971 aangestel is in die administratiewe, klerklike, tegniese en algemene afdeling met — 10 jaar of langer diens	IB	36
Minder as 10 jaar diens	II	30
(iii) Voltydse nie-blanke werknemers wat onderstaande diens voltooi het — 15 jaar of langer;	II	30
10 jaar of langer maar minder as 15 jaar;	III	24
minder as 10 jaar;	IV	18
(iv) Deeltydse werknemers wat in die reël minstens — 4¼ uur per dag op diens is wanneer 'n vyfdaagse werkweek nagekom word; of minstens 4 uur per dag op diens is wanneer 'n sesdaagse werkweek nagekom word;	V	12

(4) An employee shall not be deemed absent from duty if he appears as (a) witness in a criminal case, (b) witness or defendant in a civil court case (including divorce proceedings) and (c) witness or respondent at a Rent Board enquiry. If, however, he is the plaintiff in a civil court case (including divorce proceedings) or the person taking the initiative in a Rent Board inquiry his absence from duty shall be covered by the grant of vacation leave with or without pay, as the case may be.

53. (1) With due regard to the provisions of regulations 59 (2) (a) and 61 (3) (ii) employees shall for the purpose of their being granted leave of absence be classified in the undermentioned groups and may be granted leave accordingly:

(a) *Vacation Leave (accumulative)*

Classification:	Group	Accrual (days per annum)
(i) Full-time white employees appointed before 1 May 1971; or are in the professional division, on completion of 5 years service; or are in the administrative, clerical, technical and general division, on completion of 15 years service;	IA	38
(ii) full-time white employees appointed on or after 1 May 1971 in the administrative, clerical, technical and general division who have completed the following service: 10 years or longer;	IB	36
less than 10 years;	II	30
(iii) full-time non-white employees who have completed the following service: 15 years or longer;	II	30
10 years or longer but less than 15 years;	III	24
less than 10 years;	IV	18
(iv) Part-time employees who are usually on duty for at least — 4¼ hours per day when a five-day working week is observed; or 4 hours per day when a six-day working week is observed;	V	12

(b) *Siekteverlof*

Indeling	Groep	Getal dae in elke tydkring met —	
		Volle betaling	Halwe betaling
(i) Alle voltydse werknemers in die vakkundige, administratiewe, klerklike, tegniese en algemene afdelings;	A	120	120
(ii) Voltydse en deelydse werknemers in die niegeklassifiseerde afdeling en voltydse tydelike werknemers wat 10 jaar of langer diens voltooi het.			
(iii) Voltydse en deelydse nie-blanke werknemers wat 20 jaar of langer diens voltooi het.	B	90	90
(iv) Voltydse en deelydse werknemers in die niegeklassifiseerde afdeling en voltydse tydelike werknemers wat 5 jaar of langer maar minder as 10 jaar diens voltooi het.			
(v) Voltydse en deelydse nie-blanke werknemers wat 10 jaar of langer maar minder as 20 jaar diens voltooi het.	C	60	60
(vi) Voltydse en deelydse werknemers in die niegeklassifiseerde en voltydse tydelike werknemers wat minder as 5 jaar diens voltooi het.			
(vii) Voltydse en deelydse nie-blanke werknemers wat 5 jaar of langer maar minder as 10 jaar diens voltooi het.	D	30	30
(viii) Voltydse en deelydse nie-blanke werknemers wat minder as 5 jaar diens voltooi het.	E	15	15
(c) Verpleegpersoneel (blank en nie-blank) van hospitale en inrigtings vakansieverlofgroep VI; siekteverlofgroep A.			

(b) *Sick Leave*

Classification:	Group	Number of days in each cycle with —	
		Full pay	Half pay
(i) All full-time employees in the professional, administrative, clerical, technical and general divisions.	A	120	120
(ii) Full-time and part-time employees in the non-classified division and full-time temporary employees who have completed 10 years service or longer.			
(iii) Full-time and part-time non-white employees who have completed 20 years service or longer.	B	90	90
(iv) Full-time and part-time employees in the non-classified division and full-time temporary employees who have completed 5 years service or longer but less than 10 years service.			
(v) Full-time and part-time non-white employees who have completed 10 years service or longer but less than 20 years service.	C	60	60
(vi) Full-time and part-time employees in the non-classified division and full-time temporary employees who have completed less than 5 years service.			
(vii) Full-time and part-time non-white employees who have completed 5 years service or longer but less than 10 years service.	D	30	30
(viii) Full-time and part-time non-white employees who have completed less than 5 years service.	E	15	15
(c) Nursing staff (white and non-white) of hospitals and institutions vacation leave group VI; sick leave group A.			

(2) Aan 'n persoon wat onder kontrak dien, word, tensy sy dienskontrak anders bepaal, verlof toegestaan kragtens hierdie regulasies en sy groepering vir verlof-doeleindes word net so bepaal soos dié van 'n vergelykbare werknemer in die raad se diens.

(3) As 'n werknemer wat afgetree het of wat 'n betrekking neergelê het om watter rede ook al, met of sonder onderbreking van diens opnuut aangestel word in 'n tydelike hoedanigheid, word so 'n her-aanstelling vir alle doeleindes van hierdie regulasie as 'n nuwe aanstelling beskou: vorige diens tel nie as diens vir verlofdoeleindes nie; verlof wat opgehoop het, verval by beëindiging van die aanstelling, behalwe in sover subregulasie (4) hiervan 'n uitsondering maak. Die siekteverlofkringloop onder die nuwe verlofgroepering begin op die datum van heraanstelling.

(4) By diensbeëindiging van 'n werknemer wat onder die Ordonnansie op Fabriek, Masjinerie en Bouwerk 1952 val, word sy geval ingevolge daardie ordonnansie behandel.

54. Verlofvoorsiening.

Aan werknemers kan verlof volgens die onderstaande skaal toegestaan word met inagneming van hul groepeerindeling ingevolge regulasie 53:

(a) Vakansieverlof

Groep	Getal dae per jaar
IA	38
IB	36
II	30
III	24
IV	18
V	12
VI	— 30
	Opgelei
	Minder as 5 jaar diens — 48
	Tussen 5 en 10 jaar diens — 52
	Langer as 10 jaar diens — 56

(b) Siekteverlof

Groep	Getal dae in elke tydkring	
	Met volle betaling	Met halwe betaling
A	120	120
B	90	90
C	60	60
D	30	30
E	15	15

55. Oortoekening van vakansieverlof.

As daar aan 'n werknemer meer verlof toegestaan is as waarvoor in hierdie regulasies voorsiening gemaak word, kan so 'n oortoekening met goedkeuring van die raad afgetrek word van verlof wat later aan hom toeval, mits die oortoekening te goeder trou gedoen is: Met dien verstande dat as die werknemer bedank of sy dienste beëindig word voordat voldoende verlof vir die doel van so 'n aftrekking aan hom toegeval het, daardie gedeelte van die oortoekening wat sy verlofaanwas op die laaste dag van sy diens oorgeskry as 'n oorbetalings van salaris geag word wat of teruggevorder of met bevoegde magtiging afgeskryf moet word.

(2) A person serving under contract 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 employee in the Board's service.

(3) Where an employee who has retired or resigned for any reason whatsoever, is re-appointed, with or without a break in service, in a temporary capacity, such re-appointment shall be regarded as a new appointment for all purposes of this regulation; previous service shall not count as service for leave purposes; accumulated leave shall lapse when the appointment terminates, except in so far as is otherwise provided in subregulation (4) hereof. The sick leave cycle under the new leave grouping shall begin on the date of re-appointment.

(4) On the termination of service of an employee subject to the provisions of the Factories, Machinery and Building Work Ordinance, 1952, his case shall be treated in terms of that ordinance.

54. Leave Provision.

(1) Employees may be granted leave in accordance with the following scale, having regard to their classification in regulation 53:

(a) Vacation Leave:

Group	Number of days per annum
IA	38
IB	36
II	30
III	24
IV	18
V	12
VI	— 30
	Untrained
	Trained
	Less than 5 year service — 48
	Between 5 and 10 years service — 52
	Longer than 10 years service — 56

(b) Sick leave

Group	Number of days in each cycle	
	With full pay	With half pay
A	120	120
B	90	90
C	60	60
D	30	30
E	15	15

55. Overgrant of Leave.

In the event of an employee being granted leave in excess of that provided for in these regulations, such overgrant may, with the approval of the Board, be deducted from leave which subsequently accrues to him, provided the overgrant was made in good faith: Provided that in the event of the employee resigning or his services being terminated before sufficient leave has accrued to him for the purpose of such deduction, that portion of the overgrant which has not yet been set off against his leave accrual on his last day of service shall be regarded as an overpayment of salary which must be recovered or written off under competent authority.

56 Rusdae.

(1) 'n Rusdag word nie geag verlot te wees nie en word nie in die verlofstaat as sodanige aangeteken nie: Met dien verstande dat —

- (a) 'n rusdag, of twee of meer opeenvolgende rusdae wat binne 'n tydperk van verlof val, geag word verlot te wees wat onder dieselfde hoof van subregulasie (1) van regulasie 52 val as die verlof wat sodanige rusdag of rusdae voorafgaan of daarop volg;
- (b) 'n rusdag, of twee of meer opeenvolgende rusdae wat tussen 'n tydperk van vakansie- of nie-oplopende verlof en 'n tydperk van siekteverlof (of omgekeerd) val, geag word vakansieverlof te wees, tensy die betrokke werknemer bewys lewer dat hy werklik op sodanige rusdag of rusdae siek was;
- (c) in die geval waar 'n werknemer aangesê word om hom op 'n rusdag vir diens aan te meld en hy in gebreke bly om dit te doen, sodanige rusdag geag word vakansieverlof sonder betaling te wees, tensy hy weens omstandighede wat vir die Sekretaris aanneemlik is, verhinder word om hom vir diens aan te meld.

(2) 'n Werknemer word nie salaris of loon ten opsigte van 'n rusdag betaal nie tensy hy kragtens sy diensvoorwaardes op betaling vir die dag geregtig is.

57. Verlofregister.

Die Sekretaris moet ten opsigte van elke werknemer 'n verlofregister hou waarin alle afwesighede van diens aangeteken word volgens die indeling vervat in regulasie 53. Alle verlofaansoeke moet vir oudit- en ander doeleindes bewaar word in die kantoor waar die verlofregister gehou word en wel vir die tydperk wat die Sekretaris gelas.

58. Algemene Bepalings — Vakansieverlof.

(1) Oplopende vakansieverlof tot 'n werknemer se krediet geplaas, was aan ten opsigte van elke voltooide maand van diens en wel teen een twaalfde van die voorsiening wat kragtens paragraaf (a) van regulasie 54 op 'n werknemer van toepassing is.

(2) As 'n werknemer van een betrekking na 'n ander oorgeplaas word en sy oorplasing 'n verandering van sy groepering vir verlofdoeleindes meebring of as hy om enige ander rede as sy oorplasing van die een na die ander vakansieverlofgroep oorgaan —

- (a) behou hy die oplopende vakansieverlofkrediet wat gedurende sy dienstydperk in die vorige groep of groepe aangewas het; en
- (b) word die nuwe groep met oplopende vakansieverlof op hom van toepassing vanaf die eerste dag van die maand waarin sodanige oorplasing of oorgang van krag word,

tensy die bepaling van subregulasie (3) van regulasie 53 op hom van toepassing is.

(3) Die raad kan te eniger tyd van 'n werknemer vereis dat hy 'n gedeelte of die geheel van die vakansieverlof (oplopend sowel as nie-oplopend) wat hom toekom, neem: Met dien verstande dat die maksimum tydperk van vakansieverlof wat in subregulasie (4) van hierdie regulasie voorgeskryf word, nie oorskryf mag word nie.

(4) Behalwe met goedkeuring van die raad kan daar nie aan 'n werknemer oplopende en nie-oplopende vakansie verlof met volle betaling van meer as 184 dae toegestaan word in enige tydperk van agtien maande nie en enige afwesigheid van diens bo hierdie beperking word

56. Days of Rest.

(1) A day of rest shall not be regarded as leave and shall not be recorded as such in the leave register: Provided that —

- (a) a day of rest, or two or more consecutive days a rest, falling within a period of leave shall be regarded as leave falling under the same heading of subregulation (1) of regulation 52 as the leave which precedes and succeeds such day or days of rest;
- (b) a day of rest, or two or more consecutive days of rest falling between a period of vacation or non-accumulative leave and a period of sick leave (or *vice versa*) shall be regarded as vacation leave unless the employee concerned produces evidence that he was actually ill on such day or days of rest;
- (c) in the case of an employee who is called upon to report for duty on a day of rest and who fails to do so, such day of rest shall be regarded as vacation leave without pay, unless he is prevented from reporting for duty by circumstances which are acceptable to the Secretary.

(2) An employee shall not be paid salary or wage in respect of a day of rest unless he is entitled to such payment for the day in terms of his conditions of service.

57. Leave Register.

The Secretary shall keep a leave register in respect of each employee in which all absences from duty shall be recorded in accordance with the classification contained in regulation 53. All applications for leave shall be filed for audit and other purposes in the office where the leave register is kept, for such period as the Secretary may direct.

58. General Provisions — Vacation Leave.

(1) Accumulative vacation leave, placed to the credit of an employee shall accrue in respect of each completed month of service at the rate of one-twelfth of the provision applicable to an employee in terms of paragraph (a) of regulation 54.

(2) If an employee is transferred from one post to another and his transfer results in a change in his classification for leave purposes, or if, for any other reason than his transfer, he passes from one vacation leave group to another —

- (a) he retains the accumulative vacation leave credit which accrued during his service in the previous group or groups; and
- (b) the new accumulative vacation leave group shall become applicable to him from the first day of the month during which such transfer becomes effective;

unless the provisions of subregulation (3) of regulation 53 are applicable to him.

(3) The Board may at any time require an employee to take the whole or a portion of the vacation leave (accumulative as well as non-accumulative) due to him: Provided that the maximum period of vacation leave prescribed in subregulation (4) of this regulation shall not be exceeded.

(4) Except on the recommendation of the Board an employee may not be granted accumulative and non-accumulative vacation leave with full pay in excess of 184 days in any period of eighteen months, and any absence from duty above this limit shall be covered by

gedek deur die toestaan van vakansieverlof sonder betaling ingevolge die bepalings van regulasie 64. By die toepassing van hierdie subregulasie word vakansieverlof wat kragtens subregulasie (6) van regulasie 60 toegestaan word buite rekening gelaat.

(5) Die ooplopende vakansieverlof wat 'n werknemer op 1 Januarie van elke jaar tot sy kredit het, word in die verloopstaat aangeteken, en by die aantekening van so lanige kredit word enige gedeelte van 'n dag as een dag gereken.

59. Algemene Bepalings — Nie-oplopende Vakansieverlof.

(1) Nie-oplopende vakansieverlof kan toegestaan word te eniger tyd gedurende die kalenderjaar waarin dit aan die werknemer toeval: Met dien verstande dat aan 'n werknemer wat minder as drie maande diens voltooi het slegs die aantal dae verlof wat hy na verhouding tot sy voltooide diens verdien het, toegestaan kan word.

(2) Enige nie-oplopende vakansieverlof wat gedurende enige kalenderjaar aan 'n werknemer toegeval het en wat aan die einde van daardie jaar nie geneem is nie, vervalt aan die einde van die betrokke jaar en mag nie oorgedra word na die volgende jaar nie: Met dien verstande dat die Sekretaris in buitengewone omstandighede toestemming kan verleen vir die benutting van die verlof gedurende die kalenderjaar wat daarop volg: Met dien verstande voorts dat dieselfde verlofkredit in sy geheel of gedeeltelik nie vir 'n tweede keer na die volgende jaar oorgeplaas mag word nie.

60. Algemene Bepalings — Siekteverlof.

(1) Siekteverlof val toe aan 'n werknemer op die eerste dag van die kringloop van drie jaar en met ingang aan daardie dag kan die volle voorsiening vir die betrokke kringloop aan hom toegestaan word mits aan die ander bepalings van hierdie regulasies voldoen word: Met dien verstande dat aan geen werknemer siekteverlof met volle of halwe betaling toegestaan mag word voordat hy lertig dae diens, wat tel as diens vir verlofdoeleindes, voltooi het nie en dan slegs ten opsigte van afwesighede na die voltooiing van sodanige diens.

(2) 'n Siekteverlofkringloop begin op die eerste dag van Januarie 1970 en duur drie jaar. Verdere siekteverlofkringloope is elke daaropvolgende tydperk van drie jaar.

(3) As 'n werknemer gedurende 'n kringloop sonder onderbreking van diens (i) oorgaan na 'n groep of subgroep waarin die siekteverlofvergunning minder is as wat voorheen op hom van toepassing was, behou hy vir die duur van die betrokke kringloop die siekteverlofvergunning wat voorheen op hom van toepassing was, of (ii) oorgaan na 'n groep of subgroep waar die siekteverlofvergunning meer is as voorheen, verwerf hy onmiddellik die siekteverlofvergunning van die nuwe groep of subgroep min enige betaalde siekteverlof, wat hy reeds gedurende die betrokke kringloop gebruik het.

(4) Ongebruikte siekteverlof wat vir 'n bepaalde kringloop voorgeskryf is, val aan die einde van die betrokke kringloop en kan nie na die volgende kringloop oorgedra word nie.

(5) As aan 'n werknemer die maksimum hoeveelheid siekteverlof waarvoor in hierdie regulasie voorsiening gemaak is, toegestaan is en hy is nog weens gezondheidsredes nie in staat om sy dienste te hervat nie,

the grant of vacation leave without pay with due regard to the provisions of regulation 64. For the purposes of this subregulation no account shall be taken of vacation leave granted in terms of subregulation (6) of regulation 60.

(5) The accumulative vacation leave standing to the credit of an employee on 1 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.

59. General Provisions — Non-accumulative Vacation Leave.

(1) Non-accumulative vacation leave may be granted at any time during the calendar year in which it accrues to the employee: Provided that an employee who has completed less than three months' service may be granted only the number of days' leave which he has earned in proportion to his completed service.

(2) Any non-accumulative vacation leave which has accrued to an employee during any calendar year and not taken at the end of that year, shall lapse at the end of the relative year and may not be carried forward to the next year: Provided that the Secretary may, in exceptional circumstances authorise the utilisation of the leave during the next succeeding calendar year: Provided further that the same leave credit (as a whole or in part) may not for a second time be carried forward to a following year.

60. General Provisions — Sick leave.

(1) Sick leave accrues to an employee on the first day of the cycle of three years and with effect from that day the full provision of the cycle in question may be granted to him if the other provisions of these regulations are complied with: Provided that no employee may be granted sick leave with full or half pay until he has completed thirty days service which counts as service for leave purposes, and then only in respect of absences subsequent to the completion of such service.

(2) A sick leave cycle shall begin on the first day of January, 1970 and run for three years. Further sick leave cycles shall be for every succeeding period of three years.

(3) If an employee during a cycle and without a break in his service (i) passes to a group or sub-group in which the sick leave provision is less favourable than that formerly applicable to him, he shall, for the duration of the relative cycle retain the sick leave provision formerly applicable to him, or (ii) passes to a group or sub-group in which the sick leave provision is more favourable than previously, he shall immediately acquire the sick leave provision of the new group or sub-group less any paid sick leave already taken by him during the relative cycle.

(4) Unused 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.

(5) If an employee who has been granted the maximum amount of sick leave provided for in this regulation, is not yet able for health reasons to resume his duties, the Secretary may, on submission to him of a

kan die Sekretaris by die voorlegging aan hom van 'n bevredigende sertifikaat van 'n geregistreerde geneesheer en as hy oortuig is dat die werknemer op die betrokke tydstep nie permanent ongeskik is vir die hervatting van sy normale pligte nie, na goeddunke verdere siekteverlof met halwe betaling aan laasgenoemde toeken vir hoogstens 92 dae in enige besondere kringloop. Hierdie toekenning kan gedoen word ongeag of die werknemer vakansieverlof ten goede het en ten opsigte van afsonderlike tydperke van afwesigheid. As die werknemer na die toekenning van hierdie bykomende siekteverlof nog nie in staat is om sy dienste te hervat nie, mag geen verdere verlof onder engeen van dië in subregulasie (1) van regulasie 52 gemelde hoofde ten opsigte van die betrokke afwesigheid, aan hom toegestaan word nie behalwe met die goedkeuring van die raad.

(6) Aan 'n werknemer kan op sy skriftelike aansoek enige vakansieverlof wat hy tot sy krediet het, toegestaan word in plaas van siekteverlof met halwe betaling of siekteverlof sonder betaling: Met dien verstande dat as bedoelde vakansieverlof aan hom toegestaan is en hy ten opsigte daarvan betaling ontvang het dit nie weer in siekteverlof met halwe betaling omgesit mag word nie.

(7) As 'n werknemer aan wie vakansieverlof toegestaan is, siek word nadat hy reeds sy diens verlaat het om met vakansieverlof te gaan, word daardie gedeelte van bedoelde vakansieverlof waartydens hy siek was in siekteverlof omgeskep as die werknemer by die Sekretaris 'n sertifikaat van 'n geregistreerde geneesheer of 'n geregistreerde tandarts indien, wat aan die vereiste neergelê in regulasie 61 voldoen en mits die nodige siekteverlof kragtens regulasies beskikbaar is. Vakansieverlof waartydens 'n siek werknemer nie binnenshuis gebly het nie en vakansieverlof sonder betaling mag nie in siekteverlof omgeskep word nie.

61. *Toestaan van Siekteverlof.*

(1) Siekteverlof word alleen toegestaan in verband met 'n werknemer se afwesigheid van diens weens 'n siekte, ongesteldheid of besering wat nie te wyte is aan sy wangedrag of gebrek aan behoorlike voorsorg nie. Die afwesigheid van 'n vroulike werknemer as gevolg van haar bevalling mag nie deur die toestaan van siekteverlof gedek word nie maar wel deur die toestaan van eerstens die beskikbare vakansieverlof en tweedens vakansieverlof sonder betaling kragtens regulasie 64. Siekteverlof kan egter gedurende 'n tydperk van swangerskap toegestaan word mits aan die vereistes van die regulasies voldoen word, maar nie ten opsigte van enige afwesigheid wat die bevalling onmiddellik voorafgegaan en aaneenloop met die bevallingsafwesigheid nie.

(2) In verband met senuwee-aandoenings, slaaploosheid, swakheid en dergelike minder goedomskrewe siektes of ongesteldhede word siekteverlof slegs toegeken as die Sekretaris oortuig is dat die applikant se gesondheids-toestand:

- (a) hom ongeskik maak vir sy werk en
- (b) nie voortvloei uit sy versuim om van vakansieverlof gebruik te maak nie.

(3) Die Sekretaris kan te eniger tyd eis dat 'n werknemer hom onderwerp aan 'n ondersoek deur een of meer geregistreerde geneesheer deur die Sekretaris aangewys. Die koste verbonde aan so 'n ondersoek word uit middele van die raad betaal.

(4) As 'n werknemer weens siekte van diens afwesig is vir 'n aaneenlopende tydperk van langer as drie

satisfactory certificate by a registered medical practitioner, and if he is satisfied that the employee at that time is not permanently unfit to resume his normal duties, at his discretion grant the employee further sick leave with half pay not exceeding 92 days in any one cycle. This grant may be made irrespective of whether the employee has vacation leave to his credit and may be made in respect of separate periods of absence. If after the grant to the employee of this additional sick leave, he is not yet capable of resuming his duties, he shall not be granted further leave under any of the heads mentioned in subregulation (1) of regulation 52 in respect of the absence concerned, except with the approval of the Board.

(6) An employee may, on his written application, be granted any vacation leave which he may have to his credit in lieu of sick leave with half pay or sick leave without pay: Provided that once the vacation leave referred to has been granted to him and he has received payment in respect thereof, such leave may not be reconverted into sick leave with half pay.

(7) If an employee to whom vacation leave has been granted becomes ill after he has left his duties to proceed on vacation leave, that period of his vacation leave during which he was indisposed may be converted into sick leave on the production by the employee to the Secretary of a certificate by a registered medical practitioner or a registered dentist which satisfies the requirements stipulated in regulation 61, and provided that he necessary sick leave is available in terms of the regulations. Vacation leave during which an indisposed employee was not confined indoors, and vacation leave without pay, may not be converted into sick leave.

61. *Grant of Sick Leave.*

(1) Sick leave shall be granted only in respect of the absence from duty of an employee owing to an illness, indisposition or injury not due to his misconduct or failure to take reasonable precautions. The absence of a female employee owing to her confinement shall not be covered by the grant of sick leave, but by the grant, in the first place of any available vacation leave and thereafter of vacation leave without pay in terms of regulation 64. Sick leave may, however, be granted during a term of pregnancy provided the requirements of the regulations are complied with, but not in respect of any absence immediately preceding and continuous with the absence due to the confinement.

(2) In respect of nervous complaints, insomnia, debility and similar ill-defined illnesses or indispositions sick leave shall be granted only if the Secretary is convinced that the applicant's health condition —

- (a) incapacitates him from duty;
- (b) does not arise from his failure to take vacation leave.

(3) The Secretary may at any time require an employee to submit to an examination by one or more registered medical practitioners nominated by the Secretary. The expenditure connected with such examination shall be from the funds of the Board.

(4) If an employee is absent from duty on account of illness for a continuous period of more than three days

dae, kan siekteverlof aan hom toegeken word slegs as hy 'n sertifikaat van 'n geregistreerde geneesheer of 'n geregistreerde tandarts, wat verklaar dat hy nie in staat is om sy amppligte waar te neem nie en wat aantoon welke tydperk nodig is vir sy herstel, by die Sekretaris indien: Met dien verstande dat die Sekretaris na goed-dunke kan eis dat 'n dergelike sertifikaat ten opsigte van tydperke van drie dae of minder ingedien word: Met dien verstande voorts dat indien die Sekretaris daarvan oortuig is dat die werknemer se afwesigheid *bona fide* te wyte is aan siekte en dat daar goeie redes bestaan waarom 'n geneeskundige sertifikaat nie ingedien word nie, hy die werknemer van die indiening van die sertifikaat kan kwytskeld ten opsigte van hoogstens 14 dae siekteverlof. Sodanige kwytskelding moet op die verlof-aansoek geëndosseer word.

(5) Siekteverlof, ten opsigte waarvan 'n sertifikaat soos in subregulasie (4) bepaal, nie ingedien is nie, kan slegs toegestaan word vir altesaam 10 dae gedurende enige kalenderjaar; enige verdere afwesighede moet gedek word deur die bestaan van vakansieverlof en as die werknemer geen betaalde vakansieverlof tot sy krediet het nie, van vakansieverlof sonder betaling. Die bepaling van hierdie subregulasie is nie van toepassing op tydperke van afwesigheid ten opsigte waarvan kwytskelding kragtens subregulasie (4) verleen is nie en sodanige tydperke word ook nie ingereken by die bepaling van die 10 dae nie.

(6) Ondanks die indiening van 'n sertifikaat ingevolge subregulasies (4) kan die Sekretaris na goeddunke weier om siekteverlof met betaling toe te staan ten opsigte van enige afwesigheid van diens waarop die sertifikaat betrekking het. So 'n afwesigheid word as ongemagtig beskou en is aan die bepaling van subregulasie (3) van regulasie 52 onderworpe.

62. *Spesiale Siekteverlof.*

(1) Aan 'n werknemer wat van diens afwesig is weens 'n besering wat spruit uit 'n ongeval wat uit sy diens ontstaan en in die loop daarvan plaasvind of weens 'n siekte wat in die loop van en weens sy diens opgedoen is, kan spesiale siekteverlof met volle betaling toegestaan word vir die tydperk waarin hy nie geskik is om sy normale pligte uit te voer nie, of indien die geval binne die bestek is van die Ongevalwet 1941 soos gewysig, moet besoldiging gelyk aan die verskil tussen volle betaling en die skadeloosstelling wat aan hom kragtens daardie wet betaalbaar is, toegeken word.

(2) Spesiale siekteverlof, kragtens hierdie regulasie, word nie toegestaan as die Sekretaris van oordeel is dat die ongeval aan die ernstige opsetlike wangedrag van die werknemer toe te skryf is nie.

(3) Die bepaling van subregulasies (3), (4) en (5) van regulasie 61 is *mutatis mutandis* van toepassing op die bestaan van spesiale siekteverlof.

63. *Spesiale Verlof met volle Betaling.*

Spesiale verlof met volle betaling kan aan 'n werknemer toegestaan word —

(1) wanneer hy enige van die volgende eksamens aflê:—

- (a) enige skooleksamen wat afgeneem word deur of op gesag van 'n onderwysdepartement in die Republiek van Suid-Afrika of Suidwes-Afrika;
- (b) eksamens afgeneem deur die gemeenskaplike komitee vir Professionele Eksamens;

he may be granted sick leave only if he furnishes the Secretary with a certificate by a registered medical practitioner or a registered dentist which states that he is not capable of performing his official duties and in which is indicated the period necessary for his recuperation: Provided that the Secretary at his discretion, may require the submission of a similar certificate in respect of periods of three days or less: Provided further that if the Secretary is convinced that the absence of the employee is *bona fide* due to illness and that there are good reasons for the non-production of a medical certificate, he may waive the submission of a medical certificate in respect of sick leave not exceeding 14 days. Such exemption shall be endorsed on the leave application.

(5) Sick leave in respect of which a certificate as defined in subregulation (4) is not submitted, may be granted only for an aggregate of 10 days during any calendar year; any further absences shall be covered by the grant of vacation leave and, if the employee has no paid vacation leave to his credit, of vacation leave without pay. The provisions of this subregulation are not applicable to periods of absence in respect of which exemption in terms of subregulation (4) has been granted, and neither are such periods taken into consideration in the determination of the 10 days.

(6) Notwithstanding the submission of a certificate under subregulation (4) the Secretary may at his discretion refuse to grant sick leave with pay in respect of any absence from duty, to which the certificate relates, and such absence shall be regarded as unauthorised and is subject to the provisions of subregulation (3) of regulation 52.

62. *Special Sick Leave.*

(1) An employee who is absent from 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 his normal duties, or, if the case falls within the scope of the Workmen's Compensation Act, 1941, as amended, remuneration equal to the difference between full pay and the compensation payable to him in terms of that act.

(2) Special sick leave in terms of this regulation shall not be granted if the Secretary is of opinion that the accident is attributable to the serious and wilful misconduct of the employee.

(3) The provisions of subregulations (3), (4) and (5) of regulation 61 are applicable *mutatis mutandis* to the grant of special sick leave.

63. *Special Leave with full Pay.*

Special leave with full pay may be granted to an employee —

(1) when he writes any of the following examinations:

- (a) Any school examination set by or on the authority of an education department in the Republic of South Africa or South West Africa;
- (b) examinations set by the Joint Committee for Professional Examinations;

- (c) eksamens afgeneem deur die Geoktrooieerde Instituut van Sekretarisse en die Geoktrooieerde Instituut van Rekenmeesters;
- (d) eksamens van die Institute van Wertuigkundige, Siviele en Bouingenieurs;
- (e) eksamens van die Koninklike Sanitêre Instituut;
- (f) eksamen van die Vereniging van Geoktrooieerde Rekenmeesters (S.A.);
- (g) eksamen van die Instituut van Gesertifiseerde Boekhouers;
- (h) eksamen van die „Association of Certified and Corporate Accountants”;
- (i) eksamen voorgeskryf deur die Suid-Afrikaanse Rekenmeestersvereniging se Algemene Eksamenraad;
- (j) eksamen van die Instituut van Koste- en Werke-rekenmeesters;
- (k) eksamens vir die Instituut van Administrasie en Handel van Suid-Afrika;
- (l) eksamen van die Koporasie van Gesertifiseerde Sekretarisse, en enige ander eksamen wat die Sekretaris aanwys of bepaal;
- (2) wanneer hy van diens afwesig is weens afsondering of isolasie, kragtens geneeskundige instruksies, waar hy in aanraking was met 'n persoon wat 'n besmetlike of aansteeklike siekte opgedoen of vermoedelik opgedoen het. Die toestaan van spesiale verlof ingevolge hierdie subregulasie is onderworpe aan die indiening van 'n sertifikaat van 'n geregistreerde geneesheer wat die tydperk en oorsaak van afsondering aandui;
- (3) wanneer hy van diens afwesig is weens gevangeneming op 'n aanklag van misdaad en later vrygespreek word of die aanklag teruggetrek word vir die tydperk van gevangeneming;
- (4) (a) wanneer hy as 'n lid van die Aktiewe Burgermag kragtens die Zuid Afrika Verdedigings Wet 1912, soos gewysig, of enige regulasie daarkragtens uitgevaardig, onafgebroke of afgebroke opleiding moet ondergaan, behalwe as hy onafgebroke opleiding kragtens artikel 6 *bis* van die Zuid Afrika Verdedigings Wet, Wysigings Wet 1922 ondergaan of voltydse diens kragtens artikel 19 van die Zuid Afrika Verdedigings Wet 1912 soos gewysig, in plaas van vredestrydse opleiding verrig;
- (b) wanneer hy as lid van die Aktiewe Burgermag soos hierbo bepaal vrywillig of weens enige spesifieke ooreenkoms tussen hom en die Departement van Verdediging in verband met sy opleiding bo en behalwe enige opleiding wat hy ooreenkomstig genoemde wet moet ondergaan enige onafgebroke of afgebroke opleiding ondergaan 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 Republiek se Verdedigingsmag;
- (c) wanneer hy, as 'n lid van 'n skietkommando kragtens regulasies uitgevaardig ingevolge die Zuid Afrika Verdedigings Wet 1912, soos gewysig, 'n amptelike skietoefening moet bywoon mits die bevelvoerder van die betrokke kommandement sertifiseer dat bywoning van sodanige skietoefening in ooreenstemming met die bepalings van voormelde regulasies is;
- (c) examinations set by the Chartered Institute of Secretaries and the Chartered Institute of Accountants;
- (d) examinations of the Institutes of Mechanical, Civil and Construction Engineers;
- (e) examinations of the Royal Sanitary Institute;
- (f) examination of the Association of Chartered Accountants (S.A.);
- (g) examination of the Institute of Certified Bookkeepers;
- (h) examination of the Association of Certified and Corporate Accountants;
- (i) examination prescribed by the South African Accountants' Associations' General Examination Board;
- (j) examination of the Institute of Cost and Works Accountants;
- (k) examinations for the Institute of Administration and Commerce of South Africa;
- (l) examination of the Corporation of Certified Secretaries, and any other examination which the Secretary may indicate or require.
- (2) when he is absent from duty as a result of segregation or isolation on medical instructions where he was in contact with a person who has contracted, or is suspected of having contracted, an infectious or contagious disease; the grant of special leave under this sub-regulation is subject to the submission of a certificate of a registered medical practitioner indicating the period of, and reason for isolation;
- (3) when he is absent from duty as a result of his arrest on a criminal charge and he is subsequently acquitted or the charge is withdrawn, for the period of detention;
- (4) (a) when, as a member of the Active Citizen Force, he is required, in terms of the South Africa Defence Act, 1912, as amended, or any regulation made thereunder, to undergo continuous or non-continuous training, except when he is undergoing continuous training in terms of section 6*bis* of the South Africa Defence Act Amendment Act, 1922, or performing whole time service in lieu of peace-time training in terms of section 19 of the South Africa Defence Act, 1912, as amended.
- (b) when, as a member of the Active Citizen Force as defined above, he voluntarily, or in pursuance of a special agreement between him and the Department of Defence relating to his training, 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 South African Air Force group certifies that such training or course is necessary in the interests of the Republic's Defence Force;
- (c) when, as a member of a rifle commando, he is required in terms of regulations made under the South Africa Defence Act, 1912, as amended, to attend an official musketry practice, provided that the officer commanding the respective command certifies that attendance at such musketry practice is in accordance with the provisions of the aforesaid regulations;

(d) wanneer hy as 'n lid van 'n skietkommando '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 Republiek se Verdedigingsmag;

(e) wanneer hy as lid van die Reserwe of Offisiere 'n herhalingskursus moet bywoon of herhalingsopleiding moet ondergaan ten einde sy bevoegdheid te behou mits die stafhoof van die betrokke landmag, lugmag of vloot en marinemag sertifiseer dat sodanige kursus of opleiding nodig is in belang van die Republiek se Verdedigingsmag;

(f) wanneer hy as lid van enige afdeling van die Republiek se Verdedigingsmag (behalwe 'n lid van die Aktiewe Burgermag wat onafgebroke opleiding kragtens artikel 6 *bis* van die Zuid Afrika Verdedigings Wet, Wysigings Wet 1922 ondergaan of voltydse diens kragtens artikel 19 van die Zuid Afrika Verdedigings Wet 1912 soos gewysig, in plaas van vredestrydse opleiding verrig) kragtens artikel 79 van die Zuid Afrika Verdedigings Wet 1912 soos gewysig, opgeroep word vir diens in verband met die voorkoming of onderdrukking van onluste in die Republiek van Suid-Afrika of Suidwes-Afrika;

(5) wanneer hy as afgevaardigde 'n konferensie bywoon van die Suid-Afrikaanse Verpleegstervereniging;

(6) wanneer hy as lid van 'n personeelvereniging of vakunie, wat amptelik erken word, toegelaat word om vergaderings van departementele bevorderingskomitees as waarnemer by te woon en hy weens sodanige bywoning een of meer werksdae van diens afwesig is;

(7) waar die bepaling van subregulasie (4) hiervan van toepassing is op werknemers wie se diensvoorwaardes in ooreenstemming met die bepaling van nywerheids- en dergelyke ooreenkomste bepaal is;

Waar spesiale verlof wat ooreenkomstig subregulasies (1) tot (6) hiervan toegestaan word, kan enige tydperk werklik en noodsaaklikerwys deurgebring met reis vir doeleindes waarvoor die verlof toegestaan word, insluit.

64. *Vakansieverlof sonder Betaling.*

As daar gegronde redes daarvoor bestaan kan die Sekretaris na goeddunke, maar onderworpe aan die beperkings wat deur subregulasie (5) van regulasie 60 opgelê word, aan 'n werknemer wat geen vakansieverlof met betaling tot sy krediet het nie, vakansieverlof sonder betaling toestaan maar vir nie langer as altesaam 184 dae in enige tydperk van agtien maande nie. In uitsonderlike gevalle kan die beperkings opgelê deur hierdie regulasie opgehef word met goedkeuring van die raad.

65. *Siekteverlof sonder Betaling.*

As 'n werknemer sy betaalde siekteverlof opgebruik het en die Sekretaris nie bereid of nie in staat is om aan hom bykomende siekteverlof met halwe betaling kragtens subregulasie (5) van regulasie 60 toe te staan nie, en ondanks die bepaling van subregulasie (6) van regulasie 60, kan siekteverlof sonder betaling aan hom toegestaan word vir 'n tydperk van hoogstens 92 dae, by voorlegging deur hom aan die Sekretaris van 'n bevredigende geneeskundige sertifikaat. Die toestaan aan so 'n werknemer van enige siekteverlof sonder betaling bo en behalwe dié waarvoor daar in hierdie regulasie voorsiening gemaak word, is onderworpe aan die goedkeuring van die raad.

(d) when, as a member of a rifle commando, he attends an instructional or qualifying course, provided that the officer commanding the respective command certifies that attendance at such course is necessary in the interests of the Republic's 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 and marine chief of staff certifies that such course or training is necessary in the interests of the Republic's Defence Force;

(f) when, as a member of any portion of the Republic's Defence Forces (except a member of the Active Citizen Force who is undergoing continuous training in terms of section 6*bis* of the South Africa Defence Act Amendment Act, 1922, or performing whole-time service in lieu of peace-time training in terms of section 19 of the South Africa Defence Act, 1912, as amended) he is called out in terms of section 79 of the South Africa Defence Act, 1912, as amended, for service in the prevention or suppression of disorder in the Republic of South Africa or South West Africa;

(5) when he attends a conference of the South African Nursing Association as a delegate;

(6) when, as a member of a staff association or union which has been officially recognised he is permitted to attend meetings of departmental promotion committees as observer, resulting in his absence from duty for one or more working days;

(7) where the provisions of subregulation (4) hereof are applicable to employees whose conditions of service have been determined in accordance with the provisions of industrial and similar agreements;

Where special leave is granted in terms of subregulations (1) to (6) hereof, any period actually and necessarily occupied in travelling for the purpose for which the leave is granted, may be included.

64. *Vacation Leave without Pay.*

If sound reasons exist, the Secretary may, at his discretion, but subject to the limits imposed by subregulation (5) of regulation 60, grant an employee who has no vacation leave with pay to his credit, vacation leave without pay, but not exceeding 184 days in the aggregate in any period of eighteen months. In exceptional cases the limitations imposed by this regulation may be waived with the approval of the Board.

65. *Sick Leave without Pay.*

If an employee has utilised his paid sick leave and the Secretary is not prepared or not in a position to grant him additional sick leave with half pay in terms of subregulation (5) of regulation 60, and notwithstanding the provisions of subregulation (6) of regulation 60, he may be granted sick leave without pay for a period not exceeding 92 days upon the submission by him to the Secretary of a satisfactory medical certificate. The grant to such employee of any sick leave without pay over and above that provided for in this regulation, shall be subject to the Board's approval.

66. *Verlof wat vir Verlofdoeleindes tel.*

(1) Alle verlof, van watter aard ook al, met volle of gedeeltelike betaling en vakansie- en siekteverlof sonder betaling van hoogstens altesaam 15 dae in 'n maand tel vir die doel van verlofaanwas. As die verlof sonder betaling die hierin gemelde getal oorskry, word —

- (a) sodanige oorskryding nie as diens vir die doeleindes van subregulasie (1) van regulasie 58 gereken nie; en
- (b) die voorsiening ten opsigte van siekteverlof met volle betaling en siekteverlof met halwe betaling wat kragtens paragraaf (b) van regulasie 54 op die werknemer van toepassing is, met een ses-entertigste ten opsigte van elke sodanige oorskryding verminder, en hierdie vermindering word aangebring aan die voorsiening van die tydkring waarin die oorskryding voorkom, of as die beskikbare siekteverlof van die betrokke tydkring reeds gebruik is, aan die voorsiening van die eersvolgende tydkring.

67. *Betaalde verlof tel vir Salarisverhogings- en Verlofdoeleindes.*

Alle verlof van welke aard ook al, ten opsigte waarvan 'n werknemer vol of gedeeltelike betaling ontvang, tel vir salarisverhoging en verlofdoeleindes.

68. *Buitengewone Gevalle.*

As daar omstandighede ontstaan wat 'n afwyking van die bepalinge van hierdie hoofstuk regverdig, kan die Sekretaris aan 'n werknemer of klasse werknemers verlof toestaan op voorwaardes wat die raad goedkeur. Die raad kan ook na goeiddunke spesiale verlofvoorregte vir 'n werknemer of klasse werknemers voorskryf asook goedkeuring verleen in verband met verlofaangeleenthede wat nie deur hierdie regulasies gedek word nie of wat 'n afwyking van die bepalinge van die regulasies meebring.

69. *Verlofgratifikasie.*

(1) (a) 'n Verlofgratifikasie is betaalbaar ten opsigte van vakansieverlof (oplopend) wat tot die krediet staan van 'n voltydse werknemer (insluitende 'n werknemer wie se diensvoorwaardes en/of dienstermyn in 'n dienskontrak bepaal is) wanneer sy dienste eindig ten gevolg van —

- (i) dood;
- (ii) ontslag as gevolg van swak gesondheid nie deur eie toedoen veroorsaak nie en ontslag as gevolg van afnemende kragte;
- (iii) ontslag as gevolg van bereiking van die leeftydsgrens of op grond van hoë ouderdom;
- (iv) ontslag weens oortolligheid, afskaffing van pos of reorganisasies;
- (v) diensbeëindiging van 'n kontrakwerknemer weens verstryking van die dienstermyn in sy kontrak neergelê;
- (vi) ontslag van 'n werknemer by bereiking van die pensioenleeftyd kragtens die Republiek se Pensioenwet 1955 (Wet 58 van 1955).

(b) Die gratifikasie is nie betaalbaar as 'n werknemer om die volgende redes uit diens tree nie —

- (i) bedanking (insluitende oorplasing na 'n betrekking buite die staatsdiens) behalwe in die geval van 'n

66. *Leave which counts for Leave Purposes.*

(1) All leave, of any kind whatsoever, with full or part pay, and vacation and sick leave without pay not exceeding 15 days in a month in the aggregate shall count for the purpose of leave accrual. If the leave without pay exceeds the number of days mentioned herein —

- (a) such excess shall not be regarded as service for the purpose of subregulation (1) of regulation 58, and
- (b) the provision in respect of sick leave with full pay and sick leave with half pay which is applicable to an employee in terms of paragraph (b) of regulation 54 shall be reduced by one-thirty-sixth in respect of each such excess, which reduction shall be made from the provision of the cycle in which the excess occurs, or, if the available sick leave for the relative cycle has already been taken, from the provision for the next succeeding cycle.

67. *Paid Leave counts for Purposes of Salary Increments and Leave.*

Leave of any kind whatsoever, in respect of which an employee receives full or part pay shall count for purposes of increments and leave.

68. *Exceptional Cases.*

In the event of circumstances arising which justify departure from the provisions of this chapter, the Secretary may grant leave to an employee or classes of employees on such conditions as the Board may approve. The Board may also, at his discretion, prescribe special leave privileges for an employee or classes of employees and also approve leave arrangements not provided for in these regulations or which constitute a departure from the provisions of the regulations.

69. *Leave Gratuities.*

(1) (a) Leave gratuity is payable in respect of vacation leave (accumulative) standing to the credit of a full-time employee (including an employee whose period and/or conditions of service are fixed in a contract of service) when his services terminate as a result of —

- (i) death;
- (ii) discharge on account of ill-health not caused through his own actions, and discharge on account of decreasing strength;
- (iii) discharge on superannuation or on account of old age;
- (iv) discharge on account of redundancy, the abolition of a post or re-organisation;
- (v) discharge in the case of a contracted employee on expiry of the term of service fixed in his contract;
- (vi) discharge of an employee on reaching pensionable age in terms of the Republic's Pension Act, 1955 (Act 58 of 1955).

(b) the gratuity shall not be payable if the employee leaves the service for any of the following reasons:—

- (i) resignation (including transfer to a post outside the Public Service) except in the case of an em-

werknemer wat onder die bepaling van die Ordonnansie op Fabriek, Masjinerie en Bouwerk 1952, val;

(ii) ontslag weens wangedrag;

(iii) drosting;

(iv) ontslag weens swak gesondheid deur eie toedoen veroorsaak.

(c) As 'n werknemer om een van die volgende redes uit diens tree, is die betaling van 'n verlofgratifikasie onderworpe aan die goedkeuring van die raad. Die raad moet van die volledige omstandighede van die geval ver-wittig word wanneer aansoek om goedkeuring gedoen word:—

(i) ontslag weens onbekwaamheid (in teenstelling met wangedrag);

(ii) ontslag met die oogmerk om bekwaamheid of be-suiniging te bevorder;

(iii) ontslag van 'n werknemer sonder enige spesifieke redes: Met dien verstande dat 'n werknemer met minder as tien jaar diens een maand kennis gegee moet word, en met meer as tien jaar diens drie maande kennis gegee moet word.

(d) 'n Werknemer verwerf slegs bevoegdheid vir die betaling van die gratifikasie as hy, op die datum waarop sy dienste eindig, minstens vyf jaar aaneenlo-pende bevredigende diens voltooi het; die bevredigende diens van vyf jaar hoef nie noodwendig die uitdiens-tredingsdatum onmiddellik vooraf te gaan nie. Vir die berekening van die dienstydperk moet enige tydperk van militêre diens wat as rekenbaar verklaar is vir pensioen-doeleindes, ingesluit word asook enige tydperk van vol-tydse tydelike diens wat aaneenloop met diens in 'n per-manente hoedanigheid. Die bepalings van hierdie regu-lasie is nie van toepassing in die geval waar 'n werk-nemer se dienste eindig weens sy dood nie.

(2) Berekening van die maksimum omsetbare Ver-lof-krediet.

(a) Die maksimum verlof ten opsigte waarvan 'n gratifikasie betaal kan word, is 184 dae behalwe in die geval van werknemers wat onder die bepalings van die Ordonnansie op Fabriek, Masjinerie en Bouwerk 1952 ressorteer waar geen beperkings is nie.

(b) Die toepaslike maksimum verlof in die vooraf-gaande paragraaf vermeld, moet verminder word in die geval van 'n werknemer wat ontslaan word by bereiking van die pensioenleeftyd, met die aantal dae vakansiever-lof bo 92 dae wat die werknemer gedurende die laaste jaar van sy diens geneem het.

(3) Algemene Voorskrifte.

(a) Behalwe in die geval van dood is die verlofgrati-fikasie betaalbaar aan die betrokke werknemer.

(b) Waar 'n werknemer se dienste eindig weens sy dood kan die gratifikasie sonder verdere magtiging ten volle aan die weduwee of, as daar geen weduwee is nie, in gelyke dele aan of ten voordele van die minderjarige kinders van die oorledene wat ten tyde van sy oorlye geheel en al van hom afhanklik was, betaal word, of as daar geen afhanklikes was nie, in die boedel inbetaal word.

(4) Die betaling van verlofgratifikasies van watter aard ook al is onderworpe aan die goedkeuring van die raad.

ployee falling under the provisions of the Facto-ries, Machinery and Building Work Ordinance, 1952;

(ii) discharge on account of misconduct;

(iii) desertion;

(iv) discharge on account of ill-health caused through his own actions.

(c) If an employee leaves the service for any one of the following reasons the payment of leave gratuity shall be subject to the approval of the Board. The Board shall be informed of the full circumstances of the case, when application for approval is made:—

(i) discharge on account of inefficiency (as against misconduct);

(ii) discharge in order to promote efficiency or eco-nomy;

(iii) discharge of an employee without tendering any specific reasons: Provided that an employee with less than ten years service, shall be given one month's no-tice and an employee with more than ten years service, three months notice.

(d) An employee shall only qualify for the payment of gratuity if he, on the date on which his services ter-minate, has completed at least five years continuous and satisfactory service; such five year period of satis-factory service need not immediately precede the date of termination of service. In calculating the period of ser-vice any period of military service, declared calculable for pension purposes shall be included, as well as any period of full-time temporary service continuous with service in a permanent capacity. The provisions of this regulation shall not apply in the case of an employee whose services terminate on account of his death.

(2) Calculation of Maximum convertible Leave Cre-dit.

(a) The maximum leave in respect of which gra-tuity may be paid shall be 184 days, except in the case of employees falling under the terms of the Factories, Machinery and Building Work Ordinance, 1952, where there is no limit.

(b) The appropriate maximum leave mentioned in the above paragraph, shall, in the case of an employee who is dismissed on reaching pensionable age, be reduced by the number of days of vacation leave in excess of 92, which the employee utilised during the last year of his service.

(3) General Provisions.

(a) Except in the case of death the leave gratuity shall be payable to the employee in question.

(b) Where an employee's services terminate on account of his death the gratuity may be paid out in full without any further authorisation to the widow, or, in default of a widow, in equal portions to, or in favour of the minor children of the deceased, who were at the time of his death wholly dependent on him, or in default of any dependants, to the estate.

(4) The payment of leave gratuities, in any form whatsoever, shall be subject to the approval of the Board.

(5) *Berekening van kontantwaarde van Verlof.*

(a) Die onderstaande formule word gebruik by die berekening van die bedrag van die verlofgratifikasie —

$$\frac{A \times B}{365}$$

met A gelyk aan die totaal van die werknemer se basiese jaarlikse salaris plus die jaarlikse ekwivalent van daardie toelaes wat die raad spesifiek met die oog op verlofgratifikasie goedgekeur het en waarvoor die werknemer op die laaste dag van sy diens in aanmerking kom, en met B gelyk aan die werknemer se omsetbare verlofkrediet onderworpe aan die maksimum of verminderde maksimum wat ooreenkomstig subregulasie (2) gestel word.

(b) Die bedrag van die verlofgratifikasie kan aansuiwer word wanneer 'n salaris- of toelaagverhoging na beëindiging van die werknemer se diens goedgekeur word met terugwerkende krag van 'n datum voor die beëindiging van sy dienste mits die betrokke goedkeuring ook die uitbetaling van die betrokke verhoging aan die werknemer magtig hoewel hy reeds die diens verlaat het.

HOOFSTUK VI

DIENSURE — KANTOORURE.

70. *Diensure en Oortydbesoldiging*

Tensy die raad anders bepaal, moet die kantore en inrigtings van die raad die hele jaar deur minstens gedurende onderstaande diensure oop wees:—

Van Maandag tot Vrydag — 8 vm. — 1 nm.
2 nm. — 5 nm.

71. (a) Behalwe soos bepaal in regulasie 70, is die weeklikse standaarddiensure soos volg:—

- (i) Werkswinkels: 46 uur
- (ii) Veldpersoneel
 - (a) Paaie 46 uur
 - (b) Werke 46 uur
 - (c) Waterwese 46 uur
- (iii) Verpleegpersoneel 50 uur maksimum
- (iv) Alle nie-blankes 46 uur.

(b) Die raad is bevoeg om ander tye te bepaal waar geografiese, weers- of ander plaaslike omstandighede dit vereis. Die raad bepaal ook watter openbare feesdae as vakansiedae beskou moet word.

72. *Diensurboeke.*

(1) Die hoof van 'n kantoor is verantwoordelik vir die nakoming deur die personeel onder sy beheer van voorgeskrewe diensure.

(2) (a) 'n Bywoningsregister moet gehou word waarin 'n werknemer persoonlik die tyd van sy aankoms by, en vertrek van sy werkplek moet aanteken: Met dien verstande dat die voorskrifte nie van toepassing is op 'n werknemer as sy salaris gelyk aan of hoër is as die R 3,600 p.j. salariskerf nie.

(5) *Calculation of the Cash Value of Leave.*

(a) The amount of the leave gratuity is calculated by employing the following formula:

$$\frac{A \times B}{365}$$

where A represents the sum of the basic annual salary of the employee plus the annual equivalent of those allowances which have been specifically approved by the Board for leave gratuity purposes and which apply to the employee on his last day of service; and where B represents the employee's commutable leave credit, subject to the maximum or reduced maximum determined in accordance with subregulation (2).

(b) An adjustment in the amount of leave gratuity may be made when an increase in salary or allowances is approved subsequent to the termination of the services of an employee, with retrospective effect from a date prior to the termination of his services, provided that the relative authority contains approval for the payment to the employee of the relative increase notwithstanding the fact that he has left the service.

CHAPTER VI

HOURS OF ATTENDANCE — OFFICE HOURS.

70. *Hours of Attendance and Overtime Remuneration.*

(1) Unless the Secretary determines otherwise the offices and institutions of the Board shall be open all the year round at least during the following hours:—

From Monday to Friday — 8 a.m. to 1 p. m.
2 p.m. to 5 p.m.

71. (a) Except as provided in regulation 70 the standard weekly hours of attendance shall be as follows:—

- (i) Work shops: 46 hours
- (ii) Field staff:
 - (a) Roads 46 hours
 - (b) Works 46 hours
 - (c) Water Affair 46 hours
- (iii) Nursing staff 50 hours maximum.
- (iv) All non-whites 46 hours.

(b) The Board shall have the power to determine other hours where geographical, climatic or other local circumstances require it. The Board shall also determine which public feast days shall be deemed to be holidays.

72. *Attendance Records.*

(1) The head of an office shall be responsible for the observance by the staff under his control of the prescribed hours of attendance.

(2) (a) A record of attendance shall be kept in which an employee shall personally record the time of his arrival at, and departure from, his place of work: Provided that these provisions shall not apply to an employee whose salary is equal to, or higher than, the R3600 per annum salary notch.

(b) As sodanige werknemer onder omstandighede dien wat na die Sekretaris se mening die hou van 'n register van sy bywoning onprakties maak, moet die Sekretaris die ander reëlings tref wat hy geskik ag ten einde te verseker dat die voorgeskrewe diensure nagekom word.

(3) Die bywoningsregister moet deur die hoof van die kantoor toevertrou word aan die persoonlike toesig van 'n werknemer wie se plig dit is om —

- (a) sorg te dra dat die bywoningsregister beskikbaar is vir lede van die personeel vir die doel in subregulasie (2) genoem en dan slegs gedurende die beperkte tye aan die begin en einde van die dagtaak wat deur die hoof van die kantoor aangedui word.
- (b) die aantekeninge in die bywoningsregister na te gaan en die register daagliks vir inspeksiedoel-eindes aan die hoof van die kantoor of aan 'n werknemer wat vir die doel aangewys is, voor te lê;
- (c) verslag te doen van enige onreëlmatigheid aan die werknemer wie se plig dit kragtens paragraaf (b) is om die bywoningsregister te inspekteer;
- (d) sorg te dra dat slegs outentieke aantekeninge van aankoms en vertrek gemaak word deur werknemers in subregulasie (2) genoem; en
- (e) sorg te dra dat aangetekende gevalle van afwesigheid gedek word deur verlof toegestaan kragtens hoofstuk V van hierdie regulasies.

73. Oortydbesoldiging.

(a) Behalwe waar hierdie regulasies anders bepaal, moet elke werknemer wanneer dit op bevoegde gesag 'an hom vereis word, ekstra diens verrig bo die weeklikse standaarddiens tyd wat in regulasie 70 voorgeskryf is n kan hy geen oortydbesoldiging vir sodanige diens f gedeelte daarvan eis nie.

Al die tyd van Werknemers tot Beskikking van die Raad.

(b) Elke werknemer, ongeag die rang wat hy beklee, moet al sy tyd tot die beskikking van die raad stel en it kan van enige werknemer vereis word om in die geval van nood of waar die behoeftes van die diens dit vereis, diens te verrig, ongeag die dag van die jaar of week f die tyd van die dag.

(c) Nieteenstaande andersluidende bepalings in hierdie regulasies word die betaling van oortydbesoldiging an werknemers wat onderworpe is aan die bepalings an die Ordonnansie op Fabriek, Masjinerie en Bouwerk 1952 as 'n reg erken en moet daar aan die bepalings an genoemde ordonnansie voldoen word.

(d) Ondanks andersluidende bepalings van hierdie regulasies en tensy anders daarin bepaal word, kan aar aan 'n werknemer met goedkeuring van die raad ortydbesoldiging betaal word teen die volgende koerse:

(i) Teen opsigte van oortyd diens op 'n Sondag —

Dubbel die uurlikse ekwivalent van die betrokke werknemer se jaarlikse pensioendraende besoldiging.

(b) If such employee is serving under circumstances which, in the opinion of the Secretary, render the keeping of a record of his attendance impracticable, the Secretary shall make such other arrangements as he may consider suitable to ensure that the prescribed hours of attendance are observed.

(3) The record of attendance shall be entrusted by the head of the office to the personal custody of an employee whose duty it shall be —

- (a) to ensure that the record of attendance is accessible to members of the staff for the purpose mentioned in subregulation (2) and then only during such limited periods at the beginning and conclusion of the day's duties as may be determined by the head of the office;
- (b) to examine the entries in the record of attendance and submit it daily for inspection to the head of the office or to an employee delegated for the purpose;
- (c) to report any irregularity to the employee whose duty it is to inspect the record of attendance in terms of paragraph (b);
- (d) to ensure that only authentic recordings of arrival and departure are made by the employees mentioned in subregulation (2);
- (e) to ensure that recorded cases of absence are covered by leave granted in terms of Chapter V of these regulations.

73. Overtime Remuneration.

(a) Unless where otherwise provided for in these regulations every employee shall, when required to do so by a competent authority, attend for duty in excess of the standard weekly attendances prescribed in regulation 70, and shall have no claim to overtime remuneration for any such attendance or part thereof.

Employees' Time entirely at the Disposal of the Board.

(b) Every employee shall, irrespective of the rank held by him, place his time entirely at the disposal of the Board and any employee may be required to be on duty in case of emergency or in accordance with the exigencies of the service, irrespective of the day of the year or week or the time of day.

(c) Notwithstanding anything to the contrary contained in these regulations the payment of overtime remuneration to employees, who are subject to the provisions of the Factories, Machinery and Building Work Ordinance, 1952, shall be deemed a right and the provisions of the said ordinance shall be complied with.

(d) Notwithstanding anything to the contrary contained in these regulations and unless it is otherwise provided for therein, an employee may with the approval of the Board be paid overtime remuneration as follows:

(i) In respect of overtime duty on a Sunday —

Double the hourly equivalent of the annual pensionable remuneration of the employee concerned.

(ii) *Ten opsigte van oortyddiens op 'n ander dag as 'n Sondag* —

Een en 'n derde maal die uurlikse ekwivalent van die betrokke werknemer se jaarlikse pensioendraende besoldiging.

(ii) *In respect of overtime duty on a day other than a Sunday* —

One and one-third times the hourly equivalent of the annual pensionable remuneration of the employee concerned.

HOOFSTUK VII

CHAPTER VII

REIS- EN VERBLYFKOSTE EN KAMPTOELAES.

TRAVEL AND SUBSISTENCE EXPENSES AND CAMP ALLOWANCES

74. *Tariewe vir Verblyftoelaes.*

74. *Rates of Subsistence Allowances.*

(1) Behoudens die bepalings van regulasie 76 en uitgesonderd die omstandighede waarvoor in hierdie hoofstuk ander spesiale voorsiening gemaak word, of tensy herberg of verblyftoelaes van raadsweë op 'n ander manier verskaf of betaal word of waar 'n werknemer tydens sy afwesigheid van sy hoofkwartier by sy huis tuisgaan, kan die Sekretaris aan 'n werknemer wat vir 'n tydperk van 24 uur of langer onvermydelik van sy hoofkwartier in amptelike diens in die Republiek van Suid-Afrika, in die Gebied en in Rhodesië afwesig is, insluitende die reistyd, verblyftoelae teen die onderstaande tariewe betaal:—

(1) Subject to the provisions of regulation 76 and save where other special provision is made in this chapter or unless accommodation or subsistence allowance is otherwise provided or paid by the Board, or where an employee during his absence from his headquarters stays at his home, the Secretary may pay to an employee who is necessarily absent from his headquarters for a period of 24 hours or longer on official duty in the Republic of South Africa, in the Territory and in Rhodesia, including the travelling time, subsistence allowance at the following rates:—

- (a) Aan 'n blanke werknemer as sy jaarlikse salaris of loon, insluitende pensioendraende toelaes en die kontantwaarde van pensioendraende voorregte wat *in natura* verskaf word —
 - (i) hoër is as die maksimum kerf van die skaal verbonde aan die pos van administratiewe beampte in die Administratiewe Afdeling — hoogstens R 8.00 per dag;
 - (ii) nie laer is as die minimum kerf van die skaal verbonde aan 'n pos van administratiewe beampte in die Administratiewe Afdeling maar nie hoër is nie as die maksimum kerf van die skaal verbonde aan 'n pos van administratiewe beampte in die Administratiewe Afdeling — hoogstens R 6.50 per dag;
 - (iii) laer is as die minimum kerf van die skaal verbonde aan 'n pos van administratiewe beampte in die Administratiewe Afdeling — hoogstens R 5.00 per dag.
- (b) In die geval van 'n nie-blanke werknemer as sy jaarlikse salaris of loon, insluitende pensioendraende toelaes en die kontantwaarde van pensioendraende voorregte wat *in natura* verskaf word.

- (a) To a white employee if his annual salary or wage, including pensionable allowances and the cash value of pensionable privileges granted in kind —
 - (i) is higher than the maximum notch of the scale attaching to a post of administrative officer in the Administrative Division — not more than R8.00 a day;
 - (ii) is not lower than the minimum notch of the scale attaching to the post of administrative officer in the Administrative Division but is not higher than the maximum notch of the scale attaching to a post of administrative officer in the Administrative Division — not more than R6.50 a day;
 - (iii) is lower than the minimum notch of the scale attaching to a post of administrative officer in the Administrative Division — not more than R5.00 a day.
- (b) In the case of a non-white employee if his annual wage, inclusive of pensionable allowances and the cash value of pensionable privileges provided in kind:

		Hoogstens (R) per dag in die geval van —		Not more than (R) per day in the case of —	
		<i>'n Kleurling</i>	<i>'n Bantoe</i>	<i>A Coloured</i>	<i>A Bantu</i>
(i)	R6,600 of hoër is . . .	R4.00	R3.25	(i) is R6,600 or higher . . .	R4.00 R3.25
(ii)	Hoër is as R4,050 maar laer is as R6,600 . . .	R3.20	R2.60	(ii) is higher than R4,050 but lower than R6,600 . . .	R3.20 R2.60
(iii)	R2,400 of hoër is maar nie hoër is nie as R4,050	R2.80	R2.30	(iii) is R2,400 or higher but not higher than R4,050 . . .	R2.80 R2.30
(iv)	R720 of hoër is maar laer is as R2,400 . . .	R2.50	R2.00	(iv) is R720 or higher but lower than R2,400 . . .	R2.50 R2.00
(v)	laer is as R720	R1.40	R1.40	(v) is lower than R720 . . .	R1.40 R1.40

75. Buiten waar die raad andersins herberg verskaf of verblyftoelae betaal, kan aan 'n werknemer wat vir 'n tydperk van minder as 24 uur in amptelike diens onvermydelik van sy hoofkwartier afwesig is, redelike uitgawe wat hy werklik en noodsaaklik aan herberg aangegaan het, terugbetaal word mits dit nie 'n volle dag se verblyftoelae oorskry nie.

76. *Betaling van Verblyftoelaes.*

(1) Behoudens omstandighede waarvoor daar in hierdie hoofstuk van die regulasies ander voorsiening gemaak word, kan die verblyftoelae wat in regulasie 74 (1) voorgeskryf is, aan 'n blanke werknemer betaal word tydens tydperke van afwesigheid van sy hoofkwartier vir 'n deurlopende tydperk van hoogstens 180 dae in dieselfde dorp of plek. By die berekening van die tydperk van 180 dae word die tydsduur van die werknemer se reis na en van sy bestemming nie in aanmerking geneem nie. By die toepassing van hierdie subregulasie word die deurlopendheid van 'n tydperk van verblyf in dieselfde dorp of plek deur afwesigheid, om watter rede ook al, van minder as een maand nie as 'n onderbreking beskou nie.

(2) Verblyftoelae teen die onderstaande tariewe kan aan 'n werknemer betaal word ten opsigte van elke uur van afwesigheid bo 24 uur of 'n veelvoud van 24 uur:—

- (i) hoogstens R8.00: hoogstens 33c per uur;
- (ii) hoogstens R6.50: hoogstens 27c per uur;
- (iii) hoogstens R5.00: hoogstens 21c per uur;
- (iv) hoogstens R4.00: hoogstens 17c per uur;
- (v) hoogstens R3.25: hoogstens 14c per uur;
- (vi) hoogstens R3.20: hoogstens 13c per uur;
- (vii) hoogstens R2.80: hoogstens 12c per uur;
- (viii) hoogstens R2.60: hoogstens 11c per uur;
- (ix) hoogstens R2.50: hoogstens 10c per uur;
- (x) hoogstens R2.00: hoogstens 8c per uur;
- (xi) hoogstens R1.40: hoogstens 6c per uur.

(3) Verblyftoelae word nie aan 'n werknemer betaal ten opsigte van 'n tydperk wat hy aan boord skip deurbring nie. Geen uitgawes ten opsigte van ekstras of drank kan aan hom terugbetaal word nie. Aan 'n werknemer wat per vliegtuig binne die gebied beslaan deur die Republiek van Suid-Afrika, Suidwes-Afrika en Rhodesië reis, kan verblyftoelae soos in hierdie regulasies voorgeskryf, betaal word.

Ten opsigte van ander lugreise is verblyftoelae nie betaalbaar nie, dog redelike uitgawes wat hy werklik en noodsaaklik aan herberg gedurende sodanige reise aangegaan het, kan aan hom terugbetaal word.

77. *Hofmeesters- en Kruiersfooie.*

(1) *Hofmeestersfooie.*

Aan 'n werknemer wat in amptelike diens 'n see-reis onderneem, kan die werklike uitgawe aan hofmeestersfooie aan boord skip aangegaan, behalwe fooie aan drankelers, terugbetaal word, mits die onderstaande bedrae nie oorskry word nie —

- (i) ten opsigte van die werknemer: R15.00 per see-reis;
- (ii) ten opsigte van die werknemer en lede van sy huishouding wat op raadskoste met hom saamreis: R 20.00 per seereis.

75. Except where accommodation or subsistence allowance is provided or paid by the Board in another way, an employee who is necessarily absent from his headquarters on official duty for a period of less than 24 hours may be reimbursed reasonable expenditure actually and necessarily incurred by him on accommodation, provided that it does not exceed a full day's subsistence allowance.

76. *Payment of Subsistence Allowances.*

(1) Except where otherwise provided for in this chapter of the regulations, the subsistence allowances prescribed in regulation 74 (1) may be paid to a white employee during periods of absence from his headquarters for a continuous period not exceeding 180 days in the same town or place. In calculating the period of 180 days the time occupied by an employee's journey, to and from, his destination shall be disregarded. For the purposes of this subregulation the continuity of any period of sojourn at the same town or place shall not be regarded as having been interrupted by an absence, for any reason whatsoever, of less than one month.

(2) Subsistence allowance at the following rates may be paid to an employee in respect of every hour of absence in excess of 24 hours or a multiple of 24 hours:

- (i) maximum R8.00: not exceeding 33c per hour;
- (ii) maximum R6.50: not exceeding 27c per hour;
- (iii) maximum R5.00: not exceeding 21c per hour;
- (iv) maximum R4.00: not exceeding 17c per hour;
- (v) maximum R3.25: not exceeding 14c per hour;
- (vi) maximum R3.20: not exceeding 13c per hour;
- (vii) maximum R2.80: not exceeding 12c per hour;
- (viii) maximum R2.60: not exceeding 11c per hour;
- (ix) maximum R2.50: not exceeding 10c per hour;
- (x) maximum R2.00: not exceeding 8c per hour;
- (xi) maximum R1.40: not exceeding 6c per hour.

(3) An employee shall not be paid subsistence allowance in respect of a period spent on board ship. No expenditure in respect of extras or liquor may be refunded to him. An employee who travels by air within the area embracing the Republic of South Africa, South West Africa, and Rhodesia, may be paid subsistence allowances as prescribed in these regulations. In respect of other air journeys no subsistence allowances shall be payable, but an employee may be reimbursed any reasonable expenditure actually and necessarily incurred by him on accommodation during such journeys.

77. *Stewards' and Porters' Fees.*

(1) *Stewards' Fees.*

An employee undertaking a sea voyage on official duty may be reimbursed the actual expenditure on stewards' fees on board ship, except fees to bar stewards, provided the following amounts are not exceeded —

- (i) in respect of the employee: R15 per sea voyage;
- (ii) in respect of the employee and members of his household travelling with him at the Boards' expense R20 per sea voyage.

(2) *Kruiersfooie.*

Waar 'n werknemer wat op 'n trein klim of afklim of by 'n hotel of losieshuis aankom of vertrek van die dienste van 'n kruier gebruik moet maak, kan die koste aan kruiersfooie aan hom terugbetaal word mits die uitgawe nie die onderstaande maksimum oorskry nie. (Hierdie bepaling is ook op lug- en seereise van toepassing).

- (1) Werknemers in amptelike diens: 20c.
- (2) Werknemers met oorplasing (getroud, of indien ongetroud met afhanklikes):—
 - (a) wanneer van gesin of afhanklikes vergesel: 40c;
 - (b) wanneer nie van gesin of afhanklikes vergesel nie: 20c;
 - (c) gesin of afhanklikes nie van die werknemer vergesel nie: 20c.
- (3) Ongetroude werknemers (sonder afhanklikes) met oorplasing 20c.
- (4) Wanneer daar van een trein na 'n ander oorgestap word, 'n eenvormige tarief van 20c vir oorplasing van bagasie in 'n kompartement.

78. *Salarisverhogings met terugwerkende Krag.*

Die verhoging, met terugwerkende krag, van salaris of loon van 'n werknemer bring nie die betaling van 'n hoër tarief van verblyftoelae mee ten opsigte van eise wat reeds vereffen is voordat sodanige verhoging bekend gemaak is nie.

79. *Ontoereikende Verblyftoelae.*

In gevalle waar die verblyftoelae ontoereikend blyk te wees, kan die verskil tussen die bedrag wat aan verblyftoelae betaalbaar is ten opsigte van die hele deurlopende tydperk van die werknemer se afwesigheid van sy hoofkwartier en die redelike uitgawes wat hy werklik en noodsaaklik aan herberg vir sodanige tydperk aangaan, aan hom terugbetaal word, op voorwaarde dat —

- (a) hy die Sekretaris oortuig dat herberg waarvan die werknemer gebruik gemaak het, vergelykbaar met sy status is;
- (b) die betrokke eis deur kwitansies of ander bewysstukke of, in gevalle waar sodanige bewyse nie beskikbaar is nie deur 'n skriftelike verklaring gestaaft word;
- (c) items soos drank, koerante, telefoonoproepe, gratifikasiefooie, was van wasgoed, ens., wat nie normaalweg deur verblyftoelae gedek word nie uitgesluit word by die berekening van die bedrag wat terugbetaal kan word;
- (d) besonderhede van sodanige eise aan die Sekretaris voorgelê word vir goedkeuring.

80. *Betaling van Verblyftoelae gedurende Tydperke van Verlof en Naweke.*

(1) Behoudens die bepalinge van subregulasie (2) van hierdie regulasie word 'n verblyftoelae nie aan 'n werknemer gedurende tydperke van verlof uitbetaal nie, tensy die goedkeuring van die Sekretaris verkry is.

(2) 'n Verblyftoelae kan aan 'n werknemer betaal word ten opsigte van 'n tydperk van siekteverlof van hoogstens 14 dae, insluitende spesiale siekte verlof wat kragtens regulasie 62 (1) toegestaan is, mits die werknemer nie na sy hoofkwartier terugkeer nie.

(2) *Porters' Fees.*

An employee entering, or leaving, a train or arriving at, or leaving an hotel or boarding house, who makes use of the services of a porter, may be reimbursed the cost of porters' fees, provided such expenditure does not exceed the maximum given below. These provisions are also applicable to air and sea travel:—

- (1) Employees on official duty: 20c
- (2) Employees on transfer (Married, or, if single with dependants;
 - (a) when accompanied by family or dependants: 40c.
 - (b) when not accompanied by family of dependants: 20c.
 - (c) Family or dependants not accompanied by employee: 20c.
- (3) Single employees (without dependants) on transfer: 20c.
- (4) when changing from one train to another a uniform rate of 20c for transferring baggage into a compartment.

78. *Salary Increments with retrospective Effect.*

An employee's salary or wage increment having retrospective effect does not entitle him to the payment of a higher rate of subsistence allowance in respect of claims settled before notification of such increment.

79. *Inadequate subsistence Allowance.*

In cases where the subsistence allowance proves to be inadequate the difference between the amount payable in subsistence allowance in respect of the whole continuous period of the employee's absence from his headquarters and the reasonable expenses actually and necessarily incurred by him for accommodation in respect of such period may be refunded to him, on condition that —

- (a) he satisfies the Secretary that the accommodation used by him is comparable to his status;
- (b) the relative claim is supported by receipts or other documents of proof, or in cases where such proof is not available, by written declaration;
- (c) items like liquor, newspapers, telephone calls, tips, laundry, ect., which are not normally covered by subsistence allowances are excluded from the calculation of the amount which may be refunded;
- (d) particulars of such claims are submitted to the Secretary for approval.

80. *Payment of Subsistence Allowances during Periods of Leave and Week-ends.*

(1) Subject to the provision of subregulation (2) of this regulation no subsistence allowance, shall be paid out to an employee during periods of leave unless the Secretary's approval has been obtained.

(2) Subsistence allowance may be paid to an employee in respect of any period of sick leave not exceeding 14 days including special sick leave granted in terms of regulation 62 (1), provided the employee does not return to his headquarters.

(3) As 'n werknemer in amptelike diens van sy hoofkwartier afwesig is, is die volgende voorskrifte in verband met die betaling van verblyftoelae van toepassing as hy die plek waar hy tydelik op diens is, gedurende 'n naweek verlaat:—

- (i) As die werknemer op raadskosse na sy hoofkwartier terugkeer, word die toelae nie ten opsigte van die tydsduur van die naweek betaal nie;
- (ii) as die werknemer die plek waar hy tydelik op diens is, op eie kosse verlaat, en sy uitgawe en sy herberg by sodanige plek voortduur, kan voortgegaan word met die betaling van verblyftoelae vir die naweek;
- (iii) Die Sekretaris kan na goeddunke besluit of 'n werknemer vir 'n naweek na sy hoofkwartier moet terugkeer, al dan nie, met behoorlike inagneming van watter reëling die goedkoopste is.

81. (1) 'n Werknemer word geag in amptelike diens te wees as hy moet verskyn as —

- (a) getuie in 'n strafszaak;
- (b) getuie of verweerder in 'n siviele geding (insluitende 'n egskeidingszaak);
- (c) getuie of gedaagde by 'n huurraad ondersoek;
- (d) getuie voor 'n krygsraad;

en aan so 'n werknemer kan verblyftoelae volgens die toepaslike voorgeskrewe tarief betaal word ten opsigte van 'n afwesigheid van sy hoofkwartier.

(2) As 'n werknemer egter die eiser in 'n siviele geding (insluitende 'n egskeidingszaak) is, of die persoon wat die inisiatief in 'n huurraadondersoek neem, word nie geag dat hy in amptelike diens is nie.

(3) Die bepalings van subregulasie (1) van hierdie regulasie is nie van toepassing op 'n werknemer wie se diensvoorwaardes deur 'n nywerheids- of ander ooreenkoms bepaal word nie.

82. Getuiegelde.

Indien getuiegelde of enige terugbetaling van onkosse aan 'n werknemer betaal word moet sodanige gelde of vergoeding deur die werknemer as inkomste van die raad inbetaal word en die kwitansie by die kantoor van sy onmiddellike hoof ingegee word tesame met sy eis om betaling van verblyfkosse teen die voorgeskrewe tarief.

83. Permanente Oorplasing en Werknemers wat per Motor reis.

(1) Aan 'n werknemer wat permanent van een standplaas na 'n ander oorgeplaas word, kan verblyftoelae en 'n addisionele verblyftoelae, teen die volle tarief op homself van toepassing, betaal word vir elke lid van sy huishouding wat oor die ouderdom van 12 jaar is, en teen die helfte van die tarief vir elke ander lid vir die tydperk wat die reise van een hoofkwartier na 'n ander noodwendig in beslag geneem het, maar uitgesonderd huisbediendes vir wie redelike bestaansuitgawes wat werklik en noodsaaklik aangegaan is, betaal kan word.

(2) Aan 'n werknemer wat van motorvervoer in plaas van treinvervoer gebruik maak, kan ten opsigte van die tydsduur van die reis tussen die ou standplaas en die nuwe standplaas, verblyftoelae betaal word: Met dien verstande dat sodanige tydsduur nie langer is as wat 'n treinreis normaalweg sou neem nie.

(3) When an employee is absent from his headquarters on official duty, the following provisions shall apply in connection with the payment of subsistence allowance where such employee leaves the place where he is temporarily on duty for week-ends:—

- (i) If the employee returns to his headquarters at the expense of the Board, the allowance may not be paid in respect of the period of such weekend.
- (ii) if the employee leaves the place where he is temporarily on duty at his own expense and his expenditure and accommodation at such place continue, the payment of subsistence allowance for the week-end may be continued.
- (iii) the Secretary may at his own discretion and with proper regard to the most economic arrangement decide whether an employee should return to his headquarters for a week-end or not.

81. (1) An employee shall be deemed to be on official duty if he has to appear as —

- (a) a witness in criminal proceedings;
- (b) a witness or defendant in civil proceedings (including divorce proceedings);
- (c) a witness or respondent at a rent board investigation;
- (d) a witness before a court-martial;

and such an employee may be paid subsistence allowance in accordance with the appropriate prescribed rate in respect of absence from his headquarters.

(2) Where the employee is the plaintiff in civil proceedings (including divorce proceedings), or the person taking the initiative in a rent board investigation he shall not be deemed to be on official duty.

(3) The provisions of subregulation (1) of this regulation shall not apply to an employee whose conditions of service have been laid down by an industrial or other agreement.

82. Witnesses' Fees.

If witnesses' fees or any refund of expenses are paid out to an employee such fees or compensation shall be paid by him into the revenue of the Board and the receipt handed in at the office of his immediate head together with his claim for payment of subsistence costs at the prescribed rate.

83. Permanent Transfer and Employees travelling by Car.

(1) An employee who is transferred permanently from one headquarters to another may be paid subsistence allowance and an additional subsistence allowance at the full rate applicable to himself in respect of every member of his household over the age of 12 years, and at half that rate in respect of every other member, for the periods necessarily spent in travelling from one headquarters to another, but with the exception of household servants in respect of whom reasonable living expenses actually and necessarily incurred, may be paid.

(2) An employee who makes use of motor transport in lieu of railway transport, may be paid subsistence allowance in respect of the period spent in travelling between his old headquarters and his new headquarters; Provided that such period shall not be longer than a train journey would ordinarily have taken.

84. *Tariewe is Maksimum Tariewe.*

Die tariewe waarvolgens verblyftoelae volgens hierdie regulasies betaal word, is maksimum tariewe, en die raad kan betaling teen 'n laer tarief goedkeur indien die omstandighede van 'n besondere geval na sy oordeel sodanig is dat betaling teen die volle tarief nie geregtig is nie.

85. *Ongevalle.*

As die Ongevallekommissaris bepaal dat verblyf-koste wat deur 'n werknemer aangegaan word in verband met die behandeling van 'n besering opgedoen weens 'n ongeval wat uit sy diens voortspruit en in die loop daarvan plaasvind, as koste vir geneeskundige behandeling beskou moet word, kan die uitgawe wat werklik en noodsaaklik aan herberg aangegaan is, terugbetaal word. In so 'n geval word verblyftoelae nie teen die voorgeskrewe tarief betaal nie.

86. *Verblyftoelae by Eerste Aanstelling.*

'n Verblyftoelae word nie aan 'n persoon by sy eerste aanstelling by die raad ten opsigte van sy reis na die plek waar hy diens moet aanvaar, betaal nie: Met dien verstande dat aan 'n persoon wat buite Suidwes-Afrika woonagtig is en wat in die Gebied aangestel word 'n verblyftoelae ten opsigte van homself en sy huishouding ooreenkomstig die bepalings van regulasie 74 betaal kan word ten opsigte van die tydsduur van sy treinreis van De Aar na sy bestemming.

87. *Buitegewone Gevalle.*

As daar omstandighede ontstaan wat 'n afwyking van die bepalings van hierdie hoofstuk van die regulasies regverdig of in die geval wat nie deur hierdie regulasies gedek word nie, kan 'n verblyftoelae aan 'n werknemer betaal word op die voorwaardes wat die raad bepaal.

HOOFSTUK VIII.

AMPTELIKE REISE EN VERVOER.

88. *Gebruik van ekonomiese Middels.*

(a) Alle amptelike reise moet deur die Sekretaris goedgekeur word wat sorg moet dra dat hulle noodsaaklik en in belang van die raad is en so ekonomies moontlik afgelê word.

(b) 'n Werknemer moet met die mees ekonomiese middels, met so min versuim as wat omstandighede toelaat en behoudens die bepalings van regulasie 90 met die kortste roete reis.

(c) Indien 'n werknemer op 'n wyse gereis het wat groter vervoeruitgawes meebring as wat nodig was, moet die Sekretaris die bedrag wat ter vereffening van sy reiskoste aan hom betaalbaar is, beperk tot wat dit sou gekos het as hy die vereistes van subregulasie (b) nagekom het; en as die werknemer aldus op 'n raadsorder of met 'n vervoermiddel van die raad gereis het, moet hy die uitgawes wat onnodig aangegaan is, terugbetaal.

89. *Vervoeruitgawes.*

Behoudens die bepalings van hierdie hoofstuk moet aan 'n werknemer van wie dit vereis word dat hy op diens moet reis, die onkoste verbonde aan die vervoer

84. *Rates are Maximum Rates.*

The rates according to which subsistence allowances are paid in terms of these regulations shall be maximum rates and the Board may approve payment at a lower rate if the circumstances in a particular case are in his opinion such that payment of the full rate is not justified.

85. *Casualties.*

If the Workmen's Compensation Commissioner lays down that subsistence costs incurred by an employee in connection with the treatment of an injury received as a result of an accident arising from his employment and taking place in the course of it, shall be deemed to be medical treatment costs, the expenditure actually and necessarily incurred for accommodation, shall be refunded. In such a case subsistence allowance shall not be paid at the prescribed rate.

86. *Subsistence Allowance on first Appointment.*

A person shall not be paid subsistence allowance on his first appointment with the Board in respect of his journey to the place where he is required to assume duty: Provided that a person who is resident outside South West Africa and who is appointed in that Territory, may be paid subsistence allowance in respect of himself and his household in terms of the provisions of regulation 74 for the period occupied by his train journey from De Aar to his destination.

87. *Exceptional Cases.*

If circumstances arise which justify a departure from the provisions of this chapter of the regulations or in a case not covered by these regulations, a subsistence allowance may be paid to an employee on such conditions as the Board may determine.

CHAPTER VIII

OFFICIAL TRAVELLING AND TRANSPORT

88. *Use of Economical Means.*

(a) All official journeys shall be approved by the Secretary who shall ensure that they are necessary and in the interests of the Board and performed as economically as possible.

(b) An employee shall travel by the most economical means, as expeditiously as circumstances allow and, subject to the provisions of regulation 90 by the shortest route.

(c) If an employee has travelled in a manner involving greater expenditure on transport than was necessary the Secretary shall limit the amount payable to him in reimbursement of his travelling costs to what it would have cost had he observed the requirements of sub-regulation (b); and if he has so travelled on a Board warrant or by means of the Board transport, he shall refund the expenditure unnecessarily incurred.

89. *Transport Expenses.*

Subject to the provisions of this chapter an employee required to travel on duty shall be reimbursed the cost of conveying himself and his necessary luggage and all

van homself en sy noodsaaklike bagasie, asook alle redelike uitgawes wat in verband met huurmotors (waar vervoer van die raad nie beskikbaar is nie), kruiersloon, nskeping, uitskeping en ander bykomende uitgawes aangegaan is, terugbetaal word.

90. *Vervoermiddels wat gebruik moet word.*

(a) 'n Werknemer van wie verwag word dat hy in die Republiek van Suid-Afrika of Suidwes-Afrika in amptelike diens moet reis, moet sy reis per trein of spoorwegbus (insluitende 'n luukse-bus waar so 'n diens bestaan en dit meer ekonomies is) aflê. Indien die reis nie per trein of per spoorwegbus afgelê kan word nie, moet die werknemer met die goedkoopste openbare vervoer reis. Geen amptelike reis mag per vliegtuig afgelê word nie tensy die goedkeuring van die Sekretaris verkry is.

(b) As openbare vervoermiddels nie beskikbaar is, moet hy die beste en mees ekonomiese reëlins vir die huur van die nodige vervoer tref tensy 'n voertuig aan die raad beskikbaar is.

(c) In 'n buitengewone geval kan die Sekretaris 'n werknemer magtig om 'n amptelike reis met private vervoer af te lê as die Sekretaris oortuig is dat die openbare vervoer beter daardeur bevorder sal word ongeag of dit noulik is om die reis met die raad se vervoer of openbare vervoer af te lê, al dan nie.

91. *Klas waarin Werknemers geregtig is om per trein te reis.*

'n Werknemer wat gemagtig is om op koste van die raad per trein te reis kan in die hieronder aangeduide klasse reis:

(a) *Blankes.*

In die Republiek van Suid-Afrika en Suidwes-Afrika moet alle blanke werknemers in die tweede klas ry behalwe bekleërs van poste in die vakkundige, administratiewe, klerklike en tegniese afdelings en alle vroulike personeel, wat eerste klas kan reis.

(b) *Nie-blankes.*

Alle nie-blankes en kleurlinge moet in die derde klas ry behalwe wanneer sulke werknemers se basiese salaris meer as R6 00 per jaar beloop, in welke geval sommige werknemers in die tweede klas mag reis.

92. *Vervoer by eerste Aanstelling.*

Op voorwaardes betreffende vervoermiddels en reise ooreenkomstig dié wat vir werknemers in hierdie hoofstuk van die regulasies voorgeskryf is, kan —

(a) aan 'n persoon wat in die Republiek van Suid-Afrika of Suidwes-Afrika woon en wat as werknemer van die raad aangestel word kostelose vervoer vir homself en sy huishouding en persoonlike besittings toegestaan word van die plek waar hy gewerf is tot by die plek waar hy aangesê is om diens te aanvaar. (Vervoer sluit in vervoer per huurmotor tussen die woning en die openbare vervoermiddel waarmee die reis onderneem word). Sodanige kostelose vervoer word toegestaan op die voorwaarde dat as die werknemer bedank of sy diens weens onbevredigende diens beëindig word binne twaalf maande van die datum van sy diensaanvaarding, hy die koste wat ten opsigte van die vervoer van sy huishouding en persoonlike besit-

reasonable expenditure incurred in connection with taxi hire (where Board transport is not available), portage, shipping or loading fees and other incidental services

90. *Means of Transport to be used.*

(a) An employee required to travel on duty in the Republic of South Africa or South West Africa shall perform his journey by train or railway bus (including luxury bus where such service operates and is more economical). If the journey cannot be performed by train or railway bus, the employee shall travel by means of the cheapest public transport available. No official journey shall be performed by air unless the approval of the Secretary has been obtained.

(b) If public transport is not available he shall make the best and most economical arrangements for the hire of the necessary transport unless a vehicle of the Board is available.

(c) In exceptional cases the Secretary may authorise an employee to perform an official journey by means of privately owned transport if the Secretary is satisfied that the public interest will be better served thereby, whether or not it is possible to perform the journey by a vehicle of the Board or not.

91. *Class in which Employees are entitled to travel by Train.*

An employee authorised to travel at the expense of the Board by train may travel in the classes indicated hereunder:—

(a) *Whites:*

In the Republic of South Africa and South West Africa all white employees shall travel in the second class, except employees in the professional, administrative, clerical and technical divisions and all female personnel who may travel in the first class.

(b) *Non-whites:*

All non-whites and Coloured employees shall travel in the third class, except where such employees' basic salaries exceed R600 per annum in which case such employees may travel in the second class.

92. *Transport on first Appointment.*

On conditions relating to means of transport and classes of travel similar to those prescribed for employees in this chapter of the regulations —

(a) a person residing in the Republic of South Africa or South West Africa who is appointed as an employee of the Board may be granted free transport for himself and his household and personal effects from the place where he is recruited to the place where he has been instructed to assume duty. (Transport shall include conveyance by taxi between the residence and the public conveyance by which the journey is undertaken). Such free transport is granted on condition that if such employee should resign, or if his employment should be terminated, within twelve months from the date of his having assumed duty, because of unsatisfactory service, he shall refund the expenses incurred in this connection in respect of the transport of his household and personal effects. For the purpose of these

tings in hierdie verband aangegaan is, terug moet betaal. By die toepassing van hierdie regulasies sluit vervoer ook koste van verpakking en uitpak in.

93. *Vervoer van die Raad.*

(a) As die Sekretaris oortuig is dat dit in die raad se belang is, kan daar van 'n werknemer wie se dienste dit noodsaaklik maak dat hy dikwels of gereeld moet reis vereis word dat hy van die raad se vervoer wat vir doeltreffende verrigting van sy pligte nodig geag word, gebruik moet maak.

(b) Indien 'n werknemer van wie daar kragtens subregulasie (a) van hierdie regulasie vereis word dat hy vervoer van die raad moet bestuur, nie 'n gepaste bestuurderslisensie besit nie, word hy op koste van die raad van die nodige onderrig voorsien en word alle eksamen- of bestuurderslisensiegelde aan hom terugbetaal.

94. *Toelaes vir Gebruik van private Vervoer.*

Aan 'n werknemer wat kragtens regulasie 90 (c) gemagtig is om sy private vervoer vir die aflê van 'n amptelike reis te gebruik, kan die volgende betaal word —

- (a) in die geval van motorvervoer, die betrokke mylen passierstoelaes wat deur die raad goedgekeur is;
- (b) in die geval van ander vervoermiddels, die toelaes wat deur die raad goedgekeur is;

mits die uiteindelijke uitgawes vir die gebruik van sodanige private vervoermiddels nie meer is as wat dit die raad sou gekos het indien van die gebruikelike openbare vervoermiddels gebruik gemaak is nie.

95. *Buitengewone Gevalle.*

As daar omstandighede ontstaan waarvoor geen voorsiening in hierdie hoofstuk gemaak is nie, of wat 'n afwyking van die bepalings van hierdie hoofstuk regverdig, kan die raad amptelike reise op die wyse of met die middels, of die betaling van die uitgawes of toelaes wat hy goed vind, goedkeur.

HOOFSTUK IX.

OORPLASINGSKOSTE.

96. *Woordbepaling.*

In hierdie hoofstuk van die regulasies, tensy dit met die samehang onbestaanbaar is, beteken —

- „huishouding” (a) die vrou van 'n werknemer en 'n kind (insluitende 'n aangenome kind wat permanent by hom inwoon en noodsaaklikerwys van hom afhanklik is);
- (b) 'n familielid van 'n werknemer wat permanent by hom inwoon en noodsaaklikerwys van hom afhanklik is en wie se inkomste nie die maksimum van R300 per jaar, in die geval van 'n blanke oorskry nie en in die geval van 'n nie-blanke ongeag sy ras, soos bepaal deur die raad.

regulations transport shall include the cost of packing and unpacking.

93. *Transport of the Board.*

(a) If the Secretary is satisfied that it would serve the Board's interests best, he may require an employee whose duties necessitate frequent or regular travelling, to use such transport of the Board as may be deemed necessary for the efficient performance of his duties.

(b) If an employee who is required to operate transport of the Board in terms of subregulation (a) of this regulation, is not the holder of the appropriate driver's licence, he shall be provided at the Board's expense with the necessary tuition and be refunded any examination or driver's licence fees.

94. *Allowances for the Use of private Transport.*

An employee who has been authorised in terms of regulation 90 (c) to use his privately owned transport for the performance of an official journey, may be paid the following —

- (a) in the case of motor transport, the relative mileage and passenger allowances approved by the Board;
- (b) in the case of another means of transport, such allowances as may be approved by the Board;

provided that the final expenditure for the use of such private means of transport shall not be more than it would have cost the Board if the usual public means of transport has been used.

95. *Exceptional Cases.*

If circumstances arise for which no provision is made in this chapter, or which justify a departure from the provisions of this chapter, the Board may authorise official travelling by such manner or means, or the payment of such expenditure or allowances, as he may deem fit.

CHAPTER IX

TRANSFER EXPENDITURE

96. *Definitions.*

In this chapter of the regulations, unless it is inconsistent with the context —

- “household” shall mean (a) the wife of an employee and any child (including an adopted child) who lives with him permanently and is of necessity dependent upon him;
- (b) a relative of an employee who lives with him permanently and who is of necessity dependent upon him and whose income does not exceed the maximum of R300 per annum in the case of a white, and in the case of a non-white, irrespective of race, as the Board determines;

„persoonlike besittings” die roerende goed van ’n werknemer en van sy huishouding, met inbegrip van een motorvoertuig, maar nie lewende hawe nie.

“Personal effects” shall mean the movable property of an employee and that of his household, including one motor vehicle, but excluding livestock.

97. *Werknemers onderhewig aan Oorplasing.*

Elke werknemer is na gelang van die vereistes van die raad onderhewig aan oorplasing van een plek, kantoor of betrekking na ’n ander plek, kantoor of betrekking in die raad se diens, hetsy sodanige oorplasing na ’n pos in ’n laer rang is, al dan nie: Met dien verstande dat geen oorplasing wat ’n vermindering in die basiese salaris of loon van die werknemer meebring, sonder sy toestemming geskied nie tensy die oorplasing geskied weens verlagings in rang opgelê ingevolge hoofstuk IV van hierdie regulasies: Met dien verstande voorts dat geen oorplasing waaraan koste verbonde is, mag geskied sonder goedkeuring van die raad nie.

97. *Employees subject to Transfer.*

Every employee is according to the exigencies of the Board subject to transfer from one place, office or post to another place, office or post in the Board's service, whether such transfer is to a post in a lower rank or not: Provided that no employee may be transferred without his own permission if such transfer should result in a reduction of such employee's basic salary or wage, unless the transfer takes place as a result of demotion in terms of Chapter IV of these regulations, and provided further that no transfer involving costs may take place without the Board's approval.

98. *Oorplasing op eie Versoek.*

Tensy die raad andersins besluit, vind die oorplasing van ’n werknemer wat op eie versoek oorgeplaas word, in sy eie tyd en op sy eie koste plaas.

98. *Transfer at own Request.*

Unless the Board decides otherwise the transfer of an employee at his own request shall be effected in his own time and at his own expense.

99. *Abnormale Bestaansuitgawes by Oorplasing.*

Die Sekretaris kan die volgende aan ’n werknemer wat oorgeplaas is, terugbetaal:—

99. *Abnormal living Expenses on Transfer.*

The Secretary may refund to an employee who has been transferred, the following:—

- (a) Die bedrag wat werklik en noodsaaklik aan huur of losies en bediendeloon by die oorspronklike hoofkwartier uitgegee en verbeur is weens kort kennisgewing van oorplasing, mits daar ook uitgawes aan huur of losies en bediendeloon by die hoofkwartier waarheen die werknemer oorgeplaas is, gelyktydig aangegaan word.
- (b) die bedrag wat werklik en noodsaaklik aan losies of hotelakkommodasie by die oorspronklike hoofkwartier vir hoogstens sewe dae uitgegee is deur dat die werknemer verplig is om in ’n losieshuis of hotel tuis te gaan terwyl sy meubels en besittings ingepak of na die nuwe hoofkwartier vervoer word.
- (c) Die bedrag wat werklik en noodsaaklik aan losies of hotelakkommodasie by die nuwe hoofkwartier uitgegee is deurdat die werknemer verplig is om vir ’n tydperk van hoogstens sewe dae in ’n losieshuis of hotel tuis te gaan terwyl sy meubels en besittings uitgepak of van die hoofkwartier vervoer word, of terwyl hy op soek na ’n huis of woonstel is.
- (d) Die verskil tussen die normale bestaansuitgawes bestaande uit huur, belastinge, water, ligte, brandstof, voedsel en bediendeloon en die abnormale uitgawes, werklik en noodsaaklik deur ’n werknemer by sy nuwe hoofkwartier aangegaan deurdat hy verplig is om vir ’n tydperk van langer as sewe dae in ’n losieshuis of hotel tuis te gaan terwyl sy meubels en besittings uitgepak of van die ou hoofkwartier vervoer word, of terwyl hy op soek na ’n huis of woonstel is: Met dien verstande dat geen eis vir abnormale bestaansuitgawes ten opsigte van ’n tydperk van langer as twee kalendermaande oorweeg kan word nie.

- (a) the amount actually and necessarily expended on rent or board and lodging and servants' wages at the original headquarters and forfeited in consequences of short notice of transfer, provided expenditure on rent or board and lodging and servants' wages is concurrently incurred at the headquarters to which the employee is transferred.
- (b) The amount actually and necessarily expended on board and lodging or hotel accommodation at the original headquarters for a period not exceeding 7 days because of the employee's being compelled to reside at a boarding house or hotel while his furniture and effects are being packed or transported to his new headquarters.
- (c) The amount actually and necessarily expended on board and lodging or hotel accommodation at the new headquarters because of the employee's being compelled to reside in a boarding house or hotel for a period not exceeding seven days while his furniture and effects are being unpacked, or transported from the old headquarters or while he is in search of a house or flat.
- (d) The difference between normal living expenses comprising rent, rates, water, light, fuel, food and servants' wages and the abnormal expenses actually and necessarily incurred by the employee at his new headquarters through being compelled to reside in a boarding-house or hotel for a period of longer than seven days while his furniture and effects are being unpacked or transported from the old headquarters, or while he is in search of a house or flat: Provided that no claim for abnormal living expenses in respect of a period in excess of two calendar months shall be entertained.

100. *Vervoer van persoonlike Besittings by Oorplasing*

(a) Indien ’n werknemer na ’n ander plek verplaas word, word sy besittings op koste van die raad vervoer.

100. *Transport of Personal Effects on Transfer.*

(a) When an employee is transferred to another place his effects shall be transported at the Board's expense.

(b) Die verpakking van persoonlike besittings word op koste van die raad gedoen en koste van ontkoppeling, aankoppeling en verandering van huishoudelike elektriese benodigdhede word deur die raad vergoed.

(c) Die verantwoordelikheid om te sien dat persoonlike besittings behoorlik verpak is, berus by die werknemer en besittings moet onder sy toesig of dié van sy verteenwoordiger verpak en uitgepak word.

(d) Yskaste word slegs verpak en werknemers moet self sorg dra dat kleppe gesluit en motore vasgebout word, voor verpakking geskied.

(e) Die raad aanvaar geen aanspreeklikheid vir gloeilampe van radiostelle wat gebreek is of enige musiek-instrumente en kunswerke wat beskadig word nie.

(f) Die koste van laai en aflaai van 'n motorvoertuig moet deur die werknemer gedra word en die raad betaal slegs die spoorvrag op een motorvoertuig.

(g) Die maksimum gewig van persoonlike besittings, insluitende een motorvoertuig, wat op koste van die raad vervoer kan word, is 14,000 lb.

101. *Vervoer van Werknemer en sy Huishouding.*

Aan elke werknemer wat verplaas word, word reiskaartjies vir homself en sy huishouding in die klas soos neergelê in regulasie 91, gegee vir die reis na sy nuwe standplaas, of waar die reis per trein onmoontlik is, kan van vervoer met die mees ekonomiese vervoermiddels gebruik gemaak word.

102. *Gebruik van Privaatvervoer.*

Met die oorplasing van 'n werknemer na 'n nuwe standplaas kan, ondanks andersluidende bepalings, met die vooraf verkreë goedkeuring van die raad die werknemer sy huishouding met sy private motorvoertuig na sy nuwe standplaas vervoer onderhewig aan die volgende voorwaardes:—

- (a) Die werknemer reis met sodanige vervoer op sy eie risiko vir sover hierdie bepalings nie strydig met die bepalings van die Ongevallewet 1941, soos gewysig, is nie;
- (b) hy is geregtig op die voorgeskrewe myl- en passasierstoelaes vir die reis werklik afgelê, mits hy met die kortste bevredigende padroete reis; die bedrag aan hom betaalbaar mag egter nie meer wees nie as —
 - (i) die koste van spoorwegkaartjies vir die reis met die goedkoopste roete per spoor; plus
 - (ii) die voorgeskrewe myl- en passasierstoelae (as hy weg van 'n spoorwegstasie gestasioneer is of sal wees) vir die reis per motor van sy ou hoofkwartier na die geskikte spoorwegstasie en/of vir die reis per motor van die geskikte spoorwegstasie na sy nuwe hoofkwartier; plus
 - (iii) bykomstige vervoeruitgawes (bv. kruiersloon) wat noodwendig aangegaan sou gewees het as hy per trein, ens., gereis het soos aangedui in (i) en (ii) hierbo;
- (c) Die spoorgeld op die motorvoertuig wat betaalbaar sou gewees het as die werknemer per trein

(b) The packing of personal effects shall be done at the Board's expense and the cost of disconnecting, connecting and altering electrical domestic appliances shall be compensated by the Board.

(c) The employee shall be responsible for ensuring that his personal effects are properly packed, and his effects shall be packed and unpacked under his or his representative's supervision.

(d) Refrigerators may only be packed, and it shall be the responsibility of employees to ensure that valves are closed and motors bolted down before packing starts.

(e) The Board does not assume any liability for broken radio valves, or damaged musical instruments or works of art.

(f) The cost of loading and unloading a motor vehicle shall be borne by the employee and the Board shall pay the railage on only one motor vehicle.

(g) The maximum weight of personal effects, including one motor vehicle, which may be transported at the Board's expense, shall be 14,000 lbs.

101. *Transport of Employee and his Household.*

Any employee who is transferred shall receive a rail warrant for tickets for himself and his household in the class prescribed in regulation 91 for the journey to his new headquarters or where a journey by rail is impossible the most economic means of available transport may be used.

102. *Use of private Transport.*

Notwithstanding anything to the contrary contained herein, an employee, when transferred to new headquarters, may with the prior approval of the Board transport his household in his private motor vehicle subject to the following conditions:—

- (a) the employee shall travel by such transport at his own risk in so far as these provisions are not inconsistent with the provisions of the Workmen's Compensation Act, 1941, as amended;
- (b) he shall be entitled to the prescribed mileage and passenger allowances for the journey actually performed, provided that he travels by the shortest satisfactory road route; the amount payable to him may, however, not exceed —
 - (i) the cost of railway tickets for the journey along the cheapest route by rail; plus
 - (ii) the prescribed mileage and passenger allowance (where he is stationed or will be stationed, away from a railway station) for the journey by car from his old headquarters to the appropriate railway station and/or from the appropriate railway station to his new headquarters; plus
 - (iii) incidental transport expenses (e. g. porters' fees) which would have been necessarily incurred had he travelled by train etc., as indicated in (i) and (ii) above;
- (c) the railage on the motor vehicle which would have been payable had the employee travelled by

gereis het, mag nie in aanmerking geneem word nie by die berekening van die maksimum myl-toelaag in paragraaf (b) hierbo genoem;

- (d) hy is daarop geregtig om bagasie na sy nuwe hoofkwartier op die Raad se koste per spoor te vervoer binne die gewigsbeperking wat vir oorgewigbagasie voorgeskryf is.

rail, shall not be taken into consideration in calculating the maximum mileage allowance mentioned in paragraph (b) above;

- (d) he shall be entitled to transfer luggage by rail to his new headquarters at the Board's expense within the weight limit prescribed for excess-weight baggage.

103. *Waardevermindering van Meubels.*

Die Sekretaris kan aan 'n werknemer wat 'n huis of 'n woonstel wat hy self ten volle of gedeeltelik gemeubileer het, by sy ou hoofkwartier bewoon het en wat huis opsit in 'n huis of woonstel by sy nuwe hoofkwartier, 'n bedrag van vyftig rand betaal ten opsigte van waardevermindering van persoonlike besittings, verliese wat deur die aftakeling en hermontering van vaste toebehore en elektriese toebehore veroorsaak word en ter dekking van uitgawes wat uit sy oorplasing voortspruit, uitgesonderd dié waarvoor elders in hierdie regulasie voorsiening gemaak word: Met dien verstande dat die Sekretaris na goedgeken 'n kleinere bedrag kan betaal indien die omstandighede na sy mening nie die betaling van 'n bedrag van vyftig rand regverdig nie.

103. *Depreciation of Furniture.*

The Secretary may pay an employee who occupied a house or flat wholly or partly furnished by himself at his old headquarters and who sets up house in a house or flat at his new headquarters, an amount of fifty rand in respect of depreciation of personal effects, losses incurred through the dismantling and remounting of fixed accessories and electrical equipment and to defray expenditure arising from his transfer, other than that for which provision is made elsewhere in these regulations: Provided that the Secretary may in his discretion pay a lesser amount if he considers that the circumstances do not justify the payment of an amount of fifty rand.

104. *Buitengewone Gevalle.*

As daar omstandighede ontstaan waarvoor geen voorsiening in hierdie hoofstuk gemaak is nie, of wat 'n afwyking van die bepaling van hierdie hoofstuk regverdig, kan die raad goedkeuring verleen dat werklike en abnormale bestaansuitgawes betaal word in sodanige gevalle waarvoor die regulasies nie voorsiening maak nie of waar 'n afwyking daarvan na sy mening geregtig is.

104. *Exceptional Cases.*

If circumstances arise for which no provision is made in this chapter or which justify a deviation from the provisions of this chapter, the Board may grant approval that the actual and abnormal subsistence expenses shall be paid in such cases for which the regulations do not provide or where a deviation therefrom is in its opinion justified.

HOOFSTUK X.

GRONDE VIR ONTSLAG.

105. (1) Elke werknemer kan uit die diens van die raad ontslaan word —

- (a) weens voortdurende swak gesondheid of liggaamlike gebrek;
- (b) weens die afskaffing van sy pos of vermindering of reorganisasie van die diensstaat van die raad;
- (c) as, om ander redes as sy eie ongeskiktheid of onvermoë, sy ontslag, doeltreffendheid of besuiniging in die afdeling waarin hy in diens is, sal bevorder;
- (d) weens ongeskiktheid vir sy pligte of onvermoë om hulle op bekwame wyse uit te voer, of onbevredigende diens;
- (e) weens wangedrag;
- (f) as in die geval van 'n werknemer wat op proef aangestel is, sy aanstelling nie bekragtig word nie;
- (g) weens die bereiking van die ouerdomsgrens;
- (h) weens ongemagtigde afwesigheid van diens soos bepaal by regulasie 30 (3);

CHAPTER X

GROUNDS FOR DISCHARGE

105. (1) Any employee may be discharged from the Board's Service

- (a) on account of continued ill-health or physical defect;
- (b) on account of the abolition of his post or the reduction or reorganisation of the Board's establishment;
- (c) if, for reasons other than his own unfitness or incapacity, his discharge would promote efficiency or economy in the division in which he is employed.
- (d) on account of his unfitness for his duties or incapacity to carry them out efficiently, or on account of unsatisfactory service;
- (e) on account of misconduct;
- (f) if, in the case of an employee appointed on probation, his appointment is not confirmed;
- (g) on superannuation;
- (h) on account of unauthorised absence from duty as prescribed by regulation 30 (3);

- (i) sonder aangee van redes en ondanks die afwesigheid van enige rede vir ontslag, indien hy 'n pos beklee in die nie-geklassifiseerde afdeling van die raad se diens, mits die raad dit goedkeur en hy skriftelik kennis gegee word.

Sodanige kennisgewing moet, in die geval van 'n werknemer met minder as vyf jaar ononderbroke diens, minstens veertien dae, in die geval van 'n werknemer met meer as vyf jaar ononderbroke diens, minstens een kalendermaand en in die geval van 'n werknemer met tien jaar en meer ononderbroke diens, minstens drie kalendermaande wees.

(2) Die bevoegdheid om 'n werknemer te ontslaan berus by die raad behalwe in die volgende gevalle waar die Sekretaris sodanige bevoegdheid het, wat hy verder kan deleger:

- (a) 'n nie-blanke met minder as vyf jaar diens;
- (b) 'n werknemer nog op proef as hy hom skuldig maak aan 'n daad wat as wangedrag in hierdie regulasies bepaal word, sonder dat hy van wangedrag aangekla moet word;
- (c) 'n werknemer wie se proefaanstelling nie bekragtig word nie;
- (d) weens ongemagtigde afwesigheid soos bepaal by regulasie 30 (3).

106. *Uitdienstredingsouderdom.*

(a) 'n Werknemer bereik die uitdienstredingsouderdom sodra hy die ouderdom van 65 jaar bereik en by bereiking van daardie ouderdom word hy afgedank, tensy dit in belang van die raad is dat hy na daardie ouderdom in diens gehou word, in welke geval die raad sy indienshouding van tyd tot tyd kan goedkeur vir tydperke van hoogstens een jaar op 'n keer, tot bereiking van die ouderdom van 70 jaar.

(b) Indien 'n werknemer in diens gehou word na bereiking van die ouderdom van 70 jaar, is sy verdere indienshouding na daardie ouderdom onderhewig aan die goedkeuring van die raad.

(c) Werknemers het die reg om by bereiking van die uitdienstredingsouderdom uit diens te tree en geen werknemer het die reg om na bereiking van die uitdienstredingsouderdom verdere indienshouding te eis nie.

(d) 'n Werknemer het voorts die reg om te eniger tyd nadat hy die leeftyd van sestig jaar bereik het, onderworpe aan drie maande kennisgewing, aan die Sekretaris skriftelik kennis te gee van sy voorneme om met pensioen af te tree, en indien hy aldus kennis gee, word hy afgedank:

- (i) op die eerste dag van die maand onmiddellik na die maand waarin hy daardie leeftyd bereik; of
- (ii) indien kennis nie drie maande voor die datum waarop hy bedoelde leeftyd bereik gegee word nie op die eerste dag van die vierde maand na die maand waarin bedoelde kennisgewing ontvang word.

- (i) without any statement of reasons and notwithstanding the absence of any reasons for discharge, if he occupies a post in the non-classified section of the Board's service, if the Board approves and the employee is given written notice.

Such notice shall, in the case of an employee with less than five years unbroken service, be given at least a fortnight in advance; in the case of an employee with more than five years unbroken service at least one calendar month in advance; and in the case of an employee with ten years and more unbroken service at least three calendar months in advance.

(2) The power to discharge an employee shall vest in the Board except in the following cases where the Secretary has the power to discharge an employee, which power he may delegate further

- (a) a non-white with less than five years service;
- (b) an employee on probation who is guilty of an act defined as misconduct in these regulations but who does not have to be charged with misconduct;
- (c) an employee on probation whose appointment is not confirmed;
- (d) An employee who absents himself without authority as defined in regulation 30 (3);

106. *Retiring age.*

(a) An employee reaches the retiring age as soon as he is 65 years old, and on reaching that age he shall be discharged, unless it is in the Board's interest that he should be retained after that age, in which case the Board may approve the retention of his services from time to time for periods of not longer than a year at a time, until he reaches the age of 70 years.

(b) If an employee is retained after reaching the age of 70 years the retention of his services after that age shall be subject to the approval of the Board.

(c) Employees shall have the right to retire from service on reaching the retiring age, and no employee shall have the right to demand further retention of his services after reaching the retiring age.

(d) An employee shall moreover have the right at any time after he has attained the age of sixty subject to three months notification, to give written notice to the Secretary of his wish to be retired on pension, and if he gives such notification his services shall be terminated:

- (i) on the first day of the month immediately following the month in which he attained said age; or
- (ii) if notification is not given three months prior to the date on which he reaches the said age, on the first day of the fourth month after the month in which the said notification was received.

HOOFSTUK XI.

CHAPTER XI

ERVOERREGTE BY UITDIENSTREDING OF DOOD.

TRANSPORT RIGHTS ON TERMINATION OF SERVICES OR DEATH

107. (1) Aan 'n werknemer wat weens bereiking van die ouderdomsgrens aftree en aan 'n werknemer wie se ienste eindig op gronde wat vir die toepassing van hierdie regulasies deur die raad goedgekeur is en wat minstens tien jaar onafgebroke voltydse diens by die raad in enige hoedanigheid voltooi het, kan vervoer vir homself, sy huishouding en persoonlike besittings na 'n plek in die Republiek van Suid-Afrika of Suidwes-Afrika waar y begerig is om te woon op koste van die raad toegestaan word.

107. (1) An employee who is retired because of superannuation and an employee whose services terminate on grounds approved by the Board for the purpose of these regulations and who has completed at least ten years' continuous fulltime service with the Board in any capacity, may be granted conveyance at the Board's expense for himself, his household and personal effects to a place in the Republic of South Africa or South West Africa, where he wishes to live.

(2) Die huishouding en persoonlike besittings van 'n werknemer wat minstens tien jaar onafgebroke voltydse diens by die raad in enige hoedanigheid voltooi het n wat te sterwe kom terwyl hy in diens van die raad is, an op koste van die raad na enige plek in die Republiek an Suid-Afrika of Suidwes-Afrika vervoer word, beoudens die bepalings van subregulasie (1) van hierdie egulasie wat *mutatis mutandis* op sodanige vervoer van oepassing is.

(2) The household and personal effects of an employee who has completed not less than ten years' continuous service with the Board in any capacity and who dies while in service of the Board may be conveyed at the expense of the Board to any place in the Republic of South Africa or South West Africa subject to the provisions of subregulation (1) of this regulation which shall apply *mutatis mutandis* to such conveyance.

(3) Die voorskrifte van hierdie regulasie is nie van oepassing nie in 'n geval waar vervoer tussen plekke wat minder as twintig myl van mekaar geleë is, moet gekied.

(3) The provisions of this regulation shall not apply in cases involving transport between places which are situated less than twenty miles apart.

(4) Die bepalings van hierdie regulasie is van toepassing op die huishouding en persoonlike besittings van 'n oudwerknemer wat te sterwe kom terwyl hy in tydelike diens is wat aaneenlopend met sy permanente diens is. Vir die doeleindes van hierdie paragraaf tel alle aaneenlopende diens, dit wil sê, diens wat voor en na die afredingsdatum verrig is, as diens vir voltooiing van die kwalifiserende tydperk van tien jaar.

(4) The provisions of these regulations shall apply to the household and personal effects of an ex-employee who dies while in temporary service which is continuous with his permanent service. For the purpose of this paragraph all continuous service i. e. rendered before and after the retiring date shall count as service for completing the qualifying period of ten years.

(5) As 'n werknemer wat weens bereiking van die ensioenleef tyd ontslaan is en wat sonder 'n onderbreking in diens in 'n tydelike hoedanigheid weer in diens eneem word, kan die voorregte wat kragtens hierdie egulasie voorgeskryf is, toegestaan word wanneer sy ienste uiteindelik beëindig word of wanneer hy uit so 'n tydelike betrekking bedank.

(5) To an employee who is discharged on reaching superannuation and who is re-employed in a temporary capacity without a break in service, the privileges prescribed by this regulation may be granted when his services are finally terminated or when he resigns from such a temporary post.

(6) Die uitgawes aan die voorregte neergelê in hierdie regulasie kan slegs uit gelde van die raad gedek word indien dit nie vroeër as 90 dae voor en nie later as 90 dae a die werknemer se laaste dag van diens aangegaan is ie, tensy die raad se voorafgaande goedkeuring vir 'n afwyking verkry is.

(6) The expenditure on the privileges provided for in these regulations may only be defrayed out of moneys of the Board if incurred not earlier than 90 days before, and not later than 90 days after, the employee's last day of service, unless the Board's prior approval of a deviation has been obtained.

108. (a) Die bepalings van regulasie 107 is nie van oepassing as 'n werknemer die diens om een van die volgende redes verlaat nie:—

108. (a) The provisions of regulation 107 shall not apply if the employee should leave the service for one of the following reasons:—

- (i) Bedanking.
- (ii) Ontslag as gevolg van wangedrag.
- (iii) Ontslag weens swak gesondheid deur eie toedoen veroorsaak.

- (i) resignation;
- (ii) discharge on account of misconduct;
- (iii) desertion;
- (iv) discharge as a result of self-caused ill-health.

(b) Die toestaan van die voordele genoem in regulasie 107 aan iemand wie se dienste beëindig word om van die volgende redes is onderhewig aan die voorafverkreë goedkeuring van die raad:—

(b) The granting of the privileges mentioned in regulation 107 to a person whose services are terminated on any of the following grounds is subject to the Board's prior approval:—

- (i) Ontslag weens onbekwaamheid (in teenstelling met wangedrag).

- (i) discharge on account of inefficiency (as against misconduct);

(ii) Ontslag om doeltreffendheid of besuiniging te bevorder.

(iii) Ontslag van 'n werknemer ooreenkomstig regulasie 105 (1) (i).

109. *Kort Titel.*

Hierdie regulasies heet die Werknemersregulasies op die Raad vir Buitestedelike Ontwikkeling 1970.

(ii) discharge to promote efficiency or economy;

(iii) discharge of an employee under regulation 105 (1) (i).

109. *Short Title.*

These regulations shall be called the Peri-Urban Development Board Employees Regulations, 1970.