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PROKLAMASIES

van die

Staatspresident van die Republiek van Suid-Afrika

No. R. 165, 1987

WYSIGING VAN DIE KWANDEBELE-GRONDWET-PROKLAMASIE, 1979 (PROKLAMASIE R. 205 VAN 1979)

Kragtens die bevoegdheid my verleen by artikel 1 (2) van die Grondwet van die Nasionale State, 1971 (Wet 21 van 1971), wysig ek hierby, met ingang van 30 November 1987, Bylae 1 van die KwaNdebele-grondwetproklamasie, 1979 (Proklamasie R. 205 van 1979), soos gewysig by Proklamasie R. 128 van 23 Julie 1982; Proklamasie R. 227 van 31 Desember 1985; Proklamasie R. 44 van 27 Maart 1986; Proklamasie R. 176 van 3 Oktober 1986; Proklamasie R. 217 van 21 November 1986; Proklamasie R. 223 van 28 November 1986 en Proklamasie R. 77 van 30 April 1987, deur by paragraaf (d) van genoemde Bylae 1 die Ontwikkelingstrusteiendomme vermeld en omskryf in die Bylae by hierdie Proklamasie, by te voeg.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Vier-en-twintigste dag van November Eenduisend Negehonderd Sewe-en-tagtig.

P. W. BOTHA,
Staatspresident.

Op las van die Staatspresident-in-Kabinet:

J. C. HEUNIS,
Minister van die Kabinet.

BYLAE

Tweefontein 220 JR (Gedeelte 2).

Roodepoortjie 250 JR (Gedeelte 31 en Gedeelte 32).

Rooipoort 440 JR (Restant van Gedeelte 2, Restant van Gedeelte 7 en Gedeelte 18).

Wolvenkop 227 JS (Gedeelte 4).

Klipfontein 205 JR (Restant van Gedeelte 1).

PROCLAMATIONS

by the

State President of the Republic of South Africa

No. R. 165, 1987

AMENDMENT OF THE KWANDEBELE CONSTITUTION PROCLAMATION, 1979 (PROCLAMATION R. 205 OF 1979)

Under and by virtue of the powers vested in me by section 1 (2) of the National States Constitution Act, 1971 (Act 21 of 1971), I hereby, with effect from 30 November 1987, amend Schedule 1 of the KwaNdebele Constitution Proclamation, 1979 (Proclamation R. 205 of 1979), as amended by Proclamation R. 128 of 23 July 1982; Proclamation R. 227 of 31 December 1985; Proclamation R. 44 of 27 March 1986; Proclamation R. 176 of 3 October 1986; Proclamation R. 217 of 21 November 1986; Proclamation R. 223 of 28 November 1986 and Proclamation R. 77 of 30 April 1987, by adding to paragraph (d) of the said Schedule 1 the Development Trust Properties mentioned and defined in the Schedule to this Proclamation.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this Twenty-fourth day of November, One thousand Nine hundred and Eighty-seven.

P. W. BOTHA,
State President.

By Order of the State President-in-Cabinet:

J. C. HEUNIS,
Minister of the Cabinet.

SCHEDULE

Tweefontein 220 JR (Portion 2).

Roodepoortjie 250 JR (Portion 31 and Portion 32).

Rooipoort 440 JR (Remainder of Portion 2, Remainder of Portion 7 and Portion 18).

Wolvenkop 227 JS (Portion 4).

Klipfontein 205 JR (Remainder of Portion 1).

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Rietfontein 214 JR (Gedeelte 4).

Van Dykspruit 431 JR (Gedeelte 22).

Maloek Zyn Kop 58 JS (Gedeelte 1 en die restant van die plaas).

Klipdrift 62 JS [Restant van Gedeelte 9 en Gedeelte 10 (gedeelte van Gedeelte 9)].

No. R. 166, 1987

WEGNEEM VAN GROND UIT OOPGESTELDE GEBIED IN DIE DISTRIKTE IMPENDLE, PIETERMARITZBURG EN VRYHEID, PROVINSIE NATAL EN IN DIE DISTRIKTE MARICO EN RUSTENBURG, PROVINSIE TRANSVAAL

Kragtens die bevoegdheid my verleen by artikel 2 (2), gelees met artikel 2 (2A) (b), van die Ontwikkelingstrust en Grond Wet, 1936 (Wet 18 van 1936), neem ek hierby die grond omskryf in die Bylae hiervan, weg uit oopgestelde gebied.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Negende dag van September Eenduisend Negehonderd Sewe-en-tagtig.

P. W. BOTHA,

Staatspresident.

Op las van die Staatspresident-in-Kabinet:

G. VAN N. VILJOEN,

Minister van die Kabinet.

BYLAE

PROVINSIE NATAL

Distrik Impendle

Restant van Onderverdeling 3 van Lot 91 No. 1819, groot 34,8261 hektaar. Onderverdeling 7 van die plaas Strathaven 15669.

Distrik Pietermaritzburg

Gedeeltes 1 en 2 van die plaas Doorn Hoek 796. Gedeelte 7 (van 6) van die plaas Doorn Hoek 796.

Distrik Vryheid

Onderverdeling 13 van 8 van die plaas Uitkijk 353. Onderverdeling 6 en 10 (albei van Lot 1) van die plaas Uitkijk 353. Restant van Onderverdeling 4 van die plaas Uitkijk 353, groot 275,0166 hektaar.

PROVINSIE TRANSVAAL

Distrik Marico

Gedeelte 6 ('n gedeelte van Gedeelte 3) en Gedeelte 16 van die plaas Jagersfontein 55 JO.

Distrik Rustenburg

Gedeelte 16 ('n gedeelte van Gedeelte 2) van die plaas Palmietfontein 72 JQ. Gedeelte 18 ('n gedeelte van Gedeelte 17) van die plaas Klipplaat 77 JQ. Gedeelte 1 van die plaas Evergreen 73 JQ.

GOEWERMENTSKENNISGEWINGS

DEPARTEMENT VAN FINANSIES

No. R. 2626 **27 November 1987**

DOEANE- EN AKSYNSWET, 1964

BEPALINGS VAN TARIEFINDELING EN VERSTREKKING DAARVAN OP KLARINGSBRIEWE (LYS TAR/172)

1. Die volgende bepalings (Deel A)/wysigings van bepalings (Deel B) word kragtens artikel 47 (9) van die Doeane- en Aksynswet, 1964 (Wet 91 van 1964), gepubliseer.

Rietfontein 214 JR (Portion 4).

Van Dykspruit 431 JR (Portion 22).

Maloek Zyn Kop 58 JS (Portion 1 and the remainder of the farm).

Klipdrift 62 JS [Remainder of Portion 9 and Portion 10 (portion of Portion 9)].

No. R. 166, 1987

EXCISION OF LAND FROM RELEASED AREA IN THE DISTRICTS OF IMPENDLE, PIETERMARITZBURG AND VRYHEID, PROVINCE OF NATAL AND IN THE DISTRICTS OF MARICO AND RUSTENBURG, PROVINCE OF THE TRANSVAAL

Under the powers vested in me by section 2 (2), read with section 2 (2A) (b), of the Development Trust and Land Act, 1936 (Act 18 of 1936), I hereby excise the land defined in the Schedule hereto from released area.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Ninth day of September, One thousand Nine hundred and Eighty-seven.

P. W. BOTHA,

State President.

By Order of the State President-in-Cabinet:

G. VAN N. VILJOEN,

Minister of the Cabinet.

SCHEDULE

PROVINCE OF NATAL

District of Impendle

Remainder of Subdivision 3 of Lot 91 No. 1819, in extent 34,8261 hectares. Subdivision 7 of the farm Strathaven 15669.

District of Pietermaritzburg

Portions 1 and 2 of the farm Doorn Hoek 796. Portion 7 (of 6) of the farm Doorn Hoek 796.

District of Vryheid

Subdivision 13 of 8 of the farm Uitkijk 353. Subdivision 6 and 10 (both of Lot 1) of the farm Uitkijk 353. Remainder of Subdivision 4 of the farm Uitkijk 353, in extent 275,0166 hectares.

PROVINCE OF THE TRANSVAAL

District of Marico

Portion 6 (a portion of Portion 3) and Portion 16 of the farm Jagersfontein 55 JO.

District of Rustenburg

Portion 16 (a portion of Portion 2) of the farm Palmietfontein 72 JQ. Portion 18 (a portion of Portion 17) of the farm Klipplaat 77 JQ. Portion 1 of the farm Evergreen 73 JQ.

GOVERNMENT NOTICES

DEPARTMENT OF FINANCE

No. R. 2626 **27 November 1987**

CUSTOMS AND EXCISE ACT, 1964

DETERMINATIONS OF TARIFF CLASSIFICATION AND FURNISHING THEREOF ON BILLS OF ENTRY (LIST TAR/172)

1. The following determinations (Part A)/amendments to determinations (Part B) are published in terms of section 47 (9) of the Customs and Excise Act, 1964 (Act 91 of 1964).

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2. Kragtens artikel 39 (1) (c) van voornoemde Wet word vereis dat die bepalingsnommer deur invoerders ten tyde van klaring van sodanige goedere op klaringsbriewe verstrek word.

J. C. J. VISSER,
namens Kommissaris van Doeane en Aksyns.

Opmerkings:

1. Die beskrywing van die goedere word slegs vir bepalingsdoeleindes verstrek en moet nie as korrek, volledig of bindend vir enige ander doel vertolk word nie.

2. Goedere wat verpak is vir of bemark word vir kleinhandelverkoop word in alle gevalle by die toepaslike tariefsubpos, waar sodanige voorsiening bestaan, ingedeel.

3. Tariefsubposte wat van die massa, afmetings, vorm, waarde, verpakking, ens., van goedere afhang word nie noodwendig aangedui nie.

4. Om moontlike verwarring te vermy is handelsname en in sekere gevalle handelsbeskrywings nie vertaal nie.

5. Aparte reeksnommers is aan bepalings onder elke tariefpos toegeken.

6. Lys TAR/171 is in Goewermentskennisgewing R. 2113 van 25 September 1987 gepubliseer.

2. In terms of section 39 (1) (c) of the aforementioned Act, importers are required to furnish the determination number on bills of entry at the time of entry of such goods.

J. C. J. VISSER,
for Commissioner for Customs and Excise.

Notes:

1. The description of the goods is given for determination purposes only and should not be construed as correct, complete or binding for any other purpose.

2. Goods which are packed for or put up for retail sale are in all instances classified under the appropriate tariff subheading where such provision exists.

3. Tariff subheadings which depend upon the mass, dimensions, form, value, packing, etc., of goods are not necessarily indicated.

4. In order to avoid possible confusion trade names and in certain instances trade descriptions have not been translated.

5. Separate serial numbers have been allocated to determinations under each tariff heading.

6. List TAR/171 was published in Government Notice R. 2113 of 25 September 1987.

DEEL B: WYSIGINGS TOT GEPUBLISEERDE BEPALINGS

Beskrywing van goedere	*Tariefpos/ -subpos*	*Bepaling no.*
1. Wysigings van bepalings as gevolg van wysigings tot Deel 1 van Bylae no. 1 by die Doeane- en Aksynswet (Wet 91 van 1964):		
Die volgende bepaling word met ingang van 25 September 1987 ingetrek:		
	39.07	162
Die volgende bepalings word met ingang van 9 Oktober 1987 ingetrek:		
	34.03	50
	34.03	51
	34.03	52
	34.03	53
	34.03	61
	34.03	65
Die volgende vervang die bestaande bepalings met ingang van 31 Julie 1987:		
Union Carbide DQDE 1868—'n etileenvinielasetaat, vloeistof of pasta of in blokke, stukke, poeiers, korrels, vlokke en dergelike massavorms	39.02.10.05/.07	21
Elvax-vinielhars 460—'n etileenvinielasetaat, vloeistof of pasta of in blokke, stukke, poeiers, korrels, vlokke en dergelike massavorms	39.02.10.05/.07	61
Elvax-vinielhars 260—'n etileenvinielasetaat, vloeistof of pasta of in blokke, stukke, poeiers, korrels, vlokke en dergelike massavorms	39.02.10.05/.07	62
Montothene G 50/23—'n etileenvinielasetaat, vloeistof of pasta of in blokke, stukke, poeiers, korrels, vlokke en dergelike massavorms	39.02.10.05/.07	63
Evaflex EVA-hars—'n etileenvinielasetaat, vloeistof of pasta of in blokke, stukke, poeiers, korrels, vlokke en dergelike massavorms	39.02.10.05/.07	74
Nipoflex no. 631—'n etileenvinielasetaat, vloeistof of pasta of in blokke, stukke, poeiers, korrels, vlokke en dergelike massavorms	39.02.10.05/.07	87
Levapren 450—'n etileenvinielasetaat, vloeistof of pasta of in blokke, stukke, poeiers, korrels, vlokke en dergelike massavorms	39.02.10.05/.07	120
Elvax 4355 (Stock 914)—'n etileenvinielasetaat, vloeistof of pasta of in blokke, stukke, poeiers, korrels, vlokke en dergelike massavorms	39.02.10.05/.07	141
Levapren 456—'n etileenvinielasetaat, vloeistof of pasta of in blokke, stukke, poeiers, korrels, vlokke en dergelike massavorms	39.02.10.05/.07	233
Levapren 400—'n etileenvinielasetaat, vloeistof of pasta of in blokke, stukke, poeiers, korrels, vlokke en dergelike massavorms	39.02.10.05/.07	302
Die volgende vervang die bestaande bepalings met ingang van 7 Augustus 1987:		
Thermofoil-termiese isolasiemateriaal vir die isoleer van dakke, mure, ens.—onbedrukte aluminiumfoelie, met rugkant	76.04.20.90	2
Alkreflex-isolasiemateriaal—onbedrukte aluminiumfoelie, sonder rugkant	76.04.20.80	3
Die volgende vervang die bestaande bepalings met ingang van 11 September 1987:		
Vatra-tipe 225 DK knoopselle, herlaaibaar—nikkel-kadmium akkumulators	85.04.35	1

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Beskrywing van goedere	*Tariefpos/ -subpos*	*Bepaling no.*
Herlaaibare batterypak bestaande uit 'n batteryhouer wat 8 nikkel-kadmium batterye bevat—'n nikkelkadmium-akkumulator	85.04.35	2
Akkumulators, 6 of 12V, geskik vir gebruik met radios of motorvoertuie, ingevoer vir die herwinning van lood	85.04.15	3
Hewlett Packard-batterypak no. 82001A—'n nikkel-kadmium akkumulator	85.04.35	6
Die volgende vervang die bestaande bepalings met ingang van 25 Septemmber 1987:		
Dino-kinderfietse modelle 102, 105, 207, 212, en 213—gewielde speelgoed	97.01.15.10/.20/.30	1
Dino kinderfiets model 109—gewielde speelgoed	97.01.15.10/.20/.30	8
Die volgende vervang die bestaande bepalings met ingang van 9 Oktober 1987:		
Komakrin—'n smeerpreparaat vir die behandeling van tekstiele	34.03.90.10	1
Akawax—'n smeerghries	34.03.90.30	2
Priamus Drawing Compound R—'n smeerpreparaat	34.03.90.20	3
121 Wax Cut-konsentraat—'n smeerpreparaat	34.03.20.90	4
Lubrol Mox—'n smeerpreparaat vir die behandeling van tekstiele	34.03.90.10	5
Rocol RL-5—'n smeerpreparaat	34.03.90.20	6
Guardian Transgard H en L—smeerghriese	34.03.20.20	7
Guardian Linkgard GL—'n smeerghries	34.03.20.20	8
Guardian Fluorogard P3—'n smeerghries	34.03.20.20	9
Guardian Ferrogard G2—'n smeerghries	34.03.20.20	10
Silicone Release Agent Bayer M—'n smeerpreparaat	34.03.90.90	11
Ambiflo L. 317—'n smeerpreparaat	34.03.90.20	12
Muzin M. 2000—'n smeerpreparaat	34.03.20.90	13
Molykote G Rapid Spray—'n smeerpreparaat	34.03.20.90	14
Molykote 321 R Spray—'n smeerpreparaat	34.03.20.90	15
Mac 60 metaalsnyvloeistof—'n smeerpreparaat	34.03.90.20	16
LevaformSI-V—'n losmaakmiddel vir gietvorms	34.03.90.90	17
Nopcostat 092—'n smeerpreparaat vir die behandeling van tekstiele	34.03.90.10	18
Sil-Glyde—'n smeerghries	34.03.20.20	19
Door-Ease—'n smeerghries	34.03.20.20	20
Dow Corning DC Q2-4001—'n smeermiddel vir naaigaring	34.03.90.20	21
Odin EE10—'n smeerpreparaat	34.03.90.90	22
Aeroflex—'n smeerpreparaat	34.03.90.20	23
DC Releasil 66 emulsie—'n losmaakmiddel vir gietvorms	34.03.90.90	24
Filapan DT 103 SA—'n smeerpreparaat vir die behandeling van tekstiele	34.03.90.10	25
DC Releasil 7—'n losmaakmiddel vir gietvorms	34.03.90.90	26
DC 36 emulsie—'n smeerpreparaat	34.03.90.90	27
Oxytex 80—'n smeerpreparaat vir die behandeling van tekstiele	34.03.90.10	29
Bevaloid 5708—'n smeerpreparaat	34.03.90.20	30
Vickers 7844 konsentraat—'n smeerpreparaat vir die behandeling van tekstiele	34.03.90.10	31
Fluorplast 82 P.T.F.E.-sproei—'n smeerpreparaat	34.03.90.20	32
Molykote 44 medium-silikoonghries—'n smeerghries	34.03.90.30	33
Lubrifilm—'n smeerghries	34.03.20.20	34
Isoflex Super LDS 18—'n smeerpreparaat vir die behandeling van tekstiele	34.03.90.10	35
Anderol-diëster sintetiese kompressorsmeermiddel—'n smeerpreparaat	34.03.90.20	36
Aeroshell-ghries 7—'n smeerghries	34.03.20.20	37
Aeroshell Compound 08—'n smeerghries	34.03.20.20	38
Shell Dentex W/Tivella WA/WB—'n smeerpreparaat	34.03.20.90	39
Shell Corena Oil T—'n smeerpreparaat	34.03.20.90	40
Shell Tivella Compound A—'n smeerghries	34.03.20.20	41
Shell ET-ghries—'n smeerghries	34.03.20.20	42
Serck-oudiosmeermiddels no's. 147, 555, 563, 731, 733, 734 en 735—smeerghriese	34.03.20.20	43
Oxigenoex S4—'n smeerghries	34.03.90.30	44
Filapan SA Special—'n smeerpreparaat vir die behandeling van tekstiele	34.03.90.10	45
Syntemp-smeermiddel tipe 9901—'n smeerpreparaat	34.03.90.20	46
Shell SD-verkoelingsolie—'n smeerpreparaat	34.03.20.90	47
Mobil Pyrolube A—'n smeerpreparaat wat 54,8% petroleumolie volgens massa bevat	34.03.20.90	48
Ensital FM—'n smeerpreparaat vir die behandeling van tekstiele	34.03.90.10	54
Master Draw no. 426—'n smeerpreparaat	34.03.90.20	55
Kal-Gard Gun-Kote—'n hittebehandelde droëlaagsmeermiddel gebruik om militêre wapens te bestryk—'n smeerpreparaat	34.03.90.20	56
Curtis S7, 'n verkoelingsmiddel gebruik by die draai van harde materiale—'n smeerpreparaat	34.03.20.90	57
Chilchem 300—'n losmaakmiddel vir gietvorms met 'n basis van silikoon	34.03.90.90	58
Easy Cook—'n vormlosmaakmiddel, synde 'n olie-of vetsurrogaat, gebruik by die gaarmaak van voedsel	34.03.90.90	59
Du Pont Viton VPA no. 1—'n vormlosmaakmiddel	34.03.90.90	60
Aeroshell W-meergraad 15W/50 enjinsmeerolie—'n smeerpreparaat	34.03.20.90	62
Chesterton-aluminium snysamestelling—'n smeerpreparaat	34.03.20.90	63
Lubriplate A en B—smeerpreparate	34.03.20.90	64

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Beskrywing van goedere	*Tariefpos/ -subpos*	*Bepaling no.*
OKS 240 koperghries—'n smeerpreparaat	34.03.20.90	66
Fuchs Ratak MEP 19 sny-olie gebruik met masjiengereedskap—'n smeer preparaat	34.03.20.90	67
Tego—emulsie 2378—'n smeerpreparaat vir die behandeling van tekstiele	34.03.90.10	68
Lipoderm Liquor SA—'n smeerpreparaat vir die behandeling van tekstiele	34.03.90.10	69
Acmosil 149 BC, 180, 363-20, Fluoricon 271-7, 271-44-20 en 37-359—vormlosmaakmiddels	34.03.90.90	70
2. Wysigings van bepalings kragtens artikel 47 (9) (d) van die Doeane- en Aksynswet (Wet 91 van 1964):		
Die volgende bepaling word met ingang van 18 Augustus 1987 ingetrek:		
	25.23	11
Die volgende bepalings word met ingang van 27 Augustus 1987 ingetrek:		
	91.05	10
	91.05	14
Bepaling no. 20 onder tariefpos no. 91.05 word met ingang van 27 Augustus 1987 ingetrek en vervang deur die volgende bepaling:		
My Belltime 60 minute-tydmeter met alarm, aan sleutelring geheg—ander artikels van yster of staal	73.40.99	229
Die volgende vervang die bestaande bepaling met ingang van 28 Augustus 1987:		
Novilon—vloerbedekking van vinielchloriedpolimere gerugsteun met asbes	39.02.51.05/.15	107
Bepaling no. 108 onder tariefpos no. 84.53 word met ingang van 30 September 1987 ingetrek en vervang deur die volgende bepaling:		
Xerox 9700 elektroniese drukstelsel—fotokopieerapparaat	84.35	56
Bepaling no. 480 onder tariefpos no. 90.28 word met ingang van 1 September 1987 ingetrek en vervang deur die volgende bepaling:		
Walker SAT-NAV801 satellietnavigasiestelsel—radionavigasiehulpapparaat, radarapparaat	85.19.69	194
Bepaling no. 23 onder tariefpos no. 84.63 word met ingang van 16 September 1987 ingetrek en vervang deur die volgende bepaling:		
Katrolonderdeel No. 899143M91 gebruik op Massey Ferguson trekkers om implemente, hamermeulens, waterpompe, ens. aan te dryf—trekkeronderdeel	87.06.90.10	39
Bepaling no. 24 onder tariefpos no. 84.63 word met ingang van 16 September 1987 ingetrek en vervang deur die volgende bepaling:		
Hub City-gegroefde koppelings vir trekkerkragaftakkerasse—trekkeronderdele	87.06.90.10	40
Die volgende vervang die bestaande bepaling met ingang van 16 September 1987:		
Wringbuiseonderdeel no. Vj0985—onderdele van wielnawe	87.06.90.90	25

PART B: AMENDMENTS TO PUBLISHED DETERMINATIONS

Description of goods	*Tariff heading/ subheading*	*Determination No.*
1. Amendments to determinations resulting from amendments to Part 1 of Schedule No. 1 to the Customs and Excise Act (Act 91 of 1964):		
The following determination is withdrawn with effect from 25 September 1987:		
	39.07	162
The following determinations are withdrawn with effect from 9 October 1987:		
	34.03	50
	34.03	51
	34.03	52
	34.03	53
	34.03	61
	34.03	65
The following replace the existing determinations with effect from 31 July 1987:		
Union Carbide DQDE 1868—an ethylene vinyl acetate, liquid or pasty or in blocks, lumps, powders, granules, flakes and similar bulk forms	39.02.10.05/.07	21
Elvax-vinyl resin 460—an ethylene vinyl acetate, liquid or pasty or in blocks, lumps, powders, granules, flakes and similar bulk forms	39.02.10.05/.07	61
Elvax-vinyl resin 260—an ethylene vinyl acetate, liquid or pasty or in blocks, lumps, powders, granules, flakes and similar bulk forms	39.02.10.05/.07	62
Montothene G 50/23—an ethylene vinyl acetate, liquid or pasty or in blocks, lumps, powders, granules, flakes and similar bulk forms	39.02.10.05/.07	63
Evaflex EVA resin—an ethylene vinyl acetate, liquid or pasty or in blocks, lumps, powders, granules, flakes and similar bulk forms	39.02.10.05/.07	74
Nipoflex No. 631—an ethylene vinyl acetate, liquid or pasty or in blocks, lumps, powders, granules, flakes and similar bulk forms	39.02.10.05/.07	87
Levapren 450—an ethylene vinyl acetate, liquid or pasty or in blocks, lumps, powders, granules, flakes and similar bulk forms	39.02.10.05/.07	120

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Description of goods	*Tariff heading/ subheading*	*Determination No.*
Elvax 4355 (Stock 914)—an ethylene vinyl acetate, liquid or pasty or in blocks, lumps, powders, granules, flakes and similar bulk forms	39.02.10.05/.07	141
Levapren 456—an ethylene vinyl acetate, liquid or pasty or in blocks, lumps, powders, granules, flakes and similar bulk forms	39.02.10.05/.07	233
Levapren 400—an ethylene vinyl acetate, liquid or pasty or in blocks, lumps, powders, granules, flakes and similar bulk forms	39.02.10.05/.07	302
The following replace the existing determinations with effect from 7 August 1987:		
Thermofoil thermal insulating material for insulating roofs, walls, etc.—unprinted aluminium foil, backed	76.04.20.90	2
Alkreflex insulating material—unprinted aluminium foil, not backed	76.04.20.80	3
The following replace the existing determinations with effect from 11 September 1987:		
Vatra type 225 DK button cells, rechargeable—nickel-cadmium accumulators	85.04.35	1
Rechargeable battery pack consisting of a battery holder containing 8 nickel-cadmium batteries—a nickel-cadmium accumulator	85.04.35	2
Accumulators, 6 or 12 V, suitable for use with radios or motor vehicles, imported for the recovery of lead	85.04.15	3
Hewlett Packard battery pack No. 82001A—a nickel-cadmium accumulator	85.04.35	6
The following replace the existing determinations with effect from 25 September 1987:		
Dino children's bicycles models 102, 105, 207, 212 and 213—wheeled toys	97.01.15.10/.20/.30	1
Dino model 109 children's cycle—wheeled toy	97.01.15.10/.20/.30	8
The following replace the existing determinations with effect from 9 October 1987:		
Komakrin—a lubricating preparation for the treatment of textiles	34.03.90.10	1
Akawax—a lubricating grease	34.03.90.30	2
Priamus Drawing Compounds R—a lubricating preparation	34.03.90.20	3
121 Wax Cut concentrate—a lubricating preparation	34.03.20.90	4
Lubrol Mox—a lubricating preparation for the treatment of textiles	34.03.90.10	5
Rocol RL-5—a lubricating preparation	34.03.90.20	6
Guardian Transgard H and L—lubricating greases	34.03.20.20	7
Guardian Linkgard GL—a lubricating grease	34.03.20.20	8
Guardian Fluorogard P3—a lubricating grease	34.03.20.20	9
Guardian Ferrogard G2—a lubricating grease	34.03.20.20	10
Silicone Release Agent Bayer M—a lubricating preparation	34.03.90.90	11
Ambiflo L. 317—a lubricating preparation	34.03.90.20	12
Muzin M. 2000—a lubricating preparation	34.03.20.90	13
Molykote G Rapid Spray—a lubricating preparation	34.03.20.90	14
Molykote 321 R Spray—a lubricating preparation	34.03.20.90	15
Mac 60 metal cutting fluid—a lubricating preparation	34.03.90.20	16
Levaform SI-V—a mould release agent	34.03.90.90	17
Nopcostat 092—a lubricating preparation for the treatment of textiles	34.03.90.10	18
Sil-Glyde—a lubricating grease	34.03.20.20	19
Door-Ease—a lubricating grease	34.03.20.20	20
Dow Corning DC Q2-4001—a sewing thread lubricant	34.03.90.20	21
Odin EE10—a lubricating preparation	34.03.90.90	22
Aerolex—a lubricating preparation	34.03.90.20	23
DC Releasil 66 emulsion—a mould release agent	34.03.90.90	24
Filapan DT 103 SA—a lubricating preparation for the treatment of textiles	34.03.90.10	25
DC Releasil 7—a mould release agent	34.03.90.90	26
DC 36 emulsion—a lubricating preparation	34.03.90.90	27
Oxytex 80—a lubricating preparation for the treatment of textiles	34.03.90.10	29
Bevaloid 5708—a lubricating preparation	34.03.90.20	30
Vickers 7844 concentrate—a lubricating preparation for the treatment of textiles	34.03.90.10	31
Fluorplast 82 P.T.F.E. spray—a lubricating preparation	34.03.90.20	32
Molykote 44 medium silicone grease—a lubricating grease	34.03.90.30	33
Lubrifilm—a lubricating grease	34.03.20.20	34
Isoflex Super LDS 18—a lubricating preparation for the treatment of textiles	34.03.90.10	35
Anderol diester synthetic compressor lubricant—a lubricating preparation	34.03.90.20	36
Aeroshell grease 7—a lubricating grease	34.03.20.20	37
Aeroshell Compound 08—a lubricating grease	34.03.20.20	38
Shell Dentex W/Tivella WA/WB—a lubricating preparation	34.03.20.90	39
Shell Coerena Oil T—a lubricating preparation	34.03.20.90	40

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Description of goods	*Tariff heading/ subheading*	*Determination No.*
Shell Tivella Compound A—a lubricating grease	34.03.20.20	41
Shell ET grease—a lubricating grease	34.03.20.20	42
Serck audio lubricants No's 147, 555, 563, 731, 733, 734 and 735—lubricating greases	34.03.20.20	43
Oxigenoex S4—a lubricating grease	34.03.90.30	44
Filapan SA Special—a lubricating preparation for the treatment of textiles	34.03.90.10	45
Syntemp lubricant type 9901—a lubricating preparation	34.03.90.20	46
Shell SD refrigerator oil—a lubricating preparation	34.03.20.90	47
Mobil Pyrolube A—a lubricating preparation containing 54,8% petroleum oil by mass	34.03.20.90	48
Ensital FM—a lubricating preparation for the treatment of textiles	34.03.90.10	54
Master Draw No. 426—a lubricating preparation	34.03.90.20	55
Kal-Guard Gun-Kote, a heat cured dry film lubricant used to coat military weapons—a lubricating preparation	34.03.90.20	56
Curtis S7, a coolant used with the turning of hard material—a lubricating preparation	34.03.20.90	57
Cilchem 300—a mould release agent with a basis of silicone	34.03.90.90	58
Easy Cook—a mould release agent, being an oil or fat substitute used in cooking food	34.03.90.90	59
Du Pont Viton VPA No. 1—a mould release agent	34.03.90.90	60
Aeroshell W multigrade 15W/50 engine lubricating oil—a lubricating preparation	34.03.20.90	62
Chesterton aluminium tapping compound—a lubricating preparation	34.03.20.90	63
Lubriplate A and B—lubricating preparations	34.03.20.90	64
OKS 240 copper grease—a lubricating preparation	34.03.20.90	66
Fuchs Ratak MEP 19 cutting oil used with machine tools—a lubricating preparation	34.03.20.90	67
Tego emulsion 2378—a lubricating preparation for the treatment of textiles	34.03.90.10	68
Lipoderm Liquor SA—a lubricating preparation for the treatment of textiles	34.03.90.10	69
Acmosil 149 BC, 180, 363-20, Fluoricon 271-7, 271-44-20 and 37-359—mould release agents	34.03.90.90	70
2. Amendments to determinations in terms of section 47 (9) (d) of the Customs and Excise Act (Act 91 of 1964):		
The following determination is withdrawn with effect from 18 August 1987:		
	25.23	11
The following determinations are withdrawn with effect from 27 August 1987:		
	91.05	10
	91.05	14
Determination No. 20 under tariff heading No. 91.05 is withdrawn with effect from 27 August 1987 and replaced by the following determination:		
My Belltime 60-minute timer with alarm, attached to a key ring—other articles of iron or steel	73.40.99	229
The following replaces the existing determination with effect from 28 August 1987:		
Novilon—floor covering of vinyl chloride polymers backed with asbestos	39.02.51.05/.15	107
Determination No. 108 under tariff heading No. 84.53 is withdrawn with effect from 30 September 1987 and replaced by the following determination:		
Xerox 9700 electronic printing system—photo-copying apparatus	84.35	56
Determination No. 480 under tariff heading No. 90.28 is withdrawn with effect from 1 September 1987 and replaced by the following determination:		
Walker SAT-NAV801 satellite navigation system—radio navigational aid apparatus, radar apparatus	85.19.69	194
Determination No. 23 under tariff heading No. 84.63 is withdrawn with effect from 16 September 1987 and replaced by the following determination:		
Pulley part No. 899143M91 used on Massey Ferguson tractors to drive implements, hammermills, water pumps, etc.—tractor part	87.06.90.10	39
Determination No. 24 under tariff heading No. 84.63 is withdrawn with effect from 16 September 1987 and replaced by the following determination:		
Hub City splined adaptors for tractor power take off shafts—tractor parts	87.06.90.10	40
The following replace the existing determination with effect from 16 September 1987:		
Torque tubes part No. Vj0985—parts of wheel hubs	87.06.90.90	25

No. R. 2634 **27 November 1987**

WOEKERWET, 1968 (WET 73 VAN 1968)

REGULASIES BEOOG IN ARTIKELS 2 (1) (a), (1) (b) EN (1) (c), (2) EN (3)

Die Minister van Finansies het kragtens artikel 16 van die Woekerwet, 1968 (Wet 73 van 1968), die regulasies vervat in die Bylae uitgevaardig.

BYLAE

1. Vir doeleindes van artikel 2 (1) (a) van die Woekerwet, 1968 (Wet 73 van 1968) (hieronder in hierdie Regulasies die Wet genoem), is die ander persentasie en die ander

No. R. 2634 **27 November 1987**

USURY ACT, 1968 (ACT 73 OF 1968)

REGULATIONS CONTEMPLATED IN SECTIONS 2 (1) (a), (1) (b) AND (1) (c), (2) AND (3)

The Minister of Finance has under section 16 of the Usury Act, 1968 (Act 73 of 1968), made the regulations contained in the Schedule.

SCHEDULE

1. For the purposes of section 2 (1) (a) of the Usury Act, 1968 (Act 73 of 1968) (hereinafter in these Regulations referred to as the Act), the other precentage and the other

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geldsom beoog in daardie artikel, 23,0 persent ten opsigte van geldleningstransaksies wat nie R4 000 oorskry nie.

2. Vir doeleindes van paragrawe (b) en (c) van artikel 2 (1) van die Wet is die ander persentasie en die ander geldsom beoog in daardie paragrawe, in die geval van elke paragraaf, onderskeidelik, 20,0 persent ten opsigte van geldleningstransaksies wat R4 000 oorskry.

3. Vir doeleindes van artikel 2 (2) van die Wet is die verskillende persentasies beoog in daardie artikel, 23,0 persent ten opsigte van krediettransaksies van geldwaardes van die hoofskuld wat nie R4 000 oorskry nie, en 20,0 persent ten opsigte van krediettransaksies van geldwaardes van die hoofskuld wat R4 000 oorskry.

4. Vir doeleindes van artikel 2 (3) van die Wet is die verskillende persentasies beoog in daardie artikel, 23,0 persent ten opsigte van huurtransaksies van geldwaardes van die hoofskuld wat nie R4 000 oorskry nie, en 20,0 persent ten opsigte van huurtransaksies van geldwaardes van die hoofskuld wat R4 000 oorskry.

5. Hierdie Regulasies tree in werking op 4 Desember 1987.

6. Regulasies 1, 2, 3 en 4 van die regulasies wat by Goewermentskennisgewing R. 141 van 23 Januarie 1987 gepubliseer is, word hierby met ingang van 4 Desember 1987 herroep.

DEPARTEMENT VAN JUSTISIE

No. R. 2642 **27 November 1987**

WYSIGING VAN DIE REËLS WAARBY DIE VERRIGTINGS VAN DIE VERSKILLENDE PROVINSIALE EN PLAASLIKE AFDELINGS VAN DIE HOOGGEREGSHOF VAN SUID-AFRIKA GEREËL WORD

Die Reëlsraad vir Geregshowe het kragtens artikel 6 van die Wet op die Reëlsraad vir Geregshowe, 1985 (Wet 107 van 1985), met die goedkeuring van die Minister van Justisie, die wysigings van die Hofreëls wat vervat is in paragrawe 1 tot en met 41, en paragraaf 43 (1), (3) en (4), van Goewermentskennisgewing R. 2164 van 2 Oktober 1987 met ingang van 31 Desember 1987 herroep, en die Hofreëls, afgekondig by Goewermentskennisgewing R. 48 van 12 Januarie 1965, soos gewysig, gewysig soos hieronder uiteengesit.

1. Die wysiging van die Inhoudsopgawe deur—

(a) die vervanging van die woorde "Geregtelike inbetaling" deur die woord "Skikkingsaanbod" waar dit teenoor reël 34 voorkom;

(b) die invoeging van die uitdrukking "34A—Tussentydse betalings" na reël 34;

(c) die vervanging van die woorde "Herstel van huweliksregte" deur die woorde "Onbestrede egskeidingsaksies" waar dit teenoor reël 44 voorkom; en

(d) die vervanging van die woorde "Appèlle na die volle hof" deur die woorde "Appèlle van die Hooggeregshof" waar dit teenoor reël 49 voorkom.

2. Die wysiging van reël 3*bis* deur—

(a) die invoeging na paragraaf (b) van subreël (1) van die volgende paragraaf:

"(bA) indien hy voorheen as prokureur toegelaat was of gepraktiseer het, 'n sertifikaat van die prokureursorde van die provinsie waarin hy aldus toegelaat was of gepraktiseer het, tot die effek dat hy, na die oordeel van die betrokke orde, 'n geskikte en gepaste persoon is, by die griffier inlewer;";

sum of money contemplated in that section shall be 23,0 per cent in respect of money lending transactions not exceeding R4 000.

2. For the purposes of paragraphs (b) and (c) of section 2 (1) of the Act, the other percentage and the other sum of money contemplated in those paragraphs, respectively, shall in the case of each paragraph be 20,0 per cent in respect of money lending transactions exceeding R4 000.

3. For the purposes of section 2 (2) of the Act, the different percentages contemplated in that section shall be 23,0 per cent in respect of credit transactions of money values of the principal debt not exceeding R4 000, and 20,0 per cent in respect of credit transactions of money values of the principal debt exceeding R4 000.

4. For the purposes of section 2 (3) of the Act, the different percentages contemplated in that section shall be 23,0 per cent in respect of leasing transactions of money values of the principal debt not exceeding R4 000, and 20,0 per cent in respect of leasing transactions of money values of the principal debt exceeding R4 000.

5. These Regulations shall come into operation on 4 December 1987.

6. Regulations 1, 2, 3 and 4 of the regulations published under Government Notice R. 141 of 23 January 1987 are hereby repealed with effect from 4 December 1987.

DEPARTMENT OF JUSTICE

No. R. 2642 **27 November 1987**

AMENDMENT OF THE RULES REGULATING THE CONDUCT OF THE PROCEEDINGS OF THE SEVERAL PROVINCIAL AND LOCAL DIVISIONS OF THE SUPREME COURT OF SOUTH AFRICA

The Rules Board for Courts of Law has, under section 6 of the Rules Board for Courts of Law Act, 1985 (Act 107 of 1985), with the approval of the Minister of Justice, with effect from 31 December 1987 repealed the amendments of the Rules of Court contained in paragraphs 1 to 41, inclusive, and paragraph 43 (1), (3) and (4), of Government Notice R. 2164 dated 2 October 1987, and has amended the Rules of Court, published by Government Notice R. 48 dated 12 January 1965, as amended, as set out hereunder.

1. The amendment of the Index by—

(a) the substitution for the words "Payment into court" of the words "Offer to settle" where it appears opposite rule 34;

(b) the insertion of the expression "34A—Interim payments." after rule 34;

(c) the substitution for the words "Restitution of conjugal rights" of the words "Undefended divorce actions" where it appears opposite rule 44; and

(d) the substitution for the words "Appeals to the full court" of the words "Appeals from the Supreme Court" where it appears opposite rule 49.

2. The amendment of rule 3*bis* by—

(a) the insertion after paragraph (b) of sub-rule (1) of the following paragraph:

"(bA) if he previously was admitted or practised as an attorney, submit to the registrar a certificate from the law society of the province in which he was so admitted or practised to the effect that, in the opinion of the law society concerned, he is a fit and proper person;";

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(b) die vervanging van paragraaf (c) van subreël (1) deur die volgende paragraaf:

"(c) 'n afskrif van die in paragrawe (a), (b) en (bA) bedoelde stukke en beëdigde verklaring aan die Sekretaris van die Balieraad of die Vereniging van Advokate van die betrokke afdeling beteken.";

(c) die skrapping van subreël (2);

(d) die vervanging van subreël (3) deur die volgende subreël:

"(3) Indien die applikant te eniger tyd voor die aanhoor van die aansoek enige ander stukke of verklarings as die in paragrawe (b) en (bA) van subreël (1) bedoelde stukke of verklarings by die griffier inlewer, moet hy onverwyld 'n afskrif daarvan aan die Sekretaris van die Balieraad of die Vereniging van Advokate van die betrokke afdeling beteken."; en

(e) die skrapping van subreël (4).

3. Die wysiging van reël 6 deur die vervanging van subreël (2) deur die volgende subreël:

"(2) Wanneer regshulp teen iemand geëis word of waar dit nodig of wenslik is om iemand kennis van 'n aansoek te gee, word die kennisgewing van mosie aan sowel die griffier as die betrokke persoon gerig; anders net aan die griffier.".

4. Die wysiging van reël 7 deur—

(a) die vervanging van subreël (1) deur die volgende subreël:

"(1) Behoudens die bepalings van subreëls (2) en (3) hoef 'n prokurasie om op te tree nie ingedien te word nie, maar die bevoegdheid van enigeen wat namens 'n party optree, kan deur enige ander party binne 10 dae nadat hy te wete gekom het dat sodanige persoon aldus optree, of met verlof van die hof by aanvoering van goeie gronde te eniger tyd voor vonnis, betwis word en daarna kan sodanige persoon nie verder optree nie alvorens hy die hof oortuig het dat hy bevoeg is om aldus op te tree, en ten einde hom daartoe in staat te stel, kan die hof die verhoor van die aksie of aansoek uitstel."; en

(b) die vervanging van subreël (2) deur die volgende subreël:

"(2) Die griffier plaas nie 'n appèl op instansie van 'n prokureur ter rolle nie tensy die prokureur 'n prokurasie ingedien het wat hom daartoe magtig, en sodanige prokurasie word met die aansoek om 'n verhoordatum ingedien."; en

(c) die vervanging van subreël (3) deur die volgende subreël:

"(3) Enige prokureur wat 'n advokaat opdrag gee om in 'n appèl namens enige ander party as 'n party wat die appèl ter rolle geplaas het op te tree, moet voor die verhoor daarvan 'n prokurasie waarby hy gemagtig word om dit te doen, by die griffier indien.".

5. Die wysiging van reël 9 deur—

(a) die vervanging van subreël (8) deur die volgende subreël:

"(8) As die verweerder of enigeen namens hom by arres aan die balju of sy adjunk voldoende sekerheid stel by wyse van 'n borgakte of on-

(b) the substitution for paragraph (c) of sub-rule (1) of the following paragraph:

"(c) serve a copy of the documents and affidavit referred to in paragraphs (a), (b) and (bA) on the Secretary of the Bar Council or the Society of Advocates of the division concerned.";

(c) the deletion of sub-rule (2);

(d) the substitution for sub-rule (3) of the following sub-rule:

"(3) If the applicant at any time prior to the hearing of the application delivers any documents or declarations, other than the documents or affidavit referred to in paragraphs (b) and (bA) of sub-rule (1), to the registrar, he shall forthwith serve a copy thereof on the Secretary of the Bar Council or the Society of Advocates of the division concerned."; and

(e) the deletion of sub-rule (4).

3. The amendment of rule 6 by the substitution for sub-rule (2) of the Afrikaans text of the following sub-rule:

"(2) Wanneer regshulp teen iemand geëis word of waar dit nodig of wenslik is om iemand kennis van 'n aansoek te gee, word die kennisgewing van mosie aan sowel die griffier as die betrokke persoon gerig; anders net aan die griffier.".

4. The amendment of rule 7 by—

(a) the substitution for sub-rule (1) of the following sub-rule:

"(1) Subject to the provisions of sub-rules (2) and (3) a power of attorney to act need not be filed, but the authority of anyone acting on behalf of a party may, within 10 days after it has come to the notice of a party that such person is so acting, or with the leave of the court on good cause shown at any time before judgment, be disputed, whereafter such person may no longer act unless he satisfies the court that he is authorised so to act, and to enable him to do so the court may postpone the hearing of the action or application.";

(b) the substitution for sub-rule (2) of the following sub-rule:

"(2) The registrar shall not set down any appeal at the instance of an attorney unless such attorney has filed with the registrar a power of attorney authorising him to appeal and such power of attorney shall be filed together with the application for a date of hearing."; and

(c) the substitution for sub-rule (3) of the following sub-rule:

"(3) An attorney instructing an advocate to appear in an appeal on behalf of any party other than a party who has caused the appeal to be set down shall, before the hearing thereof, file with the registrar a power of attorney authorising him so to act.".

5. The amendment of rule 9 by—

(a) the substitution for sub-rule (8) of the following sub-rule:

"(8) If on arrest the defendant or anyone on his behalf gives to the sheriff or his deputy adequate security by bond or obligation of the

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derneming van die verweerder en van 'n ander persoon wat in die Republiek woon en voldoende middele hier het, dat die verweerder sal verskyn soos in die lasbrief bepaal en die vonnis van die hof daarop sal afwag, of as die verweerder aan die balju of sy adjunk die bedrag betaal of die saak oorhandig wat in die lasbrief genoem word tesame met die koste daarop geëndosseer en koste van die tenuitvoerlegging van die lasbrief soos voorgeskryf, ontslaan die balju of sy adjunk hom. Die bedoelde borgakte of onderneming word bewoord so na moontlik soos Vorm 5 in die Eerste Bylae: Met dien verstande dat die persoonlike borgakte van die verweerder sonder meer voldoende is as daarby ook die geëiste bedrag of saak gedeponeer word saam met koste soos voormeld, en die deposito as een van die voorwaardes in die borgakte genoem word."; en

(b) die vervanging van subreël (13) deur die volgende subreël:

"(13) As die verweerder op die keerdatum of vervroegde keerdatum die geheel of 'n gedeelte van die eis erken, kan die hof die partye aanhoor en in sy diskresie finale vonnis vir die bedrag wat erken is teen hom gee, waarop hy vrygelaat word.".

6. Die vervanging van reël 12 deur die volgende reël:

"12. Iemand wat geregtig is om as mede-eiser op te tree of blootstaan aan voeging as verweerder in 'n aksie, kan na kennisgewing aan alle partye in enige stadium van die verrigtinge aansoek doen om verlof om as 'n eiser of 'n verweerder toe te tree. Die hof kan op so 'n aansoek na goeddunke 'n bevel gee, ook wat koste betref, en die verdere prosedure in die aksie voorskryf.".

7. Die wysiging van reël 14 deur—

(a) die vervanging van die omskrywing van "firma" in subreël (1) deur die volgende omskrywing:

" 'firma' 'n besigheid, insluitende 'n besigheid wat deur 'n regspersoon bedryf word, wat deur die alleeneienaar daarvan onder 'n ander naam as sy eie bedryf word;";

(b) die vervanging van subreël (2) deur die volgende subreël:

"(2) 'n Vennootskap, 'n firma of 'n vereniging kan in sy naam dagvaar of gedagvaar word.";

(c) die vervanging van paragraaf (a) van subreël (5) deur die volgende paragraaf:

"(a) 'n Eiser wat 'n firma of 'n vennootskap dagvaar, kan te eniger tyd voor of na vonnis 'n kennisgewing aan die verweerder wat aldus gedagvaar is, aflewer waarin die volle naam en woonadres van die eienaar of van elke vennoot, na gelang van die geval, soos op die betrokke datum, aangevra word.";

(d) die vervanging van paragraaf (b) van subreël (5) deur die volgende paragraaf:

"(b) Die verweerder moet binne 10 dae 'n kennisgewing met die gevraagde inligting aflewer.";

(e) die vervanging van paragraaf (a) van subreël (9) deur die volgende paragraaf:

"(a) 'n Eiser wat 'n vereniging dagvaar, kan te eniger tyd voor of na vonnis 'n kennisgewing aan die verweerder wat aldus gedagvaar is,

said defendant and of another person residing and having sufficient means within the Republic that the defendant will appear according to the exigency of the said writ, and will abide the judgment of the court thereon, or if the said defendant pays or delivers to the sheriff or his deputy the sum of money or thing mentioned in the said writ, together with the costs endorsed thereon and costs of the execution of the writ as prescribed, the sheriff or his deputy shall permit the defendant to go free of the said writ of arrest. The bond or obligation to be given to the sheriff or his deputy under this rule shall be as near as may be in accordance with Form 5 of the First Schedule: Provided that the personal bond of the defendant without a surety shall be sufficient for the purposes of this rule if accompanied by a deposit of the amount or thing claimed and costs as aforesaid, such deposit being referred to in the bond as one of the conditions thereof."; and

(b) the substitution for sub-rule (13) of the following sub-rule:

"(13) If on the return day or anticipated return day the defendant admits the whole or a part of the plaintiff's claim, the court may hear the parties and in its discretion give final judgment against him for the amount admitted, whereupon he shall be released.".

6. The substitution for rule 12 of the Afrikaans text of the following rule:

"12. Iemand wat geregtig is om as mede-eiser op te tree of blootstaan aan voeging as verweerder in 'n aksie, kan na kennisgewing aan alle partye in enige stadium van die verrigtinge aansoek doen om verlof om as 'n eiser of 'n verweerder toe te tree. Die hof kan op so 'n aansoek na goeddunke 'n bevel gee, ook wat koste betref, en die verdere prosedure in die aksie voorskryf.".

7. The amendment of rule 14 by—

(a) the substitution for the definition of "Firm" in sub-rule (1) of the following definition:

" 'Firm' means a business, including a business carried on by a body corporate, carried on by the sole proprietor thereof under a name other than his own;";

(b) the substitution for sub-rule (2) of the Afrikaans text of the following sub-rule:

"(2) 'n Vennootskap, 'n firma of 'n vereniging kan in sy naam dagvaar of gedagvaar word.";

(c) the substitution for paragraph (a) of sub-rule (5) of the following paragraph:

"(a) A plaintiff suing a firm or a partnership may at any time before or after judgment deliver to the defendant a notice calling for particulars as to the full name and residential address of the proprietor or of each partner, as the case may be, as at the relevant date.";

(d) the substitution for paragraph (b) of sub-rule (5) of the following paragraph:

"(b) The defendant shall within 10 days deliver a notice containing such information.";

(e) the substitution for paragraph (a) of sub-rule (9) of the following paragraph:

"(a) A plaintiff suing an association may at any time before or after judgment deliver a notice to the defendant calling for a true copy of its

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aflewer waarin 'n ware afskrif van sy geldende konstitusie en 'n lys van die name en adresse van die ampsdraers en hul onderskeie ampte soos op die betrokke datum, aangevra word."; en

(f) die vervanging van paragraaf (b) van subreël (9) deur die volgende paragraaf:

"(b) Aan so 'n kennisgewing moet binne 10 dae voldoen word.".

8. Die wysiging van reël 16 deur—

(a) die vervanging van subreël (1) deur die volgende subreël:

"(1) As 'n prokureur namens 'n party in enige verrigtinge optree, moet hy kennis van sy naam en adres aan alle ander partye gee.";

(b) die vervanging van subreël (2) deur die volgende subreël:

"(2) (a) 'n Party wat in enige verrigtinge deur 'n prokureur verteenwoordig word, kan te eniger tyd, behoudens die bepalings van reël 40, so 'n prokureur se magtiging om namens hom op te tree, opsê en daarna persoonlik optree of 'n ander prokureur aanstel, waarna hy onverwyld aan die griffier en aan alle ander partye kennis moet gee van die opsegging en as hy 'n ander prokureur aangestel het, van laasgenoemde se naam en adres.

(b) As die bedoelde party nie 'n ander prokureur aanstel nie, moet die party in die kennisgewing van opsegging ook 'n adres aangee wat binne 8 kilometer van die kantoor van die griffier is, of, indien hy iemand is wat kragtens enige wet verbied word om die okkupeerder te wees van grond of 'n perseel wat binne 'n afstand van 8 kilometer van bedoelde kantoor geleë is, kan hy 'n adres verder as 8 kilometer van bedoelde kantoor, maar binne die landdrosdistrik waarin bedoelde kantoor geleë is, aangee vir die betekening aan hom van alle dokumente in die verrigtinge.";

(c) die vervanging van subreël (3) deur die volgende subreël:

"(3) By ontvangs van 'n kennisgewing ingevolge subreël (1) of (2) word die adres van die prokureur of van die party, na gelang van die geval, die adres vir die betekening aan hom van alle dokumente in die verrigtinge, maar 'n betekening behoorlik uitgevoer op 'n ander plek voor die ontvangs van so 'n kennisgewing is ondanks die verandering vir alle doeleindes geldig, tensy die hof anders gelas."; en

(d) die vervanging van subreël (4) deur die volgende subreël:

"(4) (a) 'n Prokureur wat in enige verrigtinge ophou om 'n party te verteenwoordig, moet onverwyld aan sodanige party, die griffier en alle ander partye kennisgewing daarvan aflewer: Met dien verstande dat kennisgewing aan die party wat hy verteenwoordig het per aangetekende pos mag geskied.

current constitution and a list of the names and addresses of the office-bearers and their respective offices as at the relevant date."; and

(f) the substitution for paragraph (b) of sub-rule (9) of the following paragraph:

"(b) Such notice shall be complied with within 10 days.".

8. The amendment of rule 16 by—

(a) the substitution for sub-rule (1) of the following sub-rule:

"(1) If an attorney acts on behalf of any party in any proceedings, he shall notify all other parties of his name and address.";

(b) the substitution for sub-rule (2) of the following sub-rule:

"(2) (a) Any party represented by an attorney in any proceedings may at any time, subject to the provisions of rule 40, terminate such attorney's authority to act for him, and thereafter act in person or appoint another attorney to act for him therein, whereupon he shall forthwith give notice to the registrar and to all other parties of the termination of his former attorney's authority and if he has appointed a further attorney so to act for him, of the latter's name and address.

(b) If such party does not appoint a further attorney, such party shall in the notice of termination of his former attorney's authority also notify all other parties of an address within 8 kilometres of the office of the registrar, or, if he is a person who is in terms of any law prohibited from being the occupier of land or premises within the distance of 8 kilometres of such office, may notify an address further than 8 kilometres from such office but within the magisterial district in which such office is situated, for the service on him of all documents in such proceedings.";

(c) the substitution for sub-rule (3) of the following sub-rule:

"(3) Upon receipt of a notice in terms of sub-rule (1) or (2) the address of the attorney or of the party, as the case may be, shall become the address of such party for the service upon him of all documents in such proceedings, but any service duly effected elsewhere before receipt of such notice shall, notwithstanding such change, for all purposes be valid, unless the court orders otherwise."; and

(d) the substitution for sub-rule (4) of the following sub-rule:

"(4) (a) Where an attorney acting in any proceedings for a party ceases so to act, he shall forthwith deliver notice thereof to such party, the registrar and all other parties: Provided that notice to the party for whom he acted may be given by registered post.

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(b) Na sodanige kennisgewing hoef geen dokumente meer aan die party wat voorheen verteenwoordig is, beteken te word nie, tensy hy self binne 10 dae na die datum van so 'n kennisgewing alle ander partye kennis gee van 'n nuwe adres van betekening soos bedoel in subreël (2), of tensy die hof anders gelas: Met dien verstande dat enigeen van die ander partye voor ontvangs van die kennisgewing van sy nuwe adres vir betekening, enige dokumente op die party wat voorheen verteenwoordig was, mag beteken.

(c) Die kennisgewing aan die griffier moet die name en adresse van die partye aan wie kennis gegee is, die datum wanneer en die wyse waarop die kennisgewing aan hulle gestuur is, vermeld.

(d) Die kennisgewing aan die party wat voorheen verteenwoordig is, moet die bedoelde party op die bepalings van paragraaf (b) wys.".

9. Die wysiging van reël 17 deur die vervanging van paragraaf (b) van subreël (1) deur die volgende paragraaf:

"(b) as die dagvaarding 'n gekombineerde dagvaarding is, binne 20 dae daarna 'n pleit (met of sonder teeneis), 'n eksepsie of 'n aansoek om deurhaling moet aflewer.".

10. Die wysiging van reël 18 deur—

(a) die vervanging van subreël (6) deur die volgende subreël:

"(6) 'n Party wat in sy pleitstuk op 'n kontrak steun, moet meld of die kontrak skriftelik of mondeling is en wanneer, waar en deur wie dit gesluit is, en as die kontrak skriftelik is, moet 'n ware afskrif daarvan of van die gedeelte waarop in die pleitstuk gesteun word, by die pleitstuk aangeheg word.";

(b) die vervanging van subreël (8) deur die volgende subreël:

"(8) 'n Party wat vir egskeiding dagvaar of 'n teeneis instel, moet, waar tyd, datum en plek of enige ander persoon of persone ter sake of betrokke is, besonderhede daarvan in die betrokke pleitstuk vermeld.";

(c) die vervanging van subreël (9) deur die volgende subreël:

"(9) 'n Party wat 'n verdeling, oordrag of verbeuring van bates eis in 'n egskeidingsgeding ten aansien van 'n huwelik buite gemeenskap van goed, moet besonderhede verstrek van die gronde waarop daar beweer word dat hy op sodanige verdeling, oordrag of verbeuring geregtig is.";

(d) die vervanging van subreël (10) deur die volgende subreël:

"(10) 'n Eiser wat vir skadevergoeding dagvaar, moet die skade so uiteensit dat die verweerder redelik in staat is om die *quantum* daarvan te skat: Met dien verstande dat 'n eiser wat vergoeding vir persoonlike beserings eis, sy geboortedatum, die aard en omvang van die beserings en die aard, gevolge en duur van die ongeskiktheid wat na bewering die skade veroorsaak, moet aangee en sover doenlik afsonderlik moet meld hoeveel, indien enige, geëis word vir—

(a) mediese koste en hospitaal- en ander soortgelyke uitgawes en hoe daardie koste en uitgawes saamgestel is;

(b) After such notice, unless the party formerly represented within 10 days after the notice, himself notifies all other parties of a new address for service as contemplated in sub-rule (2), it shall not, be necessary to serve any documents upon such party unless the court otherwise orders: Provided that any of the other parties may before receipt of the notice of his new address for service of documents, serve any documents upon the party who was formerly represented.

(c) The notice to the registrar shall state the names and addresses of the parties notified and the date on which and the manner in which the notice was sent to them.

(d) The notice to the party formerly represented shall inform the said party of the provisions of paragraph (b).".

9. The amendment of rule 17 by the substitution for paragraph (b) of the sub-rule (1) of the following paragraph:

"(b) thereafter, if the summons is a combined summons, within 20 days after giving such notice, deliver a plea (with or without a claim in reconvention), an exception or an application to strike out.".

10. The amendment of rule 18 by—

(a) the substitution for sub-rule (6) of the following subrule:

"(6) A party who in his pleading relies upon a contract shall state whether the contract is written or oral and when, where and by whom it was concluded, and if the contract is written a true copy thereof or of the part relied on in the pleading shall be annexed to the pleading.";

(b) the substitution for sub-rule (8) of the following subrule:

"(8) A party suing or bringing a claim in reconvention for divorce shall, where time, date and place or any other person or persons are relevant or involved, give details thereof in the relevant pleading.";

(c) the substitution for sub-rule (9) of the following subrule:

"(9) A party claiming division, transfer or forfeiture of assets in divorce proceedings in respect of a marriage out of community of property, shall give details of the grounds on which he claims that he is entitled to such division, transfer or forfeiture.";

(d) the substitution for sub-rule (10) of the following subrule:

"(10) A plaintiff suing for damages shall set them out in such a manner as will enable the defendant reasonably to assess the quantum thereof: Provided that a plaintiff suing for damages for personal injury shall specify his date of birth, the nature and extent of the injuries, and the nature, effects and duration of the disability alleged to give rise to such damages, and shall as far as practicable state separately what amount, if any, is claimed for—

(a) medical costs and hospital and other similar expenses and how these costs and expenses are made up;

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(b) pyn en lyding, met vermelding of dit tydelik of permanent is en watter beserings daarvoor verantwoordelik is;

(c) ongeskiktheid ten opsigte van—

(i) verdienste (met vermelding van die verdienste tot op datum verloor en hoe die bedrag saamgestel is en die beraamde toekomstige verlies en die aard van die werk wat die eiser in die toekoms sal kan verrig);

(ii) lewensgenietinge (met vermelding van besonderhede);

en met vermelding of die betrokke ongeskiktheid tydelik of permanent van aard is; en

(d) skending, met 'n volledige beskrywing daarvan en met vermelding of dit tydelik of permanent is."; en

(e) die invoeging na subreël (10) van die volgende subreëls:

"(11) 'n Eiser wat vir skadevergoeding weens die dood van 'n ander dagvaar, moet die datum van geboorte van die oorledene asook van diegene wat as gevolg van die dood skadevergoeding eis, vermeld.

(12) Indien 'n party versuim om te voldoen aan enige van die bepalings van hierdie reël, word sodanige pleitstuk geag 'n onreëlmatige stap te wees en is die teenparty geregtig om kragtens reël 30 op te tree.".

11. Die wysiging van reël 19 deur—

(a) die vervanging van subreël (1) deur die volgende subreël:

"(1) Behoudens die bepalings van artikel 27 van die Wet, word aan die verweerder in elke siviele aksie 10 dae na betekening van 'n dagvaardiging aan hom verleen waarbinne hy 'n kennisgewing van voorneme om te verdedig, hetsy persoonlik of deur sy prokureur, kan aflewer: Met dien verstande dat die dae van 16 Desember af tot en met 15 Januarie nie ingereken word by die toegestane tyd om 'n kennisgewing van voorneme om te verdedig af te lewer nie.";

(b) die vervanging van subreël (2) deur die volgende subreël:

"(2) In aksies teen 'n Minister, Adjunk-minister, Administrateur, amptenaar of werknemer van die Staat, in sy amptelike hoedanigheid, die Staat, die administrasie van 'n provinsie, die Administrasie van die gebied Suidwes-Afrika of die Suid-Afrikaanse Vervoerdienste moet minstens 20 dae kennisgewing na betekening van die dagvaarding toegelaat word vir aflewering van 'n kennisgewing van voorneme om te verdedig, tensy die hof 'n korter tydperk gemagtig het.";

(c) die vervanging van subreël (3) deur die volgende subreël:

"(3) 'n Verweerder se kennisgewing van voorneme om te verdedig moet sy volle woon- of besigheidsadres bevat, en moet ook 'n adres, wat nie 'n posbus of poste restante is nie, binne 8 kilometer van die kantoor van die griffier bevat, of, indien die verweerder iemand is wat kragtens enige wet verbied word om die okkupeerder van grond of 'n perseel te wees wat binne sodanige afstand van 8 kilometer van

(b) pain and suffering, stating whether temporary or permanent and which injuries caused it;

(c) disability in respect of—

(i) the earning of income (stating the earnings lost to date and how the amount is made up and the estimated future loss and the nature of the work the plaintiff will in future be able to do);

(ii) the enjoyment of amenities of life (giving particulars);

and stating whether the disability concerned is temporary or permanent; and

(d) disfigurement, with a full description thereof and stating whether it is temporary or permanent."; and

(e) the insertion after sub-rule (10) of the following subrules:

"(11) A plaintiff suing for damages resulting from the death of another shall state the date of birth of the deceased as well as that of any person claiming damages as a result of the death.

(12) If a party fails to comply with any of the provisions of this rule, such pleading shall be deemed to be an irregular step and the opposite party shall be entitled to act in accordance with rule 30.".

11. The amendment of rule 19 by—

(a) the substitution for sub-rule (1) of the following subrule:

"(1) Subject to the provisions of section 27 of the Act, the defendant in every civil action shall be allowed 10 days after service of summons on him within which to deliver a notice of intention to defend, either personally or through his attorney: Provided that the days between 16 December and 15 January, both inclusive, shall not be counted in the time allowed within which to deliver a notice of intention to defend.";

(b) the substitution for sub-rule (2) of the following subrule:

"(2) In actions against any Minister, Deputy Minister, Administrator, officer or servant of the State, in his capacity as such, the State, the administration of any province, the Administration of the Territory of South West Africa or the South African Transport Services, the time allowed for delivery of notice of intention to defend shall not be less than 20 days after service of summons, unless in any case the court has specially authorised a shorter period.";

(c) the substitution for sub-rule (3) of the following subrule:

"(3) When a defendant delivers notice of intention to defend, he shall therein give his full residential or business address, and shall also appoint an address, not being a post office box or poste restante, within 8 kilometres of the office of the registrar, or if he is a person who is in terms of any law prohibited from being the occupier of land or premises within such distance of 8 kilometres of such office, he

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sodanige kantoor geleë is, kan hy 'n adres verder as 8 kilometer van sodanige kantoor maar binne die landdrosdistrik waarin sodanige kantoor geleë is, aangee vir die betekening aan hom aldaar van alle dokumente in so 'n aksie, en betekening daarvan by die adres aldus aangegee, is geldig en afdoende, behalwe waar 'n hofbevel of die hofpraktyk persoonlike betekening vereis."; en

(d) die invoeging na subreël (4) van die volgende subreël:

"(5) Ondanks die bepalings van subreëls (1) en (2) kan 'n kennisgewing van voorneme om te verdedig selfs na verloop van die tydperk in die dagvaarding of die tydperk in subreël (2) vermeld, afgelewer word, mits vonnis by verstek nog nie toegestaan is nie: Met dien verstande dat die eiser geregtig is op koste indien die kennisgewing van voorneme om te verdedig afgelewer is na indiening van die aansoek om vonnis by verstek.".

12. Die wysiging van reël 20 deur die vervanging van subreël (1) deur die volgende subreël:

"(1) In alle aksies waarin die eis vir skuld is of 'n gelikwideerde eis is en die verweerder 'n kennisgewing van voorneme om te verdedig afgelewer het, moet die eiser, behalwe in die geval van 'n gekombineerde dagvaarding, binne 15 dae na ontvangs daarvan 'n deklarasie aflewer.".

13. Die vervanging van reël 21 deur die volgende reël:

"(1) Behoudens die bepalings van subreëls (2) tot (4) word geen verdere besonderhede aangevra nie.

(2) Na die sluiting van pleitstukke kan 'n party, laastens 20 dae voor die verhoor, 'n versoek aflewer waarby uitsluitend besonderhede wat streng gesproke nodig is om hom vir die verhoor te kan voorberei, aangevra word, en daaraan moet binne 10 dae na ontvangs voldoen word.

(3) Die versoek om verdere besonderhede vir die verhoor en die antwoord daarop moet, behalwe waar die party die geding persoonlik voer, deur 'n prokureur en 'n advokaat onderteken word.

(4) As die party by wie besonderhede aangevra is, versuim om dit betyds of in voldoende mate te lewer, kan die party wat dit aangevra het, by die hof aansoek doen om 'n bevel tot verskaffing daarvan, of om afwysing van die aksie of skrapping van die verweer, en die hof kan na goeddunke 'n bevel gee.

(5) Die hof moet na afloop van die verhoor *mero motu* beoordeel of die verdere besonderhede streng gesproke nodig was en alle koste van en voortvloeiende uit 'n onnodige versoek of antwoord, onverhaalbaar verklaar en hy kan enigeen van die partye beveel om die koste wat daardeur verspil is, te betaal, desverkiesend op die basis van prokureur en kliënt.".

14. Die wysiging van reël 22 deur—

(a) die vervanging van subreël (1) deur die volgende subreël:

"(1) 'n Verweerder wat 'n kennisgewing van voorneme om te verdedig afgelewer het, moet in die geval van 'n gekombineerde dagvaarding binne 20 dae na aflewering van sy kennisgewing en in ander gevalle binne 20 dae na betekening aan hom van 'n deklarasie, 'n pleit aflewer met of sonder teeneis, of 'n eksepsie met of sonder 'n aansoek om deurhaling."; en

may appoint an address further than 8 kilometres from such office but within the magisterial district within which such office is situated, for the service on him thereat of all documents in such action, and service thereof at the address so given shall be valid and effectual, except where by any order or practice of the court personal service is required."; and

(d) the insertion after sub-rule (4) of the following sub-rule:

"(5) Notwithstanding the provisions of sub-rules (1) and (2) a notice of intention to defend may be delivered even after expiration of the period specified in the summons or the period specified in sub-rule (2), before default judgment has been granted: Provided that the plaintiff shall be entitled to costs if the notice of intention to defend was delivered after the plaintiff had lodged the application for judgment by default.".

12. The amendment of rule 20 by the substitution for sub-rule (1) of the following sub-rule:

"(1) In all actions in which the plaintiff's claim is for a debt or liquidated demand and the defendant has delivered notice of intention to defend, the plaintiff shall, except in the case of a combined summons, within 15 days after his receipt thereof, deliver a declaration.".

13. The substitution for rule 21 of the following rule:

"(1) Subject to the provisions of sub-rules (2) to (4) further particulars shall not be requested.

(2) After the close of pleadings any party may, not less than 20 days before trial, deliver a notice requesting only such further particulars as are strictly necessary to enable him to prepare for trial. Such request shall be complied with within 10 days after receipt thereof.

(3) The request for further particulars for trial and the reply thereto shall, save where the party is litigating in person, be signed by an attorney and an advocate.

(4) If the party requested to furnish any particulars as aforesaid fails to deliver them timeously or sufficiently, the party requesting the same may apply to court for an order for their delivery or for the dismissal of the action or the striking out of the defence, whereupon the court may make such order as to it seems meet.

(5) The court shall at the conclusion of the trial *mero motu* consider whether the further particulars were strictly necessary, and shall disallow all costs of and flowing from any unnecessary request or reply, or both, and may order either party to pay the costs thereby wasted, on an attorney and client basis or otherwise.".

14. The amendment of rule 22 by—

(a) the substitution for sub-rule (1) of the following sub-rule:

"(1) Where a defendant has delivered notice of intention to defend, he shall within 20 days after the service upon him of a declaration or within 20 days after delivery of such notice in respect of a combined summons, deliver a plea with or without a claim in reconvention, or an exception with or without application to strike out."; and

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(b) die invoeging na subreël (4) van die volgende subreël:

"(5) Indien die verweerder versuim om aan enige van die bepalings van subreëls (2) en (3) te voldoen, word sodanige pleit geag 'n onreëlmatige stap te wees en is die ander party geregtig om kragtens reël 30 op te tree.".

15. Die wysiging van reël 23 deur die vervanging van die tweede voorbehoudsbepaling by subreël (1) deur die volgende voorbehoudsbepaling:

"Met dien verstande verder dat as die party dan nog eksepsie wil opwerp, hy dit moet aflewer binne 10 dae van die dag af waarop hy antwoord op so 'n kennisgewing ontvang of waarop die antwoord ingelewer moes gewees het.".

16. Die wysiging van reël 24 deur—

(a) die vervanging van subreël (1) deur die volgende subreël:

"(1) 'n Verweerder wat 'n teeneis instel, moet die wesenlike feite daarvan ooreenkomstig reëls 18 en 20 daarin uiteensit en dit tesame met sy pleit aflewer, tensy die eiser of, indien hy weier, die hof toestem dat dit in 'n later stadium afgelewer kan word. Die teeneis kan 'n afsonderlike dokument vorm of deel uitmaak van die dokument wat die pleit bevat, maar dan onder die hoof 'Teeneis', en dit is nie nodig om die name of beskrywing van die partye tot die hoofeis daarin te herhaal nie."; en

(b) die invoeging na subreël (4) van die volgende subreël:

"(5) Indien die verweerder versuim om aan enige van die bepalings van hierdie reël te voldoen, word die teeneis geag 'n onreëlmatige stap te wees en is die ander party geregtig om kragtens reël 30 op te tree.".

17. Die wysiging van reël 25 deur—

(a) die vervanging van subreël (1) deur die volgende subreël:

"(1) Binne 15 dae na die betekening aan hom van 'n pleit en behoudens subreël (2) hiervan moet die eiser waar nodig 'n replikasie op die pleit en 'n pleit op 'n teeneis aflewer, welke pleit aan reël 22 moet voldoen.";

(b) die vervanging van subreël (4) deur die volgende subreël:

"(4) 'n Teeneiser kan, behoudens die bepalings *mutatis mutandis* van subreël (2) hiervan, binne 10 dae na aflewering van die teenpleit 'n teenreplikasie aflewer."; en

(c) die vervanging van subreël (5) deur die volgende subreël:

"(5) Verdere pleitstukke kan, behoudens die bepalings *mutatis mutandis* van subreël (2), deur die onderskeie partye afgelewer word binne 10 dae na aflewering van die vorige pleitstuk deur die teenparty. Sulke pleitstukke word met die gebruiklike name aangedui.".

18. Die vervanging van reël 26 deur die volgende reël:

"26. 'n Party wat versuim om 'n replikasie of daaropvolgende pleitstuk binne die tyd in reël 25 vasgestel, af te lewer, is *ipso facto* onder belet. As 'n party versuim om enige ander pleitstuk binne die in hierdie reëls vasgestelde tyd of binne 'n behoorlik toegelate verlenging daarvan af te lewer, kan enige ander party by kennisgewing aan hom beteken, vereis dat hy so 'n pleitstuk aflewer binne 5 dae na die dag

(b) the insertion after sub-rule (4) of the following sub-rule:

"(5) If the defendant fails to comply with any of the provisions of sub-rules (2) and (3), such plea shall be deemed to be an irregular step and the other party shall be entitled to act in accordance with rule 30.".

15. The amendment of rule 23 by the substitution for the second proviso to sub-rule (1) of the following proviso:

": Provided further that the party excepting shall within 10 days from the date on which a reply to such notice is received or from the date on which such reply is due, deliver his exception.".

16. The amendment or rule 24 by—

(a) the substitution for sub-rule (1) of the following sub-rule:

"(1) A defendant who counterclaims shall, together with his plea, deliver a claim in reconvention setting out the material facts thereof in accordance with rules 18 and 20 unless the plaintiff agrees, or if he refuses, the court allows it to be delivered at a later stage. The claim in reconvention shall be set out either in a separate document or in a portion of the document containing the plea, but headed 'Claim in Reconvention'. It shall be unnecessary to repeat therein the names or descriptions of the parties to the proceedings in convention."; and

(b) the insertion after sub-rule (4) of the following sub-rule:

"(5) If the defendant fails to comply with any of the provisions of this rule, the claim in reconvention shall be deemed to be an irregular step and the other party shall be entitled to act in accordance with rule 30.".

17. The amendment of rule 25 by—

(a) the substitution for sub-rule (1) of the following sub-rule:

"(1) Within 15 days after the service upon him of a plea and subject to sub-rule (2) hereof, the plaintiff shall where necessary deliver a replication to the plea and a plea to any claim in reconvention, which plea shall comply with rule 22.";

(b) the substitution for sub-rule (4) of the following sub-rule:

"(4) A plaintiff in reconvention may, subject to the provisions *mutatis mutandis* of sub-rule (2) hereof, within 10 days after the delivery of the plea in reconvention deliver a replication in reconvention."; and

(c) the substitution for sub-rule (5) of the following sub-rule:

"(5) Further pleadings may, subject to the provisions *mutatis mutandis* of sub-rule (2), be delivered by the respective parties within 10 days after the previous pleading delivered by the opposite party. Such pleadings shall be designated by the names by which they are customarily known.".

18. The substitution for rule 26 of the following rule:

"26. Any party who fails to deliver a replication or subsequent pleading within the time stated in rule 25 shall be *ipso facto* barred. If any party fails to deliver any other pleading within the time laid down in these rules or within any extended time allowed in terms thereof, any other party may by notice served upon him require him to deliver such pleading within 5 days after the day upon which the notice is deliv-

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waarop die kennisgewing afgelewer word. 'n Party wat versuim om die pleitstuk in die kennisgewing genoem af te lewer binne die tyd daarin bepaal of binne 'n ooreengekome verdere tyd, is in verstek daarmee en *ipso facto* onder belet: Met dien verstande dat vir die doel van hierdie reël die dae van 16 Desember af tot en met 15 Januarie nie ingereken word by die toegestane tyd vir die aflewering van 'n pleitstuk nie.".

19. Die wysiging van reël 27 deur die invoeging na subreël (3) van die volgende subreël:

"(4) Nadat 'n bevel *nisi* by verstek aan verskyning van die applikant opgehef is, kan die hof of 'n regter die bevel laat herleef en beveel dat die bevel wat aldus herleef nie weer beteken hoef te word nie.".

20. Die wysiging van reël 28 deur—

(a) die vervanging van subreël (2) deur die volgende subreël:

"(2) Die kennisgewing moet meld dat tensy beswaar skriftelik binne 10 dae teen die voorgestelde wysiging gemaak word, die party wat kennis gee, die betrokke pleitstuk of dokument dienooreenkomstig sal wysig.";

(b) die vervanging van subreël (4) deur die volgende subreël:

"(4) As die beswaar binne die genoemde tydperk gemaak word, welke beswaar die gronde waarop dit berus, duidelik en bondig moet aangee, moet die party wat met die wysiging wil voortgaan, binne 10 dae na ontvangs van die beswaar by die hof by kennisgewing aansoek doen om verlof om te wysig en die aangeleentheid vir verhoor ter rolle plaas. Die hof kan daarop na goeddunke 'n bevel gee."; en

(c) die vervanging van subreël (5) deur die volgende subreël:

"(5) Wanneer die hof 'n wysiging beveel het of geen beswaar binne die in subreël (2) voorgeskrewe tyd aangeteken is nie, moet die party wat wysig, die wysiging aflewer binne die tyd in die hofbevel vasgestel, of binne vyf dae na verstryking van die in subreël (2) voorgeskrewe tyd, na gelang van die geval.".

21. Die wysiging van reël 30 deur—

(a) die vervanging van subreël (1) deur die volgende subreël:

"(1) 'n Party tot 'n geding waarin 'n stap op onreëlmatige wyse gedoen is deur 'n ander party, kan binne 15 dae nadat hy van die onreëlmatigheid bewus geword het, by die hof tersydestelling daarvan aanvra: Met dien verstande dat geen party wat 'n verdere stap in die geding gedoen het terwyl hy geweet het van die onreëlmatigheid, geregtig is om so 'n aansoek te doen nie.";

(b) die vervanging van subreël (4) deur die volgende subreël:

"(4) Totdat 'n party 'n hofbevel wat ingevolge hierdie reël teen hom gegee is, uitgevoer het, mag hy geen verdere stap in die geding doen nie behalwe om verlenging aan te vra van die tyd waarin hy aan die bevel moet voldoen."; en

ered. Any party failing to deliver the pleading referred to in the notice within the time therein required or within such further period as may be agreed between the parties, shall be in default of filing such pleading, and *ipso facto* barred: Provided that for the purposes of this rule the days between 16 December and 15 January, both inclusive shall not be counted in the time allowed for the delivery of any pleading.".

19. The amendment of rule 27 by the insertion after sub-rule (3) of the following sub-rule:

"(4) After a rule *nisi* has been discharged by default of appearance by the applicant, the court or a judge may revive the rule and direct that the rule so revived need not be served again.".

20. The amendment of rule 28 by—

(a) the substitution for sub-rule (2) of the following sub-rule:

"(2) Such notice shall state that unless objection in writing to the proposed amendment is made within 10 days the party giving the notice will amend the pleading or document in question accordingly.";

(b) the substitution for sub-rule (4) of the following sub-rule:

"(4) If objection is made within the said period, which objection shall clearly and concisely state the grounds upon which it is founded, the party wishing to pursue the amendment shall within 10 days after the receipt of such objection, apply to court on notice for leave to amend and set the matter down for hearing. The court may make such order thereon as to it seems meet."; and

(c) the substitution for sub-rule (5) of the following sub-rule:

"(5) Whenever the court has ordered an amendment or no objection has been made within the time prescribed in sub-rule (2), the party amending shall deliver the amendment within the time specified in the court's order or within five days after the expiry of the time prescribed in sub-rule (2), as the case may be.".

21. The amendment of rule 30 by—

(a) the substitution for sub-rule (1) of the following sub-rule:

"(1) A party to a cause in which an irregular step or proceeding has been taken by any other party may, within 15 days after becoming aware of the irregularity, apply to court to set aside the step or proceeding: Provided that no party who has taken any further step in the cause with knowledge of the irregularity shall be entitled to make such application.";

(b) the substitution for sub-rule (4) of the following sub-rule:

"(4) Until a party has complied with any order of court made against him in terms of this rule, he shall not take any further step in the cause, save to apply for an extension of time within which to comply with such order."; and

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(c) die vervanging van subreël (5) deur die volgende subreël:

"(5) As 'n party versuim om betyds aan 'n versoek of kennisgewing kragtens hierdie reëls te voldoen, kan die party wat die versoek gerig of kennis gegee het, die party wat in verstek is, kennis gee dat hy van voorneme is om na verloop van 10 dae 'n bevel aan te vra dat aan die kennisgewing of versoek voldoen moet word, of dat die eis of verweer geskrap word. By versuim van nakoming binne die 10 dae kan aansoek by die hof gedoen word en die hof kan daarop na goeddunke 'n bevel gee.".

22. Die wysiging van reël 31 deur—

(a) die vervanging van paragraaf (b) van subreël (2) deur die volgende paragraaf:

"(b) 'n Verweerder kan binne 20 dae nadat so 'n vonnis tot sy kennis gekom het, met kennisgewing aan die eiser by die hof aansoek doen om tersydestelling daarvan en die hof kan as goeie redes aangevoer is en mits die verweerder aan die eiser sekerheid gestel het vir die koste van die verstekvonnis en van so 'n aansoek, tot 'n maksimum van R200, die verstekvonnis tersyde stel met sodanige bepalings as wat hy goedvind."; en

(b) die vervanging van subreël (4) deur die volgende subreël:

"(4) Die verrigtinge in subreëls (2) en (3) bedoel, word ter rolle geplaas drie dae voor die dag waarop die saak verhoor moet word, met minstens vyf dae kennisgewing aan die party wat in verstek is: Met dien verstande dat aan 'n party wat geen kennis gegee het van voorneme om te verdedig nie, geen kennisgewing van terolleplasing gegee hoef te word nie.".

23. Die vervanging van subreël (4) van reël 33 deur die volgende subreël:

"(4) As die hof *mero motu* of op aansoek van 'n party meen dat daar in 'n hangende aksie 'n regs- of feitevraag is wat gerieflik beslis kan word voordat getuienis gelei word of afsonderlik van enige ander vraag, kan hy afhandeling van so 'n vraag na goeddunke voorskryf en beveel dat alle verdere verrigtinge tot dan opgeskort word: Met dien verstande dat die hof in 'n aksie ingevolge die Wet op Verpligte Motorvoertuigversekering, 1972 (Wet 56 van 1972) of die Motorvoertuigongelukkewet, 1986 (Wet 84 van 1986), op aansoek van 'n party, gelas dat die vrae van aanspreeklikheid vir en die bedrag van skadevergoeding afsonderlik beslis word tensy dit blyk dat die vrae nie gerieflik afsonderlik beslis kan word nie.".

24. Die vervanging van reël 34 deur die volgende reël:

"34. SKIKKINGSAANBOD

(1) Waar betaling van 'n som geld in 'n saak geëis word, hetsy alleen of met ander regshulp, mag die verweerder te eniger tyd onvoorwaardelik of sonder benadeling van regte 'n skriftelike aanbod maak om die eiser se eis te skik. Sodanige aanbod word òf persoonlik deur die verweerder òf deur sy prokureur wat skriftelik gemagtig is om dit te doen, onderteken.

(2) Waar die eiser die uitvoering van 'n handeling deur die verweerder eis, kan die verweerder te eniger tyd, hetsy onvoorwaardelik of sonder benadeling, aanbied om die handeling uit te

(c) the substitution for sub-rule (5) of the following sub-rule:

"(5) Where a party fails to comply timeously with a request made or notice given pursuant to these rules, the party making the request or giving the notice may notify the defaulting party that he intends after the lapse of 10 days to apply for an order that such notice or request be complied with, or that the claim or defence be struck out. Failing compliance within the 10 days, application may be made to court and the court may make such order thereon as to it seems meet.".

22. The amendment of rule 31 by—

(a) the substitution for paragraph (b) of sub-rule (2) of the following paragraph:

"(b) A defendant may within 20 days after he has knowledge of such judgment apply to court upon notice to the plaintiff to set aside such judgment and the court may upon good cause shown and upon the defendant furnishing to the plaintiff security for the payment of the costs of the default judgment and of such application to a maximum of R200 set aside the default judgment on such terms as to it seems meet."; and

(b) the substitution for sub-rule (4) of the following sub-rule:

"(4) The proceedings referred to in sub-rules (2) and (3) shall be set down for hearing three days before the day on which the matter is to be heard upon not less than five days' notice to the party in default: Provided that no notice of set down need be given to any party in default of delivery of notice of intention to defend.".

23. The substitution for sub-rule (4) of rule 33 of the following sub-rule:

"(4) If it appears to the court *mero motu* or on the application of any party that there is, in any pending action, a question of law or fact which may conveniently be decided either before any evidence is led or separately from any other question, the court may make an order directing the trial of such question in such manner as it may deem fit, and may order that all further proceedings be stayed until such question has been disposed of: Provided that in an action in terms of the Compulsory Motor Vehicle Insurance Act, 1972 (Act 56 of 1972) or the Motor Vehicle Accidents Act, 1986 (Act 84 of 1986), the court on the application of any party, shall order that the questions of liability for and the amount of damages be decided separately unless it appears that the questions cannot conveniently be decided separately.".

24. The substitution for rule 34 of the following rule:

"34. OFFER TO SETTLE

(1) In any action in which a sum of money is claimed, either alone or with any other relief, the defendant may at any time unconditionally or without prejudice make a written offer to settle the plaintiff's claim. Such offer shall be signed either by the defendant himself or by his attorney if the latter has been authorised thereto in writing.

(2) Where the plaintiff claims the performance of some act by the defendant, the defendant may at any time tender, either unconditionally or without prejudice, to perform such act. Unless

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voer. Tensy die handeling deur die verweerder persoonlik uitgevoer moet word, moet hy 'n onherroeplike volmag vir die uitvoering van die handeling opstel en dit tesame met die tender aan die griffier oorhandig.

(3) 'n Party tot 'n aksie wat blootstaan aan 'n bevel dat hy moet bydra tot 'n som waartoe 'n ander party in die aksie veroordeel kan word, of enige derde party van wie regshulp kragtens reël 13 geëis word, kan, hetsy onvoorwaardelik of sonder benadeling, by wyse van 'n skikkingsaanbod—

(a) 'n skriftelike aanbod aan die bedoelde ander party doen om hetsy 'n bepaalde som of in 'n bepaalde verhouding by te dra tot die bedrag wat die eiser in die aksie kan verhaal; of

(b) 'n skriftelike vrywaring aan sodanige ander party gee, waarvan die voorwaardes volledig in die skikkingsaanbod vermeld moet word.

(4) Een van verskeie verweerders asook enige derde party van wie regshulp geëis word, kan òf onvoorwaardelik òf sonder benadeling by wyse van 'n skikkingsaanbod 'n skriftelike aanbod maak ten opsigte van die eiser of verweerder se eis of tender om enige daad te verrig wat deur die eiser of verweerder geëis word.

(5) Kennis van 'n aanbod of tender ingevolge hierdie reël moet aan alle partye tot die aksie gegee word en daarin moet vermeld word—

(a) of dit onvoorwaardelik is of sonder benadeling as 'n skikkingsaanbod;

(b) of dit gepaard gaan met 'n aanbod om al die koste of slegs 'n gedeelte daarvan te betaal aan die party aan wie die aanbod of tender gemaak word, en verder dat dit onderworpe is aan sodanige voorwaardes as wat daarin vermeld word;

(c) of die aanbod of tender gemaak word by wyse van 'n skikking van sowel die eis as die koste of slegs die eis;

(d) of die verweerder aanspreeklikheid vir betaling van koste of vir 'n deel van die koste ontken, in welke geval die gronde vir sy ontkenning vermeld moet word, en die aksie kan dan, op die vraag van koste alleen, vir verhoor op die rol geplaas word.

(6) 'n Eiser of party in subreël (3) bedoel, kan binne 15 dae na ontvangs van die kennisgewing in subreël (5) bedoel, of daarna met skriftelike toestemming van die verweerder of derde party of bevel van die hof, op sodanige voorwaardes as wat billik geag word, 'n aanbod of tender aanvaar, waarna die griffier, nadat hy hom vergewis het dat daar voldoen is aan die vereistes van hierdie subreël, die volmag in subreël (2) bedoel, aan die eiser of sy prokureur moet oorhandig.

(7) Indien daar versuim word om binne 10 dae na aflewering van die kennisgewing dat die aanbod of tender aanvaar word, te betaal of daarvolgens te presteer, kan die party wat op betaling of prestasie geregtig is en nadat hy die party wat in versuim is, vyf dae skriftelik kennis gegee het daarvan, deur die griffier by 'n regter aansoek doen om vonnis ooreenkomstig die aanbod of tender asook om koste van die aansoek.

such act must be performed by the defendant personally, he shall execute an irrevocable power of attorney authorising the performance of such act which he shall deliver to the registrar together with the tender.

(3) Any party to an action who may be ordered to contribute towards an amount for which any other party to the action may be held liable, or any third party from whom relief is being claimed in terms of rule 13, may, either unconditionally or without prejudice, by way of an offer of settlement—

(a) make a written offer to that other party to contribute either a specific sum or in a specific proportion towards the amount to which the plaintiff may be held entitled in the action; or

(b) give a written indemnity to such other party, the conditions of which shall be set out fully in the offer of settlement.

(4) One of several defendants, as well as any third party from whom relief is claimed, may, either unconditionally or without prejudice, by way of an offer of settlement make a written offer to settle the plaintiff's or defendant's claim or tender to perform any act claimed by the plaintiff or defendant.

(5) Notice of any offer or tender in terms of this rule shall be given to all parties to the action and shall state—

(a) whether the same is unconditional or without prejudice as an offer of settlement;

(b) whether it is accompanied by an offer to pay all or only part of the costs of the party to whom the offer or tender is made, and further that it shall be subject to such conditions as may be stated therein;

(c) whether the offer or tender is made by way of settlement of both claim and costs or of the claim only;

(d) whether the defendant disclaims liability for the payment of costs or part thereof, in which case the reasons for such disclaimer shall be given, and the action may then be set down on the question of costs only.

(6) A plaintiff or party referred to in sub-rule (3) may within 15 days after the receipt of the notice referred to in sub-rule (5), or thereafter with the written consent of the defendant or third party or order of court, on such conditions as may be considered to be fair, accept any offer or tender, whereupon the registrar, having satisfied himself that the requirements of this sub-rule have been complied with, shall hand over the power of attorney referred to in sub-rule (2) to the plaintiff or his attorney.

(7) In the event of a failure to pay or to perform within 10 days after delivery of the notice of acceptance of the offer or tender, the party entitled to payment or performance may, on five days' written notice to the party who has failed to pay or perform apply through the registrar to a judge for judgment in accordance with the offer or tender as well as for the costs of the application.

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(8) Indien 'n kennisgewing van die aanvaarding van die aanbod of tender kragtens subreël (6) of die kennisgewing kragtens subreël (7) by 'n ander adres as dié in reël 19 (3) vermeld, gegee moet word, moet dit gegee word by 'n adres, wat nie 'n posbus of poste restante is nie, binne agt kilometer van die kantoor van die griffier waar sodanige kennisgewing afgelewer moet word.

(9) As 'n aanbod of tender wat kragtens hierdie reël aanvaar word, nie meld dat dit bedoel is om die eis sowel as die koste te dek nie, kan die party aan wie die aanbod of tender gemaak word, by die hof aansoek doen, na kennisgewing van minstens vyf dae, om 'n bevel vir koste.

(10) Geen aanbod of tender wat kragtens hierdie reël sonder benadeling van regte gemaak word, word te eniger tyd voordat uitspraak gegee is, aan die hof geopenbaar nie. Geen verwysing na so 'n aanbod of tender mag op 'n lêer in die griffierskantoor wat die stukke van die saak bevat, verskyn nie.

(11) Die feit dat 'n aanbod of tender in hierdie reël bedoel, gemaak is, mag na uitspraak aan die hof meegedeel word as betrekking hebbende op koste.

(12) Indien die hof uitspraak gee met betrekking tot koste terwyl hy onbewus is van die aanbod of tender en dit binne vyf dae vanaf die datum van uitspraak skriftelik onder die aandag van die griffier gebring word, word die kostevraagstuk van vooraf beoordeel in die lig van die aanbod of tender: Met dien verstande dat niks wat in hierdie subreël vervat word, die diskresie wat die hof het om koste toe te ken, beïnvloed nie.

(13) 'n Party wat strydig met hierdie reël, persoonlik of deur enige persoon wat hom verteenwoordig, so 'n aanbod of tender aan die regter of die hof openbaar, kan 'n kostebevel teen hom kry selfs al slaag hy in die aksie.

(14) Hierdie reël is *mutatis mutandis* van toepassing waar regshulp by wyse van mosie of teeneis of kragtens reël 13 geëis word.''.

25. Die invoeging van die volgende reël na reël 34:

''34A TUSSENTYDSE BETALINGS

(1) In 'n aksie om skadevergoeding weens persoonlike beserings of die dood van 'n persoon kan die eiser te eniger tyd na verstryking van die tydperk waarbinne 'n kennisgewing van voorneme om te verdedig afgelewer kan word, by die hof aansoek doen om 'n bevel dat die verweerder 'n tussentydse betaling maak ten opsigte van sy eis vir mediese koste en sy verlies aan inkomste voortspruitende uit sy liggaamlike ongeskiktheid of die dood van 'n persoon.

(2) Behoudens die bepalings van reël 6 moet die beëdigde verklaring waarop die aansoek steun die bedrag van skadevergoeding geëis en die gronde waarop die aansoek berus, bevat en alle dokumentêre bewysstukke waarop die applikant steun of gewaarmerkte afskrifte daarvan moet die beëdigde verklaring vergesel.

(3) Ondanks die weiering of verlening van 'n aansoek om 'n tussentydse betaling, kan verdere sodanige aansoeke op goeie gronde gedoen word.

(8) If notice of the acceptance of the offer or tender in terms of sub-rule (6) or notice in terms of sub-rule (7) is required to be given at an address other than that provided in rule 19 (3), then it shall be given at an address, which is not a post office box or poste restante, within eight kilometres of the office of the registrar at which such notice must be delivered.

(9) If an offer or tender accepted in terms of this rule is not stated to be in satisfaction of a plaintiff's claim and costs, the party to whom the offer or tender is made may apply to the court, after notice of not less than five days, for an order for costs.

(10) No offer or tender in terms of this rule made without prejudice shall be disclosed to the court at any time before judgment has been given. No reference to such offer or tender shall appear on any file in the office of the registrar containing the papers in the said case.

(11) The fact that an offer or tender referred to in this rule has been made may be brought to the notice of the court after judgment has been given as being relevant to the question of costs.

(12) If the court has given judgment on the question of costs in ignorance of the offer or tender and it is brought to the notice of the registrar, in writing, within five days after the date of judgment, the question of costs shall be considered afresh in the light of the offer or tender: Provided that nothing in this sub-rule contained shall affect the court's discretion as to an award of costs.

(13) Any party who, contrary to this rule, personally or through any person representing him, discloses such an offer or tender to the judge or the court shall be liable to have costs given against him even if he is successful in the action.

(14) This rule shall apply *mutatis mutandis* where relief is claimed on motion or claim in reconvention or in terms of rule 13.''.

25. The insertion of the following rule after rule 34:

''34A INTERIM PAYMENTS

(1) In an action for damages for personal injuries or the death of a person, the plaintiff may, at any time after the expiry of the period for the delivery of the notice of intention to defend, apply to the court for an order requiring the defendant to make an interim payment in respect of his claim for medical costs and loss of income arising from his physical disability or the death of a person.

(2) Subject to the provisions of rule 6 the affidavit in support of the application shall contain the amount of damages claimed and the grounds for the application, and all documentary proof or certified copies thereof on which the applicant relies shall accompany the affidavit.

(3) Notwithstanding the grant or refusal of an application for an interim payment, further such applications may be brought on good cause shown.

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(4) Indien die hof by die aanhoor van so 'n aansoek tevrede is dat—

(a) die verweerder teen wie die bevel aangevra word aanspreeklikheid vir die eiser se skade skriftelik erken het; of

(b) die eiser vonnis teen die verweerder verkry het vir skade waarvan die omvang nog bepaal moet word,

kan die hof na goeddunke maar behoudens die bepalings van subreël (5) die verweerder gelas om 'n bedrag wat die hof billik ag as tussentydse betaling te doen, welke bedrag nie 'n redelike gedeelte van die skadevergoeding wat volgens die hof waarskynlik deur die eiser verhaal sal word, inaggenome enige bydraende nalatigheid, skuldvergelyking of teeneis, oorskry nie.

(5) Geen bevel word ingevolge subreël (4) gemaak nie, tensy dit vir die hof blyk dat die verweerder verseker is met betrekking tot die eis van die eiser of oor die middele beskik om so 'n tussentydse betaling te doen.

(6) Die bedrag deur die hof as tussentydse betaling gelas, moet in geheel aan die eiser betaal word tensy die hof andersins gelas.

(7) Waar 'n aansoek ingevolge subreël (1) gedoen is, kan die hof die prosedure vir die verdere voer van die aksie bepaal en in die besonder die spoedige verhoor daarvan gelas.

(8) Die feit dat 'n bevel ingevolge subreël (4) gemaak is, mag nie gepleit word nie en geen mededeling daaromtrent mag aan die hof tydens die verhoor of by die beregting van vrae of aangeleenthede betreffende die bedrag van skade, geopenbaar word nie alvorens dié vrae of aangeleenthede bereg is nie.

(9) In 'n aksie waar 'n tussentydse betaling reeds gedoen of 'n bevel tot 'n tussentydse betaling gemaak is, word die aksie nie gestaak of die eis nie teruggetrek sonder toestemming van die hof nie.

(10) Indien 'n bevel tot 'n tussentydse betaling gemaak is of so 'n betaling gedoen is, kan die hof by die maak van 'n finale bevel, of by die verlening van toestemming aan die eiser om die aksie te staak of die eis terug te trek kragtens subreël (9) of op enige stadium van die verrigtinge op aansoek van enige party, 'n bevel met betrekking tot die tussentydse betaling maak wat die hof billik ag en in besonder kan die hof gelas dat:

(a) die eiser die tussentydse betaling in geheel of gedeeltelik terugbetaal;

(b) die betaling gewysig of opgehef word; of

(c) 'n betaling deur enige ander verweerder gedoen word ten opsigte van 'n gedeelte van die tussentydse betaling wat die verweerder, wat dit gemaak het, op geregtig is by wyse van kontribusie of skadeloosstelling of by wyse van enige regsmiddel of regshulp in verband met die eiser se eis.

(4) If at the hearing of such an application, the court is satisfied that—

(a) the defendant against whom the order is sought has in writing admitted liability for the plaintiff's damages; or

(b) the plaintiff has obtained judgment against the defendant for damages to be determined,

the court may if it thinks fit but subject to the provisions of sub-rule (5), order the defendant to make an interim payment of such amount as it thinks just, which amount shall not exceed a reasonable proportion of the damages which in the opinion of the court are likely to be recovered by the plaintiff taking into account any contributory negligence, set off or counterclaim.

(5) No order shall be made under sub-rule (4), unless it appears to the court that the defendant is insured in respect of the plaintiff's claim or that he has the means at his disposal to enable him to make such interim payment.

(6) The amount of any interim payment ordered shall be paid in full to the plaintiff unless the court otherwise orders.

(7) Where an application has been made under sub-rule (1), the court may prescribe the procedure for the further conduct of the action and in particular may order the early trial thereof.

(8) The fact that an order has been made under sub-rule (4) shall not be pleaded and no disclosure of that fact shall be made to the court at the trial or at the hearing of questions or issues as to the quantum of damages until such questions or issues have been determined.

(9) In an action where an interim payment or an order for an interim payment has been made, the action shall not be discontinued or the claim withdrawn without the consent of the court.

(10) If an order for an interim payment has been made or such payment has been made, the court may, in making a final order, or when granting the plaintiff leave to discontinue his action or withdraw the claim under sub-rule (9) or at any stage of the proceedings on the application of any party, make an order with respect to the interim payment which the court may consider just and the court may in particular order that:

(a) the plaintiff repay all or part of the interim payment;

(b) the payment be varied or discharged; or

(c) a payment be made by any other defendant in respect of any part of the interim payment which the defendant, who made it, is entitled to recover by way of contribution or indemnity or in respect of any remedy or relief relating to the plaintiff's claim.

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(11) Die bepalings van hierdie reël geld *mutatis mutandis* met betrekking tot enige teeneis.".

26. Die wysiging van reël 35 deur—

(a) die vervanging van subreël (1) deur die volgende subreël:

"(1) 'n Party tot 'n aksie kan by skriftelike kennisgewing vereis dat 'n ander party binne 20 dae alle dokumente asook bandopnames wat betrekking het op 'n geskilpunt in die geding (hetsy dit ontstaan tussen die twee bedoelde partye al dan nie) en wat in die besit of onder die beheer van die ander party is of ooit was, onder eed blootlê. So 'n kennisgewing mag nie, behalwe met verlof van 'n regter, voor die sluiting van pleitstukke afgelewer word nie.";

(b) die vervanging van subreël (2) deur die volgende subreël:

"(2) Die party van wie blootlegging geverg word, moet binne 20 dae of binne die tyd in 'n bevel van 'n regter vasgestel, die bedoelde stukke blootlê by beëdigde verklaring, so na moontlik bewoord soos Vorm 11 in die Eerste Bylae, en die volgende afsonderlik aangee:

(a) dokumente en bandopnames in besit van homself of sy verteenwoordiger, behalwe dié in paragraaf (b) genoem;

(b) dokumente en bandopnames wat hy regmatig kan weier om bloot te lê;

(c) dokumente en bandopnames wat hy of sy verteenwoordiger in besit gehad het maar op die datum van die beëdigde verklaring nie meer het nie.

Dit is voldoende om dokumente te beskryf as 'n pak dokumente van 'n gespesifiseerde aard wat deur die deponent geparafeer en agtereenvolgens genommer is. Verklarings van getuies wat geneem is vir die doel van die geding, mededelinge tussen prokureur en kliënt en tussen prokureur en advokaat, pleitstukke en beëdigde verklarings en kennisgewings in die aksie moet nie aangegee word nie.";

(c) die vervanging van subreël (3) deur die volgende subreël:

"(3) As 'n party meen dat daar, addisioneel tot dokumente of bandopnames blootgelê soos voormeld, ander dokumente (of afskrifte daarvan) of bandopnames wat ter sake mag wees in die geding, in die besit van 'n party daartoe is, kan hy van so 'n party by kennisgewing eis dat hy hulle ter insae voorlê soos bedoel deur subreël (6), of dat hy binne 10 dae onder eed verklaar dat hulle nie in sy besit is nie, in welke geval hy, as hy weet, moet sê waar hulle is.";

(d) die vervanging van subreël (4) deur die volgende subreël:

"(4) 'n Dokument of bandopname wat nie blootgelê is nie, mag nie, tensy die hof dit toelaat op sodanige voorwaardes as wat hy goedvind, vir enige doel by die verhoor gebruik word deur die party wat dit moes blootgelê het nie, maar ander partye mag dit wel gebruik.";

(11) The provisions of this rule shall apply *mutatis mutandis* to any claim in reconvention.".

26. The amendment of rule 35 by—

(a) the substitution for sub-rule (1) of the following sub-rule:

"(1) Any party to any action may require any other party thereto, by notice in writing, to make discovery on oath within 20 days of all documents and tape recordings relating to any matter in question in such action (whether such matter is one arising between the party requiring discovery and the party required to make discovery or not) which are or have at any time been in the possession or control of such other party. Such notice shall not, save with the leave of a judge, be given before the close of pleadings.";

(b) the substitution for sub-rule (2) of the following sub-rule:

"(2) The party required to make discovery shall within 20 days or within the time stated in any order of a judge make discovery of such documents on affidavit as near as may be in accordance with Form 11 of the First Schedule, specifying separately—

(a) such documents and tape recordings in his possession or that of his agent other than the documents and tape recordings mentioned in paragraph (b);

(b) such documents and tape recordings in respect of which he has a valid objection to produce;

(c) such documents and tape recordings which he or his agent had but no longer has in his possession at the date of the affidavit.

A document shall be deemed to be sufficiently specified if it is described as being one of a bundle of documents of a specified nature, which have been initialled and consecutively numbered by the deponent. Statements of witnesses taken for purposes of the proceedings, communications between attorney and client and between attorney and advocate, pleadings, affidavits and notices in the action shall be omitted from the schedules.";

(c) the substitution for sub-rule (3) of the following sub-rule:

"(c) If any party believes that there are, in addition to documents or tape recordings disclosed as aforesaid, other documents (including copies thereof) or tape recordings which may be relevant to any matter in question in the possession of any party thereto, the former may give notice to the latter requiring him to make the same available for inspection in accordance with sub-rule (6), or to state on oath within 10 days that such documents are not in his possession, in which event he shall state their whereabouts, if known to him.";

(d) the substitution for sub-rule (4) of the following sub-rule:

"(4) A document or tape recording not disclosed as aforesaid may not, save with the leave of the court granted on such terms as to it may seem meet, be used for any purpose at the trial by the party who was obliged but failed to disclose it, provided that any other party may use such document or tape recording.";

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(e) die vervanging van subreël (6) deur die volgende subreël:

"(6) 'n Party kan te eniger tyd by kennisgewing so na moontlik bewoord soos Vorm 13 in die Eerste Bylae, van 'n party wat ingevolge subreëls (2) en (3) blootgelê het, insae van die dokumente of bandopnames verg. Die kennisgewing moet van die party aan wie dit gerig is, vereis dat hy binne vyf dae by kennisgewing so na moontlik bewoord soos Vorm 14 in die Eerste Bylae, 'n tyd, binne vyf dae na aflewering van laasgenoemde kennisgewing, bepaal waarop die dokumente of bandopnames ingesien kan word ten kantore van sy prokureur of, as hy nie deur 'n prokureur verteenwoordig word nie, op 'n geskikte plek in die kennisgewing genoem of, in die geval van bankboeke of ander rekeningboeke of boeke in voortdurende gebruik vir die doel van enige besigheid of onderneming, by hul gewone plek van bewaring. Die party wat die laasgenoemde kennisgewing ontvang, is geregtig om op die bestemde tyd en nog vyf dae daarna in gewone besigheidsure, en op een of meer van bedoelde dae, die dokumente of bandopnames in te sien en afskrifte of transkripsies daarvan te maak. 'n Party wat versuim om 'n dokument of bandopname aldus ter insae voor te lê, mag dit nie by die verhoor gebruik nie tensy die hof by aanvoering van goeie redes dit toelaat.";

(f) die vervanging van subreël (8) deur die volgende subreël:

"(8) 'n Party tot 'n aksie kan na die sluiting van pleitstukke van 'n ander party by kennisgewing skriftelik besonderhede verg van datums van en partye tot 'n dokument of bandopname wat daardie party by die verhoor wil gebruik. Die party wat so 'n kennisgewing ontvang, moet minstens 15 dae voor die verhoordatum 'n kennisgewing aflewer met—

(a) besonderhede van die datums van en partye tot die dokument of bandopname en die algemene aard daarvan, as dit in sy besit is; of

(b) as dit nie in sy besit is nie, sodanige besonderhede as wat hy mag hê ter identifikasie daarvan, en die naam en adres van die persoon in wie se besit dit is.";

(g) die vervanging van subreël (9) deur die volgende subreël:

"(9) 'n Party wat dokumente of bandopnames by 'n verhoor wil bewys, kan van enige ander party by kennisgewing verlang dat hy binne 10 dae na ontvangs daarvan erken dat daardie dokumente of bandopnames behoorlik verly is en eg is. As die party aan wie die kennisgewing gerig is, nie binne die genoemde tyd die bedoelde erkenning doen nie, is die party wat die kennis gegee het, teenoor hom geregtig om die bedoelde dokumente of bandopnames by die verhoor in te dien sonder bewys, behalwe bewys (as dit betwis word) dat dit die dokumente of bandopnames is wat in die kennisgewing bedoel is en dat kennis behoorlik gegee is. As die party aan wie die kennisge-

(e) the substitution for sub-rule (6) of the following sub-rule:

"(6) Any party may at any time by notice as near as may be in accordance with Form 13 of the First Schedule require any party who has made discovery to make available for inspection any documents or tape recordings disclosed in terms of sub-rules (2) and (3). Such notice shall require the party to whom notice is given to deliver to him within five days a notice as near as may be in accordance with Form 14 of the First Schedule, stating a time within five days from the delivery of such latter notice when documents or tape recordings may be inspected at the office of his attorney or, if he is not represented by an attorney, at some convenient place mentioned in the notice, or in the case of bankers' books or other books of account or books in constant use for the purposes of any trade, business or undertaking, at their usual place of custody. The party receiving such last-named notice shall be entitled at the time therein stated, and for a period of five days thereafter, during normal business hours and on any one or more of such days, to inspect such documents or tape recordings and to take copies or transcriptions thereof. A party's failure to produce any such document or tape recording for inspection shall preclude him from using it at the trial, save where the court on good cause shown allows otherwise.";

(f) the substitution for sub-rule (8) of the following sub-rule:

"(8) Any party to an action may after the close of pleadings give notice to any other party to specify in writing particulars of dates and parties of or to any document or tape recording intended to be used at the trial of the action on behalf of the party to whom notice is given. The party receiving such notice shall not less than 15 days before the date of trial deliver a notice—

(a) specifying the dates of and parties to and the general nature of any such document or tape recording which is in his possession; or

(b) specifying such particulars as he may have to identify any such document or tape recording not in his possession, at the same time furnishing the name and address of the person in whose possession such document or tape recording is.";

(g) the substitution for sub-rule (9) of the following sub-rule:

"(9) Any party proposing to prove documents or tape recordings at a trial may give notice to any other party requiring him within 10 days after the receipt of such notice to admit that those documents or tape recordings were properly executed and are what they purported to be. If the party receiving the said notice does not within the said period so admit, then as against such party the party giving the notice shall be entitled to produce the documents or tape recordings specified at the trial without proof other than proof (if it is disputed) that the documents or tape recordings are the documents or tape recordings referred to in thenotice and that the notice was duly given. If

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wing gerig is, antwoord dat die dokumente of bandopnames nie erken word nie, moet hulle deur die party wat kennis gegee het, bewys word voordat hy hulle by die verhoor mag gebruik, maar die party wat hulle nie wou erken nie, kan beveel word om die koste van die bewys daarvan te betaal.";

(h) die vervanging van subreël (10) deur die volgende subreël:

"(10) 'n Party kan aan enige ander party wat 'n dokument of bandopname blootgelê het, kennis gee om by die verhoor die oorspronklike daarvan, as dit nie bevoorreg is nie, voor te lê as dit in so 'n party se besit is. Minstens vyf dae kennis moet voor die verhoor gegee word, maar dit kan met verlof van die hof ook tydens die verhoor geskied. Die kennisgewende party kan eis dat dit in die hof voorgelê word en kan dit van die balie af ingee as 'n bewysstuk, wat dan as getuienis toelaatbaar is asof dit in getuienis aangebied is deur die party in wie se besit dit was.";

(i) die vervanging van subreël (11) deur die volgende subreël:

"(11) Die hof kan in die loop van enige geding na goeddunke beveel dat 'n party onder eed dokumente of bandopnames wat onder sy beheer is en betrekking het op 'n geskilpunt in die geding, voorlê, en die hof kan na goeddunke daarmee handel.";

(j) die vervanging van subreël (12) deur die volgende subreël:

"(12) 'n Party tot 'n geding kan te eniger tyd voor die verhoor 'n kennisgewing so na moontlik bewoord soos Vorm 15 in die Eerste Bylae aan 'n ander party aflewer in wie se pleitstukke of beëdigde verklarings na 'n dokument of bandopname verwys word, om dit ter insae voor te lê en hom toe te laat om 'n afskrif of transkripsie daarvan te maak. 'n Party wat versuim om aan so 'n kennisgewing te voldoen, mag so 'n dokument of bandopname nie in die geding gebruik nie tensy die hof dit toelaat, met dien verstande dat 'n ander party dit wel kan gebruik."; en

(k) die invoeging na subreël (13) van die volgende subreëls:

"(14) Nadat verskyning om te verdedig aangeteken is, kan enige party tot 'n geding vir doeleindes van pleit van 'n ander party verlang dat hy binne vyf dae 'n duidelike gespesifiseerde dokument of banopname wat in sy besit is en op 'n redelik verwagte geskilpunt in die geding betrekking het, ter insae beskikbaar stel en toelaat dat 'n afskrif of transkripsie daarvan gemaak word.

(15) Vir doeleindes van reëls 35 en 38 sluit bandopname ook 'n klankbaan, film, magnetiese band, plaat of ander materiaal waarop visuele beelde, klank of ander inligting opgeneem kan word, in.".

the party receiving the notice states that the documents or tape recordings are not admitted as aforesaid, they shall be proved by the party giving the notice before he is entitled to use them at the trial, but the party not admitting them may be ordered to pay the costs of their proof.";

(h) the substitution for sub-rule (10) of the following sub-rule:

"(10) Any party may give to any other party who has made discovery of a document or tape recording notice to produce at the hearing the original of such document or tape recording, not being a privileged document or tape recording, in such party's possession. Such notice shall be given not less than five days before the hearing but may, if the court so allows, be given during the course of the hearing. If any such notice is so given, the party giving the same may require the party to whom notice is given to produce the said document or tape recording in court and shall be entitled, without calling any witness, to hand in the said document, which shall be receivable in evidence to the same extent as if it had been produced in evidence by the party to whom notice is given.";

(i) the substitution for sub-rule (11) of the following sub-rule:

"(11) The court may, during the course of any proceeding, order the production by any party thereto under oath of such documents or tape recordings in his power or control relating to any matter in question in such proceeding as the court may think meet, and the court may deal with such documents or tape recordings, when produced, as it thinks meet.";

(j) the substitution for sub-rule (12) of the following sub-rule:

"(12) Any party to any proceeding may at any time before the hearing thereof deliver a notice as near as may be in accordance with Form 15 in the First Schedule to any other party in whose pleadings or affidavits reference is made to any document or tape recording to produce such document or tape recording for his inspection and to permit him to make a copy or transcription thereof. Any party failing to comply with such notice shall not, save with the leave of the court, use such document or tape recording in such proceeding, provided that any other party may use such document or tape recording."; and

(k) the insertion after sub-rule (13) of the following sub-rules:

"(14) After appearance to defend has been entered, any party to any action may, for purposes of pleading, require any other party to make available for inspection within five days a clearly specified document or tape recording in his possession which is relevant to a reasonably anticipated issue in the action and to allow a copy or transcription to be made thereof.

(15) For the purposes of rules 35 and 38 a tape recording includes a sound track, film, magnetic tape, record or any other material on which visual images, sound or other information can be recorded.".

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27. Die wysiging van reël 36 deur—

(a) die vervanging van subreël (2) deur die volgende subreël:

"(2) Die party wat die mediese ondersoek wil laat doen, moet 'n kennisgewing aflewer wat die aard van die beoogde ondersoek meld, asook die persoon of persone deur wie, die plek waar en die datum (wat minstens 15 dae na die kennisgewing moet wees) en tyd waarop uitvoering daarvan verlang word. Die kennisgewing moet ook meld dat die ander party sy eie mediese adviseur teenwoordig mag hê en moet vergesel gaan van 'n remise ter dekking van die redelike uitgawes wat die ander party vir bywoning van die ondersoek sal hê, teen die tarief wat sou geld as die party 'n getuie in 'n siviele saak voor die hof was: Met dien verstande egter dat—

(a) as die ander party nie kan beweeg nie, die bedrag die koste van motorvervoer moet insluit en waar nodig ook die redelike koste van 'n begeleier;

(b) as die ander party sy salaris, loon of ander besoldiging tydens sy afwesigheid uit sy werk sal inboet, hy benewens bedoelde uitgawes ook geregtig is op hoogstens R15 per dag ten opsigte van die inkomste wat hy werklik inboet;

(c) enige bedrag wat aldus deur 'n party betaal word, koste in die geding is tensy die hof anders gelas.";

(b) die vervanging van die woorde wat op paragraaf (d) van subreël (3) volg, deur die volgende woorde:

"binne vyf dae na betekening van die kennisgewing die ander party skriftelik op hoogte stel van die aard en gronde van sy beswaar, en hy moet ook—

(i) as sy beswaar teen die plek, datum of tyd van die ondersoek is, 'n alternatiewe datum, tyd of plek voorstel; en

(ii) as sy beswaar teen die aangebode bedrag vir die uitgawes is, besonderhede gee van die hoër bedrag wat hy nodig het.

As hy nie binne die genoemde tyd van vyf dae so 'n beswaar aflewer nie, word dit geag dat hy tot die ondersoek toegestem het soos voorgestel deur die persoon wat kennis gegee het. As beswaar gemaak word en die persoon wat kennis gegee het, dit geheel of gedeeltelik ongegrond ag, kan hy na kennisgewing by 'n regter aansoek doen om te bepaal of die ondersoek nog moet plaasvind en, indien wel, op watter terme.";

(c) die vervanging van subreël (4) deur die volgende subreël:

"(4) 'n Party tot so 'n aksie kan te eniger tyd by skriftelike kennisgewing van die persoon wat skadevergoeding vorder, eis dat hy vir sover hy daartoe in staat is, binne 10 dae mediese verslae, hospitaaloorkondes, X-straalfoto's of ander dergelike dokumentêre inligting wat van belang is by die vasstelling van skadevergoeding, beskikbaar stel en op versoek afskrifte daarvan verskaf.";

(d) die invoeging na subreël (5) van die volgende subreël:

"(5A) Indien 'n party skadevergoeding eis weens die dood van 'n ander persoon, moet hy hom soos in hierdie reël voorgeskryf onderwerp aan 'n mediese ondersoek indien daarvoor

27. The amendment of rule 36 by—

(a) the substitution for sub-rule (2) of the following sub-rule:

"(2) Any party requiring another party to submit to such examination shall deliver a notice specifying the nature of the examination required, the person or persons by whom, the place where and the date (being not less than 15 days from the date of such notice) and time when it is desired that such examination shall take place, and requiring such other party to submit himself for examination then and there. Such notice shall state that such other party may have his own medical adviser present at such examination, and shall be accompanied by a remittance in respect of the reasonable expense to be incurred by such other party in attending such examination. Such expense shall be tendered on the scale as if such person were a witness in a civil suit before the court: Provided, however, that—

(a) if such other party is immobile, the amount to be paid to him shall include the cost of his travelling by motor vehicle and, where required, the reasonable cost of a person attending upon him;

(b) where such other party will actually lose his salary, wage or other remuneration during the period of his absence from work, he shall in addition to the aforementioned expenses be entitled to receive an amount not exceeding R15 per day in respect of the salary, wage or other remuneration which he will actually lose;

(c) any amounts paid by a party as aforesaid shall be costs in the cause unless the court otherwise directs.";

(b) the substitution for sub-rule (3) of the following sub-rule:

"(3) The person receiving such notice shall within five days after the service thereof notify the person delivering it in writing of the nature and grounds of any objection which he may have in relation to—

(a) the nature of the proposed examination;

(b) the person or persons by whom the examination is to be conducted;

(c) the place, date or time of the examination;

(d) the amount of the expenses tendered to him,

and shall further—

(i) in the case of his objection being to the place, date or time of the examination, furnish an alternative date, time or place as the case may be; and

(ii) in the case of the objection being to the amount of the expenses tendered, furnish particulars of such increased amount as may be required.

Should the person receiving the notice not deliver such objection within the said period of five days, he shall be deemed to have agreed to the examination upon the terms set forth by the person giving the notice. Should the person giving the notice regard the objection raised by the person receiving it as unfounded in whole or in part he may on notice make application to a judge to determine the conditions upon which the examination, if any, is to be conducted.";

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gevra word en daar beweer word dat sy eie gesondheidstoestand ter sake is by die bepaling van die skadevergoeding.";

(e) die vervanging van subreël (6) deur die volgende subreël:

"(6) As dit lyk of die toestand van enige goed hoegenaamd, hetsy roerend of onroerend, ter sake kan wees by die beslissing van 'n geskilpunt in 'n aksie, kan enige party in enige stadium kennis gee aan die party wat op die toestand van die goed steun of wat dit in sy besit of onder sy beheer het, dat hy dit beskikbaar moet stel vir ondersoek ingevolge hierdie subreël, en hy kan in die kennisgewing verlang dat die goed of 'n billike eksemplaar daarvan vir hoogstens 10 dae vanaf ontvangs van die kennisgewing vir ondersoek beskikbaar bly.";

(f) die vervanging van subreël (7) deur die volgende subreël:

"(7) Die party wat versoek word om goed vir ondersoek beskikbaar te stel, kan eis dat die party wat dit aanvra, die aard van die beoogde ondersoek aangee en hy is nie verplig om die goed daaraan te onderwerp nie as dit hom wesenlik sal benadeel vanweë die uitwerking daarvan op die goed. As daar 'n geskil ontstaan of die goed vir ondersoek beskikbaar gestel moet word, kan enige van die partye dit vir beslissing na 'n regter verwys by kennisgewing waarin vermeld word dat die ondersoek aangevra is en dat daar ingevolge hierdie subreël beswaar aangeteken word. Die regter kan na goeddunke 'n bevel gee.";

(g) die vervanging van paragraaf (a) van subreël (9) deur die volgende paragraaf:

"(a) minstens 15 dae voor die verhoor 'n kennisgewing dat hy dit wil doen, afgelewer het; en"; en

(h) die vervanging van paragraaf (a) van subreël (10) deur die volgende paragraaf:

"(a) Niemand mag, behalwe met verlof van die hof of die toestemming van al die partye, 'n plan, tekening, model of foto as getuienis aanbied nie tensy hy minstens 15 dae voor die verhoor 'n kennisgewing afgelewer het dat hy dit wil doen, dat hy dit ter insae aanbied en dat hy verlang dat die party wat die kennisgewing ontvang, die bewysstuk binne 10 dae erken.".

28. Die wysiging van reël 38 deur—

(a) die hernommering van die bestaande subreël (1) as subreël (1) (a); en

(b) die invoeging na paragraaf (a) van subreël (1) van die volgende paragraaf:

"(b) 'n Getuie wat aangesê is om 'n akte, dokument, geskrif of bandopname by die verhoor beskikbaar te hê, oorhandig dit so gou moontlik aan die griffier, tensy die getuie beweer dat die akte, dokument, geskrif of bandopname bevoorreg is. Die partye het insae in sodanige akte, dokument, geskrif of bandopname wat by die griffier ingedien is, en kan afskrifte of transkripsies daarvan maak waarna die getuie geregtig is op teruggawe.".

29. Die wysiging van reël 40 deur die vervanging van paragraaf (a) van subreël (2) deur die volgende paragraaf:

"(a) 'n beëdigde verklaring wat sy finansiële posisie volledig uiteensit en vermeld dat, met uitsondering van huisraad, klere en ambagsgereedskap, hy minder as R1 000 aan waarde besit en nie binne 'n redelike tyd so 'n bedrag uit sy verdienste sal kan bybring nie;".

(c) the substitution for sub-rule (4) of the following sub-rule:

"(4) Any party to such an action may at any time by notice in writing require any person claiming such damages to make available in so far as he is able to do so to such party within 10 days any medical reports, hospital records, X-ray photographs, or other documentary information of a like nature relevant to the assessment of such damages, and to provide copies thereof upon request.";

(d) the insertion after sub-rule (5) of the following sub-rule:

"(5A) If any party claims damages resulting from the death of another person, he shall undergo a medical examination as prescribed in this rule if this is requested and it is alleged that his own state of health is relevant in determining the damages.";

(e) the substitution for sub-rule (6) of the following sub-rule:

"(6) If it appears that the state or condition of any property of any nature whatsoever, whether movable or immovable, may be relevant with regard to the decision of any matter at issue in any action, any party may at any stage give notice requiring the party relying upon the existence of such state or condition of such property or having such property in his possession or under his control to make it available for inspection or examination in terms of this sub-rule, and may in such notice require that such property or a fair sample thereof remain available for inspection or examination for a period of not more than 10 days from the date of receipt of the notice.";

(f) the substitution for sub-rule (7) of the following sub-rule:

"(7) The party called upon to submit such property for examination may require the party requesting it to specify the nature of the examintion to which it is to be submitted, and shall not be bound to submit such property thereto if this will materially prejudice such party by reason of the effect thereof upon such property. In the event of any dispute whether the property should be submitted for examination, such dispute shall be referred to a judge on notice delivered by either party stating that the examination is required and that objection is taken in terms of this sub-rule. In considering any such dispute the judge may make such order as to him seems meet.";

(g) the substitution for paragraph (a) of sub-rule (9) of the following paragraph:

"(a) not less than 15 days before the hearing, have delivered notice of his intention so to do; and"; and

(h) the substitution for paragraph (a) of sub-rule (10) of the following paragraph:

"(a) No person shall, save with the leave of the court or the consent of all the parties, be entitled to tender in evidence any plan, diagram, model or photograph unless he shall not less than 15 days before the hearing have delivered a notice stating his intention to do so, offering inspection thereof and requiring the party receiving notice to admit the same within 10 days after receipt of the notice.".

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30. Die wysiging van reël 41 deur die vervanging van subreël (4) deur die volgende subreël:

"(4) Tensy die geding teruggetrek is, mag 'n party tot 'n skikking wat op skrif gestel en deur die partye of hulle regsverteenwoordigers onderteken, maar nie uitgevoer is nie, vonnis in dier voege aanvra met minstens vyf dae kennisgewing aan alle belanghebbende partye.".

31. Die wysiging van reël 43 deur—

(a) die vervanging van subreël (3) deur die volgende subreël:

"(3) Die respondent moet binne 10 dae na ontvangs van die verklaring 'n beëdigde antwoord in die aard van 'n pleit aflewer, geteken en voorsien van 'n adres soos in subreël (2) bedoel, by gebreke waarvan hy *ipso facto* onder belet is.";

(b) die vervanging van subreël (4) deur die volgende subreël:

"(4) So gou moontlik daarna bring die griffier die saak voor die hof vir summiere verhoor met 10 dae kennis aan die partye, tensy die respondent in verstek is."; en

(c) die vervanging van subreël (7) deur die volgende subreël:

"(7) Advokaatsgelde in sake kragtens hierdie reël beloop hoogstens R50 as dit onbestrede is of R75 as dit bestrede is, tensy die hof in 'n uitsonderlike geval anders beveel.".

32. Die vervanging van reël 44 deur die volgende reël:

"44. ONBESTREDE EGSKEIDINGSAKSIES

Wanneer 'n onbestrede egskeidingsaksie uitgestel word kan die aksie voor 'n ander hof voortgesit word ongeag of getuienis daarin afgelê is.".

33. Die wysiging van reël 48 deur—

(a) die vervanging van subreël (1) deur die volgende subreël:

"(1) 'n Party wat ontevrede is met die beslissing van die takseermeester ten aansien van 'n item of deel van 'n item waarteen beswaar gemaak is of wat *mero motu* deur die takseermeester geweier is, kan binne 15 dae na die *allocatur* eis dat die takseermeester 'n gestelde saak opstel vir beslissing deur 'n regter, waarin hy elke item of deel daarvan tesame met die gronde van beswaar wat by die taksasie geopper is, uiteensit, sowel as die feitebevindinge van die takseermeester: Met dien verstande dat behalwe met toestemming van die takseermeester geen gestelde saak opgestel word waar die bedrag of die totaal van die bedrae, hetsy weierings of toelatings, waaroor die beswaarmaker ontevrede voel, minder as R50 is nie."; en

(b) die vervanging van subreël (2) deur die volgende subreël:

"(2) Die takseermeester moet 'n afskrif van die gestelde saak aan elk van die partye verskaf en hulle mag dan binne 10 dae na ontvangs daarvan skriftelike betoog daaroor voorlê, insluitende gronde van beswaar wat nie by die taksasie geopper is nie, ten opsigte van 'n item of deel van 'n item waarteen by die takseermeester beswaar gemaak is of wat *mero motu* deur

28. The amendment of rule 38 by—

(a) the renumbering of the existing sub-rule (1) as sub-rule (1) (a); and

(b) the insertion after paragraph (a) of sub-rule (1) of the following paragraph:

"(b) Any witness who has been required to produce any deed, document, writing or tape recording at the trial shall hand it over to the registrar as soon as possible, unless the witness claims that the deed, document, writing or tape recording is privileged. Thereafter the parties may inspect such deed, document, writing or tape recording and make copies or transcriptions thereof, after which the witness is entitled to its return.".

29. The amendment of rule 40 by the substitution for paragraph (a) of sub-rule (2) of the following paragraph:

"(a) an affidavit setting forth fully his financial position and stating that, excepting household goods, wearing apparel and tools of trade, he is not possessed of property to the amount of R1 000 and will not be able within a reasonable time to provide such sum from his earnings;".

30. The amendment of rule 41 by the substitution for sub-rule (4) of the following sub-rule:

"(4) Unless such proceedings have been withdrawn, any party to a settlement which has been reduced to writing and signed by the parties or their legal representatives but which has not been carried out, may apply for judgment in terms thereof on at least five days' notice to all interested parties.".

31. The amendment of rule 43 by—

(a) the substitution for sub-rule (3) of the following sub-rule:

"(3) The respondent shall within 10 days after receiving the statement deliver a sworn reply in the nature of a plea, signed and giving an address as aforesaid, in default of which he shall be *ipso facto* barred.";

(b) the substitution for sub-rule (4) of the following sub-rule:

"(4) As soon as possible thereafter the registrar shall bring the matter before the court for summary hearing, on 10 days' notice to the parties, unless the respondent is in default."; and

(c) the substitution for sub-rule (7) of the following sub-rule:

"(7) No advocate appearing in a case under this rule shall charge a fee of more than R50 if the claim is undefended or R75 if it is defended, unless the court in an exceptional case otherwise directs.".

32. The substitution for rule 44 of the following rule:

"44. UNDEFENDED DIVORCE ACTIONS

When an undefended divorce action is postponed the action may be continued before another court notwithstanding that evidence has been given.".

33. The amendment of rule 48 by—

(a) the substitution for sub-rule (1) of the following sub-rule:

"(1) Any party dissatisfied with the ruling of the taxing master as to any item or part of an item which was objected to or disallowed *mero motu* by the taxing master, may within 15 days after the *allocatur* require the taxing master to state a case for the decision of a judge, which case shall set out each item or part of an item together with the grounds of

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die takseermeester geweier is. Daarna stel die takseermeester sy verslag op en verskaf hy 'n afskrif daarvan aan elk van die partye, wat binne 10 dae na ontvangs daarvan 'n skriftelike betoog daaroor aan die takseermeester kan voorlê, wat onverwyld die saak tesame met die betoog van die partye daaroor, sy verslag en enige betoog daaroor voor 'n regter lê wat op grond daarvan kan beslis, of eers verdere inligting van die takseermeester kan vorder en, indien nodig, die partye of hul advokate of prokureurs in sy kamers kan aanhoor of die saak vir beslissing na die hof kan verwys. Die takseermeester verskaf enige verdere inligting wat hy aan die regter moet verskaf aan die partye, wat binne 15 dae na ontvangs daarvan 'n skriftelike betoog daaroor aan die takseermeester kan voorlê, wat onverwyld sodanige verdere inligting tesame met enige betoog van die partye daaroor voor die regter lê.".

34. Die wysiging van reël 49 deur—

(a) die vervanging van die opskrif deur die volgende opskrif:

"APPÈLLE VAN DIE HOOGGEREGSHOF";

(b) die vervanging van paragraaf (b) van subreël (1) deur die volgende paragraaf:

"(b) Wanneer verlof om te appelleer nodig is en dit nie ten tyde van die uitspraak of bevel aangevra is nie, moet binne 15 dae nadat die bevel waarteen geappelleer word, gegee is, aansoek om sodanige verlof gedoen word en die gronde daarvoor verstrek word: Met dien verstande dat wanneer die hof die redes of die volledige redes vir sy bevel op 'n later datum as die datum van die bevel gee, sodanige aansoek binne 15 dae ná sodanige later datum gedoen kan word: Met dien verstande voorts dat die hof by die aanvoering van goeie gronde gemelde tydperke van 15 dae kan verleng.";

(c) die vervanging van paragraaf (c) van subreël (1) deur die volgende paragraaf:

"(c) Wanneer die hof by die gee van 'n bevel verklaar dat die redes vir die bevel op aansoek van enige van die partye verstrek sal word, moet sodanige aansoek binne 10 dae ná die datum van die bevel afgelewer word.";

(d) die vervanging van subreël (2) deur die volgende subreël:

"(2) Indien verlof toegestaan is om na die volle hof te appelleer, moet die kennisgewing van appèl binne 20 dae na die datum waarop verlof toegestaan is of binne sodanige langer tydperk as wat op goeie gronde toegelaat mag word, aan alle partye afgelewer word.";

(e) die vervanging van subreël (4) deur die volgende subreël:

"(4) 'n Kennisgewing van teenappèl moet binne 10 dae nadat die kennisgewing van appèl afgelewer is of binne sodanige langer tydperk as wat op goeie gronde toegelaat mag word, afgelewer word, en die bepalings van hierdie reëls ten opsigte van appèlle geld *mutatis mutandis* vir teenappèlle.";

objection advanced at the taxation and shall embody any finding of facts by the taxing master: Provided that, save the consent of the taxing master, no case shall be stated where the amount, or the total of the amounts, which the taxing master has disallowed or allowed, as the case may be, and which the party dissatisfied seeks to have allowed or disallowed respectively, is less than R50."; and

(b) the substitution for sub-rule (2) of the following sub-rule:

"(2) The taxing master shall supply a copy of the case to each of the parties, who may within 10 days after receipt thereof submit contentions in writing thereon, including gounds of objection not advanced at the taxation, in respect of any item or part of an item which was objected to before the taxing master or disallowed *mero motu* by the taxing master. Thereafter the taxing master shall frame his report and shall supply a copy thereof to each of the parties, who may within 10 days after receipt thereof submit contentions in writing thereon to the taxing master, who shall forthwith lay the case together with the contentions of the parties thereon, his report and any contentions thereon before a judge, who may then decide the matter upon the case and contentions so submitted, together with any further information which he may require from the taxing master, or may decide it after hearing, if he deems fit, the parties or their advocates or attorneys in his chambers, or he may refer the case for decision to the court. Any further information to be supplied by the taxing master to the judge shall be supplied by him to the parties who may within 15 days after the receipt thereof submit contentions in writing thereon to the taxing master, who shall forthwith lay such further information together with any contentions of the parties thereon before the judge.".

34. The amendment of rule 49 by—

(a) the substitution for the heading of the following heading:

"APPEALS FROM THE SUPREME COURT.";

(b) the substitution for paragraph (b) of sub-rule (1) of the following paragraph:

"(b) When leave to appeal is required and it has not been requested at the time of the judgment or order, application for such leave shall be made and the grounds therefor shall be furnished within 15 days after the date of the order appealed against: Provided that when the reasons or the full reasons for the court's order are given on a later date than the date of the order, such application may be made within 15 days after such later date: Provided further that the court may, upon good cause shown, extend the aforementioned periods of 15 days.";

(c) the substitution for paragraph (c) of sub-rule (1) of the following paragraph:

"(c) When in giving an order the court declares that the reasons for the order will be furnished to any of the parties on application, such application shall be delivered within 10 days after the date of the order.";

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(f) die vervanging van paragraaf (a) van subreël (6) deur die volgende paragraaf:

"(a) Binne 60 dae ná aflewering van 'n kennisgewing van appèl moet die appellant skriftelik by die griffier van die afdeling waar die appèl verhoor moet word, 'n datum vir die verhoor daarvan aanvra en terselfdertyd aan hom sy volledige woonadres en die naam en adres van elke ander party tot die appèl verskaf, en indien die appellant versuim om dit te doen, kan die respondent binne 10 dae na verstryking van bedoelde tydperk van 60 dae net soos in die geval van die appellant aansoek doen om die terrolleplasing van die appèl of die teenappèl wat hy mag aangeteken het. As geeneen van die partye so 'n aansoek doen nie, word die appèl en teenappèl geag te verval het: Met dien verstande dat die respondent die reg het om 'n bevel vir sy verkwiste koste te vra.";

(g) die vervanging van paragraaf (c) van subreël (7) deur die volgende paragraaf:

"(c) Nadat die afskrifte van die notule afgelewer is, moet die griffier van die hof wat die appèl of teenappèl moet verhoor, 'n verhoordatum vir die appèl of vir die aansoek om kondonasie en appèl, na gelang van die geval, toeken en die saak vir daardie datum ter rolle plaas en minstens 20 dae skriftelike kennis daarvan aan die partye gee.";

(h) die vervanging van subreël (15) deur die volgende subreël:

"(15) Minstens 15 dae voor die verhoor van die appèl moet die appellant 'n bondige opgawe aflewer van die hoofpunte (sonder om daarop uit te brei) wat hy op appèl wil aanvoer, tesame met 'n lys van die bronne wat ter staving van elke punt aangehaal sal word, en minstens 10 dae voor die verhoor van die appèl moet die respondent 'n dergelike opgawe aflewer. Drie addisionele afskrifte word in elke geval by die griffier ingedien."; en

(i) die invoeging na subreël (17) van die volgende subreël:

"(18) Ondanks die bepalings van hierdie reël kan die regter-president, in oorleg met die betrokke partye, gelas dat 'n voorgenome appèl as 'n dringende aangeleentheid behandel word, en beveel dat dit afgehandel word en die appèl voortgesit word op 'n tyd en wyse as wat hy goeddink.".

35. Die wysiging van reël 49A deur die vervanging van subreël (1) deur die volgende subreël:

"(1) (a) Indien verlof om te appelleer ingevolge artikels 316 tot en met 319 van die Strafproseswet, 1977 (Wet 51 van 1977), toegestaan is, moet die beskuldigde binne 10 dae nadat sodanige verlof toegestaan is, skriftelik sy volledige woon- en posadres en die adres van sy regsverteenwoordiger, indien hy verteenwoordig word, aan die betrokke griffier en prokureur-generaal beskikbaar stel.

(d) the substitution for sub-rule (2) of the following sub-rule:

"(2) If leave to appeal to the full court is granted the notice of appeal shall be delivered to all the parties within 20 days after the date upon which leave was granted or within such longer period as may upon good cause shown be permitted.";

(e) the substitution for sub-rule (4) of the following sub-rule:

"(4) A notice of cross-appeal shall be delivered within 10 days after delivery of the notice of appeal or within such longer period as may upon good cause shown be permitted and the provisions of these rules with regard to appeals shall *mutatis mutandis* apply to cross-appeals.";

(f) the substitution for paragraph (a) of sub-rule (6) of the following paragraph:

"(a) Within 60 days after delivery of a notice of appeal, an appellant shall make written application to the registrar of the division where the appeal is to be heard for a date for the hearing of such appeal and shall at the same time furnish him with his full residential address and the name and address of every other party to the appeal and if the appellant fails to do so a respondent may within 10 days after the expiry of the said period of 60 days, as in the case of the appellant, apply for the set down of the appeal or cross-appeal which he may have noted. If no such application is made by either party the appeal and cross-appeal shall be deemed to have lapsed: Provided that a respondent shall have the right to apply for an order for his wasted costs.";

(g) the substitution for paragraph (c) of sub-rule (7) of the following paragraph:

"(c) After delivery of the copies of the record, the registrar of the court that is to hear the appeal or cross-appeal shall assign a date for the hearing of the appeal or for the application for condonation and appeal, as the case may be, and shall set the appeal down for hearing on the said date and shall give the parties at least 20 days' notice in writing of the date so assigned.";

(h) the substitution for sub-rule (15) of the following sub-rule:

"(15) Not later than 15 days before the appeal is heard the appellant shall deliver a concise and succinct statement of the main points (without elaboration) which he intends to argue on appeal, as well as a list of the authorities to be tendered in support of each point, and not later than 10 days before the appeal is heard the respondent shall deliver a similar statement. Three additional copies shall in each case be filed with the registrar."; and

(i) the insertion after sub-rule (17) of the following sub-rule:

"(18) Notwithstanding the provisions of this rule the judge president may, in consultation with the parties concerned, direct that a contemplated appeal be dealt with as an urgent matter and order that it be disposed of, and the appeal be prosecuted, at such time and in such manner as to him seems meet."

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(b) Ten opsigte van die in artikel 315 (3) van die Strafproseswet, 1977 (Wet 51 van 1977), bedoelde appèlle na die volle hof berei die griffier, behoudens die bepalings van artikel 316 (5) (b) van genoemde Wet, drie addisionele afskrifte van die notules of gedeeltes daarvan voor, na gelang van die geval, en verskaf soveel aan die Staat as wat benodig word en in die geval van die beskuldigde soveel as wat verlang word, teen betaling van die voorgeskrewe tarief: Met dien verstande dat as die griffier van oordeel is dat die beskuldigde te arm is om die voorgeskrewe tarief te betaal, sodanige afskrifte kosteloos aan hom verskaf kan word, in welke geval die beslissing van die griffier finaal is.

(c) In die geval van 'n appèl teen die uitspraak of bevel van die hof van die Witwatersrandse Plaaslike Afdeling bepaal die regter-president van die Transvaalse Provinsiale Afdeling of die appèl deur die volle hof van bedoelde plaaslike afdeling verhoor moet word. Indien die regter-president gelas dat 'n appèl deur die volle hof van die Witwatersrandse Plaaslike Afdeling verhoor moet word, moet die griffier van gemelde plaaslike afdeling onmiddellik daarna die prokureur-generaal en die beskuldigde of sy regsverteenwoordiger dienooreenkomstig in kennis stel. Indien die regter-president nie aldus gelas nie, moet die griffier die griffier van die provinsiale afdeling sowel as die prokureur-generaal en die beskuldigde of sy regsverteenwoordiger dienooreenkomstig in kennis stel.".

36. Die wysiging van reël 50 deur—

(a) die vervanging van subreël (1) deur die volgende subreël:

"(1) 'n Appèl by die hof teen die beslissing van 'n landdros in 'n siviele saak moet binne 40 dae na die aantekening daarvan voortgesit word, anders word dit geag te verval het.";

(b) die vervanging van subreël (3) deur die volgende subreël:

"(3) As 'n teenappèl aangeteken is en die appèl verval, verval die teenappèl ook, tensy 'n datum vir die aanhoring daarvan binne 20 dae na die verval van die appèl by die griffier aangevra word.";

(c) die vervanging van subreël (4) deur die volgende subreël:

"(4) Die appellant kan binne 30 dae na aantekening van die appèl skriftelik by die griffier en met kennisgewing aan alle ander partye 'n datum van aanhoring aanvra en moet terselfdertyd skriftelik sy volledige woon- en posadres en die adres van sy prokureur, indien hy verteenwoordig word, aan die griffier beskikbaar stel. As hy dit nie doen nie, kan die respondent te eniger tyd voor verstryking van die voormelde tydperk van 40 dae op dieselfde wyse 'n datum van aanhoring aanvra. Dan word die appèl of teenappèl geag behoorlik voortgesit te wees.";

35. The amendment of rule 49A by the substitution for sub-rule (1) of the following sub-rule:

"(1) (a) If leave to appeal has been granted in terms of sections 316 up to and including 319 of the Criminal Procedure Act, 1977 (Act 51 of 1977), the accused shall within 10 days after such leave being granted make available to the registrar and the attorney-general concerned, in writing, his full residential and postal addresses and the address of his legal representative if he is represented.

(b) In the case of an appeal in terms of section 315 (3) of the Criminal Procedure Act, 1977 (Act 51 of 1977), to the full court, the registrar shall, subject to the provisions of section 316 (5) (b) of the said Act, prepare three additional copies of the case record or parts thereof, as the case may be, and shall furnish the State with the number it requires and, on payment of the prescribed fee, shall furnish the accused with the number he requires: Provided that if the registrar is of the opinion that the accused is too poor to pay the prescribed fee, such copies may be furnished without payment of any fee, in which case the registrar's decision shall be final.

(c) In the case of an appeal against the judgment or order of the court of the Witwatersrand Local Division, the judge president of the Transvaal Provincial Division shall determine whether the appeal should be heard by the full court of the said local division. If the judge president has directed that the appeal should be heard by the full court of the Witwatersrand Local Division the registrar of the said local division shall immediately inform the attorney-general and the accused or his legal representative accordingly. If the judge president has not so directed, the registrar shall inform the registrar of the provincial division as well as the attorney-general and the accused or his legal representative accordingly.".

36. The amendment of rule 50 by—

(a) the substitution for sub-rule (1) of the following sub-rule:

"(1) An appeal to the court against the decision of a magistrate in a civil matter shall be prosecuted within 40 days after the noting of such appeal, and unless so prosecuted it shall be deemed to have lapsed.";

(b) the substitution for sub-rule (3) of the following sub-rule:

"(3) If a cross-appeal has been noted, and the appeal lapses, the cross-appeal shall also lapse, unless application for a date of hearing for such cross-appeal is made to the registrar within 20 days after the date of the lapse of such appeal.";

(c) the substitution for sub-rule (4) of the following sub-rule:

"(4) The appellant may, within 30 days after noting the appeal, apply in writing to the registrar on notice of all other parties for a date of hearing, and shall at the same time make available to the registrar in writing his full residential and postal addresses and the address of his attorney if he is represented. If he fails to do so, the respondent may at any time before the expiry of the aforesaid period of 40 days apply for a date of hearing in like manner. Upon such application, an appeal or cross-appeal shall be deemed to have been duly prosecuted.";

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(d) die vervanging van subreël (5) deur die volgende subreël:

"(5) By ontvangs van so 'n aansoek moet die griffier onverwyld 'n datum van aanhoring toeken, minstens 40 dae later, tensy alle partye skriftelik tot 'n korter tyd toestem. Hy moet die applikant onverwyld skriftelik kennis van die datum gee, waarna die applikant dadelik 'n kennisgewing van terrolleplasing aflewer en die klerk van die hof skriftelik daarvan in kennis stel.";

(e) die vervanging van paragraaf (a) van subreël (7) deur die volgende paragraaf:

"(a) By ontvangs van die kennisgewing van die datum van aanhoring van 'n appèl moet die party wat dit aangevra het, twee afskrifte van die oorkonde maak en hulle minstens 15 dae voor die genoemde datum by die griffier indien: Met dien verstande dat as so 'n appèl deur meer as twee regters verhoor staan te word, die griffier die nodige addisionele afskrifte kan vorder.";

(f) die vervanging van paragraaf (c) van subreël (7) deur die volgende paragraaf:

"(c) Die oorkonde moet 'n juiste en volledige afskrif bevat van die pleitstukke en die getuienis, en van alle dokumente wat nodig is vir die beregting van die appèl, sowel as 'n inhoudsopgawe daarvan. Die eksemplare wat by die griffier ingedien word, moet as juis gesertifiseer wees deur die prokureur of party wat hulle indien of die persoon wat die oorkonde voorberei het.";

(g) die vervanging van paragraaf (d) van subreël (7) deur die volgende paragraaf:

"(d) Die party wat die afskrifte van die oorkonde indien, moet minstens 15 dae voor die datum vir aanhoring van die appèl ook aan elk van die ander partye twee eksemplare daarvan verskaf, aldus gesertifiseer."; en

(h) die invoeging na subreël (8) van die volgende subreëls:

"(9) Minstens 15 dae voor die verhoor van die appèl moet die appellant 'n bondige opgawe aflewer van die hoofpunte (sonder om daarop uit te brei) wat hy op appèl wil aanvoer, tesame met 'n lys van die bronne wat ter staving van elke punt aangehaal sal word, en minstens 10 dae voor die verhoor van die appèl moet die respondent 'n dergelike opgawe aflewer. Drie addisionele afskrifte word in elke geval by die griffier ingedien.

(10) Ondanks die bepalings van hierdie reël kan die regter-president, in oorleg met die betrokke partye, gelas dat 'n voorgenome appèl as 'n dringende aangeleentheid behandel word, en beveel dat dit afgehandel word en die appèl voortgesit word op 'n tyd en wyse as wat hy goeddink.".

37. Die wysiging van reël 51 deur die invoeging na subreël (3) van die volgende subreël:

"(4) Voor die verhoor van die appèl moet die appellant 'n bondige opgawe aflewer van die hoofpunte (sonder om daarop uit te brei) wat hy op appèl wil aanvoer, tesame met 'n bronnelys wat ter stawing van elke punt aangehaal sal word, en voor die verhoor van die appèl moet die respondent 'n dergelike opgawe

(d) the substitution for sub-rule (5) of the following sub-rule:

"(5) Upon receipt of such an application for a date of hearing for an appeal or a cross-appeal, the registrar shall forthwith assign a date of hearing thereto, which date shall not be less than 40 days after the date of such receipt, unless all parties concerned consent in writing to a shorter period. The registrar shall forthwith give the applicant for such date written notice of the date so assigned by him, whereupon the applicant shall, without delay, deliver a notice of set down and notify the clerk of the court in writing accordingly.";

(e) the substitution for paragraph (a) of sub-rule (7) of the following paragraph:

"(a) Upon receipt of such notice of the date assigned for the hearing of an appeal, the party who applied for the same shall prepare and lodge with the registrar not less than 15 days prior to the said date two copies of the record: Provided that if such appeal is to be heard by more than two judges the registrar may call for such additional copies of the record as are required.";

(f) the substitution for paragraph (c) of sub-rule (7) of the following paragraph:

"(c) The record shall contain a correct and complete copy of the pleadings, evidence and all documents necessary for the hearing of the appeal, together with an index thereof, and the copies lodged with the registrar shall be certified as correct by the attorney or party lodging the same or the person who prepared the record.";

(g) the substitution for paragraph (d) of sub-rule (7) of the following paragraph:

"(d) The party lodging the copies of the record shall not less than 15 days prior to the date of the hearing of the appeal also furnish each of the other parties with two copies thereof, certified as aforesaid."; and

(h) the insertion after sub-rule (8) of the following sub-rules:

"(9) Not less than 15 days before the appeal is heard the appellant shall deliver one copy of a concise and succinct statement of the main points (without elaboration) which he intends to argue on appeal, as well as a list of the authorities to be tendered in support of each point, and not less than 10 days before the appeal is heard the respondent shall deliver a similar statement. Three additional copies shall be lodged with the registrar in each case.

(10) Notwithstanding the provisions of this rule the judge president may, in consultation with the parties concerned, direct that a contemplated appeal be dealt with as an urgent matter and order that it be disposed of, and the appeal be prosecuted, at such time and in such manner as to him seems meet.".

37. The amendment of rule 51 by the insertion after sub-rule (3) of the following sub-rule:

"(4) Before the appeal is heard the appellant shall deliver a concise statement of the main points (without elaboration) which he intends to argue on appeal, as well as a list of the authorities to be tendered in support of each point, and before the appeal is heard the respondent shall deliver a similar statement. The

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aflewer. Die tydperke waarbinne die voormelde betoogshoofde en bronnelys afgelewer moet word, is dié wat van tyd tot tyd deur die regters-president van die onderskeie afdelings vasgestel word. Drie addisionele afskrifte word in elke geval by die griffier ingedien.".

38. Die wysiging van reël 53 deur—

(a) die vervanging van paragraaf (b) van subreël (1) deur die volgende paragraaf:

"(b) die landdros, voorsittende beampte, voorsitter of beampte, na gelang van die geval, opgeroep om binne 15 dae na ontvangs van die kennisgewing van mosie die oorkonde van die verrigtinge waarvan die party hersiening verlang, tesame met sodanige redes as wat hy regtens moet verstrek of wat hy wil verstrek, aan die griffier te stuur en die applikant in kennis te stel dat hy dit gedoen het.";

(b) die vervanging van subreël (4) deur die volgende subreël:

"(4) Die applikant kan binne 10 dae nadat die griffier die oorkonde aan hom beskikbaar gestel het, deur 'n kennisgewing en bygaande beëdigde verklaring af te lewer, sy kennisgewing van mosie wysig of uitbrei en die ondersteunende beëdigde verklaring aanvul."; en

(c) die vervanging van subreël (5) deur die volgende subreël:

"(5) As die voorsittende beampte, voorsitter of beampte, na gelang van die geval, of 'n party wat daardeur geraak word, die bevel in die kennisgewing van mosie aangevra, wil bestry, moet hy—

(a) binne 15 dae na ontvangs van die kennisgewing van mosie of 'n wysiging daarvan 'n kennisgewing aan die applikant aflewer dat hy wil bestry, en daarin 'n adres binne 8 kilometer van die griffierskantoor aangee waar hy betekening van alle prosesstukke in die geding sal aanvaar; en

(b) binne 30 dae na verstryking van die tyd in subreël (4) genoem, beëdigde verklarings aflewer wat hy in antwoord op die applikant se beweringe wil aanbied.".

39. (1) Hierdie wysigings tree op 1 Januarie 1988 in werking.

(2) Gedinge waarin die dagvaarding voor 1 Januarie 1988 uitgereik is, word voortgesit asof Hofreëls nommers 18, 21 en 24 nie deur hierdie kennisgewing gewysig is nie.

DEPARTEMENT VAN LANDBOU-EKONOMIE EN -BEMARKING

No. R. 2630 **27 November 1987**

BEMARKINGSWET, 1968 (WET 59 VAN 1968)

INMAAKVRUGTESKEMA.—SEISOENSOOREENKOMSTE

Ek, Jacob Johannes Greyling Wentzel, Minister van Landbou, maak hierby ingevolge artikel 79 van die Bemarkingswet, 1968 (Wet 59 van 1968), bekend dat—

(a) die Inmaakvrugteraad bedoel in artikel 6 van die Inmaakvrugteskema gepubliseer by Goewermentskennisgewing R. 2068 van 25 September 1987, kragtens artikel 43 van genoemde Skema die verbod en bepaling in die Bylae uiteengesit, opgelê en gemaak het; en

periods, within which the aforesaid heads of argument and list of authorities shall be delivered, are those which the judges president of the various divisions determine from time to time. Three additional copies shall in each case be filed with the registrar.".

38. The amendment of rule 53 by—

(a) the substitution for paragraph (b) of sub-rule (1) of the following paragraph:

"(b) Calling upon the magistrate, presiding officer, chairman or officer, as the case may be, to despatch, within 15 days after receipt of the notice of motion, to the registrar the record of such proceedings sought to be corrected or set aside, together with such reasons as he is by law required or desires to give or make, and to notify the applicant that he has done so.";

(b) the substitution for sub-rule (4) of the following sub-rule:

"(4) The applicant may within 10 days after the registrar has made the record available to him, by delivery of a notice and accompanying affidavit, amend, add to or vary the terms of his notice of motion and supplement the supporting affidavit."; and

(c) the substitution for sub-rule (5) of the following sub-rule:

"(5) Should the presiding officer, chairman or officer, as the case may be, or any party affected desire to oppose the granting of the order prayed in the notice of motion, he shall—

(a) within 15 days after receipt by him of the notice of motion or any amendment thereof deliver notice to the applicant that he intends so to oppose and shall in such notice appoint an address within 8 kilometres of the office of the registrar at which he will accept notice and service of all process in such proceedings; and

(b) within 30 days after the expiry of the time referred to in sub-rule (4) hereof, deliver any affidavits he may desire in answer to the allegations made by the applicant.".

39. (1) These amendments shall come into operation on 1 January 1988.

(2) Actions in which the summons was issued before 1 January 1988 shall be proceeded with as if Rules of Court numbers 18, 21 and 24 were not amended by this notice.

DEPARTMENT OF AGRICULTURAL ECONOMICS AND MARKETING

No. R. 2630 **27 November 1987**

MARKETING ACT, 1968 (ACT 59 OF 1968)

CANNING FRUIT SCHEME.—SEASONAL AGREEMENTS

I, Jacob Johannes Greyling Wentzel, Minister of Agriculture, hereby make known in terms of section 79 of the Marketing Act, 1968 (Act 59 of 1968), that—

(a) the Canning Fruit Board referred to in section 6 of the Canning Fruit Scheme published by Government Notice R. 2068 of 25 September 1987, has under section 43 of the said Scheme imposed the prohibition and made the determination set out in the Schedule; and

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(b) genoemde verbod en bepaling deur my goedgekeur is en op die datum van publikasie hiervan in werking tree.

J. J. G. WENTZEL,
Minister van Landbou.

BYLAE

Woordomskrywing

1. In hierdie Bylae het enige woord of uitdrukking waaraan 'n betekenis in die Skema geheg is, daardie betekenis, en beteken "die Skema" die Inmaakvrugteskema gepubliseer by Goewermentskennisgewing R. 2068 van 25 September 1987.

Verpligte ooreenkomste

2. (1) Geen produsent van inmaakvrugte mag enige hoeveelheid inmaakvrugte van 'n soort en variëteit of tipe in kolom 1 van die Tabel vermeld, gedurende die tydperk in kolom 2 van die Tabel daarteenoor vermeld, aan 'n inmaker verkoop nie, behalwe ooreenkomstig 'n skriftelike ooreenkoms wat deur die Raad goedgekeur is.

(2) Geen inmaker mag enige hoeveelheid inmaakvrugte van 'n soort en variëteit of tipe in kolom 1 van die Tabel vermeld, gedurende die tydperk in kolom 2 van die Tabel daarteenoor vermeld, van enigiemand koop nie, behalwe ooreenkomstig 'n skriftelike ooreenkoms wat deur die Raad goedgekeur is.

Voorsiening in ooreenkomste

3. 'n Ooreenkoms in klousule 2 bedoel, moet voorsiening maak vir die koop en verkoop van inmaakvrugte op die volgende voorwaardes:

(a) Die koper van die inmaakvrugte wat die onderwerp van so 'n ooreenkoms is, moet by lewering die graad van die betrokke inmaakvrugte bepaal.

(b) Die reëlings aangegaan deur die partye tot so 'n ooreenkoms betreffende—

(i) die tyd en plek van lewering van die betrokke inmaakvrugte;

(ii) die voorsiening van houers waarin die betrokke inmaakvrugte gelewer sal word; en

(iii) die datum en plek van betaling van die koopsom,

moet daarin uiteengesit word.

Sluitingsdatum vir die aangaan van ooreenkomste

4. (1) 'n Ooreenkoms in klousule 2 bedoel, moet voor of op die datum in kolom 3 van die Tabel teenoor die betrokke soort en variëteit of tipe inmaakvrugte vermeld, deur die partye tot so 'n ooreenkoms aangegaan word.

(2) Ondanks die bepalings van subklousule (1) kan die Raad onder spesiale omstandighede toelaat dat so 'n ooreenkoms aangegaan word op die latere datum wat die Raad onder die betrokke omstandighede vasstel.

Voorlegging van ooreenkomste

5. 'n Gewaarmerkte afskrif van elke ooreenkoms in klousule 2 bedoel, moet voor of op die datum van in klousule 4 (1) bedoel, of ingevolge klousule 4 (2) vasgestel, aan die Raad voorgelê word vir goedkeuring soos in klousule 2 beoog.

(b) the said prohibition and determination have been approved by me and shall come into operation on the date of publication hereof.

J. J. G. WENTZEL,
Minister of Agriculture.

SCHEDULE

Definitions

1. Any word or expression in this Schedule to which a meaning has been assigned in the Scheme shall have that meaning, and "the Scheme" means the Canning Fruit Scheme published by Government Notice R. 2068 of 25 September 1987.

Compulsory agreements

2. (1) No producer of canning fruit shall sell any quantity of canning fruit of a kind and variety or type specified in column 1 of the Table, to a canner during the period specified in column 2 of the Table, opposite thereto, otherwise than in accordance with a written agreement approved by the Board.

(2) No canner shall purchase any quantity of canning fruit of a kind and variety or type specified in column 1 of the Table, from any person during the period specified in column 2 of the Table opposite thereto, otherwise than in accordance with a written agreement approved by the Board.

Provisions in agreements

3. An agreement referred to in clause 2 shall provide for the purchase and sale of canning fruit subject to the following conditions:

(a) The purchaser of the canning fruit which is the subject of such agreement shall on delivery determine the grade of the canning fruit concerned.

(b) The arrangements concluded by the parties to such agreement relating to—

(i) the time and place of delivery of the canning fruit concerned;

(ii) the provision of containers in which the canning fruit concerned will be delivered; and

(iii) the date and place of payment of the purchase price,

shall be set out therein.

Closing date for the entry into of agreements

4. (1) An agreement referred to in clause 2 shall be entered into by the parties to such agreement on or before the date specified in column 3 of the Table opposite the kind and variety or type of canning fruit concerned.

(2) Notwithstanding the provisions of subclause (1) the Board may in special circumstances allow that such agreement be entered into on such later date as the Board may under the circumstances concerned determine.

Submission of agreements

5. A certified copy of each agreement referred to in clause 2 shall on or before the date referred to in clause 4 (1) or determined in terms of clause 4 (2) be submitted to the Board for approval as contemplated in clause 2.

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TABEL

BEPERKTE KOOP- EN VERKOOPTYDPERKE VIR INMAAKVRUGTE EN KEERDATUMS VIR OOREENKOMSTE

	Soort en variëteit of tipe inmaakvrugte	Tydperk waartydens koop en verkoop sonder 'n ooreenkoms verbode is	Sluitingsdatum vir aangaan en voorlegging van ooreenkomste
	1	2	3
1	***Appelkose:*** Bulida, Super Gold, Peeka, Royal	30 November van enige jaar tot 31 Januarie van die daaropvolgende jaar	30 November van elke jaar.
2	***Pere:*** Alle variëteite	15 Desember van enige jaar tot 31 Mei van die daaropvolgende jaar	15 Desember van elke jaar.
3	***Perskes:*** Taaipit	15 Desember van enige jaar tot 30 April van die daaropvolgende jaar	15 Desember van elke jaar.

No. R. 2631 **27 November 1987**

BEMARKINGSWET, 1968 (WET 59 VAN 1968)

INMAAKVRUGTESKEMA.—BEPERKING OP DIE VERKOOP EN VERWERKING VAN INMAAKVRUGTE

Ek, Jacob Johannes Greyling Wentzel, Minister van Landbou, maak hierby ingevolge artikel 79 van die Bemarkingswet, 1968 (Wet 59 van 1968) bekend dat—

(a) die Inmaakvrugteraad bedoel in artikel 6 van die Inmaakvrugteskema gepubliseer by Goewermentskennisgewing R. 2068 van 25 September 1987, kragtens artikels 42 en 44 van genoemde Skema die verbod in die Bylae uiteengesit, opgelê het;

(b) genoemde verbod deur my goedgekeur is en op die datum van publikasie hiervan in werking tree; en

(c) Goewermentskennisgewing R. 2680 van 19 Desember 1986 met ingang van genoemde datum van inwerkingtreding herroep word.

J. J. G. WENTZEL,
Minister van Landbou.

BYLAE

Woordomskrywing

1. In hierdie Bylae het enige woord of uitdrukking waaraan 'n betekenis in die Skema geheg is, daardie betekenis, en beteken "die Skema" die Inmaakvrugteskema gepubliseer by Goewermentskennisgewing R. 2068 van 25 September 1987.

Beperking op die verkoop van inmaakvrugte deur produsente

2. Geen produsent van inmaakvrugte mag enige inmaakvrugte van 'n soort en variëteit of tipe in kolom 1 van die Tabel vermeld, wat hy geproduseer het, vir inmaakdoeleindes verkoop nie, behalwe die grade daarvan wat in kolom 2 van die Tabel daarteenoor vermeld word.

TABLE

RESTRICTED PURCHASE AND SELLING PERIODS FOR CANNING FRUIT AND RETURN DATES FOR AGREEMENTS

	Kind and variety or type of canning fruit	Period during which purchase and sale without agreements are prohibited	Closing date for the entry into and submission of agreements
	1	2	3
1	***Apricots:*** Bulida, Super Gold, Peeka, Royal	30 November of any year until 31 January of the ensuing year	30 November of each year.
2	***Pears:*** All varieties	15 December of any year until 31 May of the ensuing year	15 December of each year.
3	***Peaches:*** Clingstone	15 December of any year until 30 April of the ensuing year	15 December of each year.

No. R. 2631 **27 November 1987**

MARKETING ACT, 1968 (ACT 59 OF 1968)

CANNING FRUIT SCHEME.—RESTRICTION ON THE SALE AND PROCESSING OF CANNING FRUIT

I, Jacob Johannes Greyling Wentzel, Minister of Agriculture, hereby make known in terms of section 79 of the Marketing Act, 1968 (Act 59 of 1968), that—

(a) the Canning Fruit Board referred to in section 6 of the Canning Fruit Scheme published by Government Notice R. 2068 of 25 September 1987, has under sections 42 and 44 of the said Scheme imposed the prohibition set out in the Schedule;

(b) the said prohibition has been approved by me and shall come into operation on the date of publication hereof; and

(c) Government Notice R. 2680 of 19 December 1986 is repealed with effect from the said date of commencement.

J. J. G. WENTZEL,
Minister of Agriculture.

SCHEDULE

Definitions

1. Any word or expression in this Schedule to which a meaning has been assigned in the Scheme shall have that meaning, and "the Scheme" means the Canning Fruit Scheme published by Government Notice R. 2068 of 25 September 1987.

Restriction on the sale of canning fruit by producers

2. No producer of canning fruit shall sell for canning purposes any canning fruit of a kind and variety or type specified in column 1 of the Table, which he has produced, except the grades thereof specified in column 2 of the Table opposite thereto.

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Beperking op die verwerking van inmaakvrugte

3. Behalwe op gesag van 'n permit wat die Raad kan uitreik onderworpe aan die voorwaardes (as daar is) deur die Raad bepaal, mag geen inmaker enige inmaakvrugte van 'n soort en variëteit of tipe in kolom 1 van die Tabel vermeld, tot ingemaakte vrugte verwerk nie tensy dit van 'n graad is wat in kolom 2 van die Tabel daarteenoor vermeld word.

TABEL

GRADE INGEMAAKTE VRUGTE WAT VERKOOP EN VERWERK MAG WORD

	Soort en variëteit of tipe	Graad
	1	2
1	***Appelkose:*** Bulida, Super Gold, Peeka, Royal	Inmaakgraad, Vervaardigersgraad, Konfytgraad.
2	***Perke:*** Alle variëteite	Inmaakgraad, Vervaardigersgraad, Sapgraad.
3	***Perskes:*** Taaipit	Inmaakgraad, Vervaardigersgraad.

No. R. 2632 **27 November 1987**

BEMARKINGSWET, 1968 (WET 59 VAN 1968)

INMAAKVRUGTESKEMA.—PRYSE VIR INMAAKVRUGTE

Ek, Jacob Johannes Greyling Wentzel, Minister van Landbou, maak hierby ingevolge artikel 79 van die Bemarkingswet, 1968 (Wet 59 van 1968), bekend dat—

(a) die Inmaakvrugteraad bedoel in artikel 6 van die Inmaakvrugteskema gepubliseer by Goewermentskennisgewing R. 2068 van 25 September 1987, kragtens artikel 41 van genoemde Skema die verbod in die Bylae uiteengesit, opgelê het;

(b) genoemde verbod deur my goedgekeur is en op die datum van publikasie hiervan in werking tree; en

(c) Goewermentskennisgewing R. 2682 van 19 Desember 1986 met ingang van genoemde datum van inwerkingtreding herroep word.

J. J. G. WENTZEL,

Minister van Landbou.

BYLAE

Woordomskrywing

1. In hierdie Bylae het enige woord of uitdrukking waaraan 'n betekenis in die Skema geheg is, daardie betekenis, en beteken "die Skema" die Inmaakvrugteskema gepubliseer by Goewermentskennisgewing R. 2068 van 25 September 1987.

Minimum pryse vir inmaakvrugte

2. (1) Behoudens die bepalings van subklousule (2)—

(a) mag niemand enige hoeveelheid inmaakvrugte van 'n soort en variëteit of tipe in kolom 1 van die Tabel vermeld, verkoop of andersins van die hand sit nie; en

(b) mag geen inmaker enige hoeveelheid inmaakvrugte in paragraaf (a) bedoel, verkry nie,

teen 'n laer prys, gelewer by die perseel van die koper daarvan, as die toepaslike prys wat in kolom 2, 3, 4 of 5 van die Tabel ten opsigte van die graad van die betrokke inmaakvrugte vermeld word.

Restriction on the processing of canning fruit

3. Except under the authority of a permit which may be issued by the Board subject to the conditions (if any) determined by the Board, no canner shall process any canning fruit of a kind and variety or type specified in column 1 of the Table, into canned fruit unless it is of a grade specified in column 2 of the Table opposite thereto.

TABLE

GRADES OF CANNING FRUIT THAT MAY BE SOLD AND PROCESSED

	Kind and variety or type	Grade
	1	2
1	***Apricots:*** Bulida, Super Gold, Peeka, Royal	Canning Grade, Manufacturers' Grade, Jam Grade.
2	***Pears:*** All varieties	Canning Grade, Manufacturers' Grade, Juice Grade
3	***Peaches:*** Clingstone	Canning Grade, Manufacturers' Grade.

No. R. 2632 **27 November 1987**

MARKETING ACT, 1968 (ACT 59 OF 1968)

CANNING FRUIT SCHEME.—PRICES FOR CANNING FRUIT

I, Jacob Johannes Greyling Wentzel, Minister of Agriculture, hereby make known in terms of section 79 of the Marketing Act, 1968 (Act 59 of 1968), that—

(a) the Canning Fruit Board referred to in section 6 of the Canning Fruit Scheme published by Government Notice R. 2068 of 25 September 1987, has under section 41 of the said Scheme imposed the prohibition set out in the Schedule;

(b) the said prohibition has been approved by me and shall come into operation on the date of publication hereof; and

(c) Government Notice R. 2682 of 19 December 1986 is repealed with effect from the said date of commencement.

J. J. G. WENTZEL,

Minister of Agriculture.

SCHEDULE

Definition

1. Any word or expression in this Schedule to which a meaning has been assigned in the Scheme shall have that meaning, and "the Scheme" means the Canning Fruit Scheme published by Government Notice R. 2068 of 25 September 1987.

Minimum prices for canning fruit

2. (1) Subject to the provisions of subclause (2)—

(a) no person shall sell or otherwise dispose of any quantity of canning fruit of a kind and variety or type specified in column 1 of the Table; and

(b) no canner shall acquire any quantity of canning fruit referred to in paragraph (a),

at a price, delivered at the premises of the purchaser thereof, below the applicable price specified in columns 2, 3, 4 or 5 of the Table in respect of the grade of canning fruit concerned.

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(2) Indien 'n hoeveelheid appelkose of perskes as Vervaardigersraad gegradeer is, mag die toepaslike minimum prys in subklousule (1) bedoel—

(a) met twee persent verminder word indien die Brix-lesing van daardie appelkose of perskes tussen 11° en 11,9° is; en

(b) met vier persent verminder word indien die Brix-lesing van daardie appelkose of perskes tussen 9,5° en 10,9° is.

(2) If a quantity of apricots or peaches is graded as Manufacturers' Grade, the applicable minimum price referred to in subclause (1) may—

(a) be reduced by two per cent if the Brix reading of those apricots or peaches is between 11° and 11,9°; and

(b) be reduced by four per cent if the Brix reading of those apricots or peaches is between 9,5° and 10,9°.

TABEL/TABLE

MINIMUM PRYSE VIR INMAAKVRUGTE
MINIMUM PRICES FOR CANNING FRUIT

	Soort en variëteit of tipe Kind and variety or type	Inmaakgraad Canning grade	Vervaardigersgraad Manufacturers' grade	Konfytgraad Jam grade	Sapgraad Juice grade
	1	2	3	4	5
1.	***Appelkose/Apricots:***				
	(a) Bulida, Super Gold	R330,00	R300,00	*	†
	(b) Peeka; Royal	*	*	*	†
2.	***Pere/Pears:***				
	(a) Bon Chrétien	R267,50	*	†	†
	(b) Clapp's Favourite	*	*	†	*
3.	***Perskes/Peaches:***				
	Taaipit/Clingstone	R366,00	R310,00	†	†

† Not applicable/Nie van toepassing.

* Not specified/Nie gespesifiseer.

No. R. 2633 **27 November 1987**

BEMARKINGSWET, 1968 (WET 59 VAN 1968)

INMAAKVRUGTESKEMA.—HEFFING EN SPESIALE HEFFING OP INMAAKVRUGTE

Ek, Jacob Johannes Greyling Wentzel, Minister van Landbou, maak hierby ingevolge artikel 79 van die Bemarkingswet, 1968 (Wet 59 van 1968), bekend dat—

(a) die Inmaakvrugteraad bedoel in artikel 6 van die Inmaakvrugteskema gepubliseer by Goewermentskennisgewing R. 2068 van 25 September 1987, kragtens artikel 27 van genoemde Skema die heffing en spesiale heffing in die Bylae uiteengesit, opgelê het;

(b) genoemde heffing en spesiale heffing deur my goedgekeur is en op die datum van publikasie hiervan in werking tree; en

(c) Goewermentskennisgewing R. 2681 van 19 Desember 1986 met ingang van genoemde datum van inwerkingtreding herroep word.

J. J. G. WENTZEL,
Minister van Landbou.

BYLAE

Woordomskrywing

1. In hierdie Bylae het enige woord of uitdrukking waaraan 'n betekenis in die Skema geheg is, daardie betekenis, en beteken "die Skema" die Inmaakvrugteskema gepubliseer by Goewermentskennisgewing R. 2068 van 25 September 1987.

Oplegging van heffing en spesiale heffing

2. 'n Heffing en 'n spesiale heffing word hierby opgelê op inmaakvrugte van die soorte en variëteite of tipes in kolom 1 van die Tabel vermeld, wat van 'n graad is wat in kolom 2 van die Tabel daarteenoor vermeld word.

Bedrag van heffing en spesiale heffing

3. Die bedrag van die heffing en spesiale heffing in klousule 2 bedoel, en is onderskeidelik soos in kolomme 3 en 4 van die Tabel teenoor die onderskeie grade inmaakvrugte vermeld.

No. R. 2633 **27 November 1987**

MARKETING ACT, 1968 (ACT 59 OF 1968)

CANNING FRUIT SCHEME.—LEVY AND SPECIAL LEVY ON CANNING FRUIT

I, Jacob Johannes Greyling Wentzel, Minister of Agriculture, hereby make known in terms of section 79 of the Marketing Act, 1968 (Act 59 of 1968), that—

(a) the Canning Fruit Board referred to in section 6 of the Canning Fruit Scheme published by Government Notice R. 2068 of 25 September 1987, has under section 27 of the said Scheme imposed the levy and special levy set out in the Schedule;

(b) the said levy and special levy have been approved by me and shall come into operation on the date of publication hereof; and

(c) Government Notice R. 2681 of 19 December 1986 is repealed with effect from the said date of commencement.

J. J. G. WENTZEL,
Minister of Agriculture.

SCHEDULE

Definitions

1. Any word or expression in this Schedule to which a meaning has been assigned in the Scheme shall have that meaning, and "the Scheme" means the Canning Fruit Scheme published by Government Notice R. 2068 of 25 September 1987.

Imposition of levy and special levy

2. A levy and a special levy are hereby imposed on canning fruit of the kinds and varieties or types specified in column 1 of the Table, that are of a grade specified in column 2 of the Table opposite thereto.

Amount of levy and special levy

3. The amount of the levy and special levy referred to in clause 2 shall respectively be as specified in columns 3 and 4 of the Table opposite the respective grades of canning fruit.

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TABEL/TABLE

HEFFING EN SPESIALE HEFFING OP INMAAKVRUGTE
LEVY AND SPECIAL LEVY ON CANNING FRUIT

	Soort en variëteit of tipe Kind and variety or type	Graad inmaakvrugte Grade of canning fruit	Heffing Levy (per ton)	Spesiale heffing Special levy (per ton)
1.	***Appelkose/Apricots:***			
	Bulida, Super Gold, Peeka, Royal.....	Inmaakgraad/Canning grade.....	R2,70	R1,30
		Vervaardigersgraad/Manufacturers' grade	R2,70	R1,30
		Konfytgraad/Jam grade	R2,70	R1,30
2.	***Pere/Pears:***			
	Alle variëteite/All varieties	Inmaak graad/Canning grade.....	R2,70	R1,30
		Vervaardigersgraad/Manufacturers' grade	R2,70	R1,30
3.	***Perskes/Peaches:***			
	Taaipit/Clingstone	Inmaakgraad/Canning grade.....	R2,70	R1,30
		Vervaardigersgraad/Manufacturers' grade	R2,70	R1,30

DEPARTEMENT VAN MANNEKRAG

No. R. 2628 **27 November 1987**

WET OP ARBEIDSVERHOUDINGE, 1956

BOUNYWERHEID (WESTELIKE PROVINSIE).—WYSIGING VAN DIE OOREENKOMS VIR DIE KAAPSE SKIEREILAND

Ek, Pieter Theunis Christiaan du Plessis, Minister van Mannekrag, verklaar hierby—

(a) kragtens artikel 48 (1) (a) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van die Ooreenkoms (hierna die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, Bedryf of Beroep in die opskrif by hierdie kennisgewing vermeld, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing in die geval van klousules 1 en 2 en met ingang van die eerste loonweek wat begin op of na die genoemde tweede Maandag in die geval van klousules 3 tot en met 7 en vir die tydperk wat op 31 Maart 1989 eindig, bindend is vir die werkgewersorganisasies en die vakverenigings wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasies of verenigings is; en

(b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, uitgesonderd dié vervat in klousules 1 (1) (a) en (5), met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing in die geval van klousules 1 en 2 en met ingang van die eerste loonweek wat begin op of na die genoemde tweede Maandag in die geval van klousules 3, 4, 6 en 7 en vir die tydperk wat op 31 Maart 1989 eindig, bindend is vir alle ander werkgewers en werknemers as dié genoem in paragraaf (a) van hierdie kennisgewing wat betrokke is by of in diens is in genoemde onderneming, Nywerheid, Bedryf of Beroep in die gebiede in klousule 1 van die Wysigingsooreenkoms gespesifiseer.

P. T. C. DU PLESSIS,
Minister van Mannekrag.

BYLAE

NYWERHEIDSRAAD VIR DIE BOUNYWERHEID (WESTELIKE PROVINSIE)

OOREENKOMS

ooreenkomstig die Wet op Arbeidsverhoudinge, 1956, gesluit deur en aangegaan tussen die

DEPARTMENT OF MANPOWER

No. R. 2628 **27 November 1987**

LABOUR RELATIONS ACT, 1956

BUILDING INDUSTRY (WESTERN PROVINCE).—AMENDMENT OF THE AGREEMENT FOR THE CAPE PENINSULA

I, Pieter Theunis Christiaan du Plessis, Minister of Manpower, hereby—

(a) in terms of section 48 (1) (a) of the Labour Relations Act, 1956, declare that the provisions of the Agreement (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Undertaking, Industry, Trade or Occupation referred to in the heading to this notice, shall be binding, with effect from the second Monday after the date of publication of this notice in the case of clauses 1 and 2 and with effect from the first payweek commencing on or after the said second Monday in the case of clauses 3 to 7, inclusive, and for the period ending 31 March 1989, upon the employers' organisations and the trade unions which entered into the Amending Agreement and upon the employers and employees who are members of the said organisations or unions; and

(b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement, excluding those contained in clauses 1 (1) (a) and 5, shall be binding, with effect from the second Monday after the date of publication of this notice in the case of clauses 1 and 2 and with effect from the first payweek commencing on or after the said second Monday in the case of clauses 3, 4, 6 and 7 and for the period ending 31 March 1989, upon all employers and employees, other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Undertaking, Industry, Trade or Occupation in the areas specified in clause 1 of the Amending Agreement.

P. T. C. DU PLESSIS,
Minister of Manpower.

SCHEDULE

INDUSTRIAL COUNCIL FOR THE BUILDING INDUSTRY (WESTERN PROVINCE)

AGREEMENT

in accordance with the provisions of the Labour Relations Act, 1956, made and entered into by and between the

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Master Builders' and Allied Trades Association (West Cape)

Master Masons' and Quarry Owners' Association (South Africa) wat sy lede in die Monumentklipmesselnywerheid verteenwoordig

(hierna die "werkgewers" of die "werkgewersorganisasie" genoem), aan die een kant, en die

Amalgamated Society of Woodworkers of South Africa

Amalgamated Union of Building Trade Workers of South Africa

South African Operative Masons' Society

South African Woodworkers' Union

Building Workers' Union

(hierna die "werknemers" of die "vakverenigings" genoem), aan die ander kant

wat die partye is by die Nywerheidsraad vir die Bounywerheid (Westelike Provinsie),

om die Ooreenkoms, gepubliseer by Goewermentskennisgewing R. 849 van 19 April 1985, soos gewysig deur Goewermentskennisgewings R. 334 van 28 Februarie 1986, R. 1753 van 22 Augustus 1986, R. 2577 van 5 Desember 1986, R. 389 van 27 Februarie 1987 en R. 1010 van 8 Mei 1987, te wysig.

HOOFSTUK I

1. TOEPASSINGSBESTEK

(1) Hierdie Ooreenkoms moet in die Bou- en die Monumentklipmesselnywerhede nagekom word—

(a) deur alle werkgewers wat lede van die werkgewersorganisasies is en deur alle werknemers wat lede van die vakverenigings is;

(b) in die landdrosdistrikte Die Kaap, Wynberg [met inbegrip van daardie gedeelte van die landdrosdistrik Somerset-Wes wat voor 9 Maart 1973 (Goewermentskennisgewing 173 van 9 Februarie 1973) binne die landdrosdistrik Wynberg geval het], Simonstad, Goodwood en Bellville, in daardie gedeeltes van die landdrosdistrike Malmesbury en Stellenbosch wat voor die publikasie van onderskeidelik Goewermentskennisgewings 171 van 8 Februarie 1957 en 283 van 2 Maart 1962 binne die landdrosdistrik Bellville geval het en in daardie gedeelte van die landdrosdistrik Kuilsrivier wat voor die publikasie van Goewermentskennisgewing 661 van 19 April 1974 binne die landdrosdistrik Stellenbosch geval het maar wat voor 2 Maart 1962 (Goewermentskennisgewing 283 van 2 Maart 1962) binne die landdrosdistrik Bellville geval het.

(2) Ondanks subklousule (1) is hierdie Ooreenkoms—

(a) van toepassing op vakleerlinge slegs vir sover dit nie onbestaanbaar is met die Wet op Mannekragopleiding, 1981, of met 'n kontrak wat daarkragtens aangegaan of met voorwaardes wat daarkragtens gestel is nie;

(b) van toepassing op kwekelinge wat opgelei word ooreenkomstig die Wet op Mannekragopleiding, 1981, slegs vir sover dit nie onbestaanbaar is met daardie Wet of met voorwaardes wat daarkragtens gestel is nie;

(c) van toepassing op 'slegs-arbeid"-kontrakteurs, werkende vennote en werkende direkteurs, prinsipale en aannemers.

(3) Ondanks subklousule (1) (a) is hierdie Ooreenkoms—

(a) nie van toepassing op klerke en administratiewe personeel nie;

(b) nie van toepassing nie op universiteitstudente en gegradueerdes in die bouwetenskap en op konstruksietoesighouers, konstruksieopmeters en ander persone wat besig is met praktiese werk ter voltooiing van hul akademiese opleiding.

2. KLOUSULE 16.—LONE—BASIES

Vervang subklousule (1) deur die volgende:

"Behoudens die ander bepalings van hierdie klousule, mag geen loon wat laer is as die volgende deur 'n werkgewer betaal en deur 'n werknemer aangeneem word nie:

Werknemerkategorie	*Minimum loon per uur*
	c
(a) Algemene werkers	184
Met dien verstande dat werknemers wat ongeskoolde werk verrig en benewens sy gewone werk die pligte van 'n wag uitvoer R5 per week ekstra betaal moet word.	

Master Builders' and Allied Trades Association (West Cape)

Master Masons' and Quarry Owners' Association (South Africa) representing its members in the Monumental Masonry Industry

(hereinafter referred to as the "employers" or the "employers' organisation"), of the one part, and the

Amalgamated Society of Woodworkers of South Africa

Amalgamated Union of Building Trade Workers of South Africa

South African Operative Masons' Society

South African Woodworkers' Union

Building Workers' Union

(hereinafter referred to as the "employees" or the "trade unions"), of the other part,

being the parties to the Industrial Council for the Building Industry (Western Province),

to amend the Agreement published under Government Notice R. 849 of 19 April 1985, as amended by Government Notices R. 334 of 28 February 1986, R. 1753 of 22 August 1986, R. 2577 of 5 December 1986, R. 389 of 27 February 1987 and R. 1010 of 8 May 1987.

CHAPTER I

1. SCOPE OF APPLICATION

(1) The terms of this Agreement shall be observed in the Building and Monumental Masonry Industries—

(a) by all employers who are members of the employers' organisations and by all employees who are members of the trade unions;

(b) in the Magisterial Districs of The Cape, Wynberg [including that portion of the Magisterial District of Somerset West which, prior to 9 March 1973 (Government Notice 173 of 9 February 1973), fell within the Magisterial District of Wynberg], Simon's Town, Goodwood and Bellville, in those portions of the Magisterial Districts of Malmesbury and Stellenbosch which, prior to the publication of Government Notices 171 of 8 February 1957 and 283 of 2 March 1962, respectively, fell within the Magisterial District of Bellville and in that portion of the Magisterial District of Kuils River which, prior to the publication of Government Notice 661 of 19 April 1974, fell within the Magisterial District of Stellenbosch but which, prior to 2 March 1962 (Government Notice 283 of 2 March 1962), fell within the Magisterial District of Bellville.

(2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall apply to—

(a) apprentices only in so far as they are not inconsistent with the provisions of the Manpower Training Act, 1981, or any contract entered into or any conditions fixed thereunder;

(b) trainees under the Manpower Training Act, 1981, only in so far as they are not inconsistent with the provisions of that Act or any conditions fixed thereunder;

(c) "labour-only" contractors, working partners and working directors, principals and contractors.

(3) Notwithstanding the provisions of subclause (1) (a), the terms of this Agreement shall—

(a) not apply to clerical employees and administrative staff;

(b) not apply to university students and graduates in building science and to construction supervisors, construction surveyors and other persons doing practical work in the completion of their academic training.

2. CLAUSE 16.—WAGES—BASIC

Substitute the following for subclause (1):

"Subject to the remaining provisions of this clause, no employer shall pay and no employee shall accept wages at rates lower than the following:

Category of employee	*Minimum wage per hour*
	c
(a) General workers	184
Provided that any employee engaged in unskilled work who in addition to his ordinary work performs the duties of a watchman shall be paid R5 per week extra.	

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Werknemerkategorie	*Minimum loon per uur*
	c
(b) Skoonmakers	129
(c) Plafon- en afskortingswerkers, waterdigtingswerkers, vervaardigingswerkers en leerling-masjienbedieners gedurende die eerste jaar leerlingskap	219
(d) Waterdigtingspanleiers, skrynwerkmonteurs, leerling-masjienbedieners gedurende die tweede jaar leerlingskap en leerling-bloklêers gedurende die jaar leerlingskap	268
(e) Ambagsman se assistente, bloklêers, matpassers, assistent-vloerlêers, masjienbedieners	371
(f) Leerling-ambagsmanne en leerling-matlêers, plafon- en/of afskortingsoprigters, vloerlêers, dakwerkers en waterdigters wat leerlingskapkontrakte uitdien wat by die Raad geregistreer is:	
(i) Eerste jaar	199
(ii) Tweede jaar	230
(iii) Derde jaar	277
(iv) Vierde jaar	371
(g) Kwekeling-matpassers en kwekeling-assistent vloerlêers wat kwekelingkontrakte uitdien wat by die Raad geregistreer is:	
(i) Eerste jaar	199
(ii) Tweede jaar	230
(iii) Derde jaar	277
(h) (i) Ambagsmanne wat geskoolde werk verrig in alle ambagte, met inbegrip van matlêers, plafon- en/of afskortingsoprigters, ruitwerkers, dakwerkers, vloerlêers, waterdigters, motor- en masjinerie-werktuigkundiges, en passers en draaiers	501
(ii) Vakmanne	564
(iii) Meestervakmanne	626
(iv) Voormanne	626
	Per week
	R
(i) Werknemers wat persele patrolleer en eiendom bewaak	93,00
	Sent per uur
(j) Vakleerlinge:	
(i) Eerste jaar	230
(ii) Tweede jaar	277
(iii) Derde jaar	371
(k) Drywers/Masjineriebedieners:	
(i) Drywers van motorvoertuie of bedieners van krag-aangedrewe masjinerie waarvoor die drywer of bediener in besit moet wees van 'n Kode 10-lisensie (6 500 kg en meer) of 'n Kode 11-lisensie (voorhaker en sleepwa)	297
(ii) Drywers van motorvoertuie of bedieners van krag-aangedrewe masjinerie waarvoor die drywer of bediener in besit moet wees van 'n Kode 9-lisensie (3 000 kg tot 6 500 kg)	253
(iii) Drywers van alle ander motorvoertuie (Kode 8-lisensie) en bedieners van hysers of drywers van stortwaens	208''

3. KLOUSULE 28.—VAKANSIEFONDS, VERLOFBETALING EN STABILISASIEFONDS

(1) In subklousule (1) (a), vervang die bestaande tabel deur die volgende:

Category of employee	*Minimum wage per hour*
	c
(b) Cleaners	129
(c) Ceiling and partition workers, waterproofing workers, manufacturing workers and trainee machine operators during first year of traineeship	219
(d) Waterproofing team leaders, joinery assemblers, trainee machine operators during second year of traineeship and trainee block layers during year of traineeship	268
(e) Artisan's assistants, block layers, carpet fitters, assistant floor layers, machine operators	371
(f) Learner artisans and learner carpet layers, ceiling and/or partition erectors, floor layers, roofers and waterproofers serving under contracts of learnership registered with the Council:	
(i) First year	199
(ii) Second year	230
(iii) Third year	277
(iv) Fourth year	371
(g) Trainee carpet fitters and trainee assistant floor layers serving under contract of traineeship registered with the Council:	
(i) First year	199
(ii) Second year	230
(iii) Third year	277
(h) (i) Artisans engaged in the performance of skilled work in all trades, including carpet layers, ceiling and/or partition erectors, glaziers, roofers, floor layers, waterproofers, motor and plant mechanics, and fitters and turners	501
(ii) Craftsmen	564
(iii) Master craftsmen	626
(iv) Foremen	626
	Per week
	R
(i) Employees engaged in patrolling premises and guarding property	93,00
	Cent per hour
(j) Apprentices:	
(i) First year	230
(ii) Second year	277
(iii) Third year	371
(k) Drivers/Plant operators:	
(i) Drivers of motor vehicles or operators of power-driven plant which require the driver or operator to be in possession of a Code 10 Licence (6 500 kg and over) or a Code 11 licence (horse and trailer)	297
(ii) Drivers of motor vehicles or operators of power-driven plant which require the driver or operator to be in possession of a Code 9 Licence (3 000 kg to 6 500 kg)	253
(iii) Drivers of all other motor vehicles (Code 8 Licence) and operators of a hoist or drivers of dumpers	208''

3. CLAUSE 28.—HOLIDAY FUND, LEAVE PAY AND STABILISATION FUND

(1) In subclause (1) (a), substitute the following for the existing table:

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"Klas werknemer	Per week
Werknemers vir wie lone voorgeskryf word in—	R
(i) klousule 16 (1) (b)	5,60
(ii) klousule 16 (1) (a), (f) (i), (g) (i)	8,00
(iii) klousule 16 (1) (c), (f) (ii), (g) (ii), (i), (j) (i), (k) (iii)	9,60
(iv) klousule 16 (1) (d), (f) (iii), (g) (iii), (j) (ii)	11,20
(v) klousule 16 (k) (i) en (ii)	12,80
(vi) klousule 16 (1) (e), (f) (iv) en (j) (iii)	15,20
(vii) klousule 16 (1) (h) (i)	20,40
(viii) klousule 16 (1) (h) (ii)	22,80
(ix) klousule 16 (1) (h) (iii) en (iv)	25,60"

4. KLOUSULE 29.—PENSIOEN- OF SOORTGELYKE FONDS

(1) In subklousule (1) (a), vervang die bestaande tabel deur die volgende:

"Klas werknemer	Per week
Werknemers vir wie lone voorgeskryf word in—	R
(i) klousule 16 (1) (b)	8,80
(ii) klousule 16 (1) (a), (f) (i), (g) (i)	12,40
(iii) klousule 16 (1) (c), (f) (ii), (g) (ii), (i), (j) (i), (k) (iii)	14,80
(iv) klousule 16 (1) (d), (f) (iii), (g) (iii), (j) (ii)	17,20
(v) klousule 16 (1) (k) (i) en (ii)	20,00
(vi) klousule 16 (1) (e), (f) (iv) en (j) (iii)	23,60
(vii) klousule 16 (1) (h) (i)	32,00
(viii) klousule 16 (1) (h) (ii)	36,00
(ix) klousule 16 (1) (h) (iii) en (iv)	40,00"

5. KLOUSULE 30.—AFTREKKING VIR SIEKTEBYSTAND

In subklousule (1), vervang die syfer "80c" deur die syfer "R1,00".

6. KLOUSULE 31.—SIEKEFONDS VIR DIE BOUNYWERHEID

(1) In subklousule (2) (a) (i), vervang die syfer "40c" deur die syfer "80c".

(2) In subklousule (2) (a) (ii), vervang die syfer "R1,60" deur die syfer "R3,20".

7. KLOUSULE 35.—OPLEIDINGSFONDS VAN DIE BOUNYWERHEID

Vervang klousule 35 deur die volgende:

"KLOUSULE 35.—OPLEIDINGSFONDS VAN DIE BOUNYWERHEID

(1) Nademaal die Raad verwittig is van die instelling van die Opleidingsfonds van die Bounywerheid [ingestel deur die Building Industries Federation (South Africa)] (hierna die "Opleidingsfonds" genoem), magtig hy hierby, vir die doel om uitvoering te gee aan die doelstellings van die Opleidingskema vir die Bounywerheid uiteengesit in klousule 4 van die Skema kragtens die Wet op Mannekragopleiding, 1981, gepubliseer by Goewermentskennisgewing R. 1948 van 11 September 1987, of enige Kennisgewing wat voorsiening maak vir die voortsetting of vervanging van die Opleidingsfonds, die invordering van bydraes ooreenkomstig die prosedure hieronder uiteengesit.

(2) Elke werkgewer moet die bedrag wat hy ingevolge klousule 7 (3) van genoemde Goewermentskennisgewing tot die Opleidingsfonds moet bydra, aan die Sekretaris van die Raad betaal.".

Geteken te Kaapstad op hede die 7de dag van September 1987.

H. McCARTHY,
Voorsitter.

R. G. SIMMONS,
Ondervoorsitter.

J. J. KITSHOFF,
Sekretaris.

"Class of employee	Per week
Employees for whom wages are prescribed in—	R
(i) clause 16 (1) (b)	5.60
(ii) clause 16 (1) (a), (f) (i), (g) (i)	8,00
(iii) clause 16 (1) (c), (f) (ii), (g) (ii), (i), (j) (i), (k) (iii)	9.60
(iv) clause 16 (1) (d), (f) (iii), (g) (iii), (j) (ii)	11.20
(v) clause 16 (k) (i) and (ii)	12.80
(vi) clause 16 (1) (e), (f) (iv) and (j) (iii)	15.20
(vii) clause 16 (1) (h) (i)	20.40
(viii) clause 16 (1) (h) (ii)	22.80
(ix) clause 16 (1) (h) (iii) and (iv)	25.60"

4. CLAUSE 29.—PENSION OR LIKE FUND

(1) In subclause (1) (a), substitute the following for the existing table:

"Class of employee	Per week
Employees for whom wages are prescribed in—	R
(i) clause 16 (1) (b)	8,80
(ii) clause 16 (1) (a), (f) (i), (g) (i)	12,40
(iii) clause 16 (1) (c), (f) (ii), (g) (ii), (i), (j) (i), (k) (iii)	14,80
(iv) clause 16 (1) (d), (f) (iii), (g) (iii), (j) (ii)	17,20
(v) clause 16 (1) (k) (i) and (ii)	20,00
(vi) clause 16 (1) (e), (f) (iv) and (j) (iii)	23,60
(vii) clause 16 (1) (h) (i)	32,00
(viii) clause 16 (1) (h) (ii)	36,00
(ix) clause 16 (1) (h) (iii) and (iv)	40,00"

5. CLAUSE 30.—SICK BENEFIT DEDUCTION

In subclause (1), substitute the figure "R1,00" for the figure "80c".

6. CLAUSE 31.—SICK PAY FUND FOR THE BUILDING INDUSTRY

(1) In subclause (2) (a) (i), substitute the figure "80c" for the figure "40c".

(2) In subclause (2) (a) (ii), substitute the figure "R3,20" for the figure "R1,60".

7. CLAUSE 35.—BUILDING INDUSTRIES TRAINING FUND

Substitute the following for clause 35:

"CLAUSE 35.—BUILDING INDUSTRIES TRAINING FUND

(1) The Council having been advised of the establishment of the Building Industry Training Fund [inaugurated by the Building Industries Federation (South Africa)] (hereinafter referred to as the "Training Fund"), hereby authorises, for the purpose of implementing the objects of the Building Industry Training Scheme set forth in clause 4 of the Scheme in terms of the Manpower Training Act, 1981, published under Government Notice R. 1948 of 11 September 1987, or any Notice which provides for the continuation or substitution of the Training Fund, the collection of contributions in accordance with the procedure stated hereunder.

(2) Every employer shall pay to the Secretary of the Council the amount which he is required to contribute to the Training Fund in terms of clause 7 (3) of the said Government Notice.".

Signed at Cape Town this 7th day of September 1987.

H. McCARTHY,
Chairman.

R. G. SIMMONS,
Vice-Chairman.

J. J. KITSHOFF,
Secretary.

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No. R. 2629 **27 November 1987**

WET OP ARBEIDSVERHOUDINGE, 1956

BOUNYWERHEID (WESTELIKE PROVINSIE).—WYSIGING VAN DIE OOREENKOMS VIR DIE BOLAND

Ek, Pieter Theunis Christiaan du Plessis, Minister van Mannekrag, verklaar hierby—

(a) kragtens artikel 48 (1) (a) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van die Ooreenkoms (hierna die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, Bedryf of Beroep in die opskrif by hierdie kennisgewing vermeld, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing in die geval van klousules 1 en 3 en met ingang van die eerste loonweek wat begin op of na die genoemde tweede Maandag in die geval van klousules 2 en 4 tot en met 7 en vir die tydperk wat op 31 Januarie 1988 eindig, bindend is vir die werkgewersorganisasie en die vakverenigings wat die Wysigingsooreenkoms aangegaan het en die werkgewers en werknemers wat lede van genoemde organisasie of verenigings is; en

(b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, uitgesonderd dié vervat in klousules 1 (1) (a) en 6, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing in die geval van klousules 1 en 3 en met ingang van die eerste loonweek wat begin op of na die genoemde tweede Maandag in die geval van klousules 2, 4, 5 en 7 en vir die tydperk wat op 31 Januarie 1988 eindig, bindend is vir alle ander werkgewers en werknemers as die genoem in paragraaf (a) van hierdie kennisgewing wat betrokke is by of in diens is in genoemde Onderneming, Nywerheid, Bedryf of Beroep in die gebiede in klousule 1 van die Wysigingsooreenkoms gespesifiseer.

P. T. C. DU PLESSIS,
Minister van Mannekrag.

BYLAE

NYWERHEIDSRAAD VIR DIE BOUNYWERHEID (WESTELIKE PROVINSIE)

OOREENKOMS

ooreenkomstig die Wet op Arbeidsverhoudinge, 1956, gesluit deur en aangegaan tussen die

Master Builders' and Allied Trades Association (West Cape)

(hierna die "werkgewers" of die "werkgewersorganisasie" genoem), aan die een kant, en die

Amalgamated Society of Woodworkers of South Africa

Amalgamated Union of Building Trade Workers of South Africa Building Workers' Union

South African Operative Masons' Society

South African Woodworkers' Union

(hierna die "werknemers" of die "vakverenigings" genoem), aan die ander kant,

wat die partye is by die Nywerheidsraad vir die Bounywerheid (Westelike Provinsie),

om die Ooreenkoms, gepubliseer by Goewermentskennisgewing R. 2465 van 9 November 1984, soos gewysig en verleng deur Goewermentskennisgewings R. 2866 van 28 Desember 1984, R. 335 van 28 Februarie 1986, R. 1754 van 22 Augustus 1986, R. 2576 van 5 Desember 1986, R. 439 van 6 Maart 1987, R. 1009 van 8 Mei 1987 en R. 2394 van 23 Oktober 1987, te wysig.

No. R. 2629 **27 November 1987**

LABOUR RELATIONS ACT, 1956

BUILDING INDUSTRY (WESTERN PROVINCE).—AMENDMENT OF THE AGREEMENT FOR THE BOLAND

I, Pieter Theunis Christiaan du Plessis, Minister of Manpower, hierby—

(a) in terms of section 48 (1) (a) of the Labour Relations Act, 1956, declare that the provisions of the Agreement (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Undertaking, Industry, Trade or Occupation referred to in the heading to this notice, shall be binding, with effect from the second Monday after the date of publication of this notice in the case of clause 1 and 3 and with effect from the first payweek commencing on or after the said second Monday in the case of clauses 2 and 4 to 7, inclusive, and for the period ending 31 January 1988, upon the employers' organisation and the trade unions which entered into the Amending Agreement and upon the employers and employees who are members of the said organisation or unions; and

(b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement, excluding those contained in clauses 1 (1) (a) and 6, shall be binding, with effect from the second Monday after the date of publication of this notice in the case of clauses 1 and 3 and with effect from the first payweek commencing on or after the said second Monday in the case of clauses 2, 4, 5 and 7 and for the period ending 31 January 1988, upon all employers and employees, other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Undertaking, Industry, Trade or Occupation in the areas specified in clause 1 of the Amending Agreement.

P. T. C. DU PLESSIS,
Minister of Manpower.

SCHEDULE

INDUSTRIAL COUNCIL FOR THE BUILDING INDUSTRY (WESTERN PROVINCE)

AGREEMENT

in accordance with the provisions of the Labour Relations Act, 1956, made and entered into by and between the

Master Builders' and Allied Trades Association (West Cape)

(hereinafter referred to as the "employers" or the "employers' organisation"), of the one part, and the

Amalgamated Society of Woodworkers of South Africa

Amalgamated Union of Building Trade Workers of South Africa Building Workers' Union

South African Operative Masons' Society

South African Woodworkers' Union

(hereinafter referred to as the "employees" or the "trade unions"), of the other part,

being the parties to the Industrial Council for the Building Industry (Western Province),

to amend the Agreement published under Government Notice R. 2465 of 9 November 1984, as amended and extended by Government Notices R. 2866 of 28 December 1984, R. 335 of 28 February 1986, R. 1754 of 22 August 1986, R. 2576 of 5 December 1986, R. 439 of 6 March 1987, R. 1009 of 8 May 1987 and R. 2394 of 23 October 1987.

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1. TOEPASSINGSBESTEK

(1) Hierdie Ooreenkoms moet in die Bounywerheid nagekom word—

(a) deur alle werkgewers wat lede van die werkgewersorganisasie is en deur alle werknemers wat lede van die vakvereniging is;

(b) in die landdrosdistrikte Paarl, Wellington, Stellenbosch, Kuilsrivier (uitgesonderd die gedeeltes van laasgenoemde twee distrikte wat voor die publikasie van Goewermentskennisgewing 283 van 2 Maart 1962 binne die landdrosdistrik Bellville geval het), Somerset-Wes [uitgesonderd daardie gedeelte wat voor 9 Maart 1973 (Goewermentskennisgewing 173 van 9 Februarie 1973) binne die landdrosdistrik Wynberg geval het] en Strand.

(2) Ondanks subklousule (1) (a) is hierdie Ooreenkoms—

(a) van toepassing op slegs dié klasse werknemers vir wie lone in hierdie Ooreenkoms voorgeskryf word en op leerling-ambagsmanne;

(b) van toepassing op vakleerlinge slegs in dié mate waarin dit nie onbestaanbaar is met die Wet op Mannekragopleiding, 1981, of met 'n kontrak daarkragtens aangegaan of voorwaardes daarkragtens voorgeskryf nie;

(c) van toepassing op kwekelinge slegs in dié mate waarin dit nie onbestaanbaar is met die Wet op Mannekragopleiding, 1981, of voorwaardes daarkragtens voorgeskryf nie;

(d) van toepassing op "slegs-arbeid"-kontrakteurs, werkende vennote en werkende direkteurs;

(e) nie van toepassing nie op universiteitstudente en gegradueerdes in die bouwetenskap en konstruksietoesighouers en ander persone wat praktiese werk doen ter voltooiing van hul akademiese opleiding;

(f) van toepassing op voormanne;

(g) nie van toepassing op werknemers in die elektrotegniese ambagte en op administratiewe personeel nie.

2. KLOUSULE 15.—JAARLIKSE VERLOF EN OPENBARE VAKANSIEDAE

In subklousule (1) (a), voeg die volgende paragraaf (iv) in:

"(iv) wat om 17h00 op 18 Desember 1987 begin en om 06h30 op 11 Januarie 1988 eindig;".

3. KLOUSULE 16.—LONE

Vervang subklousule (1) deur die volgende:

"(1) Behoudens die ander bepalings van hierdie klousule, mag geen loon wat laer is as die volgende deur 'n werkgewer betaal en deur 'n werknemer aangeneem word nie:

	Sent per uur
(a) Algemene werker	173
(b) Hyserbediener	181
(c) Kraghyskraandrywer	189
Vloerskuurder	189
Klippoleerder en terazzowerker	189
(d) Leerling-ambagsman:	
Eerste jaar	186
Tweede jaar	215
Derde jaar	261
Vierde jaar	350
(e) Ambagsman se assistent	350
(f) Ambagsman	470
(g) Vakman	529
(h) Meestervakman	588
	Per week R
(i) Drywers:	
Meer as 6 metrieke ton	99,20
3–6 metrieke ton	84,41
Ander voertuie	73,35
(j) Nagwag	71,58
	Sent per uur
(k) Skoonmaker	119
(l) Vakleerlinge:	
Eerste jaar	215
Tweede jaar	261
Derde jaar	350
(m) Voorman	529"

1. SCOPE OF APPLICATION

(1) The terms of this Agreement shall be observed in the Building Industry—

(a) by all employers who are members of the employers' organisation and by all employees who are members of the trade unions;

(b) in the Magisterial Districts of Paarl, Wellington, Stellenbosch, Kuils River (excluding any portions of the last-mentioned two districts which, prior to the publication of Government Notice 283 of 2 March 1962, fell within the Magisterial District of Bellville), Somerset West [excluding that portion which, prior to 9 March 1973 (Government Notice 173 of 9 February 1973), fell within the Magisterial District of Wynberg] and Strand.

(2) Notwithstanding the provisions of subclause (1) (a), the terms of this Agreement shall—

(a) apply only to those classes of employees for whom wages are prescribed in this Agreement and to learner artisans;

(b) apply to apprentices only in so far as they are not inconsistent with the provisions of the Manpower Training Act, 1981, or any contract entered into or any conditions fixed thereunder;

(c) apply to trainees only in so far as they are not inconsistent with the provisions of the Manpower Training Act, 1981, or any conditions fixed thereunder;

(d) apply to "labour-only" contractors, working partners and working directors;

(e) not apply to university students and graduates in building science and construction supervisors and other such persons doing practical work in the completion of their academic training;

(f) apply to foremen;

(g) not apply to employees in the electrical trades and administrative staff.

2. CLAUSE 15.—ANNUAL LEAVE AND PUBLIC HOLIDAYS

In subclause (1) (a), insert the following paragraph (iv):

"(iv) commencing at 17h00 on 18 December 1987 and ending at 06h30 on 11 January 1988;".

3. CLAUSE 16.—WAGES

Substitute the following for subclause (1):

"(1) Subject to the remaining provisions of this clause, no employer shall pay and no employee shall accept wages at rates lower than the following:

	Cents per hour
(a) General worker	173
(b) Hoist operator	181
(c) Power crane driver	189
Floor sander	189
Stone polisher and terazzo worker	189
(d) Learner artisan:	
Frist year	186
Second year	215
Third year	261
Fourth year	350
(e) Artisan's assistant	350
(f) Artisan	470
(g) Craftsman	529
(h) Master craftsman	588
	Per week R
(i) Drivers:	
Over 6 metric tons	99,20
3–6 metric tons	84,41
Other vehicles	73,35
(j) Night-watchman	71,58
	Cents per hour
(k) Cleaner	119
(l) Apprentices:	
First year	215
Second year	261
Third year	350
(m) Foreman	529"

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4. KLOUSULE 28.—VAKANSIEFONDS, VERLOFBETALING EN STABILISASIEFONDS

(1) Vervang die tabel in subklousule (1) (a) deur die volgende:

"Klas werknemer	*Toelae Sent per uur*
Werknemers vir wie lone voorgeskryf word in—	
(i) klousule 16 (1) (k)	11
(ii) klousule 16 (1) (a) en (j), en drywers van ander voertuie in klousule 16 (1) (i) bedoel	16
(iii) klousule 16 (1) (b)	17
(iv) klousule 16 (1) (c) [leerlinge in klousule 16 (1) (d) bedoel, in die eerste jaar leerlingskap] en drywers van voertuie tussen 3 en 6 metrieke ton in klousule 16 (1) (i) bedoel	18
(v) klousule 16 (1) (d) (leerlinge in hierdie klousule bedoel, in die tweede jaar leerlingskap) en vakleerlinge in klousule 16 (1) (l) bedoel, in die eerste jaar vakleerlingskap	20
(vi) klousule 16 (1) (i) (drywers van voertuie oor 6 metrieke ton, in hierdie klousule bedoel)	21
(vii) klousule 16 (1) (d) (leerlinge in hierdie klousule bedoel, in die derde jaar leerlingskap) en vakleerlinge in klousule 16 (1) (l) bedoel, in die tweede jaar vakleerlingskap	25
(viii) klousule 16 (1) (d) (leerlinge in hierdie klousule bedoel, in die vierde jaar leerlingskap), ambagsman se assistente ingevolge klousule 16 (1) (e) bedoel, en vakleerlinge in klousule 16 (1) (l) bedoel, in die derde jaar vakleerlingskap	33
(ix) klousule 16 (1) (f)	44
(x) klousule 16 (1) (g) en (m)	50
(xi) klousule 16 (1) (h)	55".

(2) Vervang die tabel in subklousule (4) (a) deur die volgende:

"Klas werknemer	*Bydrae Per week* R
Werknemers vir wie lone voorgeskryf word in—	
(i) klousule 16 (1) (k)	4,40
(ii) klousule 16 (1) (a), (d) (leerlinge in hierdie klousule bedoel, in die eerste jaar leerlingskap) (j), en drywers van ander voertuie in klousule 16 (1) (i) bedoel	7,20
(iii) klousule 16 (1) (b)	7,60
(iv) klousule 16 (1) (c) [leerlinge in klousule 16 (1) (d) bedoel, in die tweede jaar leerlingskap] en vakleerlinge in klousule 16 (1) (l) bedoel, in die eerste jaar vakleerlingskap, en drywers van ander voertuie in klousule 16 (1) (i) bedoel	8,00
(v) klousule 16 (1) (i) (meer as 6 metrieke ton)	9,20
(vi) klousule 16 (1) (d) (leerlinge in hierdie klousule bedoel, in die derde jaar leerlingskap) en vakleerlinge in klousule 16 (1) (l) bedoel in die tweede jaar vakleerlingskap	10,00
(vii) klousule 16 (1) (d) (leerlinge in hierdie klousule bedoel, in die vierde jaar leerlingskap) en vakleerlinge in klousule 16 (1) (l) bedoel, in die derde jaar vakleerlingskap	13,20
(viii) klousule 16 (1) (e)	14,00
(ix) klousule 16 (1) (f)	19,20
(x) klousule 16 (1) (g) en (m)	21,60
(xi) klousule 16 (1) (h)	23,60".

5. KLOUSULE 29.—PENSIOENFONDS

(1) Vervang subklousule (1) (a) deur die volgende:

"(1) (a) Benewens ander besoldiging wat ingevolge hierdie Ooreenkoms betaalbaar is, moet 'n werkgewer ten behoewe van elke werknemer van ondergenoemde klasse en ten opsigte van elke betaalweek waarin so 'n werknemer 19 uur of langer gewerk het die bedrae hieronder gemeld tot die Pensioenfonds bydra:

Klas werknemer	*Bydrae Per week* R
(i) Werknemers vir wie lone in klousule 16 (1) (a) en (j) voorgeskryf word, en drywers van ander voertuie in klousule 16 (1) (i) bedoel	10,80

4. CLAUSE 28.—HOLIDAY FUND, LEAVE PAY AND STABILISATION FUND

(1) Substitute the following for the table in subclause (1) (a):

"Class of employee	*Allowance Cents per hour*
Employees for whom wages are prescribed in—	
(i) clause 16 (1) (k)	11
(ii) clause 16 (1) (a) and (j), and drivers of other vehicles referred to in clause 16 (1) (i)	16
(iii) clause 16 (1) (b)	17
(iv) clause 16 (1) (c) [learners referred to in clause 16 (1) (d) in the first year of learnership] and drivers of vehicles between 3 and 6 metric ton referred to in clause 16 (1) (i)	18
(v) clause 16 (1) (d) (learners referred to in this clause, in the second year of learnership) and apprentices referred to in clause 16 (1) (l), in the first year of apprenticeship	20
(vi) clause 16 (1) (i) (drivers of vehicles over 6 metric tons, referred to in this clause)	21
(vii) clause 16 (1) (d) (learners referred to in this clause, in the third year of learnership) and apprentices referred to in clause 16 (1) (l), in the second year of apprenticeship	25
(viii) clause 16 (1) (d) (learners referred to in this clause, in the fourth year of learnership), artisan's assistants referred to in clause 16 (1) (e) and apprentices referred to in clause 16 (1) (l), in the third year of apprenticeship	33
(ix) clause 16 (1) (f)	44
(x) clause 16 (1) (g) and (m)	50
(xi) clause 16 (1) (h)	55".

(2) Substitute the following for the table in subclause (4) (a):

"Class of employee	*Contribution Per week* R
Employees for whom wages are prescribed in—	
(i) clause 16 (1) (k)	4,40
(ii) clause 16 (1) (a), (d) (learners referred to in this clause, in the first year of learnership), (j), and drivers of other vehicles referred to in clause 16 (1) (i)	7,20
(iii) clause 16 (1) (b)	7,60
(iv) clause 16 (1) (c) [learners referred to in clause 16 (1) (d) in the second year of learnership] apprentices referred to in clause 16 (1) (l), in the first year of learnership and drivers of vehicles between 3 and 6 metric tons referred to in clause 16 (1) (i)	8,00
(v) clause 16 (1) (i) (over 6 metric tons)	9,20
(vi) clause 16 (1) (d) (learners referred to in this clause, in the third year of learnership) and apprentices referred to in clause 16 (1) (l), in the second year of apprenticeship	10,00
(vii) clause 16 (1) (d) (learners referred to in this clause, in the fourth year of learnership) and apprentices referred to in clause 16 (1) (l), in the third year of apprenticeship	13,20
(viii) clause 16 (1) (e)	14,00
(ix) clause 16 (1) (f)	19,20
(x) clause 16 (1) (g) and (m)	21,60
(xi) clause 16 (1) (h)	23,60".

5. CLAUSE 29.—PENSION FUND

(1) Substitute the following for subclause (1) (a):

"(1) (a) In addition to any other remuneration payable in terms of this Agreement, an employer shall contribute to the Pension Fund on behalf of each employee of the undermentioned classes in respect of each pay-week in which 19 or more hours have been worked by such employee the amounts specified hereunder:

Class of employee	*Contribution Per week* R
(i) Employees for whom wages are prescribed in clause 16 (1) (a) and (j), and drivers of other vehicles referred to in clause 16 (1) (i)	10,80

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Klas werknemer	*Bydrae Per week* R
(ii) Werknemers vir wie lone in klousule 16 (1) (b) voorgeskryf word	11,20
(iii) Werknemers vir wie lone in klousule 16 (1) (c) voorgeskryf word, en drywers van voertuie van 3 tot 6 metrieke ton in klousule 16 (1) (i) bedoel	11,60
(iv) Drywers van voertuie van meer as 6 metrieke ton in klousule 16 (1) (i) bedoel	14,00
(v) Werknemers vir wie lone in klousule 16 (1) (e) voorgeskryf word	21,60
(vi) Werknemers vir wie lone in klousule 16 (1) (f) voorgeskryf word	28,80
(vii) Werknemers vir wie lone in klousule 16 (1) (g) en (m) voorgeskryf word	32,40
(viii) Werknemers vir wie lone in klousule 16 (1) (h) voorgeskryf word	36,00".

6. KLOUSULE 30.—AFTREKKING VIR SIEKTEBYSTANDSFONDS VIR VAKVERENIGINGS

In subklousule (1), vervang die syfer "80c" deur die syfer "R1,00".

7. KLOUSULE 31.—SIEKEFONDS VIR DIE BOUNYWERHEID

(1) In subklousule (2) (a) (i), vervang die syfer "40c" deur die syfer "80c".

(2) In subklousule (2) (a) (ii), vervang die syfer "R1,60" deur die syfer "R3,20".

Geteken te Kaapstad op hede die 8ste dag van September 1987.

H. McCARTHY,
Voorsitter.

R. G. SIMMONS,
Ondervoorsitter.

J. J. KITSHOFF,
Sekretaris.

No. R. 2635 **27 November 1987**

WET OP ARBEIDSVERHOUDINGE, 1956

JUWELIERSWARE-EN-EDELMETAALNYWERHEID (KAAP).—WYSIGING VAN HOOFOOREENKOMS

Ek, Pieter Theunis Christiaan du Plessis, Minister van Mannekrag, verklaar hierby—

(a) kragtens artikel 48 (1) (a) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van die Ooreenkoms (hierna die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, Bedryf of Beroep in die opskrif by hierdie kennisgewing vermeld, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Januarie 1988 eindig, bindend is vir die werkgewersorganisasie en die vakvereniging wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasie of vereniging is; en

(b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, uitgesonderd dié vervat in klousule 1 (1) (a), met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Januarie 1988 eindig, bindend is vir alle ander werkgewers en werknemers as dié genoem in paragraaf (a) van hierdie kennisgewing wat betrokke is by of in diens is in genoemde Onderneming, Nywerheid, Bedryf of Beroep in die gebiede in klousule 1 van die Wysigingsooreenkoms gespesifiseer.

P. T. C. DU PLESSIS,
Minister van Mannekrag.

Class of employee	*Contribution Per week* R
(ii) Employees for whom wages are prescribed in clause 16 (1) (b)	11,20
(iii) Employees for whom wages are prescribed in clause 16 (1) (c), and drivers of vehicles of 3 to 6 metric tons referred to in clause 16 (1) (i)	11,60
(iv) Drivers of vehicles of over 6 metric tons referred to in clause 16 (1) (i)	14,00
(v) Employees for whom wages are prescribed in clause 16 (1) (e)	21,60
(vi) Employees for whom wages are prescribed in clause 16 (1) (f)	28,80
(vii) Employees for whom wages are prescribed in clause 16 (1) (g) and (m)	32,40
(viii) Employees for whom wages are prescribed in clause 16 (1) (h)	36,00".

6. CLAUSE 30.—TRADE UNION SICK BENEFIT FUND DEDUCTIONS

In subclause (1), substitute the figure "R1,00" for the figure "80c".

7. CLAUSE 31.—SICK PAY FUND FOR THE BUILDING INDUSTRY

(1) In subclause (2) (a) (i), substitute the figure "80c" for the figure "40".

(2) In subclause (2) (a) (ii), substitute the figure "R3,20" for the figure "R1,60".

Signed at Cape Town this 8th day of September 1987.

H. McCARTHY,
Chairman.

R. G. SIMMONS,
Vice-Chairman.

J. J. KITSHOFF,
Secretary.

No. R. 2635 **27 November 1987**

LABOUR RELATIONS ACT, 1956

JUWELLERY AND PRECIOUS METAL INDUSTRY (CAPE).—AMENDMENT OF MAIN AGREEMENT

I, Pieter Theunis Christiaan du Plessis, Minister of Manpower, hereby—

(a) in terms of section 48 (1) (a) of the Labour Relations Act, 1956, declare that the provisions of the Agreement (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Undertaking, Industry, Trade or Occupation referred to in the heading to this notice, shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 31 January 1988, upon the employers' organisation and the trade union which entered into the Amending Agreement and upon the employers and employees who are members of the said organisation or union; and

(b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement, excluding those contained in clause 1 (1) (a), shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 31 January 1988, upon all employers and employees, other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Undertaking, Industry, Trade or Occupation in the areas specified in clause 1 of the Amending Agreement.

P. T. C. DU PLESSIS,
Minister of Manpower.

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BYLAE

NYWERHEIDSRAAD VIR DIE JUWELIERSWARE-EN-EDELMETAALNYWERHEID (KAAP)

OOREENKOMS

ooreenkomstig die Wet op Arbeidsverhoudinge, 1956, gesluit deur en aangegaan tussen die

Cape Jewellery Manufacturers' Association

(hierna die "werkgewers" of die "werkgewersorganisasie" genoem), aan die een kant, en die

Jewellers' and Goldsmiths' Union

(hierna die "werknemers" of die "vakvereniging" genoem), aan die ander kant,

wat die partye is by die Nywerheidsraad vir die Juweliersware-en-edelmetaalnywerheid (Kaap), om die Hoofooreenkoms gepubliseer by Goewermentskennisgewing R. 1133 van 8 Junie 1984, soos gewysig en hernieu deur Goewermentskennisgewings R. 2070 van 26 September 1986, R. 107 van 16 Januarie 1987, R. 146 van 30 Januarie 1987 en R. 975 van 30 April 1987, te wysig.

1. TOEPASSINGSBESTEK VAN OOREENKOMS

(1) Hierdie Ooreenkoms moet in die Juweliersware-en-edelmetaalnywerheid (Kaap) nagekom word—

(a) deur alle werkgewers wat lede is van die werkgewersorganisasie en deur alle werknemers wat lede is van die vakvereniging;

(b) in die landdrosdistrik Die Kaap, uitgesonderd daardie gedeeltes wat voor 24 Oktober 1958 en 9 Maart 1973 (Goewermentskennisgewings 1559 van 24 Oktober 1958 en 173 van 9 Februarie 1973), binne die landdrosdistrik Wynberg geval het, maar met inbegrip van daardie gedeeltes van die landdrosdistrik Goodwood wat voor 3 Oktober 1975 en 12 Desember 1980 (Goewermentskennisgewings 1882 van 3 Oktober 1975 en 2536 van 12 Desember 1980) binne die landdrosdistrik Die Kaap geval het.

(2) Ondanks subklousule (1) is hierdie Ooreenkoms van toepassing—

(a) slegs op werknemers vir wie lone in hierdie Ooreenkoms voorgeskryf word en op die werkgewers van sodanige werknemers;

(b) op vakleerlinge slegs vir sover dit nie onbestaanbaar is met die Wet op Mannekragopleiding, 1981, of met 'n kontrak wat daarkragtens aangegaan of 'n voorwaarde wat daarkragtens gestel is nie.

2. KLOUSULE 37.—PENSIOENFONDS

(1) In subklousule (3), vervang die woord "vyf" deur die syfer "6".

(2) Skrap subklousule (8).

Namens die partye op hede die 28ste dag van Julie 1987 te Kaapstad onderteken.

M. LEVIN,
Voorsitter.

J. DAVIDS,
Ondervoorsitter.

K. L. BARNES,
Sekretaris.

No. R. 2641 **27 November 1987**

WET OP ARBEIDSVERHOUDINGE, 1956

TABAKNYWERHEID (RUSTENBURG).—WYSIGING VAN OOREENKOMS

Ek, Pieter Theunis Christiaan du Plessis, Minister van Mannekrag, verklaar hierby—

(a) kragtens artikel 48 (1) (a) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van die Ooreenkoms (hierna die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, Bedryf of Beroep in die opskrif by hierdie kennisgwing vermeld, met ingang van die tweede Maandag na die datum van publikasie

SCHEDULE

INDUSTRIAL COUNCIL FOR THE JEWELLERY AND PRECIOUS METAL INDUSTRY (CAPE)

AGREEMENT

in accordance with the provisions of the Labour Relations Act, 1956, made and entered into by and between the

Cape Jewellery Manufacturers' Association

(hereinafter referred to as the "employers" or the "employers' organisation"), of the one part, and the

Jewellers' and Goldsmiths' Union

(hereinafter referred to as the "employees" or the "trade union"), of the other part,

being the parties to the Industrial Council for the Jewellery and Precious Metal Industry (Cape), to amend the Main Agreement published under Government Notice R. 1133 of 8 June 1984, as amended and renewed by Government Notices R. 2070 of 26 September 1986, R. 107 of 16 January 1987, R. 146 of 30 January 1987 and R. 975 of 30 April 1987.

1. SCOPE OF APPLICATION OF AGREEMENT

(1) The terms of this Agreement shall be observed in the Jewellery and Precious Metal Industry—

(a) by all employers who are members of the employers' organisation and by all employees who are members of the trade union;

(b) in the Magisterial District of The Cape, excluding those portions which, prior to 24 October 1958 and 9 March 1973 (Government Notices 1559 of 24 October 1958 and 173 of 9 February 1973), fell within the Magisterial District of Wynberg, but including those portions of the Magisterial District of Goodwood which, prior to 3 October 1975 and 12 December 1980 (Government Notices 1882 of 3 October 1975 and 2536 of 12 December 1980), fell within the Magisterial District of The Cape.

(2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall—

(a) apply only to employees for whom wages are prescribed in this Agreement and to the employers of such employees;

(b) apply to apprentices in so far as they are not inconsistent with the provisions of the Manpower Training Act, 1981, or any contract entered into or any condition fixed thereunder.

2. CLAUSE 37.—PENSION FUND

(1) In subclause (3), substitute the figure "6" for the figure "5".

(2) Delete subclause (8).

Signed at Cape Town, on behalf of the parties, this 28th day of July 1987.

M. LEVIN,
Chairman.

J. DAVIDS,
Vice-Chairman.

K. L. BARNES,
Secretary.

No. R. 2641 **27 November 1987**

LABOUR RELATIONS ACT, 1956

TOBACCO MANUFACTURING INDUSTRY (RUSTENBURG).—AMENDMENT OF AGREEMENT

I, Pieter, Theunis Christiaan du Plessis, Minister of Manpower, hereby—

(a) in terms of section 48 (1) (a) of the Labour Relations Act, 1956, declare that the provisions of the Agreement (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Undertaking, Industry, Trade or Occupation referred to in the heading to this notice, shall be binding, with effect from the second Monday

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van hierdie kennisgewing en vir die tydperk wat op 31 Desember 1988 eindig, bindend is vir die werkgewers en die vakverenigings wat die Wysigingsooreenkoms aangegaan het en vir die werknemers wat lede van genoemde verenigings is; en

(b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, uitgesonderd dié vervat in klousule 1 (1) (a), met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Desember 1988 eindig, bindend is vir alle ander werkgewers en werknemers as dié genoem in paragraaf (a) van hierdie kennisgewing wat betrokke is by of in diens is in genoemde Onderneming, Nywerheid, Bedryf of Beroep in die gebiede in klousule 1 van die Wysigingsooreenkoms gespesifiseer.

P. T. C. DU PLESSIS,
Minister van Mannekrag.

BYLAE

NYWERHEIDSRAAD VIR DIE TABAKNYWERHEID (RUSTENBURG)

OOREENKOMS

ooreenkomstig die Wet op Arbeidsverhoudinge, 1956, gesluit deur en aangegaan tussen

John Chapman Beperk

en die

United Tabakmaatskappy Beperk

(hierna die "werkgewers" of die "werkgewersorganisasies" genoem), aan die een kant, en die

Rustenburg Tabakwerkersvereniging

en die

African Tobacco Workers' Union

(hierna die "werknemers" of die "vakverenigings" genoem), aan die ander kant,

wat die partye is by die Nywerheidsraad vir die Tabaknywerheid (Rustenburg),

om die Ooreenkoms, gepubliseer by Goewermentskennisgewing R. 372 van 25 Februarie 1983, soos gewysig en verleng deur Goewermentskennisgewings R. 2142 van 30 September 1983, R. 1231 van 22 Junie 1984, R. 2443 van 9 November 1984, R. 2766 van 21 Desember 1984, R. 207 van 7 Februarie 1986 en R. 2243 van 31 Oktober 1986.

1. TOEPASSINGSBESTEK VAN OOREENKOMS

(1) Hierdie Ooreenkoms moet nagekom word in die Tabaknywerheid (Rustenburg)—

(a) deur alle werkgewers wat lede is van die werkgewersorganisasie en deur alle werknemers wat lede is van die vakverenigings en wat onderskeidelik betrokke is by of werksaam is in genoemde Nywerheid;

(b) in die munisipale gebied van Rustenburg.

(2) Ondanks subklousule (1) is hierdie Ooreenkoms van toepassing slegs op werknemers vir wie lone in die Ooreenkoms voorgeskryf word.

2. KLOUSULE 4.—LONE

Vervang subklousule (1) deur die volgende:

"(1) Behoudens subklousules (4) en (5) van hierdie klousule is die minimum weekloon wat 'n werkgewer aan elke lid van ondergenoemde klasse van sy werknemers moet betaal, dié hieronder uiteengesit: Met dien verstande dat—

(i) by die indeling van 'n werknemer hy geag moet word in daardie klas te wees waarin hy uitsluitlik of hoofsaaklik werksaam is;

(ii) verhogings van toepassing op werknemers wat 12 maande by die werkgewersmaatskappy voltooi het en wat meer as die voorgeskrewe lone verdien, waar sodanige verhogings op fabrieksvlak beding en deur die Nywerheidsraad bekragtig en aangeteken is, nie hierdeur geraak word nie.

after the date of publication of this notice and for the period ending 31 December 1988, upon the employers and the trade unions which entered into the Amending Agreement and upon the employees who are members of the said unions; and

(b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement, excluding those contained in clause 1 (1) (a), shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 31 December 1988, upon all employers and employees, other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Undertaking, Industry, Trade or Occupation in the areas specified in clause 1 of the Amending Agreement.

P. T. C. DU PLESSIS,
Minister of Manpower.

SCHEDULE

INDUSTRIAL COUNCIL FOR THE TOBACCO MANUFACTURING INDUSTRY (RUSTENBURG)

AGREEMENT

in accordance with the provisions of the Labour Relations Act, 1956, made and entered into by and between

John Chapman Limited

and the

United Tobacco Company Limited

(hereinafter referred to as the "employers" or the "employers' organisations"), of the one part, and the

Rustenburg Tabakwerkersvereniging

and the

African Tobacco Workers' Union

(hereinafter referred to as the "employees" or the "trade unions"), of the other part,

being the parties to the Industrial Council for the Tobacco Manufacturing Industry (Rustenburg),

to amend the Agreement published under Government Notice R. 372 of 25 February 1983, as amended and extended by Government Notices R. 2142 of 30 September 1983, R. 1231 of 22 June 1984, R. 2443 of 9 November 1984, R. 2766 of 21 December 1984, R. 207 of 7 February 1986 and R. 2243 of 31 October 1986.

1. SCOPE OF APPLICATION OF AGREEMENT

(1) The terms of this Agreement shall be observed in the Tobacco Manufacturing Industry (Rustenburg)—

(a) by all employers who are members of the employers' organisation and by all employees who are members of the trade unions who are engaged or employed respectively in the said Industry;

(b) within the municipal area of Rustenburg.

(2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall apply only to employees for whom wages are prescribed in the Agreeement.

2. CLAUSE 4.—WAGES

Substitute the following for subclause (1):

"(1) Subject to the provisions of subclause (4) and (5) of this clause, the minimum weekly wage which shall be paid by an employer to each member of the undermentioned calsses of his employees shall be as set out hereunder: Provided that—

(i) in classifying an employee, he shall be deemed to be in the class in which he is wholly or mainly employed;

(ii) this shall not affect increases applicable to employees who have completed 12 months' service with the employing company and who earn in excess of the prescribed wages, where such increases have been negotiated at plant level and ratified and recorded by the Industrial Council.

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	Per week R
Voorman	333,50
Assistent-voorman	166,10
Leierwerksman/Produksietegnikus	306,80
Ambagsman	280,85
Ketelinstallasie-toesighouer	184,90
Skofkontroleur (gehalteversekering)	188,60
Assistent-skofkontroleur (gehalteversekering)	173,15
Gehalte-inspekteur—	
gedurende eerste jaar ondervinding	149,15
gedurende tweede jaar ondervinding	152,90
daarna	159,30
Toesighouer (sigaretvervaardiging)—	
gedurende eerste jaar ondervinding	149,15
gedurende tweede jaar ondervinding	152,90
daarna	159,30
Toesighouer (pyptabak)	135,05
Ondersoeker, ongekwalifiseer—	
gedurende eerste ses maande ondervinding	116,55
gedurende tweede ses maande ondervinding	122,85
Ondersoeker, gekwalifiseer	131,15
Seksieman, ongekwalifiseer—	
gedurende eerste jaar ondervinding	149,15
gedurende tweede jaar ondervinding	157,95
gedurende derde jaar ondervinding	171,75
Seksieman, gekwalifiseer	188,60
Senior seksieman	105,35
Masjienbediener, ongekwalifiseer—	
gedurende eerste jaar ondervinding	143,65
gedurende tweede jaar ondervinding	150,40
gedurende derde jaar ondervinding	160,45
Masjienbediener, gekwalifiseer	173,15
Veiligheidsbeampte, A en B	141,65
Terreinopsigter	137,65
Fabriekseklerk, versendingsklerk, ontvangsklerk en magasynman, ongekwalifiseer—	
gedurende eerste jaar ondervinding	119,35
gedurende tweede jaar ondervinding	123,10
gedurende derde jaar ondervinding	127,20
gedurende vierde jaar ondervinding	131,90
Fabriekseklerk, versendingsklerk, ontvangsklerk en magasynman, gekwalifiseer	138,90
Voorraadbediener, ongekwalifiseer—	
gedurende eerste drie maande ondervinding	114,35
gedurende volgende ses maande ondervinding	117,20
gedurende volgende ses maande ondervinding	120,60
gedurende volgende ses maande ondervinding	124,35
gedurende volgende drie maande ondervinding	128,75
Voorraadbediener, gekwalifiseer	133,70
Motorvoertuigdrywer van—	
motorkarre en stasiewaens	127,35
bestel- en vragwaens met 'n onbelaste massa van—	
1 362 kg	127,35
meer as 1 362 kg maar hoogstens 2 724 kg	132,45
meer as 2 724 kg maar hoogstens 3 632 kg	136,30
meer as 3 632 kg	140,40
Deeltydse motorvoertuigdrywer	120,90
Eethuistoesighouer	127,35
Faktotum—	
gedurende eerste drie maande ondervinding	116,55
gedurende volgende drie maande ondervinding	118,45
gedurende volgende drie maande ondervinding	120,95
daarna	124,70
Onderbaas	124,70
Spanleier—	
van werknemers graad IA	129,90
van werknemers graad IB	127,35
van werknemers graad II	122,15
van werknemers graad III en arbeiders	118,35

	Per week R
Foreman	333,50
Assistant foreman	166,10
Leading hand/Production technician	306,80
Artisan	280,85
Boiler plant supervisor	184,90
Quality assurance—shift controller	188,60
Quality assurance—assistant shift controller	173,15
Quality inspector—	
during first year of experience	149,15
during second year of experience	152,90
thereafter	159,30
Supervisor (cigarette manufacturing)—	
during first year of experience	149,15
during second year of experience	152,90
thereafter	159,30
Supervisor (pipe tobacco)	135,05
Examiner, unqualified—	
during first six months of experience	116,55
during second six months of experience	122,85
Examiner, qualified	131,15
Sectionman, unqualified—	
during first year of experience	149,15
during second year of experience	157,95
during third year of experience	171,75
Sectionman, qualified	188,60
Senior sectionman	105,35
Machine minder, unqualified—	
during first year of experience	143,65
during second year of experience	150,40
during third year of experience	160,45
Machine minder, qualified	173,15
Security officer, A and B	141,65
Groundsman	137,65
Factory clerical employee, despatch clerk, receiving clerk and storeman, unqualified—	
during first year of experience	119,35
during second year of experience	123,10
during third year of experience	127,20
during fourth year of experience	131,90
Factory clerical employee, despatch clerk, receiving clerk and storeman, qualified	138,90
Stores attendant, unqualified—	
during first three months of experience	114,35
during next six months of experience	117,20
during next six months of experience	120,60
during next six months of experience	124,35
during next three months of experience	128,75
Stores attendant, qualified	133,70
Motor vehicle driver of—	
cars and station wagons	127,35
vans and lorries with an unladen mass of—	
up to 1 362 kg	127,35
over 1 362 kg and up to 2 724 kg	132,45
over 2 724 kg and up to 3 632 kg	136,30
over 3 632 kg	140,40
Part-time motor vehicle driver	120,90
Canteen supervisor	127,35
Handyman—	
during first three months experience	116,55
during next three months of experience	118,45
during next three months of experience	120,95
thereafter	124,70
Chargehand	124,70
Team leader—	
of Grade IA employees	129,90
of Grade IB employees	127,35
of Grade II employees	122,15
of Grade III employees and labourers	118,35

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	Per week R
Werknemer graad IA, ongekwalifiseer—	
gedurende eerste drie maande ondervinding	114,35
gedurende volgende ses maande ondervinding	116,85
gedurende volgende ses maande ondervinding	119,70
gedurende volgende ses maande ondervinding	122,50
gedurende volgende drie maande ondervinding	125,35
Werknemer graad IA, gekwalifiseer	128,60
Werknemer graad IB, ongekwalifiseer—	
gedurende eerste drie maande ondervinding	114,35
gedurende volgende ses maande ondervinding	116,55
gedurende volgende ses maande ondervinding	118,70
gedurende volgende ses maande ondervinding	120,95
gedurende volgende drie maande ondervinding	123,10
Werknemer graad IB, gekwalifiseer	126,00
Tabakverpakker, ongekwalifiseer—	
gedurende eerste drie maande ondervinding	114,35
gedurende volgende drie maande ondervinding	116,20
gedurende volgende drie maande ondervinding	118,45
gedurende volgende drie maande ondervinding	120,60
Tabakverpakker, gekwalifiseer	123,45
Werknemer graad II, ongekwalifiseer—	
gedurende eerste ses maande ondervinding	114,35
gedurende volgende ses maande ondervinding	116,55
Werknemer graad II gekwalifiseer	119,60
Wag	117,00
Werknemer graad III	115,70
Arbeider	114,35
Werknemers nie elders in hierdie Ooreenkoms vermeld nie	119,60

(2) Voeg die volgende subklousule (10) in na subklousule (9):

"(10) *Personeelvermindering.*—By personeelvermindering, in teenstelling met die bepalings nou in klousule 21, asook by aftrede, moet daar aan 'n werknemer 'n gratifikasie betaal word bereken op die volgende grondslag:

(i) In die geval van weekliks besoldigde werknemers, 0,5 weke van die werklike weeklikse verdienste ten tye van die personeelvermindering vir elke voltooide jaar diens, behoudens 'n maksimum van ses weke en 'n minimum van twee weke se besoldiging;

(ii) in die geval van maandeliks besoldigde werknemers, 0,231 van die werklike maandelikse basiese verdienste ten tye van die personeelvermindering vir elke voltooide jaar diens, behoudens 'n maksimum van drie maande en 'n minimum van een maand se basiese salaris.".

3. KLOUSULE 17.—SIEKTEBYSTANDSFONDS

Vervang subklousule (1) (a) (i) en (ii) deur die volgende:

"(i) Weekliks besoldigde werknemers: R1,70 per week.

(ii) Maandeliks besoldigde werknemers: R7,30 per maand.".

Namens die partye op hede die 1ste dag van April 1987 te Rustenburg onderteken.

L. J. ROELOFSE,

Voorsitter van die Raad.

C. DU PREEZ,

Verteenwoordiger vir albei Vakverenigings.

H. J. VAN REENEN,

Sekretaris van die Raad.

	Per week R
Grade IA employee, unqualified—	
during first three months of experience	114,35
during next six months of experience	116,85
during next six months of experience	119,70
during next six months of experience	122,50
during next three months of experience	125,35
Grade IA employee, qualified	128,60
Grade IB employee, unqualified—	
during first three months of experience	114,35
during next six months of experience	116,55
during next six months of experience	118,70
during next six months of experience	120,95
during next three months of experience	123,10
Grade IB employee, qualified	126,00
Tobacco packer, unqualified—	
during first three months of experience	114,35
during next three months of experience	116,20
during next three months of experience	118,45
during next three months of experience	120,60
Tobacco packer, qualified	123,45
Grade II employee, unqualified—	
during first six months of experience	114,35
during next six months of experience	116,55
Grade II employee, qualified	119,60
Watchman	117,00
Grade III employee	115,70
Labourer	114,35
Employees not elsewhere specified in this Agreement	119,60

(2) Insert the following subclause (10) after subclause (9):

"(10) *Retrenchments.*—An employee on being retrenched, as distinct from that provided for in clause 23 and on retirement, shall be paid a gratuity calculated on the following basis, and in the case of—

(i) Weekly-paid employees are to be paid 0,5 weeks of the actual weekly earnings at the time of retrenchment per completed year of service, subject to a maximum of six weeks' and a minimum of two weeks' pay;

(ii) Monthly-paid employees are to be paid 0,231 of the actual monthly basic earnings at the time of retrenchment per completed year of service, subject to a maximum of three months' and a minimum of one month's basic salary.".

3. CLAUSE 17.—SICK BENEFIT FUND

Substitute the following for subclause (1) (a) (i) and (ii):

"(i) Weekly-paid employees: R1,70 per week.

(ii) Monthly-paid employees: R7,30 per maand.".

Signed at Rustenburg on behalf of the parties this 1st day of April 1987.

L. J. ROELOFSE,

Chairman of the Council.

C. DU PREEZ,

Representative for both Trade Union parties.

H. J. VAN REENEN,

Secretary of the Council.

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No. R. 2645 **27 November 1987**

WET OP ARBEIDSVERHOUDINGE, 1956

KOMMERSIËLE DISTRIBUSIEBEDRYF, KIMBERLEY.—HERNUWING VAN HOOFOOREENKOMS

Ek, Mattheus Willem Johannes le Roux, Direkteur: Mannekrag, behoorlik daartoe gemagtig deur die Minister van Mannekrag, verklaar hierby, kragtens artikel 48 (4) (a) (ii) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van Goewermentskennisgewings R. 933 van 26 April 1985 en R. 308 van 13 Februarie 1987 van krag is vanaf die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Oktober 1988 eindig.

M. W. J. LE ROUX,
Direkteur: Mannekrag.

DEPARTEMENT VAN NASIONALE GESONDHEID EN BEVOLKINGSONTWIKKELING

No. R. 2618 **27 November 1987**

AFKONDIGING VAN ROOKBEHEERSTREEKBEVEL INGEVOLGE ARTIKEL 20 (1) VAN WET 45 VAN 1965

Ingevolge artikel 20 (1) van die Wet op Voorkoming van Lugbesoedeling, 1965 (Wet 45 van 1965), en na oorlegpleging met die Nasionale Adviserende Komitee op Lugbesoedeling, kondig ek, Michael Hendrik Veldman, Adjunkminister van Nasionale Gesondheid, hierby die volgende bevel af, wat op 3 November 1987 deur my bekragtig is en wat met ingang van 3 Augustus 1988 op die regsgebied van die Munisipaliteit van Vereeniging van toepassing is.

MUNISIPALITEIT VAN VEREENIGING: DERDE ROOKBEHEERSTREEKBEVEL

Die Munisipaliteit van Vereeniging vaardig kragtens die bevoegdheid hom verleen by artikel 20 van die Wet op Voorkoming van Lugbesoedeling, 1965, hierby die volgende bevel uit:

1. Die gebied in die Bylae hiervan omskryf, word hierby tot rookbeheerstreek verklaar.

2. Geen eienaar of okkupeerder van 'n perseel in klousule 3 genoem, mag in hierdie rookbeheerstreek die uitlating of voortkoming van rook van so 'n digtheid of inhoud dat dit lig in 'n groter mate as 20 persent verdonker, uit sodanige perseel veroorsaak of toelaat nie.

3. Hierdie bevel is van toepassing op—

(a) alle persele of geboue in gebruikstreke geklassifiseer as spesiale woon-, algemene woon-, algemene besigheid-, spesifieke besigheid- en spesiale besigheidstreke en streke vir hotelle en teaters en vir kommersiële, professionele, onbepaalde, landbou-, inrigtings-, onderrig-, huishoudelike nywerheid- en munisipale doeleindes: Met dien verstande dat in die geval van industriële geboue wat geleë is in enige van bogemelde gebruikstreke en wat gebruik word om 'n ingelyste proses voort te sit, soos omskryf in die Tweede Bylae van die Wet op Voorkoming van Lugbesoedeling, 1965, sodanige geboue van die bepalings van hierdie bevel vrygestel word;

(b) woonhuise, woongeboue, winkels, besigheidspersele, motorhawens, onderrigplekke, gemeenskapsale en vermaaklikheidsplekke in gebruikstreke geklassifiseer as spesiale nywerheid- en algemene nywerheidstreke.

No. R. 2645 **27 November 1987**

LABOUR RELATIONS ACT, 1956

COMMERCIAL DISTRIBUTIVE TRADE, KIMBERLEY.—RENEWAL OF MAIN AGREEMENT

I, Mattheus Willem Johannes le Roux, Director: Manpower, duly authorised thereto by the Minister of Manpower, hereby, in terms of section 48 (4) (a) (ii) of the Labour Relations Act, 1956, declare the provisions of Government Notices R. 933 of 26 April 1985 and R. 308 of 13 February 1987 to be effective from the date of publication of this notice and for the period ending 31 October 1988.

M. W. J. LE ROUX,
Director: Manpower.

DEPARTMENT OF NATIONAL HEALTH AND POPULATION DEVELOPMENT

No. R. 2618 **27 November 1987**

PROMULGATION OF SMOKE CONTROL ZONE ORDER IN TERMS OF SECTION 20 (1) OF ACT 45 OF 1965

In terms of section 20 (1) of the Atmospheric Pollution Prevention Act, 1965 (Act 45 of 1965), and after consultation with the National Air Pollution Advisory Committee, I, Michael Hendrik Veldman, Deputy Minister of National Health, hereby promulgate the order below, which was confirmed by me on 3 November 1987 and which shall apply to the area of jurisdiction of the Municipality of Vereeniging with effect from 3 August 1988.

MUNICIPALITY OF VEREENIGING: THIRD SMOKE CONTROL ZONE ORDER

The Municipality of Vereeniging hereby, under and by virtue of the powers vested in it by section 20 of the Atmospheric Pollution Prevention Act, 1965, makes the following order:

1. The area defined in the Schedule hereto is hereby declared to be a smoke control zone.

2. In this smoke control zone no owner or occupier of any premises referred to in clause 3 shall cause or permit the emission or emanation from such premises of smoke of such density or content as will obscure light to an extent greater than 20 per cent.

3. This order shall apply to—

(a) all premises or buildings in use zones classified as special residential, general residential, general business, specific business and special business zones and zones for hotels and theatres and for commercial, professional, undetermined, agricultural, institutional, educational, domestic, industrial and municipal purposes: Provided that, in the case of industrial buildings which are situated in any of the above-mentioned use zones and which are used to carry on a scheduled process, as described in the Second Schedule to the Atmospheric Pollution Prevention Act, 1965, such buildings are exempted from the provisions of this order;

(b) dwelling-houses, residential buildings, shops, business premises, public garages, places of instruction, community halls and places of entertainment in use zones classified as special industrial and general industrial zones.

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4. Die stadsraad van Vereeniging kan van tyd tot tyd enige fabrikaat, tipe, klas of model huishoudelike brandstofverbruikende toestel wat ontwerp is om enige vaste of vloeibare brandstof te verbrand, vrystel van die bepalings van klousule 2 hiervan op voorwaarde dat—

(a) sodanige toestel ingerig, in stand gehou en gebruik word ooreenkomstig die vervaardiger se voorskrifte wat saam met die toestel verskaf is;

(b) sodanige toestel op so 'n wyse gebruik word dat die uitlating van rook tot 'n minimum beperk word; en

(c) die vrystelling te eniger tyd na die uitsluitlike goeddunke van die Stadsraad van Vereeniging ingetrek kan word.

5. Hierdie bevel tree op 3 Augustus 1988 in werking.

6. Hierdie bevel heet die Derde Rookbeheerstreekbevel.

BYLAE

Arcon Park; Arcon Park-uitbreiding 1; Arcon Park-uitbreiding 2; Leeuhof; Risiville; Roshnee; Three Rivers-uitbreiding 2; Springcol; Vereeniging-uitbreiding 2.

DEPARTEMENT VAN ONTWIKKELINGSHULP

No. R. 2646 **27 November 1987**

AANSTELLING VAN 'N LID VAN SEKERE DORPSRADE IN NATAL

Hierby word vir algemene inligting kragtens regulasie 2 (2) (b) van die Regulasies vir die Administrasie van en Beheer oor Sekere Stadsgebiede in Natal, afgekondig by Proklamasie R. 86 van 1982, bekendgemaak dat die Minister van Onderwys en Ontwikkelingshulp, mnr. R. M. Nyuswa as 'n lid van die Dorpsraad van Impendle aangestel het, vir 'n tydperk van een jaar met ingang van 1 Desember 1987.

4. The Town Council of Vereeniging may from time to time exempt from the provisions of clause 2 hereof any make, type, class or model of household fuel-burning appliance designed to burn any solid or liquid fuel, on condition that—

(a) such appliance is installed, maintained and used in accordance with the manufacturer's instructions supplied with the appliance;

(b) such appliance is so used as to minimise the emission of smoke; and

(c) such exemption may be withdrawn at any time, at the sole discretion of the Town Council of Vereeniging.

5. This order shall come into effect on 3 August 1988.

6. This order shall be called the Third Smoke Control Zone Order.

SCHEDULE

Arcon Park; Arcon Park Extension 1; Arcon Park Extension 2; Leeuhof; Risiville; Roshnee; Three Rivers Extension 2; Springcol; Vereeniging Extension 2.

DEPARTMENT OF DEVELOPMENT AID

No. R. 2646 **27 November 1987**

APPOINTMENT OF MEMBERS OF CERTAIN TOWN BOARDS IN NATAL

It is hereby notified for general information in terms of regulation 2 (2) (b) of the Regulations for the Administration and Control of Certain Urban Areas in Natal, promulgated under Proclamation R. 86 of 1982, that the Minister of Education and Development Aid has, for a period of one year with effect from 1 December 1987, appointed Mr R. M. Nyuswa to be a member of the Town Board of Impendle.

PHYTOPHYLACTICA

Hierdie publikasie bevat artikels oor plantpatologie, mikologie, mikrobiologie, entomologie, nematologie en ander dierkundige plantplae. Vier dele van die tydskrif word per jaar gepubliseer.

Verdienstelike landboukundige bydraes van oorspronklike wetenskaplike navorsing word vir plasing in hierdie tydskrif verwelkom. Voorskrifte vir die opstel van sulke bydraes is verkrygbaar van die Direkteur, Landbou-inligting, Privaatsak X144, Pretoria, aan wie ook alle navrae in verband met die tydskrif gerig moet word.

Die tydskrif is verkrygbaar van bogenoemde adres teen R5 plus AVB per eksemplaar of R20 per jaar, posvry (Buitelands R6,25 per eksemplaar of R25 per jaar).

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This publication deals with plant pathology, mycology, microbiology, entomology, nematology, and other zoological plant pests. Four parts of the journal are published annually.

Contributions of scientific merit on agricultural research are invited for publication in this journal. Directions for the preparation of such contributions are obtainable from the Director, Agricultural Information, Private Bag X144, Pretoria, to whom all communications in connection with the journal should be addressed.

The journal is obtainable from the above-mentioned address at R5 plus GST per copy or R20 per annum, post free (Other countries R6,25 per copy or R25 per annum).

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BELANGRIK!!

Plasing van tale:

Staatskoerante

1. Hiermee word bekendgemaak dat die omruil van tale in die *Staatskoerant* jaarliks geskied met die eerste uitgawe in Oktober.

2. Vir die tydperk 1 Oktober 1987 tot 30 September 1988 word Afrikaans EERSTE geplaas.

3. Hierdie reëling is in ooreenstemming met dié van die Parlement waarby koerante met Wette ens. die taalvolgorde deurgaans behou vir die duur van die sitting.

4. ***Dit word dus van u, as adverteerder, verwag om u kopie met bogenoemde reëling te laat strook om onnodige omskakeling en stylredigering in ooreenstemming te bring.***

—oOo—

IMPORTANT!!

Placing of languages:

Government Gazettes

1. Notice is hereby given that the interchange of languages in the *Government Gazette* will be effected annually from the first issue in October.

2. For the period 1 October 1987 to 30 September 1988, Afrikaans is to be placed FIRST.

3. This arrangement is in conformity with Gazettes containing Acts of Parliament etc. where the language sequence remains constant throughout the sitting of Parliament.

4. ***It is therefore expected of you, the advertiser, to see that your copy is in accordance with the above-mentioned arrangement in order to avoid unnecessary style changes and editing to correspond with the correct style.***

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