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GOEWERMENTSKENNISGEWING.

DEPARTEMENT VAN POLISIE.

No. R. 203.] [14 Februarie 1964.

REGULASIES VIR DIE SUID-AFRIKAANSE POLISIE.

Dit het die Staatspresident behaag om, kragtens die bevoegdheid hom verleen by artikel *drie-en-dertig* van die Polisiewet, 1958 (Wet No. 7 van 1958), die Regulasies vir die Suid-Afrikaanse Polisie, afgekondig by Goewermentskennisgewing No. 3250 van 21 Desember 1951, soos van tyd tot tyd gewysig, te herroep en die nuwe Regulasies vir die Suid-Afrikaanse Polisie uit te vaardig soos hierin vervat.

WOORDOMSKRYWINGS.

1. (1) In hierdie regulasies, tensy uit die sinsverband anders blyk, het alle uitdrukkings wat in die Wet omskryf word, dieselfde betekenis as in die Wet en beteken—

(i) „ afdeling " 'n polisiebeheergebied soos in artikel *een* van die Wet omskryf; (xi)

(ii) „ afdelingskommissaris " benewens 'n bevelvoerende offisier soos in artikel *een* van die Wet omskryf, enige ander offisier wat die Kommissaris kragtens subartikel (2) van artikel *vier* van die Wet aanwys; (xii)

(iii) „ betaling " die salaris of loon wat gewoonlik aan 'n lid betaalbaar is wanneer hy op diens is, en omvat dit ook toelaes wat nie deel van sy salaris of loon uitmaak nie maar ten opsigte waarvan die regulasies betreffende sodanige toelaes en die opdragte wat die Kommissaris of die Tesourie of die Tesourie op aanbeveling van die Staatsdienskommissie in verband daarmee uitgereik het, behoorlik nagekom is; (xxv)

(iv) „ bevelvoerder " die hoof van 'n kantoor, tak, eenheid, inrigting van watter aard ook al, afdeling, polisiedistrik, stasiewyk of werkplek en ook die Kommissaris, 'n afdelingskommissaris en 'n bevelvoerende offisier; (v)

(v) „ bevelvoerende offisier " 'n offisier deur die Kommissaris aangewys om, behoudens die beheer en gesag van 'n afdelingskommissaris, bevel te voer oor 'n polisiedistrik en alle lede wat op die goed-

GOVERNMENT NOTICE.

DEPARTMENT OF POLICE.

No. R. 203.] [14 February 1964.

REGULATIONS FOR THE SOUTH AFRICAN POLICE.

The State President has been pleased, under the powers vested in him by section *thirty-three* of the Police Act, 1958 (Act No. 7 of 1958), to repeal the Regulations for the South African Police, promulgated under Government Notice No. 3250 of the 21st December, 1951, as amended from time to time, and to make the new Regulations for the South African Police as contained herein.

DEFINITIONS.

1. (1) In these regulations, unless the context otherwise indicates, any expression defined in the Act shall have the same meaning as in the Act, and—

(i) " abroad " means any country or region beyond the borders of the Republic and the Territory; (vi)

(ii) " accommodation " means lodging, bedding, meals, liquid refreshments (excluding alcoholic beverages) and laundering (excluding dry cleaning), or anyone of these items or any combination thereof, which a person may actually and necessarily require; (xiii)

(iii) " branch " means a branch of the Force in respect of which the number and grading of posts have been determined in terms of sub-regulation (2) of regulation 3; (xxxii)

(iv) " calendar month " means a period extending from a date in one month to the date immediately preceding the date corresponding numerically to that date in the following month, both dates included; provided that if the date in the following month is an impossible date, the period shall be reckoned up to and including the last day of such month; (xvii)

(v) " commander " means the head of an office, branch, unit, institution of whatever nature, division, police district, station area or place of work and shall include the Commissioner, a divisional commissioner and a commanding officer; (iv)

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gekeurde diensstaat daarvan is of vir diens of dissipline daaraan verbonde is, en met betrekking tot 'n lid wat nie op die goedgekeurde diensstaat van 'n polisiedistrik is nie of nie vir diens of dissipline daaraan verbonde is nie, die offisier onder wie se bevel, toesig of beheer so 'n lid dien, hetsy permanent of tydelik, en ook enige ander offisier wat as sodanig deur die Kommissaris aangewys is; (vi)

(vi) „ buiteland " 'n land of landstreek buite die grense van die Republiek en die Gebied; (i)

(vii) „ byeenroepende owerheid " die Kommissaris of enigiemand anders wat kragtens die Wet of hierdie regulasies gemagtig is om 'n raad van ondersoek vir enige doel, van watter aard ookal, byeen te roep, en ook 'n lid aan wie die Kommissaris sy bevoegdheid gedelegeer het om so 'n raad byeen te roep; (vii)

(viii) „ Departement " die Departement van die Suid-Afrikaanse Polisie; (x)

(ix) „ die Gebied " die gebiede bedoel in artikel *vyf-en-dertig* van die Wet, soos gewysig; (xxxix)

(x) „ diens " enige ononderbroke voltydse regeringsdiens in enige hoedanigheid, met inbegrip van alle tydperke van skorsing in amp en, vir die toepassing van regulasies 53 en 77, ook alle tydperke van deelname aan enige soort amateursport, oefening vir ontspanningsdoeleindes, opvoering, vertoning of wedstryd waarvoor die Kommissaris magtiging verleen het en wat volgens sy oordeel heilsaam of bevorderlik is vir die moraal van die Mag of vir die opleiding, afrigting en bekwaammaking van lede vir die verrigting van die werksaamhede of pligte van die Mag; (xxxii)

(xi) „ die Wet " die Polisiewet, 1958 (Wet No. 7 van 1958), soos gewysig; (xxxviii)

(xii) „ eenheid " een of meer of 'n groep lede aan wie bepaalde werksaamhede opgedra word ongeag die tak waarin hulle kragtens die bepalings van paragraaf (*c*) van subregulasie (4) van regulasie 4 permanent aangestel is; (xlii)

(xiii) „ herberg " slaapplek, beddegoed, etes, vloeibare verversings (uitgesonderd alkoholiese drank) en was-en-strykwerk (uitgesonderd droogskoonmaakwerk) of enigeen van hierdie items of enige samestelling daarvan, wat iemand werklik en noodwendig nodig mag hê; (ii)

(xiv) „ Hoofkantoor " die Administratiewe Hoofkantoor van die Departement; (xiv)

(xv) „ hoofkwartier " die stad, dorp of plek waar die vernaamste werk van 'n lid verrig word of verrig moet word of wat die Kommissaris as die hoofkwartier van sodanige lid aangewys het; (xv)

(xvi) „ huishouding "—

(*a*) die vrou van 'n lid en 'n kind (met inbegrip van 'n aangenome kind) wat permanent by hom inwoon en noodsaaklikerwys van hom afhanklik is;

(*b*) 'n familielid van 'n lid wat permanent by hom inwoon en noodsaaklikerwys van hom afhanklik is en wie se inkomste nie hoër is nie as die maksimum bedrag, of 'n verhoging daarvan wat in die geval van 'n Blanke kragtens paragraaf (*a*) of, in die geval van 'n nie-Blanke, ongeag sy ras, kragtens paragraaf (*b*) van subartikel (1) van artikel *ses* van die Ouderdomspensioenwet, 1928 (Wet No. 22 van 1928), soos gewysig, voorgeskryf is; en

(*c*) hoogstens twee bediendes (insluitende kinderoppassers) wat in 'n voltydse hoedanigheid by die lid in diens is; (xvi)

(vi) " commanding officer " means a commissioned officer designated by the Commissioner to exercise, subject to the control and authority of a divisional commissioner, command over a police district and all members on the authorised establishment thereof or attached thereto for duty or discipline, and in relation to a member not on the authorised establishment of a police district or attached thereto for duty or discipline, the Commissioned officer under whose command, supervision or control such member is serving, whether permanently or temporarily, and also any other commissioned officer designated as such by the Commissioner; (v)

(vii) " convening authority " means the Commissioner or any other person who, in terms of the Act or these regulations, is empowered to convene a board of inquiry for any purpose whatsoever, and shall include any member to whom the Commissioner has delegated his powers to convene such board; (vii)

(viii) " cycle " means a period of three years reckoned from the 1st January, 1959, and every succeeding period of three years; (xxxiv)

(ix) " day off " means—

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

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

(x) " Department " means the South African Police Department; (viii)

(xi) " division " means a police control area as defined in section *one* of the Act; (i)

(xii) " divisional commissioner " means, in addition to a commanding officer as defined in section *one* of the Act, any other commissioned officer designated by the Commissioner in terms of subsection (2) of section *four* of the Act; (ii)

(xiii) " functions " unless otherwise stated, means police duties in general, the duties referred to in sections *six* and *seven* of the Act, or all or any of the functions of the South African Police as described in section *five* of the Act, including recruiting, training and any administrative or other duty of whatever nature connected with the Force or which, in the opinion of the Commissioner, is necessary for the general management, control and maintenance of the Force or for the effective performance of such duties or functions or for the instruction and training of and rendering members fit for the performance of the functions or duties of the Force; (xlii)

(xiv) " Head Office " means the Administrative Head Office of the Department; (xiv)

(xv) " headquarters " means the city, town or place where the principal duties of a member are or have to be performed or which the Commissioner has indicated as the headquarters of such member; (xv)

(xvi) " household " means—

(*a*) the wife of a member and a child (including an adopted child) who is permanently resident with and necessarily dependent on him;

(*b*) a relative of a member who is permanently resident with and necessarily dependent on him and whose income does not exceed the maximum amount, or an increase thereof, prescribed, in the case of a White, in terms of paragraph (*a*), or, in the case of a non-White, irrespective of race, in terms of paragraph (*b*) of sub-section (1) of section *six* of the Old Age Pensions Act, 1928 (Act No. 22 of 1928), as amended; and

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(xvii) „ kalendermaand " 'n tydperk wat strek vanaf 'n datum in een maand tot en met die datum onmiddellik voor die datum wat in die daaropvolgende maand numeriek ooreenstem met daardie datum; met dien verstande dat indien die datum in die daaropvolgende maand 'n onmoontlike datum is, die tydperk tot en met die laaste dag van sodanige maand bereken moet word; (iv)

(xviii) „ lid " 'n lid van die Wag; (xx)

(xix) „ maand " 'n tydperk wat van die eerste tot en met die laaste dag van enigeen van die twaalf maande van die jaar strek; (xxii)

(xx) „ meerdere " benewens 'n meerdere in rang, 'n lid wat, ongeag diens- of rangsansiënniteit, oor 'n ander lid bevel voer of wat gesag oor 'n ander lid uitoefen, en vir die toepassing van hierdie woordomskrywing oefen alle Blanke lede gesag oor alle nie-Blanke lede uit, ongeag hulle rang; (xxxvii)

(xxi) „ nag " die ure tussen 8 nm. en 6 vm.; (xxiii)

(xxii) „ nie-Blanke " 'n lid wat nie 'n Blanke, soos omskryf in die Bevolkingsregistrasiewet, 1950 (Wet No. 30 van 1950), is nie; (xxiv)

(xxiii) „ persoonlike besittings " die roerende goed van 'n lid en van sy huishouding, met inbegrip van voertuie, maar nie lewende hawe, huis- of troeteldiere nie; (xxvi)

(xxiv) „ polisiedistrik " een of meer stasiewyke, in dieselfde afdeling, wat kragtens die bepalings van paragraaf (*a*) van subregulasie (1) van regulasie 2 as 'n polisiedistrik ingestel is; (xxvii)

(xxv) „ protektorate " die protektorate Swaziland, Betsjoeanaland en Basoetoland; (xxix)

(xxvi) „ salarisverhoging " die goedgekeurde bedrag waarmee 'n salaris volgens die toepaslike skaal verhoog mag word; (xvii)

(xxvii) „ sessie-amptenaar " 'n lid wie se hoofkwartier elders as in Kaapstad is maar van wie daar vereis word om vir die hele duur van 'n Parlementsessie in Kaapstad diens te doen; (xxxiii)

(xxviii) „ skaal " met betrekking tot salaris, ook salaris teen 'n vaste bedrag; (xxxi)

(xxix) „ Staatsdienskommissie " die Staatsdienskommissie soos in artikels *vier* en *vyf* van die Staatsdienswet, 1957 (Wet No. 54 van 1957), soos gewysig, bedoel; (xxx)

(xxx) „ stasiewyk " 'n gebied waarvan die grense kragtens paragraaf (*b*) van subregulasie (1) van regulasie 2 bepaal is en waarin 'n polisiestasie geleë is; (xxxiv)

(xxxi) „ student " 'n Blanke lid wat nog nie sy voorgeskrewe basiese opleiding voltooi het nie en, vir die toepassing van hierdie regulasies, ook alle rekrute, hetsy Blank of nie-Blank; (xxxv)

(xxxii) „ tak " 'n vertakking van die Mag ten opsigte waarvan die getal en gradering van poste kragtens subregulasie (2) van regulasie 3 bepaal is; (iii)

(xxxiii) „ Tesourie " die Minister van Finansies of 'n beampte van die Departement van Finansies wat deur bedoelde Minister gemagtig is om die werksaamhede wat by die Wet aan die Tesourie opgedra is, te verrig; (xl)

(xxxiv) „ tydkring " 'n tydperk van drie jaar gereken vanaf 1 Januarie 1959, en elke daaropvolgende tydperk van drie jaar; (viii)

(xxxv) „ uniform " knope, rang-, onderskeidings- en kentekens, uniform- en uitrustingsartikels, kledingstukke en toebehorens, van watter ook al, in subregulasie (1) van regulasie 18 gemeld of daarkragtens voorgeskryf; (xli)

(*c*) not more than two servants (including nurse maids) employed in a full-time capacity by the member; (xvi)

(xvii) " increment " means the approved amount by which a pay may be increased according to the appropriate scale; (xxvi)

(xviii) " incremental month " means the month during which the pay of a member may be increased in accordance with the scale applicable to him; (xxxvii)

(xix) " incremental period " means a period of twelve calendar months or any other approved period which must elapse in regard to any member before his pay may be increased in accordance with the scale applicable to him; (xxxviii)

(xx) " member " means a member of the Force; (xviii)

(xxi) " misconduct " means misconduct as defined in sub-section (7) of section *ten* of the Act; (xli)

(xxii) " month " means a period extending from the first to the last day, both days included, of any one of the twelve months of the year; (xix)

(xxiii) " night " means the hours between 8 p.m. and 6 a.m.; (xxi)

(xxiv) " non-White " means a member who is not a White person as defined in the Population Registration Act, 1950 (Act No. 30 of 1950); (xxii)

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

(xxvi) " personal effects " means the movable property of a member and of his household, including vehicles, but excluding livestock, domestic animals and pets; (xxiii)

(xxvii) " police district " means one or more station areas, in the same division, established as a police district in terms of paragraph (*a*) of subregulation (1) of regulation 2; (xxiv)

(xxviii) " prescribe or prescribed ", unless otherwise laid down, means prescribed by the Commissioner; (xxxix)

(xxix) " protectorates " means the Swaziland, Bechuanaland and Basutoland Protectorates; (xxv)

(xxx) " Public Service Commission " means the Public Service Commission referred to in sections *four* and *five* of the Public Service Act, 1957 (Act No. 54 of 1957), as amended; (xxix)

(xxxi) " scale ", in relation to pay, includes pay at a fixed rate; (xxviii)

(xxxii) " service " means any continuous fulltime government service in any capacity, including any periods of suspension from office and, for the purpose of regulations 53 and 77, also any periods of participation in any kind of amateur sport, exercise for recreational purposes, performance, display or competition which is authorised by the Commissioner and which is, in his opinion, beneficial or conducive to the morale of the Force or to the training and instruction of and rendering members fit for the performance of the functions or duties of the Force; (x)

(xxxiii) " session official " means a member whose headquarters is at a place other than Cape Town but who is required to be in attendance at Cape Town during the whole period of a parliamentary session; (xxvii)

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(xxxvi) „ verblyftoelae " betaling bedoel as vergoeding vir redelike uitgawes wat iemand noodwendig aan herberg moet bestee wanneer hy as gevolg van amptelike diens nie van sy normale woonreëlings gebruik kan maak nie; (xxxvi)

(xxxvii) „ verhogingsmaand " die maand waarin die salaris van 'n lid volgens die skaal wat op hom van toepassing is, verhoog mag word; (xviii)

(xxxviii) „ verhogingstydperk " 'n tydperk van twaalf kalendermaande of 'n ander goedgekeurde tydperk wat met betrekking tot enige lid moet verstryk voordat sy salaris verhoog mag word volgens die skaal wat op hom van toepassing is; (xix)

(xxxix) „ voorgeskryf " of „ voorgeskrewe " tensy anders bepaal, deur die Kommissaris voorgeskryf; (xxviii)

(xl) „ vry dag "—

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

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

(xli) „ wangedrag " wangedrag soos in subartikel (7) van artikel *tien* van die Wet omskryf (xxi)

(xlii) „ werksaamhede " tensy anders gemeld, polisiepligte in die algemeen, die pligte bedoel in artikels *ses* en *sewe* van die Wet, of enigeen van of al die werksaamhede van die Suid-Afrikaanse Polisie soos in artikel *vyf* van die Wet beskryf, met inbegrip van werwing, opleiding en enige administratiewe of ander plig, van watter aard ook al wat met die Mag in verband staan of wat, na die mening van die Kommissaris, nodig is vir die algemene bestuur, beheer en instandhouding van die Mag of vir die doeltreffende verrigting van sodanige pligte of werksaamhede of vir die opleiding, afrigting en bekwaammaking van lede vir die verrigting van die werksaamhede of pligte van die Mag; (xiii)

(2) As daar twyfel ontstaan oor die uitleg van die bepalings van hierdie regulasies, moet die saak aan die Kommissaris vir beslissing voorgelê word.

ORGANISASIE.

2. (1) In die uitoefening van sy bevel, toesig en beheer oor die Mag en in verband met die behoorlike uitvoering van die werksaamhede daarvan, kan die Kommissaris, behoudens die bepalings van subregulasie (2) en regulasie 3—

(*a*) die Republiek en die Gebied, in oorleg met die Minister, in geografiese afdelings en polisiedistrikte indeel en die grense daarvan bepaal of wysig;

(*b*) polisiestasies instel en die grense van stasiewyke bepaal of wysig;

(*c*) die Mag in verskillende takke, eenhede of groepe indeel of herindeel;

(*d*) opleidingsinrigtings of -sentrums vir die opleiding van studente of rekrute en ander lede van die Mag oprig en in stand hou;

(*e*) buro's, depots, kwartiere, werkwinkels of enige ander inrigting van watter aard ook al wat hy vir die algemene bestuur, beheer en instandhouding van die Mag dienstig ag, oprig en in stand hou;

(*f*) voorrade, wapens, ammunisie, saaltuig, voer en ander uitrustingsartikels, voertuie, trek- of ander diere aankoop wat vir die Mag nodig is;

(*g*) opgawes, registers, rekords, dokumente, boeke en vorms vir gebruik in die Mag, asook die prosedure vir korrespondensie in die Mag voorskryf.

(xxxiv) " station area " means an area the boundaries of which have been determined in terms of paragraph (*b*) of sub-regulation (1) of regulation 2 and in which a police station is situated; (xxx)

(xxxv) " student " means a White member who has not yet completed his prescribed basic training, and for the purposes of these regulations it includes all recruits whether White or non-White; (xxxi)

(xxxvi) " subsistence allowance " means payment intended as compensation for reasonable expenses which any person necessarily has to incur on accommodation when, as a result of official duty, he is unable to avail himself of his normal living arrangements; (xxxvi)

(xxxvii) " superior " means, in addition to a superior in rank, any member, who, irrespective of seniority in service or rank, has command or exercises authority over another member, and for the purpose of this definition all White members shall exercise authority over all non-White members irrespective of rank; (xx)

(xxxviii) " the Act " means the Police Act, 1958 (Act No. 7 of 1958), as amended; (xi)

(xxxix) " the Territory " means the territories referred to in section *thirty-five* of the Act as amended; (ix)

(xl) " Treasury " means the Minister of Finance or an official of the Department of Finance who has been authorised by the said Minister to perform the duties assigned to the Treasury under the Act; (xxxiii)

(xli) " uniform " means any buttons, badges of rank, distinctive badges and badges, articles of uniform and equipment, clothing and accoutrement of any nature whatsoever referred to in sub-regulation (1) of regulation 18 or prescribed in terms thereof; (xxxv)

(xlii) " unit " means one or more or a group of members charged with specific functions irrespective of the branch to which they have been permanently appointed in terms of paragraph (*c*) of sub-regulation (4) of regulation 4; (xii)

(2) Should any doubt arise in connection with the interpretation of the provisions of these regulations, the matter shall be referred to the Commissioner for decision.

ORGANISATION.

2. (1) In the exercise of his command, supervision and control over the Force and in connection with the proper discharge of the functions thereof, the Commissioner may, subject to the provisions of sub-regulation (2) and regulation 3—

(*a*) divide, in consultation with the Minister, the Republic and the territory into geographical divisions and police districts and determine or alter the boundaries thereof;

(*b*) establish police stations and determine or alter the boundaries of station areas;

(*c*) group or regroup the Force into various branches, units or groups;

(*d*) establish and maintain training institutions or centres for the training of students or recruits and other members of the Force;

(*e*) establish and maintain bureaux, depots, quarters, workshops or any other institution of any nature whatsoever, which he may deem expedient for the general management, control and maintenance of the Force;

(*f*) purchase stores, arms, ammunition, saddlery, forage and other articles of equipment, vehicles and draught or other animals required for the Force;

(*g*) prescribe returns, registers, records, documents, books and forms for use in the Force, as well as the procedure for correspondence in the Force.

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(2) 'n Bevoegdheid wat by subregulasie (1) verleen word en uitgawe meebring, word nie uitgeoefen nie tensy fondse daarvoor bewillig of die uitgawe deur die Tesourie goedgekeur is.

DIENSSTAAT.

3. (1) Behoudens die bepalings van subartikel (2) van artikel *sewe* van die Staatsdienswet, 1957 (Wet No. 54 van 1957), word die vaste diensstaat van die Departement deur die Minister bepaal.

(2) Die getal en gradering van poste in die verskillende takke word, met behoorlike inagneming van die bepalings van subregulasie (1), deur die Kommissaris in oorleg met die Minister bepaal.

(3) Die verdeling van die sterkte van die Mag onder die verskillende afdelings, polisiedistrikte, stasiewyke, kantore, eenhede of ander inrigtings van watter aard ook al word, behoudens die bepalings van hierdie regulasie, deur die Kommissaris bepaal.

WERKSAAMHEDE EN PLIGTE VAN DIE KOMMISSARIS EN LEDE.

4. (1) Benewens alle werksaamhede of pligte wat hom wettiglik opgedra of opgelê is, is die Kommissaris aan die Minister verantwoordelik vir die doeltreffende vervulling van die werksaamhede van die Mag soos in artikel vyf van die Wet beskryf, die handhawing van dissipline, doeltreffende administrasie en die behoorlike gebruik en versorging van staatseiendom in die Mag.

(2) 'n Bevelvoerder is aan die lid wat oor hom gesag voer of aan enige ander lid wat vir dié doel deur die Kommissaris aangewys word, verantwoordelik vir die vervulling van sy voorgeskrewe werksaamhede, die handhawing van dissipline, doeltreffende administrasie en die behoorlike gebruik en versorging van staatseiendom in die afdeling, polisiedistrik, stasiewyk, tak, kantoor, eenheid, inrigting of werkplek onder sy beheer of waaroor hy bevel voer.

(3) Die Kommissaris kan van tyd tot tyd die werksaamhede van die verskillende takke, afdelings, polisiedistrikte, stasiewyke, kantore, eenhede of ander inrigtings voorskryf en die bevelvoerders daarvan aanwys.

(4) 'n Lid—

(*a*) moet sy werksaamhede op enige plek in die Republiek of in die Gebied verrig;

(*b*) kan van die een afdeling, polisiedistrik, stasiewyk, kantoor, eenheid of inrigting na 'n ander oorgeplaas of verplaas word;

(*c*) kan permanent of tydelik in enige tak aangestel of emplojeer word en kan, met inagneming van die bepalings van regulasie 17, van die een tak na 'n ander oorgeplaas word.

(5) Indien die werksaamhede van die Mag dit vereis, kan die Kommissaris, na sy goedvinde en ondanks andersluidende bepalings, 'n lid in die buiteland emplojeer, en 'n lid wat aldus geëmplojeer word, bly onderworpe aan die bepalings van die Wet.

DELEGERING VAN DIE KOMMISSARIS SE BEVOEGDHEDE.

5. (1) As hy dit dienstig ag vir die doeltreffende administrasie van die Mag, kan die Kommissaris, met behoorlike inagneming van die bepalings van subartikel (2) van artikel *vier* en subartikel (3) van artikel *vyftien* van die Wet, enige bevoegdheid wat kragtens hierdie regulasies aan hom verleen is, aan 'n ander lid of 'n „ beampte " of „ werknemer " wat in die Staatsdienswet, 1957 (Wet No. 54 van 1957), omskryf word en in die Departement werksaam is, delegeer op dié voorwaardes wat hy mag bepaal.

(2) 'n Delegasie kragtens hierdie regulasie kan te eniger tyd deur die Kommissaris ingetrek word.

ORDERS EN VOORSKRIFTE.

6. (1) Die Kommissaris kan orders en voorskrifte uitvaardig oor alle sake wat—

(*a*) kragtens die Wet of hierdie regulasies deur hom voorgeskryf moet of kan word;

(*b*) nie met die Wet of hierdie regulasies onbestaanbaar is nie en wat hy nodig of dienstig ag vir doeltreffende administrasie of die verwesenliking van die oogmerke van die Wet of hierdie regulasies.

(2) Any power conferred by sub-regulation (1) and involving expenditure, shall not be exercised unless funds therefor have been voted or the expenditure has been approved by the Treasury.

ESTABLISHMENT.

3. (1) Subject to the provisions of sub-section (2) of section *seven* of the Public Service Act, 1957 (Act No. 54 of 1957), the fixed establishment of the Department shall be determined by the Minister.

(2) The number and grading of posts in the various branches shall, with due regard to the provisions of sub-regulation (1), be determined by the Commissioner in consultation with the Minister.

(3) The distribution of the strength of the Force among the different divisions, police districts, station areas, offices, units or other institutions of any nature whatsoever, shall, subject to the provisions of this regulation, be determined by he Commissioner.

FUNCTIONS AND DUTIES OF THE COMMISSIONER AND MEMBERS.

4. (1) In addition to any functions or duties lawfully assigned to or imposed upon him, the Commissioner shall be responsible to the Minister for the effective performance of the functions of the Force as described in section *five* of the Act, the maintenance of discipline, efficient administration and the proper use and care of government property in the Force.

(2) A commander shall be responsible to the member who exercises authority over him or to any other member designated for such purpose by the Commissioner, for the performance of his prescribed functions, the maintenance of discipline, efficient administration and the proper use and care of government property in the division, police district, station area, branch, office, unit, institution or place of work under his control or over which he exercises command.

(3) The Commissioner may from time to time prescribe the functions of the various branches, divisions, police districts, station areas, offices, units or other institutions and designate the commanders thereof.

(4) A member—

(*a*) shall carry out his functions at any place within the Republic or the Territory;

(*b*) may be transferred from one division, police district, station area, office, unit or institution to another;

(*c*) may be appointed or employed permanently or temporarily in any branch and may, regard being had to the provisions of regulation 17, be transferred from one branch to another.

(5) Should the functions of the Force so require, the Commissioner may, in his discretion and notwithstanding any provision to the contrary, employ a member abroad, and a member thus employed, shall remain subject to the provisions of the Act.

DELEGATION OF THE POWERS OF THE COMMISSIONER.

5. (1) If he deems it expedient for the efficient administration of the Force, the Commissioner may, with due regard to the provisions of sub-section (2) of section *four* and sub-section (3) of section *fifteen* of the Act, delegate, on such conditions as he may determine, any power conferred upon him in terms of these regulations, to another member or an " officer " or " employee " defined in the Public Service Act, 1957 (Act No. 54 of 1957), and employed in the Department.

(2) Any delegation in terms of this regulation may at any time be revoked by the Commissioner.

ORDERS AND INSTRUCTIONS.

6. (1) The Commissioner may issue orders and instructions concerning all matters which—

(*a*) in terms of the Act or these regulations shall or may be prescribed by him;

(*b*) are not inconsistent with the Act or these regulations and which he deems necessary or expedient for efficient administration or the achievement of the objects of the Act or these regulations.

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(2) Orders en voorskrifte van 'n blywende aard kan deur die Kommissaris as „Staande" en „Magsorders" uitgevaardig word.

(3) Bevelvoerders kan orders en voorskrifte uitvaardig wat nie met die Wet, hierdie regulasies of die orders en voorskrifte van die Kommissaris onbestaanbaar is nie.

(4) Orders en voorskrifte uitgevaardig kragtens subregulasies (1), (2) en (3), moet gehoorsaam word deur alle lede op wie sodanige orders en voorskrifte van toepassing is.

LEDE MOET AL HUL TYD TOT BESKIKKING VAN DIE STAAT STEL.

7. (1) 'n Lid moet al sy tyd tot beskikking van die Staat stel en mag geen besoldigde werk, uitgesonderd sy werksaamhede in die Mag sonder die skriftelike toestemming van die Kommissaris verrig of hom verbind om dit te verrig nie.

(2) Die Kommissaris kan 'n lid gelas om ander pligte as die werksaamhede van die Mag tydelik ten behoewe van 'n ander staatsdepartement te verrig, en 'n lid moet sodanige pligte verrig wanneer sy meerdere hom daartoe gelas.

(3) Geen lid kan regtens aanspraak maak op addisionele besoldiging ten opsigte van enige amptelike plig of werk wat kragtens subregulasie (2) deur 'n meerdere aan hom opgedra word nie.

(4) Geen lid mag 'n ander lid of 'n „beampte" of „werknemer" wat in die Staatsdienswet, 1957 (Wet No. 54 van 1957), omskryf word in verband met werk wat nie ten behoewe van die Staat verrig word nie, gedurende amptelike werkure gebruik nie.

RANGE, AMPSTITELS, VOORRANG EN RANGSANSIËNNITEIT.

8. (1) Die range in die Mag, in volgorde van voorrang, is soos volg:—

(*a*) *Blankes—offisiere.*

Die Kommissaris van die Suid-Afrikaanse Polisie: Luitenant-generaal.
Adjunk-kommissaris: Generaal-majoor.
Onderkommissaris: Brigadier.
Assistent-kommissaris: Brigadier.
Kolonel.
Luitenant-kolonel.
Majoor.
Kaptein.
Luitenant.

(*b*) *Blankes—nie offisiere nie.*

Adjudant-offisier.
Sersant.
Konstabel.

(*c*) *Nie-Blankes.*

Hoofsersant.
Senior sersant.
Sersant.
Konstabel.
Konstabel-arbeider.

(2) Ondanks die bepalings van subregulasie (1) maar behoudens die bepalings van artikel *een* van die Wet en van regulasie 1, kan 'n onderskeidende benaming voorgeskryf word ten opsigte van 'n lid wat bevel voer oor 'n polisiedistrik, stasiewyk, tak, eenheid, groep, kantoor, buro, depot, werkwinkel of enige ander inrigting of instelling in die Mag, van watter aard ook al, wat uit hoofde van die bepalings van die Wet of hierdie regulasies ingestel is of ingestel mag word.

(3) Indien hy dit dienstig ag, kan die Kommissaris 'n konstabel, hetsy Blank of nie-Blank, as 'n ondersersant aanstel, en solank sodanige aanstelling van krag is, het so 'n konstabel die bevoegdhede en gesag van 'n sersant.

(4) Ongeag senioriteit in diens of rangsensiënniteit, word 'n bevelvoerder geag die meerdere te wees van alle lede oor wie hy gesag of bevel voer of beheer of toesig uitoefen, hetsy permanent of tydelik.

(5) Die aanspreekvorm ten opsigte van lede in die verskillende range kan voorgeskryf word.

(2) Orders and instructions of a permanent nature may be issued by the Commissioner as "Standing" or "Force Orders".

(3) Commanders may issue orders and instructions which are not inconsistent with the Act, these regulations or orders and instructions issued by the Commissioner.

(4) Orders and instructions issued in terms of subregulations (1), (2) and (3) shall be obeyed by all members to whom such orders and instructions are applicable.

MEMBERS TO PLACE ALL THEIR TIME AT THE DISPOSAL OF THE STATE.

7. (1) A member shall place all his time at the disposal of the State and shall not perform or undertake to perform any remunerative work, except his functions in the Force, without the written permission of the Commissioner.

(2) The Commissioner may order any member to perform duties, other than the functions of the Force, temporarily on behalf of another Government Department, and any member shall perform such duties when ordered to do so by his superior.

(3) No member may claim as a right any additional remuneration in respect of any official duty or work which is assigned to him by a superior in terms of sub-section (2).

(4) No member shall during official working hours use any other member or an "officer" or "employee" defined in the Public Service Act, 1957 (Act No. 54 of 1957), in connection with work which is not performed on behalf of the Government.

RANKS, OFFICIAL DESIGNATIONS, PRECEDENCE AND SENIORITY IN RANK.

8. (1) The ranks in the Force, in order of precedence, are as follows:—

(*a*) *Whites—Commissioned Officers.*

The Commissioner of the South African Police: Lieutenant-general.
Deputy-commissioner: Major-general.
Sub-commissioner: Brigadier.
Assistant-commissioner: Brigadier.
Colonel.
Lieutenant-colonel.
Major.
Captain.
Lieutenant.

(*b*) *Whites—not Commissioned Officers.*

Warrant Officer.
Sergeant.
Constable.

(*c*) *Non-Whites.*

Chief Sergeant.
Senior Sergeant.
Sergeant.
Constable.
Constable-labourer.

(2) Notwithstanding the provisions of sub-regulation (1) but subject to the provisions of section *one* of the Act and regulation 1, a distinctive designation may be prescribed in respect of a member who exercises command over a police district, station area, branch, unit, group, office, bureau, depot, workshop or any other institution or establishment in the Force of whatever nature, which has been or may be established by virtue of the provisions of the Act or these regulations.

(3) If he deems it expedient, the Commissioner may appoint any constable, whether White or non-White, as a lance-sergeant, and as long as such appointment is in force such constable shall have the powers and authority of a sergeant.

(4) A commander shall, irrespective of seniority in service or rank, be deemed to be the superior of all members over whom he exercises authority, command, control or supervision, whether permanently or temporarily.

(5) The form of address in respect of members in the various ranks may be prescribed.

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BEHOUD VAN RANG BY UITDIENSTREDING EN TOEKENNING VAN ERERANGE.

9. (1) Behoudens die bepalings van subregulasie (2), verbeur iemand wat die Mag om enige rede verlaat, sy rang by uitdienstreding, bedanking of oorplasing na 'n ander Staatsdepartement.

(2) By die uitdienstreding of bedanking, om watter rede ook al, van 'n offisier wat deurgaans sy werksaamhede bevredigend vervul en 'n onberispelike karakter en voorbeeldige gedrag aan die dag gelê het, kan die Minister, op aanbeveling van die Kommissaris, toelaat dat sodanige offisier sy rang behou en in 'n besondere verdienstelike geval hom, behoudens die volgende vereistes, 'n hoër ererang soos volg toeken:—

(*a*) Aan 'n luitenant die ererang van kaptein mits hy minstens vyf jaar as offisier gedien het;

(*b*) aan 'n kaptein die ererang van majoor mits hy minstens tien jaar as offisier gedien het of minstens vyf jaar kapteinsrang beklee het;

(*c*) aan 'n majoor die ererang van luitenant-kolonel mits hy minstens vyftien jaar as offisier gedien het of minstens vyf jaar majoorsrang beklee het;

(*d*) aan 'n luitenant-kolonel die ererang van kolonel mits hy minstens twintig jaar as offisier gedien het of minstens vyf jaar die rang van luitenant-kolonel beklee het;

(*e*) aan 'n kolonel of 'n offisier met 'n hoër rang die daaropvolgende hoër ererang mits hy minstens vyf-en-twintig jaar as offisier gedien het of minstens vyf jaar gedien het in die rang wat hy op die datum van sy aftreding of bedanking beklee het;

met dien verstande dat die Minister, na sy goedvinde, in 'n buitengewone geval aan so 'n offisier wat besonder voortreflike of voorbeeldige diens gelewer het, die daaropvolgende hoër ererang kan toeken ondanks die feit dat daar nie aan die relevante vereistes soos vervat in subparagrawe (*a*) tot (*e*), voldoen is nie.

(3) Iemand wat kragtens subregulasie (2) toegelaat is om sy rang te behou of aan wie 'n hoër ererang toegeken is, mag die uniform- en uitrustingsartikels wat op sy rang of ererang van toepassing is, by staats- of ander geskikte voorgeskrewe geleenthede dra, maar hy word nie vanweë die feit dat hy toegelaat is om sy rang te behou of dat 'n hoër ererang an hom toegeken is, met enige bevoegdheid kragtens die Wet op hierdie regulasies beklee nie nadat hy die Mag verlaat het.

INSKRYWING EN AANSTELLING.

10. 'n Applikant wat as lid wil inskryf, moet—

(*a*) aansoek doen op die voorgeskrewe vorm en onder eed of by wyse van 'n plegtige verklaring bevestig dat die gegewens wat in die aansoek verstrek is, die waarheid is;

(*b*) toelaat dat sy vingerafdrukke geneem word;

(*c*) bewys van goeie karakter lewer;

(*d*) hom onderwerp aan 'n geneeskundige ondersoek en, indien dit nodig geag word, 'n radiologiese ondersoek deur een of meer geregistreerde geneeshere wat die Kommissaris aangewys het;

(*e*) bevredigende bewys van sy ouderdom lewer;

(*f*) bevredigende bewys van sy opvoedkundige kwalifikasies lewer;

(*g*) indien die Kommissaris dit nodig ag, dié opvoedkundige of aanlegtoetse ondergaan wat hy mag voorskryf;

(*h*) bereid wees om dié opleiding te ondergaan wat voorgeskryf mag word.

RETENTION OF RANK ON RETIREMENT AND CONFERMENT OF HONORARY RANKS.

9. (1) Subject to the provisions of sub-regulation (2), a person who leaves the Force for any reason shall forfeit his rank on retirement, resignation or transfer to another Government Department.

(2) On the retirement or resignation, for any reason whatsoever, or a commissioned officer who has throughout fulfilled his functions satisfactorily and who has displayed an irreproachable character and exemplary conduct, the Minister may, on the recommendation of the commissioner, permit such commissioned officer to retain his rank and in a specially deserving case, confer on him, subject to the following requirements, a higher honorary rank as follows:—

(*a*) On a lieutenant the honorary rank of captain provided he has served at least five years as a commissioned officer;

(*b*) on a captain the honorary rank of major provided he has served at least ten years as a commissioned officer or has held the rank of captain for at least five years;

(*c*) on a major the honorary rank of lieutenant-colonel provided he has served at least fifteen years as a commissioned officer or has held the rank of major for at least five years;

(*d*) on a lieutenant-colonel the honorary rank of colonel provided he has served at least twenty years as a commisioned officer or has held the rank of lieutenant-colonel for at least five years;

(*e*) on a colonel or a commissioned officer with a higher rank, the next higher honorary rank provided he has served at least twenty-five years as a commissioned officer or has served at least five years in the rank held by him on the date of his retirement or resignation;

provided that in an exceptional case, the Minister may, in his discretion, confer on such a commissioned officer who has rendered particularly meritorious or exemplary service, the next higher honorary rank notwithstanding the fact that the relevant requirements contained in sub-paragraphs (*a*) to (*e*) have not been complied with.

(3) A person who, in terms of sub-regulation (2), has been permitted to retain his rank or on whom a higher honorary rank has been conferred, may wear the articles of uniform and equipment applicable to his rank or honorary rank on State or other suitable occasions as prescribed, but after he has left the Force no authority in terms of the Act or these regulations shall be vested in him by virtue of the fact that he has been permitted to retain his rank or that a higher honorary rank has been conferred on him.

ENROLMENT AND APPOINTMENT.

10. An applicant who wishes to enrol as a member, shall—

(*a*) make application on the prescribed form and affirm under oath or by way of a solemn declaration that the particulars furnished in the application, are the truth;

(*b*) allow his finger-prints to be taken;

(*c*) furnish proof of good character;

(*d*) submit himself to a medical examination and, if deemed necessary, a radiological examination by one or more registered medical practitioners designated by the Commissioner;

(*e*) furnish satisfactory proof of his age;

(*f*) furnish satisfactory proof of his educational qualifications;

(*g*) if the Commissioner deems it necessary, undergo such educational or aptitude tests as he may prescribe;

(*h*) be prepared to undergo such training as may be prescribed.

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11. (1) Behoudens die bepalings van subregulasie (2), word niemand as lid aangestel nie tensy—

(*a*) in die geval van 'n Blanke man, hy—

(i) 'n Suid-Afrikaanse burger is;

(ii) minstens *sestien* en onder *vyf-en-dertig* jaar oud is;

(iii) sonder skoene, minstens vyf voet ses duim lank is en 'n normale borsomvang van minstens vier-en-dertig duim het;

(iv) vry is van enige geestes- of liggaamlike gebrek, siekte of swakheid wat volgens die oordeel van die Kommissaris waarskynlik die behoorlike uitvoering van sy pligte sal belemmer of sy aftreding uit die Mag voordat hy die pensioenleeftyd bereik, sal noodsaak;

(v) van goeie karakter is;

(vi) geslaag het in minstens die agste onderwysstanderd of in 'n eksamen wat die Kommissaris erken as 'n eksamen van 'n gelykstaande of hoër standaard;

(vii) bereid is om die ampseed soos bedoel in regulasie 12, af te lê;

(*b*) in die geval van 'n Blanke vrou, sy—

(i) aan die vereistes van subparagrawe (i), (iv), (v), (vi) en (vii) van paragraaf (*a*) voldoen;

(ii) minstens *agtien* en onder *vyf-en-dertig* jaar oud is;

(iii) sonder skoene, minstens vyf voet drie duim lank is;

(iv) ongetroud of 'n weduwee is, met dié voorbehoud dat, indien sy in die huwelik tree, sy geag word vrywillig uit die Mag met die oog op die huwelik te getree het met ingang van die datum van haar huwelik of, as sy haar werksaamhede op daardie dag vervul het, met ingang van die dag wat onmiddellik op die datum van haar huwelik volg, tensy die Kommissaris op aanbeveling van die Staatsdienskommissie dit goedkeur dat sy in die Mag gehou word;

(v) haar verbind om die Kommissaris, voor haar huwelik, skriftelik kennis te gee van die datum waarop sy voornemens is om in die huwelik te tree;

(*c*) in die geval van 'n nie-Blanke man, hy—

(i) aan die vereistes van subparagrawe (i), (iii), (iv) (v) en (vii) van paragraaf (*a*) voldoen;

(ii) minstens agtien en onder vyf-en-dertig jaar oud is;

(iii) geslaag het in minstens die sesde onderwysstanderd of in 'n eksamen wat die Kommissaris erken as 'n eksamen van 'n gelykstaande of hoër standaard;

(iv) in staat is om minstens een van die twee amptelike tale van die Republiek tot tevredenheid van die Kommissaris te praat, lees en skryf.

(2) Ondanks die bepalings van subregulasie (1), kan die Kommissaris—

(*a*) na sy goedvinde en in buitengewone omstandighede afsien van enigeen van of al die vereistes van subparagrawe (i), (ii), (iii) en (vi) van paragraaf (*a*) in die geval van 'n Blanke man; subparagrawe (i) en (vi) van paragraaf (*a*) en subparagrawe (ii) en (iii) van paragraaf (*b*) in die geval van 'n Blanke vrou; subparagrawe (i) en (iii) van paragraaf (*a*) en subparagrawe (ii), (iii) en (iv) van paragraaf (*c*) in die geval van 'n nie-Blanke man;

(*b*) op aanbeveling van die Staatsdienskommissie, afsien van die vereistes van subparagraaf (iv) van paragraaf (*b*).

11. (1) Subject to the provisions of sub-regulation (2), no person shall be appointed a member unless—

(*a*) in the case of a White male, he—

(i) is a South African citizen;

(ii) is at least *sixteen* and under *thirty-five* years of age;

(iii) is at least five feet six inches tall, without shoes, and has a normal chest measurement of at least thirty-four inches;

(iv) is free from any mental or physical defect, disease or infirmity which, in the opinion of the Commissioner, will probably interfere with the proper execution of his duties or necessitate his retirement from the Force before reaching the pensionable age;

(v) is of good character;

(vi) has passed at least the eighth standard of education or an examination recognised by the Commissioner to be of an equivalent or higher standard;

(vii) is prepared to take the oath of office referred to in regulation 12;

(*b*) in the case of a White female, she—

(i) complies with the requirements of subparagraphs (i), (iv), (v), (vi) and (vii) of paragraph (*a*);

(ii) is at least *eighteen* and under *thirty-five* years of age;

(iii) is at least five feet three inches tall, without shoes;

(iv) is unmarried or a widow, subject to this proviso that if she marries, she shall be deemed to have resigned voluntarily from the Force in contemplation of marriage with effect from the date of her marriage or, if she has performed her duties on that day, with effect from the day immediately following the date of her marriage, unless the Commissioner, on recommendation of the Public Service Commission, approves her retention in the Force;

(v) undertakes to notify the Commissioner in writing, prior to her marriage, of the date she intends getting married;

(*c*) in the case of a non-White male, he—

(i) complies with the requirements of subparagraphs (i), (iii), (iv), (v) and (vii) of paragraph (*a*);

(ii) is at least *eighteen* and under *thirty-five* years of age;

(iii) has passed at least the sixth standard of education or an examination recognised by the Commissioner to be of an equivalent or higher standard;

(iv) is able to speak, read and write, to the satisfaction of the Commissioner, at least one of the two official languages of the Republic.

(2) Notwithstanding the provisions of sub-regulation (1), the Commissioner may—

(*a*) in his discretion and in exceptional circumstances, waive any of or all the requirements of subparagraphs (i), (ii), (iii) and (vi) of paragraph (*a*), in the case of a White male; sub-paragraphs (i) and (vi) of paragraph (*a*) and sub-paragraphs (ii) and (iii) of paragraph (*b*), in the case of a White female; sub-paragraphs (i) and (iii) of paragraph (*a*) and sub-paragraphs (ii), (iii) and (iv) of paragraph (*c*) in the case of a non-White male;

(*b*) on the recommendation of the Public Service Commission, waive the requirements of sub-paragraph (iv) of paragraph (*b*).

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12. (1) 'n Blanke lid moet aanvanklik vir 'n tydperk van drie jaar en 'n nie-Blanke lid aanvanklik vir 'n tydperk van een jaar, gereken vanaf die datum van inswering soos bedoel in subregulasie (2), inskryf en daarna is die aanstelling aaneenlopend; met dien verstande dat die bepalings van die Regeringsdiens-pensioenwet, 1955 (Wet No. 58 van 1955), en van regulasie 15 *mutatis mutandis* geld ten opsigte van beide die aanvanklike tydperk en die aaneenlopende aanstelling; en voorts met dien verstande dat 'n lid nie kragtens die bepalings van subartikel (4) van artikel *ses-en-veertig* van voornoemde Wet in diens gehou mag word nie tensy die Minister se goedkeuring verkry is.

(2) By inskrywing moet 'n lid die ampseed soos vervat in Bylae A, aflê.

AANSTELLINGSERTIFIKATE EN BREVETTE.

13. (1) Vir die toepassing van subartikel (3) van artikel *vier* van die Wet word 'n aanstellingsertifikaat, in die vorm vervat in Bylae B en met die lid se foto daarop aangebring, aan elke lid uitgereik, en so 'n sertifikaat kan so dikwels vervang word as wat die Kommissaris nodig ag; met dien verstande dat die Kommissaris, na sy goedvinde, die uitreiking van so 'n sertifikaat aan 'n student kan terughou.

(2) 'n Brevet word deur of op gesag van die Minister aan 'n lid uitgereik by sy bevordering tot die rang van adjudant-offisier.

OPLEIDING.

14. (1) Die basiese opleiding wat 'n student, en die aanvullende opleiding wat 'n ander lid moet ondergaan, word met behoorlike inagneming van die werksaamhede van die Mag voorgeskryf.

(2) 'n Lid moet dié opleiding ondergaan wat die Kommissaris nodig ag om hom vir die behoorlike uitvoering van sy werksaamhede te bekwaam, en die Kommissaris kan, na sy goedvinde, voorts gelas dat 'n lid—

(*a*) 'n opleidingskursus of, na sodanige kursus, enige aanvullende kursus of kursusse volg aan 'n opleidingsinrigting, opleidingsentrum, depot, buro, werkwinkel of ander inrigting van watter aard ook al, wat uit hoofde van die Wet of hierdie regulasies ingestel is;

(*b*) kursus volg wat deur die Staatsdienskommissie of enige ander staatsdepartement gereël word;

(*c*) 'n kursus volg by 'n instelling of inrigting wat nie deur die Staat beheer word nie;

(*d*) 'n kursus of lesing moet bywoon wat in verband met sy werksaamhede voorgeskryf word.

BEDANKING, AFDANKING EN ONTSLAG.

15. (1) Behoudens die bepalings van die Regeringsdiens-Pensioenwet, 1955 (Wet No. 58 van 1955), en van artikels *drie, agt, tien* en *sewentien* van die Wet, kan 'n lid uit die Mag afgedank of ontslaan word—

(*a*) weens voortdurende swak gesondheid indien hy, na die mening van die Kommissaris, geestelik of liggaamlik ongeskik is om al of enigeen van sy werksaamhede uit te voer;

(*b*) weens die afskaffing van sy pos of 'n vermindering of reorganisasie of heraanpassing van die Mag;

(*c*) as sy ontslag om ander redes as sy eie ongeskiktheid of onvermoë, doeltreffendheid of besuiniging in die Mag sal bevorder of andersins tot voordeel of in belang van die Mag sal wees;

(*d*) weens sy ongeskiktheid om sy pligte uit te voer of sy onvermoë om dit op 'n doeltreffende wyse te doen;

(*e*) weens vrywillige bedanking, indien hy—

(i) 'n Blanke lid benede offisiersrang is wat vir 'n aaneenlopende tydperk van minstens drie jaar gedien het en minstens drie kalendermaande vooraf skriftelik kennis van sy voorneme om te bedank, aan die Kommissaris gegee het;

12. (1) A White member shall initially enlist for a period of three years and a non-White member shall initially enlist for a period of one year, reckoned from the date of attestation referred to in sub-regulation (2), and thereafter the appointment shall be continuous; provided that the provisions of the Government Service Pensions Act, 1955 (Act No. 58 of 1955), and of regulation 15 shall *mutatis mutandis* apply in respect of both the initial period and the continuous appointment; and provided further that the services of a member shall not be retained in terms of sub-section (4) of section *forty-six* of the aforesaid Act unless the Minister's approval has been obtained.

(2) On enlistment a member shall take the oath of office as contained in Schedule A.

CERTIFICATES OF APPOINTMENT AND WARRANTS.

13. (1) For the purposes of sub-section (3) of section *four* of the Act a certificate of appointment, in the form contained in Schedule B and with the member's photo affixed thereto, shall be issued to every member, and such certificate may be replaced as often as the Commissioner may deem necessary; provided that the Commissioner may, in his discretion, withhold the issue of such certificate to a student.

(2) A warrant shall be issued by or on the authority of the Minister to a member on his promotion to the rank of warrant officer.

TRAINING.

14. (1) The basic training which a student, and the supplementary training which any other member shall undergo, shall be prescribed with due regard to the functions of the Force.

(2) A member shall undergo such training as the Commissioner considers necessary to render him fit for the proper execution of his functions, and the Commissioner may, in his discretion, further order that a member shall attend—

(*a*) a course of training or, after such course, any supplementary course or courses at a training institution, training centre, depot, bureau, workshop or any other institution of whatever nature, which has been established by virtue of the Act or these regulations;

(*b*) a course arranged by the Public Service Commission or any other government department;

(*c*) a course at an establishment or institution not controlled by the Government;

(*d*) a course of lecture prescribed in connection with his functions.

RESIGNATION, DISMISSAL AND DISCHARGE.

15. (1) Subject to the provisions of the Government Service Pensions Act, 1955 (Act No. 58 of 1955), and sections *three, eight, ten* and *seventeen* of the Act, a member may be discharged or dismissed from the Force—

(*a*) on account of continued ill-health if, in the opinion of the Commissioner, he is mentally or physically unfit to perform all or any of his functions;

(*b*) because of the abolition of his post or any reduction or reorganisation or readjustment of the Force;

(*c*) if, for reasons other than his own unfitness or incapacity, his discharge will promote efficiency or economy in the Force or will otherwise be to the benefit or in the interest of the Force;

(*d*) on account of his unfitness to carry out his duties or his incapacity to do so efficiently;

(*e*) on account of voluntary resignation, if he is—

(i) a White member, below the rank of commissioned officer, who has served for a continuous period of at least three years and has given at least three calendar month's prior notice, in writing, to the Commissioner of his intention to resign;

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(ii) 'n nie-Blanke lid is wat vir 'n aaneenlopende tydperk van minstens een jaar gedien het en minstens een kalendermaand vooraf skriftelik kennis van sy voorneme om te bedank, aan die Kommissaris gegee het en indien die Kommissaris sy bedanking aanvaar het;

met dien verstande dat, behoudens die bepalings van subparagraaf (iv) van paragraaf (*b*) van subregulasie (1) van regulasie 11, 'n Blanke lid, uitgesonderd 'n offisier, wat nie vir 'n aaneenlopende tydperk van minstens drie jaar gedien het nie en 'n nie-Blanke lid wat nie vir 'n aaneenlopende tydperk van minstens een jaar gedien het nie, nie daarop geregtig is om by wyse van skriftelike kennisgewing uit die Mag te bedank nie, en voorts met dien verstande dat, behoudens die bepalings van subregulasie (3) en met behoorlike inagneming van die bepalings van subregulasie (2), enige lid, uitgesonderd 'n offisier, met die goedkeuring van die Kommissaris hom teen die volgende bedrae kan uitkoop:—

Blankes.

R60 gedurende die eerste diensjaar.
R40 gedurende die tweede diensjaar.
R20 gedurende die derde diensjaar.
R15 gedurende enige daaropvolgende diensjaar in plaas van die wetteregtelike kennisgewing soos in hierdie subregulasie voorgeskryf.

Nie-blankes.

R1 vir elke onverstreke kalendermaand diens of gedeelte daarvan gedurende die eerste diensjaar.
R1 gedurende enige daaropvolgende diensjaar in plaas van die wetteregtelike kennisgewing soos in hierdie subregulasie voorgeskryf;

(*f*) weens wangedrag.

(2) Vir die toepassing van subregulasie (1) (*e*)—

(*a*) word slegs aaneenlopende diens as lid van die Mag in aanmerking geneem;

(*b*) word geen vorige onderbroke diens, in watter hoedanigheid ookal, geag diens te wees nie; en

(*c*) berus die besluit of daar aan 'n lid toestemming verleen moet word om hom uit te koop, by die Kommissaris, wat sodanige toestemming uitsluitlik na sy goedvinde kan verleen of kan weier.

(3) Ondanks die bepalings van subregulasie (1), kan die Kommissaris die voorwaarde stel dat 'n bedrag wat deur 'n lid aan die Staat of deur die Staat ten opsigte van so 'n lid betaalbaar is, eers deur so 'n lid vereffen moet word alvorens hy toegelaat word om hom uit te koop.

(4) Behoudens die bepalings van subregulasie (5), word die ontslag van 'n lid wat kragtens subartikel (2) van artikel *drie* van die Wet of paragraaf (*e*) van subregulasie (1) bedank, geag in werking te getree het met ingang van die datum wat onmiddellik volg op die laaste dag waarop hy by sy hoofkwartier vir diens beskikbaar was.

(5) 'n Lid wat ingevolge artikels *drie* en *veertien* van die Wet, gelees met regulasie 60, in sy diens geskors is of teen wie 'n raad van ondersoek ingevolge subregulasie (1) van regulasie 64 byeengeroep is of wat ingevolge subregulasie (6) van regulasie 66 van wangedrag aangekla is en wat uit die Mag bedank of hom uitkoop voordat die skorsing opgehef of sodanige ondersoek of aanklag finaal afgehandel is, word, ondanks die bepalings van subartikel (2) van artikel *drie* van die Wet en subregulasie (1) (*e*), geag weens wangedrag ontslaan te gewees het op die datum waarop sy bedanking of ontslag kragtens subregulasie (4) in werking tree, tensy die Staatspresident, in die geval van 'n offisier, en die Kommissaris, in die geval van 'n ander lid, anders gelas.

(6) 'n Ontslag- of dienssertifikaat op die voorgeskrewe vorm word aan elke lid by sy ontslag gegee en sodanige sertifikaat word onderteken deur die Kommissaris of 'n offisier wat hy daartoe gemagtig het.

(ii) a non-White member who has served for a continuous period of at least one year and has given at least one calendar month's prior notice in writing to the Commissioner of his intention to resign and if the Commissioner has accepted his resignation;

provided that, subject to the provisions of subparagraph (iv) of paragraph (*b*) of sub-regulation (1) of regulation 11, a White member, other than a commissioned officer, who has not served for a continuous period of at least three years and a non-White member who has not served for a continuous period of at least one year, shall not be entitled to resign from the Force by way of written notice, and provided further that, subject to the provisions of sub-regulation (3) and with due regard to the provisions of sub-regulation (2), any member other than a commissioned officer may, with the approval of the Commisioner, purchase his discharge for the following amounts:—

Whites.

R60 during the first year of service.
R40 during the second year of service.
R20 during the third year of service.
R15 during any subsequent year of service in lieu of the statutory notice prescribed by this regulation.

Non-Whites.

R1 for each unexpired calendar month of service or portion thereof during the first year of service.
R1 during any subsequent year of service in lieu of the statutory notice prescribed by this regulation;

(*f*) on account of misconduct.

(2) For the purposes of sub-regulation (1) (*e*)—

(*a*) only continuous service as a member of the Force shall be taken into consideration;

(*b*) no previous broken service in whatever capacity, shall be deemed to be service; and

(*c*) the decision whether any member shall be granted permission to purchase his discharge shall vest in the Commissioner who, in his sole discretion, may grant or refuse such permission.

(3) Notwithstanding the provisions of sub-regulation (1), the Commissioner may impose the condition that any amount payable by a member to the State or payable by the State in respect of such member, shall first be paid by such member before he is allowed to purchase his discharge.

(4) Subject to the provisions of sub-regulation (5), the discharge of a member who has resigned in terms of subsection (2) of section *three* of the Act or paragaph (*e*) of sub-regulation (1), shall be deemed to have become effective as from the date immediately succeeding the last day on which he was available for duty at his headquarters.

(5) A member who has been suspended from duty in terms of sections *three* and *fourteen* of the Act, read with regulation 60, or against whom a board of inquiry has been convened in terms of sub-regulation (1) of regulation 64 or against whom a charge of misconduct has been preferred in terms of sub-regulation (6) of regulation 66 and who resigns or purchases his discharge from the Force before the suspension has been raised or such inquiry or charge has been finally disposed of, shall, notwithstanding the provisions of sub-section (2) of section *three* of the Act and sub-regulation (1) (*e*), be regarded as discharged on account of misconduct on the date on which his resignation or discharge becomes effective in terms of sub-regulation (4), unless the State President, in the case of a commissioned officer, or the Commissioner, in the case of any other member, otherwise directs.

(6) A certificate of discharge or a certificate of service on the prescribed form shall be given to every member on his discharge, and such certificate shall be signed by the Commissioner or a commissioned officer authorised thereto by him.

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BEVORDERING.

16. (1) By die vulling van 'n pos of die doen van 'n aanstelling in die Mag moet daar behoorlik rekening gehou word met die volgende faktore ten opsigte van 'n lid wat vir bevordering in aanmerking kom:—

(*a*) Kwalifikasies, relevante verdienstelikheid, bekwaamheid, geskiktheid en

(*b*) die plek wat hy inneem in die lys van geslaagdes in 'n eksamen wat kragtens subregulasie (5) vir bevordering tot die betrokke rang voorgeskryf is, indien die vakature in die rang van luitenant of in enige laer rang bestaan.

(2) Die Kommissaris moet, voordat hy 'n lid bevorder kragtens die bevoegdheid hom by subregulasies (3) en (6) verleen of voordat hy die bevordering van 'n lid tot offisiersrang of die bevordering van 'n offisier tot 'n hoër rang aanbeveel, homself daarvan oortuig dat so 'n lid, met behoorlike inagneming van die bepalings van subregulasie (1), in alle opsigte geskik is om die hoër rang te beklee en kan gelas dat so 'n lid hom aan 'n geneeskundige of ander ondersoek of toets onderwerp.

(3) Behoudens die bepalings van regulasie 17, besit die Kommissaris die bevoegdheid om lede tot by die rang van adjudant-offisier in die geval van Blanke lede en hoofsersant in die geval van nie-Blanke lede te bevorder; met dien verstande dat geen sodanige lid bevorder mag word voordat hy een-en-twintig jaar oud is nie.

(4) Behoudens die bepalings van subregulasie (6), moet 'n lid, voordat hy kragtens subregulasie (3) in aanmerking geneem word vir bevordering tot 'n hoër rang, eers slaag in 'n eksamen wat kragtens subregulasie (5) vir bevordering tot sodanige rang voorgeskryf word, of in 'n ander eksamen wat die Kommissaris ag van 'n hoër of gelykstaande standaard te wees.

(5) Die Kommissaris kan—

(*a*) met behoorlike inagneming van die bepalings van regulasie 17, vir al die takke in die Mag gesamentlik of vir een of meer bepaalde takke afsonderlik eksamens voorskryf vir bevordering tot die rang van sersant, adjudant-offisier en luitenant in die geval van Blanke lede en tot die rang van sersant, senior sersant en hoofsersant in die geval van nie-Blanke lede;

(*b*) die leerplanne vir sodanige eksamens voorskryf en, indien hy dit nodig ag, sodanige leerplanne van tyd tot tyd wysig;

(*c*) die vereistes stel en die kwalifikasies voorskryf waaraan lede moet voldoen of wat hulle moet besit alvorens hulle toegelaat word om aan so 'n eksamen deel te neem;

(*d*) met behoorlike inagneming van die bepalings van paragraaf (*e*), die minimum punte voorskryf wat 'n kandidaat moet behaal om in 'n bepaalde vak of in 'n eksamen te slaag;

(*e*) die grondslag voorskryf waarop en die doel waarvoor punte vir diens, eervolle vermelding, verdienstelikheid, akademiese of ander kwalifikasies toegeken kan word aan 'n kandidaat wat in paragraaf (*d*) bedoel word, en kan na sy goedvinde bepaal of sodanige punte of enige gedeelte daarvan, toegeken moet word aan 'n kandidaat wat nie in die eksamen of in enige vak geslaag het nie;

(*f*) in die algemeen al dié ander vereistes in verband met sodanige eksamens voorskryf wat hy nodig of dienstig ag.

(6) Ondanks andersluidende bepalings in hierdie regulasie, maar behoudens die bepalings van regulasie 17, kan die Kommissaris 'n Blanke lid benede die rang van adjudant-offisier of 'n nie-Blanke lid benede die rang van hoofsersant, wat tegniese kwalifikasies besit of wat besonder bedrewe is in die uitvoering van sy werk of wat andersins werk verrig het wat spesiale oorweging verdien, bevorder tot die eersvolgende hoër rang nieteenstaande die feit dat sodanige lid nie in 'n eksamen gemeld in subregulasie (4), geslaag het nie.

PROMOTION.

16. (1) When filling any post or making any appointment in the Force, due regard shall be had to the following factors in respect of a member who is eligible for promotion:—

(*a*) Qualifications, relevant merit, efficiency, suitability; and

(*b*) the place he occupies in the list of successful candidates in an examination prescribed in terms of subregulation (5) for promotion to the rank concerned, if the vacancy exists in the rank of lieutenant or any lower rank.

(2) The Commissioner shall, before promoting a member by virtue of the authority vested in him by sub-regulations (3) and (6) or before recommending the promotion of a member to commissioned rank or the promotion of a commissioned officer to a higher rank, satisfy himself that such member is, with due regard to the provisions of sub-regulation (1), in all respects fit to hold the higher rank, and may order such member to submit himself to a medical or other examination or test.

(3) Subject to the provisions of regulation 17, the Commissioner shall have authority to promote members up to the rank of warrant officer in the case of white members and up to the rank of chief sergeant in the case of non-White members; provided that no such member shall be promoted before he has reached the age of twenty-one years.

(4) Subject to the provisions of sub-regulation (6), a member shall, before being considered for promotion to a higher rank in terms of sub-regulation (3), first pass an examination prescribed in terms of sub-regulation (5) for promotion to such rank, or any other examination considered by the Commissioner to be of a higher or equal standard.

(5) The Commissioner may—

(*a*) with due regard to the provisions of regulation 17, prescribe for all the branches in the Force, jointly, or for one or more specific branches, seperately, examinations for promotion to the rank of sergeant, warrant officer and lieutenant in the case of White members and to the rank of sergeant, senior sergeant and chief sergeant in the case of non-White members;

(*b*) prescribe the syllabi for such examinations and, if he deems it necessary, alter such syllabi from time to time;

(*c*) fix the requirements and prescribe the qualifications with which members must comply or which they shall have before being allowed to sit for such examination;

(*d*) with due regard to the provisions of paragraph (*c*), prescribed the minimum marks which a candidate must obtain to pass a given subject or examination;

(*e*) prescribe the basis on and the purpose for which marks for service, commendation, merit, academic or other qualifications may be allotted to a candidate referred to in paragraph (*d*), and may in his discretion determine whether such marks or any part thereof shall be allotted to a candidate who has not passed the examination or any subject;

(*f*) in general prescribe all such other requirements in connection with such examinations as he may deem necessary or expedient.

(6) Notwithstanding anything to the contrary contained in this regulation but subject to the provisions of regulation 17, the Commissioner may promote any White member below the rank of warrant officer or any non-White member below the rank of chief sergeant, who is in possession of technical qualifications or who is exceptionally proficient in the execution of his duties or who otherwise performed duties deserving special consideration, to the next higher rank notwithstanding the fact that such member did not pass in an examination referred to in sub-regulation (4).

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(7) Die datums waarop eksamens afgeneem sal word, die name van kandidate wat geslaag het, die plekke wat hulle in die lys van geslaagdes inneem en die name van lede van die Mag wat bevorder is, moet in die Magsorders gepubliseer word.

17. (1) Behalwe ten opsigte van dié takke, poste of lede wat die Minister mag bepaal en behoudens die bepalings van subregulasies (2) en (3), geskied bevordering slegs in die tak waarin 'n lid kragtens paragraaf (*c*) van subregulasie (4) van regulasie 4 permanent aangestel is en met behoorlike inagneming van die bepalings van subregulasie (2) van regulasie 3; met dien verstande dat, behoudens die bepalings van subregulasies (4) en (6) van regulasie 16, die bevordering van 'n Blanke lid benede die rang van adjudant-offisier of 'n nie-Blanke lid benede die rang van hoofsersant tot 'n ander rang in 'n ander tak deur die Kommissaris, na sy goedvinde, oorweeg kan word indien hy daarvan oortuig is dat sodanige lid—

(*a*) voldoen aan al die vereistes wat vir sodanige tak voorgeskryf is;

(*b*) bekwaam en bereid is om die voorgeskrewe werksaamhede van sodanige tak te verrig; en

(*c*) bereid is om permanent na sodanige tak oorgeplaas te word.

(2) Die bepalings van subregulasie (1) word nie so uitgelê nie dat dit die Kommissaris belet om—

(*a*) 'n lid sonder bevordering van die een na die ander tak permanent oor te plaas indien die werksaamhede of vereistes van die Mag dit verg;

(*b*) enige werksaamheid van die Mag op te dra aan enige lid, ongeag die tak waarin hy permanent aangestel is.

(3) Niks in regulasie 16 en hierdie regulasie vervat, word so uitgelê dat dit afbreuk doen aan die bevoegdhede wat by subartikel (1) van artikel *drie* van die Wet aan die Staatspresident verleen word nie.

KLEREDRAG, UNIFORM EN UITRUSTING.

18. (1) (*a*) Die kentekens, knope en rangtekens van die Mag is soos in Bylae C gemeld. Die aard en groottes daarvan, asook die materiaal waarvan dit vervaardig word, word na gelang van vereistes voorgeskryf.

(*b*) Die soort, gehalte, model, ontwerp of patroon en die getal of hoeveelheid uniform- en uitrustingsartikels, kledingstukke en toebehorens, van watter aard ook al, wat 'n lid in verband met die uitvoering van sy werksaamhede moet besit en in stand hou en wat, behoudens die bepalings van hierdie regulasie, òf op staatskoste òf deur die Staat teen terugbetaling verskaf kan word, asook die tye van uitreiking en die tydperke van bruikbaarheid van sodanige uniform- en uitrustingsartikels, kledingstukke en toebehorens word van tyd tot tyd voorgeskryf met behoorlike inagneming van so 'n lid se werksaamhede en die rang wat hy beklee.

(*c*) Die uniform bedoel in hierdie regulasie, word slegs ooreenkomstig voorgeskrewe tenuevoorskrifte gedra.

(2) Tensy vrygestel ooreenkomstig die bepalings van subregulasie (5), moet 'n lid altyd in besit wees van volledige en bruikbare kledingstukke en uitrusting wat bestaan uit—

(*a*) die uniform wat kragtens subregulasie (1) voorgeskryf is ten opsigte van die rang wat hy beklee; en

(*b*) gepaste burgerklere.

(3) Dit is die bevelvoerende offisier se verantwoordelikheid om te verseker dat 'n lid onder sy bevel, te alle tye in besit is van 'n volledige en bruikbare uniformuitrusting soos voorgeskryf kragtens subregulasie (1) en dat sodanige lid behoorlik en gepas geklee is wanneer daar van hom vereis word om in burgerdrag diens te doen.

(4) Behoudens die bepalings van subregulasie (5), kan 'n bevelvoerende offisier gelas dat—

(*a*) enige artikel voorgeskryf kragtens subregulasie (1), wat na sy oordeel onbruikbaar is, op koste van die betrokke lid vervang word;

(7) The dates on which examinations will be held, the names of the candidates who were successful, the places they occupy in the list of successful candidates and the names of members promoted, shall be published in Force Orders.

17. (1) Save in respect of such branches, posts or members as the Minister may determine and subject to the provisions of sub-regulations (2) and (3), promotion shall take place only in the branch in which a member has been permanently appointed in terms of paragraph (*c*) of sub-regulation (4) of regulation 4 and with due regard to the provisions of sub-regulation (2) of regulation 3; provided that, subject to the provisions of sub-regulations (4) and (6) of regulation 16, the promotion of a White member below the rank of warrant officer or a non-White member below the rank of chief sergeant to another rank in another branch may be considered by the Commissioner, in his discretion, if he is satisfied that such—

(*a*) member complies with all the requirements prescribed for such branch;

(*b*) member is capable and prepared to perform the prescribed functions of such branch; and

(*c*) member is prepared to be permanently transferred to such branch.

(2) The provisions of sub-regulation (1) shall not be construed as preventing the Commissioner from—

(*a*) transferring, without promotion, any member from one branch to another if the functions or exigencies of the Force so require;

(*b*) charging any member, irrespective of the branch in which he has been permanently appointed, with any function of the Force.

(3) Nothing in regulation 16 or this regulation contained, shall be construed as derogating from the authority vested in the State President under sub-section (1) of section *three* of the Act.

DRESS, UNIFORM AND EQUIPMENT.

18. (1) (*a*) The distinctive badges, buttons and badges of rank of the Force shall be as stated in Schedule C. The nature and sizes thereof, as well as the materials from which they shall be manufactured, shall be prescribed according to requirements.

(*b*) The kind, quality, model, design or pattern and the number or quantity of articles of uniform and equipment, clothing and accoutrements of any nature whatsoever, which a member shall possess and maintain in connection with the discharge of his functions and which may, subject to the provisions of this regulation, be supplied either at public expense or by the State on repayment, as well as the times of issue and the periods of serviceability of such articles of uniform and equipment, clothing and accoutrements, shall be prescribed from time to time with due regard to such a member's functions and the rank which he holds.

(*c*) The uniform referred to in this regulation, shall be worn only in accordance with prescribed dress orders.

(2) Unless exempted in terms of sub-regulation (5), a member shall at all times be in possession of complete and serviceable articles of clothing and equipment comprising—

(*a*) the uniform prescribed in terms of sub-regulation (1) in respect of the rank which he holds; and

(*b*) suitable mufti.

(3) It shall be the responsibility of the commanding officer to ensure that a member under his command is at all times in possession of a complete and serviceable uniform equipment as prescribed in terms of sub-regulation (1) and that such member is properly and suitably dressed when required to perform duty in mufti.

(4) Subject to the provisions of sub-regulation (5), a commanding officer may order—

(*a*) that any article prescribed in terms of sub-regulation (1) and considered by him to be unserviceable, be replaced at the expense of the member concerned;

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(*b*) 'n lid onder sy bevel, sy amptelike diens òf in burgerdrag òf in die voorgeskrewe uniform moet verrig, na gelang van die aard van die diens wat verrig moet word.

(5) Die Kommissaris kan op dié voorwaardes wat hy mag stel, 'n lid vrystel van enigeen van die bepalings van subregulasie (2).

(6) Behoudens die bepalings van subregulasies (7), (8), (11), (12), (13), (14), (15), (16), (17) en (18), moet 'n lid op eie koste die uniformuitrusting aankoop en in stand hou wat kragtens subregulasie (1) voorgeskryf is vir die rang wat hy beklee of die werksaamhede wat hy moet verrig.

(7) By sy eerste aanstelling as offisier, word 'n bedrag soos van tyd tot tyd deur die Kommissaris in oorleg met die Tesourie bepaal mag word, aan 'n lid betaal vir die aankoop van die uniformuitrusting wat vir sy rang voorgeskryf is.

(8) By indiensneming word 'n nie-Blanke lid op staatskoste voorsien van die uniformuitrusting wat kragtens subregulasie (1) voorgeskryf is vir sy rang en die werksaamhede wat hy verrig; met dien verstande dat as hy binne twaalf kalendermaande na indiensneming bedank, afgedank of ontslaan word, hy sodanige uniformuitrusting moet teruggee.

(9) Die uniformuitrusting wat ingevolge subregulasie (8) teruggegee is, word so voordelig moontlik verkoop en die opbrengs in die Skatkis gestort.

(10) Die uniformuitrusting wat kragtens hierdie regulasie aangekoop moet word, word deur die Staat aan 'n lid verskaf op voorwaarde dat hy die koste daarvan terugbetaal, en sodanige koste word kragtens die bepalings van regulasie 20 verhaal; met dien verstande dat indien 'n lid op die datum van sy ontslag of uitdienstreding nog nie die volle koopsom terugbetaal het nié, die totale bedrag wat nog verskuldig is, behoudens die bepalings van subregulasie (3) van regulasie 15, van die salaris en toelaes waarop hy geregtig mag wees of, behoudens die bepalings van subartikel (3) van artikel *honderd-en-een* van die Regeringsdiens-Pensioenwet, 1955 (Wet No. 58 van 1955), van die pensioen wat aan hom betaalbaar is, afgetrek moet word.

(11) Ten einde 'n nie-Blanke lid te vergoed vir die koste verbonde aan die aankoop, pasmaak, heel- en skoonmaak van en veranderings aan die uniform of kledingstukke wat blykbaar nodig is om behoorlik gekleed te wees wanneer hy op diens is of wat onder gewone omstandighede of by sy rangsverhoging of -verlaging of oorplasing na 'n ander eenheid of tak blykbaar nodig is, moet ondergenoemde nie-pensioengewende toelae, na gelang van sy voorgeskrewe werksaamhede, aan hom betaal word:—

	Per jaar. R
(*a*) 'n Lid van wie vereis word om sy werksaamhede gewoonlik in berede-uniform te verrig.....	14.00
(*b*) 'n Lid van wie vereis word om sy werksaamhede gewoonlik in voetuniform te verrig.....	13.00
(*c*) 'n Lid van wie vereis word om sy werksaamhede gewoonlik in burgerklere te verrig.....	20.00

Met dien verstande dat indien uniformuitrusting ooreenkomstig subregulasie (8) verskaf is, die toelae gemeld in paragrawe (*a*) en (*b*), nie gedurende die eerste twaalf kalendermaande diens as lid betaalbaar is nie; en voorts met dien verstande dat, indien daar van 'n lid aan wie 'n toelae ooreenkomstig paragraaf (*a*) of (*b*) betaal word, vereis word om sy pligte vir 'n ononderbroke tydperk van minstens dertig dae in burgerklere te verrig, die toelae gemeld in paragraaf (*c*), vir sodanige tydperk aan hom betaal moet word in plaas van eersgenoemde toelaes.

(12) Die redelike koste van uniform- of uitrustingsartikels wat noodwendig aangeskaf moet word as gevolg van 'n verandering in die patroon van of byvoegings tot die voorgeskrewe uniform, word aan 'n Blanke lid terugbetaal indien die Kommissaris, met die goedkeuring van die Tesourie, magtiging daartoe verleen.

(13) Die Kommissaris kan na sy goedvinde magtiging daartoe verleen dat voorgeskrewe uitrustingsartikels gratis uit voorrade uitgereik word aan 'n Blanke lid wat 'n opknappingskursus bywoon.

(*b*) a member under his command to perform his official duty in either mufti or the prescribed uniform, according to the nature of the duty to be performed.

(5) The Commissioner may, on such conditions as he may determine, exempt a number from any of the provisions of sub-regulation (2).

(6) Subject to the provisions of sub-regulations (7), (8), (11), (12), (13), (14), (15), (16), (17) and (18), a member shall purchase and maintain, at own expense, the uniform equipment prescribed in terms of sub-regulation (1) for the rank which he holds or the functions which he is to perform.

(7) On his initial appointment as a commissioned officer, a member shall be paid such amount for the purchase of the uniform equipment prescribed for his rank as from time to time may be determined by the Commissioner in consultation with the Treasury.

(8) A non-White member shall on enrolment be supplied, at public expense, with the uniform equipment prescribed in terms of sub-regulation (1) for his rank or the functions which he performs; provided that should he resign or be discharged or dismissed within twelve calendar months after enrolment, such uniform equipment shall be returned by him.

(9) The uniform equipment returned in terms of sub-regulation (8) shall be sold to the best advantage and the proceeds paid into Revenue.

(10) The uniform equipment which has to be purchased in terms of this regulation, shall be supplied by the State to a member on condition that the cost thereof be repaid by him, and such cost shall be recovered in terms of regulation 20; provided that if a member has not repaid the full purchase price at the date of his discharge or retirement the total amount still owing, shall be deducted, subject to the provisions of sub-regulations (3) of regulation 15, from the pay and allowances to which he may be entitled or, subject to the provisions of sub-section (3) of section *one hundred and one* of the Government Services Pension Act, 1955 (Act No. 58 of 1955), from the pension payable to him.

(11) In order to compensate a non-White member for the expense connected with the purchasing, fitting, repairing, cleaning and altering of the uniform or clothing which is apparently necessary in order that he may be properly dressed when on duty or which normally or by reason of his promotion or reduction in rank or transfer to another unit or branch appears to be necessary, he shall, according to his prescribed functions, be paid the following non-pensionable allowance:—

	Per Annum. R
(*a*) A member who is required to perform his functions usually in mounted uniform.....	14.00
(*b*) A member who is required to perform his functions usually in foot uniform.....	13.00
(*c*) A member who is required to perform his functions usually in civilian clothes.....	20.00

Provided that if uniform equipment was supplied in terms of sub-regulation (8), the allowance referred to in paragraphs (*a*) and (*b*) shall not be payable during the first twelve calendar month's service as a member; and provided further that if a member to whom an allowance is paid in terms of paragraph (*a*) or (*b*) is required to perform his duties in civilian clothes for a continuous period of not less than thirty days, he shall be paid the allowance referred to in paragraph (*c*) in respect of such period instead of the first-mentioned allowances.

(12) The reasonable cost of any article of uniform or equipment which must necessarily be acquired in consequence of a change of pattern in, or additions to, the prescribed uniform shall be refunded to a White member if authorised by the Commissioner with the approval of the Treasury.

(13) The Commissioner may, in his discretion authorise the free issue from stores of any prescribed articles of equipment to any White member attending a refresher course.

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(14) In die geval van 'n lid wat van die een soort werk na 'n ander in die Mag oorgeplaas word en wat as gevolg daarvan buitengewone uitgawes moet aangaan ten einde addisionele uniform- of uitrustingsartikels aan te skaf, kan die Kommissaris magtiging daartoe verleen dat hoogstens die helfte van die koste van sodanige artikels teen die magasynuitreikingstarief uit openbare fondse aan hom betaal word; met dien verstande dat, indien so 'n oorplasing vanweë die wangedrag of onbevoegdheid van sodanige lid gelas word, al die koste van sodanige artikels deur hom gedra moet word.

(15) Die Kommissaris kan na sy goedvinde magtiging verleen vir die betaling, uit staatsfondse, van volle of gedeeltelike vergoeding vir die herstel of vervanging van uniform- of uitrustingsartikels of die private eiendom van 'n lid wat onvermydelik beskadig, vernietig of verlore geraak het in die uitvoering van sy plig in die Mag of wat aan buitengewone slytasie blootgestel is terwyl hy spesiale dienste verrig het.

(16) 'n Lid wat diens doen as 'n ambagsman, lykhuisbediende, motorbestuurder en in soortgelyke betrekkings, kan op aanbeveling van die Staatsdienskommissie en met die goedkeuring van die Tesourie gratis voorsien word van dié addisionele artikels wat die Kommissaris nodig mag ag vir sy werk.

(17) Wanneer 'n nie-Blanke lid in oorlogstyd oorlogsdiens verrig ooreenkomstig die bepalings van artikel *sewe* van die Wet, word die betaling aan hom van 'n uniform- of kleretoelae gestaak en word hy uit staatsfondse van die nodige uniform en uitrusting voorsien.

(18) Wapens, ammunisie, saaltuig en ander uitrustingsartikels wat die eiendom van die Staat is, kan met die goedkeuring van die Kommissaris en behoudens die voorskrifte betreffende versorging, veilige bewaring en instandhouding, aan 'n lid uitgereik word vir gebruik in verband met sy amptelike pligte.

SALARISSE.

19. (1) Behoudens die bepalings van die Wet en artikel *een-en-twintig* van die Staatsdienswet, 1957 (Wet No. 54 van 1957), word aan Blanke en nie-Blanke lede 'n salaris betaal ooreenkomstig die skale wat vir hul range onderskeidelik in Bylaes D. 1 en E. 1 voorgeskryf word.

(2) Behoudens die bepalings van subregulasies (1) en (3), word een salarisverhoging volgens die skaal wat op hom van toepassing is, aan 'n lid toegestaan na voltooiing van elke verhogingstydperk en wel met ingang van die eerste dag van so 'n lid se verhogingsmaand.

(3) Indien 'n bevelvoerende offisier 'n sertifikaat of verslag op die voorgeskrewe vorm indien waarin verklaar word dat 'n lid gedurende 'n verhogingstydperk nie in die reël sy werk of pligte op 'n doeltreffende of bevredigende wyse uitgevoer het nie of dat sy gedrag of optrede in die reël of somtyds so onbehoorlik of onbetaamlik was dat dit die goeie orde, die doeltreffende bestuur of beheer of die dissipline van die Mag benadeel het, word 'n salarisverhoging nie ooreenkomstig die bepalings van subregulasie (2) aan so 'n lid toegestaan nie tensy die Kommissaris of, met sy goedkeuring, 'n afdelingskommissaris wat oor die betrokke lid bevel voer, so 'n salarisverhoging ooreenkomstig die bepalings van subregulasie (4) goedgekeur het.

(4) Indien die Kommissaris of sodanige afdelingskommissaris van oordeel is dat, ondanks die indiening van die sertifikaat of verslag bedoel in subregulasie (3), 'n salarisverhoging toegestaan moet word, mag hy die toestaan daarvan goedkeur.

(5) Voordat die Kommissaris of sodanige afdelingskommissaris 'n salarisverhoging afkeur ooreenkomstig die bepalings van subregulasie (3), moet die betrokke lid voorsien word van 'n afskrif van die sertifikaat of verslag genoem in daardie subregulasie en in die geleentheid gestel word om skriftelike vertoë tot die Kommissaris of sodanige afdelingskommissaris te rig.

(14) In the case of a member who is transferred from one class of work to any other class in the Force, and who, as a result thereof, has to incur extraordinary expenses in acquiring additional articles of uniform or equipment, the Commissioner may authorise the payment to him, from public funds, of an amount not exceeding half the cost of such articles at stores issue rates; provided that if such transfer is ordered on account of misconduct or inefficiency on the part of such member, the whole cost of such articles shall be borne by him.

(15) The Commissioner may in his discretion authorise the payment, from public funds, of compensation, either in full or in part, for the repair or replacement of any article of uniform or equipment or the private property of a member which was unavoidably damaged, destroyed or lost in the execution of his duty in the Force or subjected to extraordinary wear and tear while he was carrying out special services.

(16) A member employed as an artisan, mortuary attendant, chauffeur and in similar occupations may, on the recommendation of the Public Service Commission and with the approval of the Treasury, be provided free of charge with such additional articles as the Commissioner may consider necessary for his duties.

(17) When, in time of war, a non-White member does war service in terms of section *seven* of the Act, the payment to him of a uniform or clothing allowance shall be discontinued and he shall be provided with the necessary uniform and equipment from public funds.

(18) Arms, ammunition, saddlery and other articles of equipment which are the property of the State may, with the approval of the Commissioner and subject to the instructions regarding care, safe custody and maintenance, be issued to a member for use in connection with his official duties.

PAY.

19. (1) Subject to the provisions of the Act and section *twenty-one* of the Public Service Act, 1957 (Act No. 54 of 1957), White and non-White members shall be paid a salary in accordance with the scales prescribed for their ranks in Schedules D. 1 and E. 1, respectively.

(2) Subject to the provisions of sub-regulations (1) and (3), one increment in accordance with the scale applicable to him, shall be granted to a member after completion of each incremental period and with effect from the first day of such member's incremental month.

(3) Should a commanding officer certify or report on the prescribed form that a member during an incremental period did not as a rule carry out his work or duties in an efficient or satisfactory manner or that his conduct or behaviour was, as a rule or at times, so improper or unbecoming as to be detrimental to the good order or the proper management or control or the discipline of the Force, an increment in terms of sub-regulation (2) shall not be granted to such member unless the Commissioner or, with his approval, a divisional commissioner who is in command of the member concerned, has in terms of sub-regulation (4) approved such increment.

(4) Should the Commissioner or such divisional commissioner be of opinion that, notwithstanding the submission of the certificate or report referred to in sub-regulation (3), an increment should be granted, he may approve such grant.

(5) Before the Commissioner or such divisional commissioner withholds an increment in terms of sub-regulation (3), the member concerned shall be provided with a copy of the certificate or report referred to in that sub-regulation and shall be given the opportunity to make written representations to the Commissioner or such divisional commissioner.

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(6) Indien 'n salarisverhoging nie ooreenkomstig die bepalings van subregulasies (2) of (4) aan 'n lid toegestaan word nie, moet sodanige lid deur die Kommissaris of sodanige afdelingskommissaris skriftelik verwittig word van die redes daarvoor en ook in kennis gestel word dat, by verstryking van 'n aaneenlopende tydperk wat gemeld moet word en wat nie langer as 'n verhogingstydperk mag wees nie, die Kommissaris of sodanige afdelingskommissaris die toestaan van 'n salarisverhoging aan hom mag goedkeur mits sy bevelvoerende offisier 'n sertifikaat of verslag indien waarin verklaar word dat sodanige lid gedurende die tydperk daarin gemeld, sy werk of pligte in die reël op 'n doeltreffende en bevredigende wyse uitgevoer het en dat sy gedrag of optrede in die reël nie die tekortkomings gemeld in subregulasie (3), geopenbaar het nie.

(7) (*a*) Indien die tydperk gemeld in die vorige subregulasie, korter as 'n verhogingstydperk is en indien die bevelvoerende offisier 'n sertifikaat of verslag indien waarin verklaar word dat die betrokke lid gedurende die tydperk daarin gemeld, sy werk of pligte in die reël op 'n doeltreffende en bevredigende wyse uitgevoer het en dat sy gedrag of optrede in die reël nie die tekortkomings gemeld in subregulasie (3), geopenbaar het nie, word die toestaan, aan hom, van een salarisverhoging binne die perke van die toepaslike skaal deur die Kommissaris of sodanige afdelingskommissaris goedgekeur met ingang van die eerste dag van die maand wat volg op die datum waarop gemelde tydperk verstryk het.

(*b*) Indien die toestaan van 'n salarisverhoging aan 'n lid ooreenkomstig die bepalings van paragraaf (*a*) goedgekeur is, word die toestaan, aan hom, van 'n verdere salarisverhoging binne die perke van die toepaslike skaal deur die Kommissaris of sodanige afdelingskommissaris goedgekeur by verstryking van 'n verhogingstydperk gereken vanaf die datum waarop sy salaris kragtens subregulasie (2) verhoog sou gewees het as sodanige verhoging nie ooreenkomstig die bepalings van subregulasie (3) weerhou was nie; met dien verstande dat die toestaan van so 'n verdere salarisverhoging aan hom goedgekeur mag word slegs as sy bevelvoerende offisier ten opsigte van die tydperk vanaf die datum waarop die salarisverhoging in paragraaf (*a*) bedoel, toegestaan is tot die datum onmiddellik voor dié waarop 'n salarisverhoging ooreenkomstig hierdie paragraaf toegestaan mag word, 'n sertifikaat of verslag soos bedoel in paragraaf (*a*), ingedien het; en voorts met dien verstande dat die bepalings van hierdie paragraaf nie op 'n lid van toepassing is nie as sy salaris reeds gelyk is aan die maksimum kerf van die toepaslike skaal.

(8) Indien die toestaan van 'n salarisverhoging aan 'n lid kragtens paragraaf (*a*) van subregulasie (7) nie goedgekeur word nie—

(*a*) moet sodanige lid weer deur die Kommissaris of sodanige afdelingskommissaris skriftelik verwittig word van die redes daarvoor en ook in kennis gestel word dat, by verstryking van 'n aaneenlopende tydperk wat gemeld moet word en wat gelyk moet wees aan die verskil tussen die tydperk in subregulasie (6) bedoel en 'n verhogingstydperk, 'n salarisverhoging toegestaan mag word op voorwaarde dat 'n sertifikaat of verslag ooreenkomstig paragraaf (*a*) van subregulasie (7) deur sy bevelvoerende offisier ten opsigte van genoemde aaneenlopende tydperk ingedien word; en

(*b*) word die toestaan van twee salarisverhogings aan sodanige lid deur die Kommissaris of sodanige afdelingskommissaris goedgekeur na verstryking van 'n verhogingstydperk gereken vanaf die datum waarop sy salaris ooreenkomstig subregulasie (2) verhoog sou gewees het as sodanige verhoging nie ooreenkomstig subregulasie (3) weerhou was nie; met dien verstande dat die toestaan van sodanige salarisverhogings slegs goedgekeur mag word as die bevelvoerende offisier van die lid 'n sertifikaat of verslag ooreenkomstig paragraaf (*a*) van subregulasie (7) uitreik ten opsigte van die aaneenlopende tydperk wat in paragraaf (*a*) bedoel word; en voorts met dien verstande dat die toestaan van slegs een salarisverhoging aan sodanige lid goedgekeur mag word as sy salaris reeds gelyk is aan die tweede laaste kerf van die toepaslike skaal.

(6) Should an increment not be granted to a member in terms of sub-regulation (2) or (4), such member shall be informed in writing by the Commissioner or such divisional commissioner of the reasons therefor and shall also be notified that, at the expiry of a continuous period, which shall be specified and shall not exceed an incremental period, the Commissioner or such divisional commissioner may approve that an increment be granted to him on condition that his commanding officer submit a certificate or report that during the period mentioned therein, such member has as a rule carried out his work or duties in an efficient and satisfactory manner and that his conduct or behaviour did not as a rule disclose any of the shortcomings mentioned in sub-regulation (3).

(7) (*a*) Should the period referred to in the foregoing sub-regulation, be shorter than an incremental period and should the commanding officer submit a certificate that during the period mentioned therein, the member concerned has as a rule carried out his work or duties in an efficient and satisfactory manner and that his conduct or behaviour did not as a rule disclose any of the shortcomings mentioned in sub-regulation (3), the grant, to him, of one increment within the limits of the scale applicable to him shall be approved by the Commissioner or such divisional commissioner with effect from the first day of the month following the date on which the said period has expired.

(*b*) Should the grant of an increment to a member be approved in terms of paragraph (*a*), the grant, to him, of a further increment within the limits of the appropriate scale shall be approved by the Commissioner or such divisional commissioner on the expiration of an incremental period reckoned from the date on which his salary would have been increased in terms of sub-regulation (2) had such increase not been withheld in terms of sub-regulation (3); provided that the grant of such further increment may be approved only if his commanding officer, in respect of the period reckoned from the date of granting the increment referred to in paragraph (*a*) to the date immediately preceding that on which an increment may be granted in terms of this paragraph, submit a certificate or report as referred to in paragraph (*a*); and provided further that the provisions of this paragraph shall not apply to any member whose salary is already equal to the maximum notch on the applicable scale.

(8) Should the grant of an increment to a member in terms of paragraph (*a*) of sub-regulation (7) not be aproved—

(*a*) such member shall again be informed in writing by the Commissioner or such divisional commissioner of the reasons therefor and again be notified that at the expiry of a continuous period, which shall be specified and equal to the difference between the period referred to in sub-regulation (6) and an incremental period, an increment may be granted on condition that his commanding officer, in respect of the said continuous period, submit a certificate or report in terms of paragraph (*a*) of sub-regulation (7); and

(*b*) the grant of two increments to such member shall be approved by the Commissioner or such divisional commissioner after the expiration of an incremental period reckoned from the date on which his pay would have been increased in terms of sub-regulation (2) if such increment had not been withheld in terms of sub-regulation (3); provided that the grant of such increments may be approved only if the member's commanding officer submit a certificate or report in terms of paragraph (*a*) of sub-regulation (7) in respect of the continuous period mentioned in paragraph (*a*); and provided further that the grant of only one increment to such member may be approved if his salary is already equal to the penultimate notch on the appropriate scale.

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(9) Indien die tydperk in subregulasie (6) bedoel, gelyk is aan 'n verhogingstydperk, word die toestaan van twee salarisverhogings aan sodanige lid deur die Kommissaris of sodanige afdelingskommissaris goedgekeur na verstryking van sodanige tydperk; met dien verstande dat die toestaan van sodanige salarisverhogings slegs goegekeur mag word as sy bevelvoerende offisier die sertifikaat of verslag bedoel in paragraaf (*a*) van subregulasie (7), ten opsigte van sodanige tydperk indien; en voorts met dien verstande dat die toestaan van slegs een salarisverhoging aan sodanige lid goedgekeur mag word as sy salaris reeds gelyk is aan die tweede laaste kerf van die toepaslike skaal.

(10) Indien die toestaan van 'n salarisverhoging aan 'n lid ooreenkomstig paragraaf (*b*) van subregulasie (7), paragraaf (*b*) van subregulasie (8) of subregulasie (9), nie goedgekeur word nie, tree die bepalings van subregulasies (3), (4), (5), (6), (7), (8) en (9), *mutatis mutandis* opnuut in werking.

(11) Behoudens die bepalings van hierdie regulasie, word aan 'n lid ten opsigte van wie die toestaan van 'n salarisverhoging ooreenkomstig paragraaf (*b*) van subregulasie (7), paragraaf (*b*) van subregulasie (8) of subregulasie (9), goedgekeur is, een salarisverhoging binne die perke van die toepaslike skaal toegestaan by die verstryking van elke verdere verhogingstydperk.

(12) (*a*) Wanneer 'n lid ooreenkomstig die bepalings van subregulasie (6) of paragraaf (*a*) van subregulasie (8) deur die Kommissaris of sodanige afdelingskommissaris skriftelik verwittig word van die redes waarom 'n salarisverhoging nie aan hom toegestaan is nie, kan hy binne een kalendermaand nadat hy aldus verwittig is, skriftelik teen die terughouding van sodanige salarisverhoging appèl aanteken by die Minister.

(*b*) Die Kommissaris moet 'n skriftelike appèl wat ooreenkomstig die bepalings van paragraaf (*a*) aangeteken is, saam met alle relevante stukke aan die Minister stuur.

(13) Tensy die Tesourie anders gelas, moet die salarisse van lede by bevordering aangepas word ooreenkomstig die volgende beginsels:—

(*a*) Met ingang van 1 Januarie 1963 geld die reël dat by die bevordering van 'n lid tot 'n hoër rang 'n salarisverhoging van ten minste een volle kerf op die toepaslike hersiene sleutelskaal toegestaan word.

(*b*) Vir die toepassing van bestaande reël—

(i) beteken die toestaan van „een volle kerf" die aanpassing van die salaris by die volgende hoër kerf op die hersiene *sleutelskaal* met behoud van die bestaande salarisverhogingsdatum, uitgesonderd in die geval van 'n lid wat reeds die maksimum kerf bereik het van die skaal verbonde aan die rang waarvandaan hy bevorder word, en in so 'n geval is die datum van bevordering sy toekomstige salarisverhogingsdatum; met dien verstande dat sodanig hoër kerf ten minste gelyk is aan die minimum kerf van die hoër salarisskaal verbonde aan die rang waartoe hy bevorder word; en voorts met dien verstande dat, waar die aanpassing van salaris by die minimum kerf van die hoër salarisskaal 'n verhoging van meer as een volle kerf bedra, die gewone aanpassingsbeginsels soos in hierdie regulasies voorgeskryf, op toekomstige salarisverhogingsdatums van toepassing is;

(ii) geld die gebruiklike salarisaanpassingsbeginsel dat, indien die datum waarop die lid vir 'n gewone salarisverhoging sou kwalifiseer, met die datum van bevordering saamval, sy salaris by die volgende hoër kerf aangepas moet word asof die gewone salarisverhoging reeds toegestaan gewees het; en

(iii) word oorplasings na poste wat na die mening van die Kommissaris 'n fundamentele verandering in 'n lid se werkrigting meebring nie as bevorderings beskou nie.

(9) If the period referred to in sub-regulation (6) is equal to an incremental period, the grant of two increments to such member shall be approved by the Commissioner or such divisional commissioner after the expiration of such period; provided that the grant of such increments shall be approved only if his commanding officer submit the certificate or report referred to in paragraph (*a*) of sub-regulation (7) in respect of such period; and provided further that the grant of only one increment to such member may be approved if his salary is already equal to the penultimate notch on the appropriate scale.

(10) Should the grant of an increment to a member in terms of paragraph (*b*) of sub-regulation (7), paragraph (*b*) of sub-regulation (8) or sub-regulation (9) not be approved, the provisions of sub-regulations (3), (4), (5), (6), (7), (8) and (9) shall *mutatis mutandis* come into operation again.

(11) Subject to the provisions of this regulation, a member in respect of whom the grant of an increment has been approved in terms of paragraph (*b*) of sub-regulation (7), paragraph (*b*) of sub-regulation (8) or sub-regulation (9), shall be granted at the expiry of every further incremental period one increment within the limits of the appropriate scale.

(12) (*a*) When a member has in terms of sub-regulation (6) or paragraph (*a*) of sub-regulation (8) been informed in writing by the Commissioner or such divisional commissioner of the reason for withholding his increment, he may within one calendar month after having been so informed, lodge a written appeal with the Minister against the withholding of such increment.

(*b*) A written appeal lodged in terms of paragraph (*a*), together with all the relevant documents, shall be forwarded by the Commissioner to the Minister.

(13) Unless otherwise directed by the Treasury, the salaries of members shall, on their promotion, be adjusted in accordance with the following principles:—

(*a*) With effect from the 1st January, 1963, the rule applies that, on the promotion of a member to a higher rank, a salary increase of at least one full notch on the appropriate revised key scale shall be granted.

(*b*) For the purposes of the above-mentioned rule—

(i) the granting of "one full notch" shall mean the adjustment of the salary to the next higher notch on the revised *key scale* with the retention of the existing incremental date, except in the case of a member who has already reached the maximum notch of the scale attached to the rank from which he is promoted, in which case the date of promotion shall be his future incremental date; provided that such higher notch is at least equal to the minimum notch on the higher salary scale attached to the rank to which he is promoted; and provided further that, where the adjustment of salary to the minimum notch of the higher salary scale amounts to more than one full notch, the usual adjustment principles as laid down in these regulations, shall be applicable to future incremental dates;

(ii) the usual salary adjustment principle shall apply, namely that if the date on which the member would have qualified for a normal scale increment coincides with the date of promotion, his salary should be adjusted to the next higher notch as if the usual scale increment had already been granted; and

(iii) transfers to posts which in the opinion of the Commissioner entail a fundamental change in a member's sphere of work, shall not be regarded as promotions.

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(14) (*a*) Indien 'n lid ingevolge die bepalings van artikel *drie*, gelees met artikel *tien* of artikel *vier* (1), gelees met artikel *sewentien* (1) van die Wet, in rang verlaag word, word sy salaris op die skaal van die rang waartoe hy verlaag word, aangepas by 'n kerf wat die Kommissaris bepaal maar wat nie hoër mag wees nie as die kerf wat met sy gesamentlike dienstermyne in die hoër en die laer rang ooreenstem, en sy rangsverlagingsdatum word, behoudens die ander bepalings van hierdie regulasie, ook sy salarisverhogingsdatum solank hy die rang beklee waartoe hy verlaag is.

(*b*) Die salaris van 'n lid wat op eie versoek in rang verlaag word, word aangepas by dié kerf op die skaal van die rang waartoe hy verlaag word, wat met sy gesamentlike dienstermyne in die hoër en die laer rang ooreenstem; met dien verstande dat hy onmiddellik na sy rangverlaging nie 'n hoër salaris as onmiddellik voor sy rangverlaging ontvang nie.

(15) Indien die Minister, by die oorweging van 'n appèl wat kragtens artikel *sewentien* (2) van die Wet aangeteken is, 'n bevel waarby die appellant ontslaan, afgedank of in rang verlaag word, ter syde stel, is sodanige appellant vir die tydperk vanaf die datum van sy ontslag, afdanking of rangverlaging tot die datum waarop hy weer diens aanvaar of in sy rang herstel word, geregtig op die salaris, toelaes, voorregte of voordele waarop hy andersins geregtig sou gewees het indien hy nie ontslaan, afgedank of in rang verlaag was nie.

20. (1) Die Kommissaris kan van die salaris en toelaes of ander gelde waarop 'n lid geregtig mag wees, enige bedrag aftrek waarvoor sodanige lid aan die Staat aanspreeklik is ten opsigte van—

(*a*) 'n boete, skorsing, inhegtenisname, aanhouding, gevangenisstraf;
(*b*) die verlies of beskadiging van staatseiendom of enige eiendom waarvoor die Staat verantwoordelik is;
(*c*) 'n tekort, uitgawe, verlies, skade, beskadiging of vernietiging veroorsaak deur sy wangedrag of sy wederregtelike optrede, nalatigheid of onverskilligheid;
(*d*) 'n oorbetaling van salaris of toelaes;
(*e*) huurgeld vir kwartiere en geboue wat deur die Staat verskaf word;
(*f*) 'n uniform, klerasie en uitrusting wat teen terugbetaling uitgereik is;
(*g*) geneeskundige, hospitaal- en tandheelkundige behandeling, met inbegrip van geneeskundige hulpmiddels, wat verskaf is;
(*h*) 'n gemagtigde oormaking van salaris;
(*i*) 'n verpligte pensioenbydrae; en
(*j*) 'n amptelike skuld of enige ander aanspreeklikheid van soortgelyke aard.

(2) Behoudens voorskrifte deur die Tesourie, kan enige bedrag bedoel in subregulasie (1), ten volle of in dié maandelikse paaiemente soos die Kommissaris mag besluit, afgetrek word.

DIVERSE TOELAES.

21. (1) Benewens die salarisse bedoel in subregulasie (1) van regulasie 19, word daar aan lede op wie Bylaes D. II, D. III, E. II en E. III betrekking het, vaste toelaes betaal ooreenkomstig die voorwaardes en tariewe daarin vervat.

(2) Geen toelaes, uitgesonderd dié gemeld in Bylaes D. II en E. II, is pensioengewend nie.

(3) 'n Spesiale dienstoelae van hoogstens R72 per jaar kan, met die goedkeuring van die Kommissaris, betaal word aan 'n nie-Blanke lid wat gebruik word as 'n stenograaf, orkeslid of bedrewe ambagsman of vir ander werk van 'n besonder verantwoordelike aard of wat spesiale kennis vereis; met dien verstande dat die betaling van so 'n toelae nie gestaak mag word nie ten opsigte van afwesigheidsverlof van hoogstens *agt* agtereenvolgende dae wat binne 'n tydperk val waarin sodanige werk verrig word; en voorts met dien verstande dat so 'n toelae nie betaalbaar is nie tensy die werk waarvoor dit betaalbaar is, vir 'n langer tydperk as *agt* agtereenvolgende dae verrig word.

(14) (*a*) Should a member be reduced in rank in terms of section *three*, read with section *ten* of section *four* (1), read with section *seventeen* (1) of the Act, his salary shall be adjusted to a notch, to be determined by the Commissioner, on the scale of the rank to which he is reduced, which notch shall not be higher than that corresponding with his combined periods of service in the higher and the lower rank, and his incremental date shall, subject to the other provisions of this regulation, be the date of his reduction in rank as long as he holds such reduced rank.

(*b*) The salary of a member who is reduced in rank at his own request, shall be adjusted to that notch on the scale of the rank to which he is reduced, which corresponds with his combined periods of service in the higher and the lower rank; provided that, immediately after his reduction in rank, he shall not receive a higher salary than that which he received immediately before his reduction in rank.

(15) Should the Minister, on considering an appeal lodged in terms of section *seventeen* (2) of the Act, set aside an order discharging, dismissing or reducing the rank of the appellant, such appellant shall for the period from the date of his discharge, dismissal or reduction in rank to the date of his resumption of duty or reinstatement in rank be entitled to the salary, allowances, privileges or benefits to which he would otherwise have been entitled if he had not been discharged, dismissed or reduced in rank.

20. (1) From the pay and allowance or other moneys to which a member may be entitled, the Commissioner may deduct any amount for which such member is liable to the State in respect of any—

(*a*) fine, suspension, arrest, detention, imprisonment;
(*b*) loss of or damage to state property or any property for which the State is responsible;
(*c*) deficit, expense, loss, damage, injury or destruction caused by his misconduct or any wrongful act, negligence or carelessness on his part;
(*d*) overpayment of salary or allowances;
(*e*) rent for quarters and buildings provided by the State;
(*f*) uniform, clothing and equipment issued against repayment;
(*g*) medical, hospital and dental treatment, including medical aids, supplied;
(*h*) authorised assignment of pay;
(*i*) compulsory pension contribution; and
(*j*) official debt or any other liability of a like nature.

(2) Subject to directions by the Treasury, any amount referred to in sub-regulation (1) may be deducted either in full or in such monthly instalments as the Commissioner may decide.

MISCELLANEOUS ALLOWANCES.

21. (1) In addition to the salaries referred to in sub-regulation (1) of regulation 19, members to whom Schedules D. II, D. III, E. II and E. III apply, shall be paid fixed allowances in accordance with the conditions and rates contained therein.

(2) No allowance save those referred to in Schedules D. II and E. II, shall be pensionable.

(3) A special duty allowance not exceeding R72 per annum may, with the approval of the Commissioner, be paid to a non-White member who is employed as a stenographer, bandsman or skilled artisan or on other duties of a particularly responsible nature or requiring special knowledge; provided that payment of such allowance shall not be discontinued in respect of absence on leave, not exceeding eight consecutive days, falling within a period during which such duty is performed; and provided further that such allowance shall not be payable unless the duty in respect of which it is payable, is performed for a period exceeding eight consecutive days.

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(4) 'n Spesiale dienstoelae van hoogstens R25 per maand, volgens dié skaal en op dié voorwaardes wat die Kommissaris mag goedkeur, kan aan 'n lid betaal word wat lykhuis- of ander weersinwekkende werksaamhede verrig.

(5) Ondergenoemde taaltoelae kan op dié voorwaardes wat die Kommissaris mag goedkeur, aan 'n Blanke lid benede offisiersrang betaal word: —

As 'n bevoegde gesaghebbende, deur die Kommissaris goedgekeur, skriftelik sertifiseer dat sodanige lid—

(*a*) Een of meer Bantoetale kan praat..... 5 sent per dag;
(*b*) een of meer Bantoetale kan praat, lees en skryf..... 10 sent per dag.

(6) Klimaatstoelae word betaal ooreenkomstig die skaal en op dié voorwaardes wat die Tesourie, op aanbeveling van die Staatsdienskommissie, goedkeur.

VERBLYFTOELAE.

22. (1) Behoudens die bepalings van subregulasies (4) en (5) en uitgesonderd dié gevalle waar ander spesiale voorsiening in hierdie regulasie gemaak word en tensy herberg of verblyftoelae op 'n ander wyse deur die Staat verskaf of betaal word of tensy 'n lid by sy tuiste tuisgaan, kan die Kommissaris aan 'n lid wat van sy hoofkwartier afwesig is op amptelike diens in die Republiek, in die Gebied, in die Caprivi-strook of in die protektorate, en ook ten opsigte van sy reistyd in dié verband, die volgende verblyftoelae betaal: —

(*a*) Ten opsigte van elke voltooide tydperk van afwesigheid van 24 uur, in die geval van 'n Blanke lid wie se jaarlikse salaris of loon, met inbegrip van pensioengewende toelaes en die kontantwaarde van pensioengewende voorregte wat *in natura* verskaf word—
  (i) gelyk is aan of hoër is as die minimum kerf van die skaal verbonde aan 'n pos van Adjunkkommissaris: Hoogstens R5;
  (ii) hoër is as die maksimum kerf van die skaal verbonde aan 'n pos van Majoor maar laer is as die minimum kerf van die skaal verbonde aan 'n pos van Adjunk-kommissaris: Hoogstens R4;
  (iii) gelyk is aan of hoër is as die minimum kerf van die skaal verbonde aan 'n pos van Luitenant maar nie hoër is nie as die maksimum kerf van die skaal verbonde aan 'n pos van Majoor: Hoogstens R3.50;
  (iv) laer is as die minimum kerf van die skaal verbonde aan 'n pos van Luitenant: Hoogstens R3.10;
(*b*) in die geval van 'n nie-Blanke lid: Hoogstens R1.40 ten opsigte van elke voltooide tydperk van afwesigheid van 24 uur; en
(*c*) vir elke volle uur afwesigheid van langer as 24 uur of langer as 'n veelvoud van 24 uur, indien die daaglikse verblyftoelae hoogstens—
  (i) R5 is: Hoogstens 21c per uur;
  (ii) R4 is: Hoogstens 17c per uur;
  (iii) R3.50 is: Hoogstens 15c per uur;
  (iv) R3.10 is: Hoogstens 13c per uur;
  (v) R1.40 is: Hoogstens 6c per uur;
(*d*) in die geval van afwesigheid van minder as 24 uur— die redelike uitgawes wat hy werklik en noodwendig vir herberg aangaan.

(2) Uitgesonderd dié gevalle waar ander spesiale voorsiening in hierdie regulasies gemaak word en tensy herberg of 'n verblyfstoelae op 'n ander wyse deur die Staat verskaf of betaal word, kan die Kommissaris aan 'n Blanke lid wat binne sy hoofkwartier op ander amptelike diens as dié bedoel in subregulasies (16) en (17), noodwendig van sy gewone werkplek in die Republiek, in die Gebied of in die Caprivi-strook afwesig is en wat in verband met sodanige diens, gedurende 'n etenstyd, verder as drie myl van sowel sodanige werkplek as sy tuiste is, 'n bedrag van hoogstens 55c per dag betaal ter bestryding van die uitgawes wat hy vir herberg aangaan; met dien verstande dat die Kommissaris daarvan oortuig is dat die lid werklik en noodwendig sodanige uitgawes aangegaan het.

(4) A special duty allowance, not exceeding R25 per month, at such scale and on such conditions as the Commissioner may approve, may be paid to any member who performs mortuary or other repulsive duties.

(5) On such conditions as the Commissioner may approve, the following language allowance may be paid to a White member below commissioned rank: —

If a competent authority, approved by the Commissioner, certifies in writing that such member is able to—

(*a*) speak one or more Bantu languages..... 5 cent per day;
(*b*) speak, read and write one or more Bantu languages..... 10 cent per day.

(6) Climatic allowance shall be payable in accordance with the scale and on the conditions approved by the Treasury on the recommendation of the Public Service Commission.

SUBSISTENCE ALLOWANCE.

22. (1) Subject to the provisions of sub-regulations (4) and (5) and save where other special provisions is made in this regulation and unless accommodation or a subsistence allowance is otherwise provided or paid by the State or unless a member stays at his home, the Commissioner may pay to a member who is absent from his headquarters on official duty in the Republic, in the Territory, in the Caprivi strip or in the protectorates, and also in respect of his travelling time, in such connection, the following subsistence allowance: —

(*a*) In respect of each completed period of absence of 24 hours, in the case of a White member whose annual salary or wage, including pensionable allowances and the cash value of pensionable privileges supplied in kind—
  (i) is equal to or higher than the minimum notch of the scale attached to a post of Deputy Commissioner: Not exceeding R5;
  (ii) is higher than the maximum notch of the scale attached to a post of Major but lower than the minimum notch of the scale attached to a post of Deputy Commissioner: Not exceeding R4;
  (iii) is equal to or higher than the minimum notch of the scale attached to a post of Lieutenant but not higher than the maximum notch of the scale attached to a post of Mojor: Not exceeding R3.50;
  (iv) is lower than the minimum notch of the scale attached to a post of Lieutenant: Not exceeding R3.10;
(*b*) in the case of a non-White member: Not exceeding R1.40 in respect of each completed period of absence of 24 hours; and
(*c*) in respect of each hour of absence in excess of 24 hours or in excess of a multiple of 24 hours, if the daily subsistence allowance does not exceed—
  (i) R5: Not exceeding 21c per hour;
  (ii) R4: Not exceeding 17c per hour;
  (iii) R3.50: Not exceeding 15c per hour;
  (iv) R3.10: Not exceeding 13c per hour;
  (v) R1.40: Not exceeding 6c per hour;
(*d*) in the case of absence of less than 24 hours— the reasonable expenditure which he actually and necessarily incurs on accommodation.

(2) Save where other special provision is made in this regulation and unless accommodation or a subsistence allowance is otherwise provided or paid by the State, the Commissioner may pay to a White member who, within his headquarters, is necessarily absent on official duty, other than that referred to in sub-sections (16) and (17), from his usual place of work in the Republic, in the Territory or in the Caprivi strip and who, in connection with such duty, is during any meal time further than three miles from such place of work as well as from his home, an amount not exceeding 55c per day to defray expenditure which he incurs for accommodation; provided that the Commissioner is convinced thereof that the member actually and necessarily incurred such expenditure.

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(3) Die Kommissaris kan aan 'n lid wat op amptelike diens van sy hoofkwartier afwesig is en wat in verband daarmee 'n tyd lank buite die Republiek, die Gebied, die Caprivi-strook en die protektorate is, 'n verblyftoelae betaal teen die tariewe en volgens die voorskrifte wat deur die Tesourie op aanbeveling van die Staatsdienskommissie goedgekeur is.

(4) Uitgesonderd dié gevalle waar ander spesiale voorsiening in hierdie regulasie gemaak word, kan die verblyftoelaes wat in subregulasies (1) en (3) bedoel word, aan 'n lid betaal word gedurende tydperke van afwesigheid van sy hoofkwartier vir 'n aaneenlopende tydperk van hoogstens ses kalendermaande in dieselfde dorp of plek. Die duur van 'n lid se reis na en van sy bestemming word nie by sodanige tydperk van ses kalendermaande ingesluit nie, en vir die toepassing van hierdie subregulasie word die aaneenlopendheid van 'n tydperk wat sodanige lid in dieselfde dorp of plek is, nie geag deur 'n afwesigheid, om watter rede ook al, van minder as een kalendermaand onderbreek te word nie.

(5) Vir elke volle uur meer as 24 uur of 'n veelvoud van 24 uur kan die Kommissaris die verblyf-, afgedeelde diens- of spesiale toelae wat in of kragtens hierdie regulasie voorgeskryf is, uitgesonderd dié verblyftoelae wat in paragraaf (*c*) van subregulasie (1) bedoel word, teen die tarief van een vier-en-twintigste van die daaglikse tarief van sodanige toelae betaal.

(6) Indien die verblyf van 'n lid op 'n ander plek as sy hoofkwartier onderbreek word deur 'n amptelike besoek aan of diens op 'n ander plek, word die verblyf-, afgedeelde diens- of spesiale toelae wat ingevolge hierdie regulasie gedurende sy verblyf op eersgenoemde plek aan hom betaalbaar is, ten opsigte van die tydperk van sodanige onderbreking gestaak en word slegs verblyftoelae ten opsigte van die tydperk van sy afwesigheid van eersgenoemde plek aan hom betaal tensy hy skriftelik sertifiseer dat sy uitgawe in verband met herberg op eersgenoemde plek gedurende die onderbreking voortgeduur het: Met dien verstande egter dat ingeval sodanige ander plek sy hoofkwartier is, slegs die volgende aan so 'n lid gedurende sodanige onderbreking betaal mag word:—

(*a*) 'n Verblyftoelae, ooreenkomstig die toepaslike voorwaardes en bepalings van subregulasie (1), vir die duur van die noodsaaklike heen- en terugreis; en

(*b*) redelike uitgawes wat hy werklik en noodsaaklikerwys by sy hoofkwartier aangaan indien hy nie van sy gewone herberg gebruik kan maak nie, en vir die toepassing van hierdie paragraaf word 'n lid nie geag van sy gewone herberg gebruik te maak nie as hy gewoonlik by sy hoofkwartier by 'n hotel of losieshuis inwoon en gedurende sodanige besoek ook in 'n hotel of 'n losieshuis tuisgaan.

(7) Die Kommissaris kan aan 'n lid wat buite sy hoofkwartier dog in of tussen die Republiek, die Gebied, die Caprivi-strook en die protektorate of binne die gebied of land waarin hy in die buiteland gestasioneer is, op amptelike diens per lug reis, 'n verblyftoelae vir die duur van sodanige lugreis betaal soos in of kragtens hierdie regulasie bepaal. Ten opsigte van ander lugreise buite die hoofkwartier van 'n lid kan die Kommissaris dié redelike uitgawes terugbetaal wat so 'n lid werklik en noodwendig aan herberg gedurende sodanige reise bestee.

(8) Behoudens die bepalings van subregulasie (9), word geen verblyftoelae betaal nie ten opsigte van 'n tydperk wat 'n lid aan boord skip deurbring en mag uitgawes ten opsigte van ekstras of drank nie aan hom terugbetaal word nie.

(9) Ondanks die bepalings van subregulasie (8), kan die Kommissaris aan 'n lid wat buite sy hoofkwartier op amptelike diens 'n skeepsreis onderneem, die redelike uitgawes terugbetaal wat hy werklik bestee aan—

(*a*) herberg en hofmeestersfooie, uitgesonderd fooitjies aan drankkelners, ten opsigte van 'n skeepsreis—

(i) op 'n waterweg van 'n vasteland;

(ii) tussen die vasteland van Europa en die Verenigde Koninkryk of Ierland; of

(iii) tussen die Verenigde Koninkryk en Ierland; en

(3) The Commissioner may pay to a member who is absent from his headquarters on official duty and who, in connection therewith, is for some time outside the Republic, the Territory, the Caprivi strip and the protectorates, a subsistence allowance at the rates and in accordance with the directions approved by the Treasury on the recommendation of the Public Service Commission.

(4) Save where other special provision is made in this regulation, the subsistence allowance referred to in sub-regulations (1) and (3) may be paid to a member during periods of absence from his headquarters for a continuous period not exceeding six calendar months in the same town or place. The time occupied by a member's journey to and from his destination shall not be included in such period of six calendar months, and for the purposes of this sub-regulation, the continuity of any period which such member is in the same town or place shall not be regarded as interrupted by any absence, for whatever reason, of less than one calendar month.

(5) For every complete hour in excess of 24 hours or a multiple of 24 hours the subsistence, detachment duty or special allowance prescribed in or in terms of this regulation, excluding the subsistence allowance referred to in paragraph (*c*) of sub-regulation (1), may be paid by the Commissioner to a member at the rate of one twenty-fourth of the daily rate of such allowance.

(6) If the stay of a member at any place other than his headquarters is interrupted by an official visit to or duty at another place, the payment of the subsistence, detachment duty or special allowance which, in terms of this regulation, is payable to him during his stay at the first-mentioned place, shall be discontinued in respect of the period of such interruption and only the subsistence allowance shall be paid to him in respect of the period of his absence from the first-mentioned place unless he certifies in writing that his expenditure in connection with accommodation at the first-mentioned place continued during his absence: Provided, however, that in the event of such other place being his headquarters, only the following may be paid to such member during such interruption:—

(*a*) A subsistence allowance, in accordance with the appropriate conditions and provisions of sub-regulation (1), for the time occupied by the necessary forward and return journey; and

(*b*) reasonable expenditure which he actually and necessarily incurs at his headquarters if he is unable to use his normal accommodation, and for the purpose of this paragraph a member who is normally accommodated in an hotel or boarding house at his headquarters, shall not be regarded as making use of his normal accommodation if, during such visit to his headquarters, he is also accommodated in a hotel or boarding house.

(7) To a member who travels on official duty by air outside his headquarters but in or between the Republic, the Territory, the Caprivi strip and the protectorates or within the territory or country abroad in which he is stationed, a subsistence allowance as prescribed in or in terms of this regulation, may be paid by the Commissioner for the duration of such air journey. In respect of other air journeys outside the headquarters, of such member, the Commissioner may refund any reasonable expenses which such a member actually and necessarily incurs on accommodation during such journeys.

(8) Subject to the provisions of sub-regulation (9), no subsistence allowance shall be paid in respect of a period spent on board ship by a member, and expenditure in respect of extras and liquor shall not be refunded to him.

(9) Notwithstanding the provisions of sub-regulation (8), the Commissioner may refund to a member who undertakes a voyage on official duty outside his headquarters, any reasonable expenses actually incurred by him on—

(*a*) accommodation and steward's tips, excluding tips to wine stewards, in respect of a voyage—

(i) on a waterway of a continent;

(ii) between the continent of Europe and the United Kingdom or Ireland; or

(iii) between the United Kingdom and Ireland; and

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(*b*) hofmeestersfooie, uitgesonderd fooitjies aan drankkelners, ten opsigte van 'n ander skeepsreis as dié in paragraaf (*a*) bedoel, wat hy buite sy hoofkwartier onderneem, mits onderstaande bedrae nie oorskry word nie:—

(i) Ten opsigte van die lid: R15 per seereis;

(ii) ten opsigte van die lid en lede van sy huishouding wat op staatskoste saam met hom reis; R20 per seereis;

(iii) ten opsigte van die lid en lede van sy huishouding wat op staatskoste reis maar weens omstandighede buite hulle beheer nie met hom saamreis nie: R30 per seereis;

(iv) ten opsigte van die lid en lede van sy huishouding wat op staatskoste reis maar uit eie beweging nie met hom saamreis nie: R20 per seereis:

Met dien verstande dat waar lede van die huishouding van 'n lid nie met hom saamreis nie, sodanige aparte reise vir die toepassing van subparagrawe (iii) en (iv) geag word een reis te wees.

(10) Indien 'n lid gedurende 'n tydperk van afwesigheid van sy hoofkwartier op ander amptelike diens as dié bedoel in subregulasie (17), in 'n staatsinrigting tuisgaan, word, behoudens die bepalings van subregulasie (11), die verblyftoelae wat in subregulasie (1) bedoel word, nie ten opsigte van die duur van sy verblyf in sodanige inrigting aan hom betaal nie, maar in plaas daarvan kan die Kommissaris—

(*a*) die gelde wat die inrigting gewoonlik ten opsigte van besoekers vir herberg hef—

(i) aan die lid terugbetaal indien so 'n lid sodanige gelde betaal het; of

(ii) aan die inrigting betaal indien die lid sodanige gelde nie betaal het nie; en

(*b*) 'n spesiale toelae van 25c per dag aan 'n Blanke lid en 12½c per dag aan 'n nie-Blanke lid betaal om bykomende uitgawes te dek:

Met dien verstande dat, indien die herberg gedeeltelik deur 'n private persoon of personeellid van sodanige inrigting verskaf word, die gelde wat deur die gasheer gehef word, ook deur die Kommissaris aan die lid terugbetaal kan word.

(11) Die bepalings van subregulasie (10) is nie van toepassing nie op 'n lid wat—

(*a*) by 'n staatsinrigting tuisgaan maar vir 'n korter tydperk as 24 uur van sy hoofkwartier afwesig is; of

(*b*) 'n staatsinrigting besoek maar geen herberg van sodanige inrigting ontvang nie;

in sulke gevalle is die bepalings van subregulasies (1), (2) en (3) van toepassing.

(12) Indien die verblyf- of spesiale toelae wat in of kragtens hierdie regulasie voorgeskryf is, ontoereikend is, kan die Kommissaris die verskil tussen die bedrag wat aan verblyf- of spesiale toelae ten opsigte van die hele aaneenlopende tydperk betaalbaar is en die *redelike* uitgawes wat die lid werklik en noodwendig aan herberg ten opsigte van sodanige tydperk bestee, aan hom terugbetaal op voorwaarde dat—

(*a*) die Kommissaris oortuig is dat die herberg waarvan die lid gebruik gemaak het, by sy status as staatsamptenaar pas;

(*b*) die betrokke eis deur kwitansies of ander bewysstukke of, in gevalle waar sodanige bewyse nie beskikbaar is nie, 'n skriftelike verklaring gestaaf word;

(*c*) items wat nie deur die omskrywing van „herberg" in regulasie 1 gedek word nie, uitgesluit word by die berekening van die bedrag wat terugbetaal kan word;

(*b*) steward's tips, excluding tips to wine stewards, in respect of a voyage, other than a voyage referred to in paragraph (*a*), outside his headquarters, on condition that the undermentioned amounts shall not be exceeded: —

(i) In respect of the member: R15 per voyage;

(ii) in respect of the member and members of his household travelling with him at State expense: R20 per voyage;

(iii) in respect of the member and members of his household travelling at State expense but, owing to circumstances beyond their control, not travelling with him: R30 per voyage;

(iv) in respect of the member and members of his household travelling at State expense but, of their own accord, not travelling with him: R20 per voyage:

Provided that where members of the household of a member do not travel with him, such separate voyages shall be regarded as one voyage for the purposes of subparagraphs (iii) and (iv).

(10) If a member, during a period of absence from his headquarters on official duty other than that referred to in sub-regulation (17), stays at a State institution, the subsistence allowance referred to in sub-regulation (1) shall, subject to the provisions of sub-regulation (11), not be paid to him in respect of the duration of his stay at such institution, but in lieu thereof—

(*a*) the charges normally levied by the institution in respect of visitors—

(i) may be refunded by the Commissioner to the member if such member has paid such charges; or

(ii) may be paid by the Commissioner to the institution if such member has not paid such charges; and

(*b*) the Commissioner may pay a special allowance of 25c per day to a White member and 12½c per day to a non-White member to cover incidental expenses:

Provided that if the accommodation is partly provided by a private person or a member of the staff of such institution, the charges levied by the host may also be refunded to the member by the Commissioner.

(11) The provisions of sub-regulation (10) shall not apply to a member who—

(*a*) stays at a State institution but is absent from his headquarters for a shorter period than 24 hours; or

(*b*) visits a State institution but receives no accommodation from such institution;

in which case the provisions of sub-regulations (1), (2) and (3) shall apply.

(12) If the subsistence or special allowance prescribed in or in terms of this regulation is inadequate, the difference between the amount payable as subsistence or special allowance in respect of the whole continuous period and the *reasonable* expenses which the member actually and necessarily incurs on accommodation in respect of such period, may be refunded to him by the Commissioner on condition that—

(*a*) the Commissioner is satisfied that the accommodation of which the member availed himself, is in keeping with his status as a public servant;

(*b*) the relative claim is supported by receipts or other vouchers or, where these are not available, a written statement;

(*c*) items not covered by the definition of "accommodation" in regulation 1, are excluded from the calculation of the amount which may be refunded;

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(*d*) bedrae wat toegelaat word ten opsigte van die huur van beddegoed op 'n trein, beperk word tot die koste van 'n beddegoedkaartjie wat by kaartjies- en plekbesprekingskantore verkrygbaar is en dat die koste van luukse-beddegoed en/of 'n spesiale matras nie toelaatbaar is nie:

Met dien verstande dat bedrae wat kragtens die bepalings van hierdie subregulasie terugbetaal kan word aan 'n lid wat gedurende een reis buite sy hoofkwartier meer as een buiteland besoek, bereken kan word ten opsigte van die duur van sy verblyf in elke afsonderlike land in plaas van die hele duur van sy afwesigheid van sy hoofkwartier: Voorts met dien verstande dat die bepalings van hierdie subregulasie nie op vaste verblyftoelaes of afgedeelde dienstoelaes en ook nie op sessieamptenare van toepassing is nie.

(13) (*a*) Behoudens die bepalings van paragraaf (*b*), mag die verblyf-, afgedeelde diens- of spesiale toelae wat kragtens die bepalings van hierdie regulasie betaal kan word, nie aan 'n lid gedurende 'n tydperk van verlof betaal word nie tensy die Tesourie sodanige betaling op aanbeveling van die Staatsdienskommissie goedkeur.

(*b*) Ondanks die bepalings van paragraaf (*a*) kan—

(i) die verblyf-, afgedeelde diens- of spesiale toelae, wat in paragraaf (*a*) bedoel word, aan 'n lid betaal word ten opsigte van 'n tydperk van siekteverlof, insluitende spesiale siekteverlof wat kragtens regulasie 53 toegestaan is; met dien verstande dat die lid nie na sy hoofkwartier terugkeer nie en werklik en noodwendig verblyfuitgawes ten opsigte van homself gedurende sy tydperk van siekte aangaan;

(ii) aan 'n sessie-amptenaar 'n verblyftoelae betaal word ten opsigte van afwesighede met vakansieverlof van altesaam hoogstens *ses* dae gedurende 'n bepaalde parlementsitting, mits die amptenaar nie ten opsigte van sodanige verloftydperk na sy hoofkwartier terugkeer nie; en

(iii) die vaste verblyftoelae wat in subregulasie (15) bedoel word, betaal word ten opsigte van altesaam hoogstens *twaalf* dae verlof, uitgesonderd siekteverlof, gedurende 'n jaar eindigende op 31 Desember.

(14) (*a*) Aan 'n applikant wie se aansoek om indiensneming of herindiensneming in die Mag goedgekeur is en wat aangesê is om diens te aanvaar by 'n polisiestasie of -kantoor wat as sy hoofkwartier aangewys word of om hom by 'n polisiestasie of -kantoor of 'n opleidingsinrigting of -sentrum aan te meld vir indiensneming of opleiding, kan die Kommissaris, behoudens die bepalings van paragraaf (*d*), slegs die *redelike* uitgawes aan herberg terugbetaal wat hy aangegaan het vandat die reis 'n aanvang geneem het totdat hy aangestel of afgekeur word; met dien verstande dat indien so iemand buite die Gebied woonagtig is en aldus aangesê word om hom in die Gebied aan te meld, die volgende uitgawes aan hom terugbetaal kan word:—

(i) *Redelike* uitgawes aan herberg ten opsigte van homself vir die duur van die treinreis van sy woonplek af tot op De Aar en vanaf sy aankoms by sy bestemming in die Gebied totdat hy aangestel of afgekeur word; en

(ii) 'n verblyftoelae ten opsigte van homself en sy huishouding op die grondslag wat kragtens regulasie 24 op 'n oorgeplaaste lid van toepassing is, vir die duur van die treinreis tussen De Aar en sy bestemming in die Gebied.

(*b*) Indien 'n applikant wat in paragraaf (*a*) bedoel word by sy aankoms by so 'n polisiestasie of -kantoor of opleidingsinrigting of -sentrum afgekeur word vir indiensneming, kan daar met die goedkeuring van die Kommissaris maar behoudens die bepalings van paragraaf (*d*), 'n bedrag aan hom betaal word om die redelike uitgawes te dek wat hy ten opsigte van die nodige herberg moet aangaan vandat hy aldus afgekeur word totdat hy die plek bereik in die Republiek of die Gebied vanwaar hy vir indiensneming gekom het.

(*d*) amounts allowed in respect of the hire of bedding on a train are limited to the cost of a bedding ticket obtainable at ticket and reservation offices and that the cost of luxury bedding and/or a special mattress shall not be allowed:

Provided that amounts which may be refunded in terms of this sub-regulation to a member who, during one journey outside this headquarters, visits more than one country abroad may be calculated in respect of the duration of his stay in each separate country instead of the whole period of his absence from his headquarters: Provided further that the provisions of this sub-regulation shall not apply to fixed subsistence allowances or detachment-duty allowances and neither to session officials.

(13) (*a*) Subject to the provisions of paragraph (*b*), the subsistence, detachment-duty or special allowance payable in terms of this regulation, shall not be paid to a member during a period of leave, unless the Treasury approves such payment on the recommendation of the Public Service Commission.

(*b*) Notwithstanding the provisions of paragraph (*a*)—

(i) the subsistence, detachment-duty or special allowance referred to in paragraph (*a*), may be paid to a member in respect of a period of sick leave, including special sick leave granted in terms of regulation 53; provided that the member does not return to his headquarters and actually and necessarily incurs subsistence expenses for himself during the period of his illness;

(ii) a session official may be paid a subsistence allowance in respect of absences on vacation leave not exceeding *six* days in the aggregate during any particular session of Parliament, provided the member does not return to his headquarters in respect of such period of leave; and

(iii) the fixed subsistence allowance referred to in subregulation (15), may be paid in respect of leave not exceeding *twelve* days in the aggregate, excluding sick leave, during a year ending the 31st December.

(14) (*a*) To an applicant whose application for enlistment or re-enlistment in the Force has been approved and who is ordered to assume duty at a police station or office which is indicated as his headquarters or to report for enlistment or training at a police station or office or training institution or centre, the Commissioner may, subject to the provisions of paragraph (*d*), refund only the *reasonable* expenditure on accommodation which was incurred since the start of the journey until his appointment or rejection; provided that if such person is resident outside the Territory and is so ordered to report in the Territory, he may be refunded the following expenses:—

(i) *Reasonable* expenditure on accommodation in respect of himself for the duration of the journey by train from his place of residence to De Aar and from the time of his arrival at his destination in the Territory until he is appointed or rejected; and

(ii) a subsistence allowance in respect of himself and his household on the basis applicable to a transferred member in terms of regulation 24, for the duration of the journey by train between De Aar and his destination in the Territory.

(*b*) If, upon arrival at such police station or office or training institution or centre, an applicant referred to in paragraph (*a*) is rejected for enlistment, an amount to cover the reasonable expenses in respect of the necessary accommodation which he is to incur from the time he is so rejected until the time he reaches the place in the Republic or the Territory whence he came for enlistment, may, with the approval of the Commissioner but subject to the provisions of paragraph (*d*), be paid to him.

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(*c*) Die bepalings van paragraaf (*b*) is *mutatis mutandis* van toepassing op 'n student wat kragtens die bepalings van paragrawe (*a*), (*b*), (*c*), (*d*) of (*f*) van subregulasie (1) van regulasie 15 uit die Mag ontslaan word.

(*d*) 'n Bedrag wat kragtens hierdie subregulasie betaal of terugbetaal word, mag nie die tariewe oorskry wat in subregulasies (1) en (2) voorgeskryf word nie.

(15) Ondanks andersluidende bepalings van hierdie regulasie, kan die Tesourie, op aanbeveling van die Staatsdienskommissie, goedkeur dat die Kommissaris 'n verblyftoelae op 'n vaste grondslag aan 'n lid betaal.

(16) In die geval van 'n lid wat in verband met sy werksaamhede diens, hetsy in of buite sy hoofkwartier, verrig, onder omstandighede wat onvermydelike uitgawes aan herberg meebring, kan die Kommissaris, ondanks andersluidende bepalings in hierdie regulasie dog behoudens die bepalings van subregulasie (17), na sy goedvinde—

(*a*) òf 'n verblyftoelae betaal teen hoogstens die tarief voorgeskryf in subregulasie (1); òf

(*b*) herberg op staatskoste verskaf en/of die redelike uitgawe terugbetaal wat vir herberg aangegaan word.

(17) Indien lede in verband met hul werksaamhede, hetsy binne of buite hul hoofkwartier, saamgetrek, gemobiliseer of vir diens afgedeel word en behandel word soos voorgeskryf in paragraaf (*b*) van subregulasie (16), of indien 'n lid van volledige kampuitrusting voorsien word, kan die Kommissaris, mits die besondere heersende omstandighede dit na sy mening regverdig, magtiging verleen vir die betaling van 'n toelae vir afgedeelde diens teen die volgende tariewe:—

Blankes.—Hoogstens 70c per dag.
Nie-Blankes.—Hoogstens 30c per dag.

(18) Aansoeke om die betaling van 'n verblyf-, afgedeelde diens- of spesiale toelae soos in of kragtens hierdie regulasie voorgeskryf, uitgeslote 'n vaste verblyftoelae, moet op die voorgeskrewe vorm gedoen word.

(19) Indien daar omstandighede ontstaan wat 'n afwyking van die bepalings van hierdie regulasie regverdig, kan die Kommissaris aan 'n lid of klasse lede dié verblyf- of spesiale toelae betaal wat die Tesourie op aanbeveling van die Staatsdienskommissie mag goedkeur.

AMPTELIKE REISE EN VERVOER.

23. (1) (*a*) Alle amptelike reise vereis die goedkeuring van die Kommissaris, wat moet verseker dat sodanige reise noodsaaklik en in belang van die Departement is.

(*b*) 'n Lid moet met die mees ekonomiese middele, met so min versuim as wat omstandighede toelaat en, behoudens die bepalings van subregulasie (3), oor die kortste roete reis.

(*c*) Waar die bepalings van paragraaf (*b*) nie nagekom word nie, moet die lid die rede daarvoor skriftelik verstrek, en dié verduideliking geheg word aan die vorm bedoel in subregulasie (9).

(*d*) Indien 'n lid op 'n wyse gereis het wat groter vervoeruitgawes meegebring het as wat nodig was, moet die bedrag wat ter bestryding van sy reiskoste aan hom terugbetaalbaar is, beperk word tot dié bedrag wat betaalbaar sou gewees het as hy die bepalings van paragraaf (*b*) nagekom het, en as hy aldus op 'n staatsorder of met 'n staatsvervoermiddel gereis het, moet hy die uitgawes terugbetaal wat onnodig aangegaan is.

(2) Behoudens die bepalings van hierdie regulasie, kan die Kommissaris aan 'n lid van wie daar verlang word dat hy op amptelike diens moet reis, die onkoste verbonde aan sy vervoer en die vervoer van sy noodsaaklike persoonlike bagasie, asook die redelike uitgawes wat in verband met die huur van huurmotors (as staats- of kontrakvervoer nie beskikbaar is nie), kruiersloon, inskepings- en ontskepingskoste en ander bykomende dienste aangegaan is, terugbetaal.

(*c*) The provisions of paragraph (*b*) shall *mutatis mutandis* apply to a student who is discharged from the Force in terms of the provisions of paragraphs (*a*), (*b*), (*c*), (*d*) or (*f*) of sub-regulation (1) of regulation 15.

(*d*) An amount paid or reimbursed in terms of this regulation, shall not exceed the rates prescribed in sub-regulations (1) and (2).

(15) Notwithstanding anything to the contrary in this regulation, the Treasury may, on the recommendation of the Public Service Commission, approve that the Commissioner pay a subsistence allowance to a member on a fixed basis.

(16) In the case of a member who, in connection with his functions either within or outside his headquarters, performs duty under circumstances involving unavoidable expenditure on accommodation, the Commissioner may, notwithstanding anything to the contrary in this regulation but subject to the provisions of sub-regulation 17, in his discretion—

(*a*) either pay a subsistence allowance not exceeding the rates laid down in sub-regulation (1); or

(*b*) provide accommodation at public expense and/or refund the reasonable expenditure incurred for accommodation.

(17) If members, in connection with their functions, whether within or outside their headquarters, are concentrated, mobilised or detached for duty and treated in the manner prescribed in paragraph (*b*) of sub-regulation (16), or if a member is provided with complete camping equipment, the Commissioner may, if he is of opinion that the particular circumstances prevailing at the time, warrant such a course, grant authority for the payment of a detached duty allowance at the following rates:—

White Members.—Not exceeding 70c per day.
Non-White Members.—Not exceeding 30c per day.

(18) Applications for the payment of a subsistence, detached-duty or special allowance as prescribed in or in terms of this regulation, excluding a fixed subsistence allowance, shall be made on the prescribed form.

(19) If circumstances arise which justify a departure from the provisions of this regulation, the Commissioner may pay to a member or classes of members such subsistence or special allowance as may be approved by the Treasury, on the recommendation of the Public Service Commission.

OFFICIAL JOURNEYS AND TRANSPORT.

23. (1) (*a*) All official journeys shall require the approval of the Commissioner, who shall ensure that such journeys are necessary and in the interests of the Department.

(*b*) A member shall travel by the most economical means, as expeditiously as circumstances permit and, subject to the provisions of sub-regulation (3), by the shortest route.

(*c*) Where the provisions of paragraph (*b*) have not been coplied with, the reason therefor shall be furnished by the member in writing and the explanation attached to the form referred to in sub-regulation (9).

(*d*) If a member has travelled in a manner involving greater expenditure on transport than necessary, the amount refundable to him to meet his travelling expenses shall be limited to the amount that would have been payable had he observed the requirements of paragraph (*b*), and if he has so travelled on a government warrant or by means of government-owned transport, he shall refund the expenditure unnecessarily incurred.

(2) Subject to the provisions of this regulation, the Commissioner may refund to a member who is required to travel on official duty, the cost of conveying himself and his necessary personal luggage, as well as the reasonable expenditure incurred in connection with taxi hire (if government-owned or contract transport is not available) porterage, landing or shipping fees and other incidental services.

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(3) (*a*) 'n Lid wat in die Republiek of in die Gebied op amptelike diens moet reis, moet per trein of spoorwegbus (insluitende 'n luukse-spoorwegbus as 'n goedkoper vervoerdiens nie beskikbaar is nie) of, met behoorlike inagneming van die bepalings van subregulasies (1) en (5), per departementele of ander staatsvervoermiddel wat vir sodanige doel beskikbaar gestel word, reis. Indien hy nie per trein, spoorwegbus of departementele of ander staatsvervoer kan reis nie, moet die lid met die goedkoopste beskikbare openbare vervoermiddel reis. Geen sodanige amptelike reis mag per vliegtuig onderneem word nie tensy die goedkeuring van die Tesourie verkry is; met dien verstande dat die Kommissaris of 'n lid met 'n salaris gelyk aan of hoër as die minimum kerf van die skaal verbonde aan 'n pos van adjunk-kommissaris, self, na eie goedvinde, so 'n reis per vliegtuig kan onderneem as die openbare belang beter daardeur bevorder sal word.

(*b*) Behoudens die bepalings van subregulasie (1), moet amptelike reise na, van, tussen en in plekke buite die Republiek of die Gebied met die goedkoopste beskikbare openbare vervoermiddels, insluitende vervoer per vliegtuig, onderneem word.

(*c*) Indien 'n lid op amptelike diens moet reis en 'n openbare of departementele of ander staatsvervoermiddel nie beskikbaar is nie of die gebruik daarvan in die besondere omstandighede onpraktics is, moet hy die beste en goedkoopste reëlings vir die huur van die nodige vervoer tref.

(*d*) In 'n buitengewone geval kan die Kommissaris 'n lid magtig om 'n amptelike reis met private vervoer te onderneem as hy daarvan oortuig is dat die openbare belang beter daardeur bevorder sal word, afgesien daarvan of dit moontlik is om per departementele, ander staats-, openbare of kontrakvervoer te reis.

(*e*) Ondanks andersluidende bepalings in hierdie subregulasie kan—

(i) die Kommissaris, mits hy in staat is om te sertifiseer dat die openbare belang beter daardeur bevorder sal word, òf departementele vervoer òf sy private vervoer vir 'n amptelike reis gebruik;

(ii) 'n lid, na sy goedvinde, sy private motorvervoer vir 'n amptelike reis gebruik: Met dien verstande dat hy sodanige motorvervoer op sy eie risiko gebruik vir sover hierdie bepaling nie strydig met die bepalings van die Ongevallewet, 1941, soos gewysig, is nie.

(4) 'n Lid wat op amptelike diens per trein of boot moet reis, kan in ondergenoemde klasse reis:—

(*a*) Per trein in die Republiek, die Gebied, die protektorate, Noord- en Suid-Rhodesië en Mosambiek:—

(i) 'n Blanke lid: Eersteklas: Met dien verstande dat die Kommissaris of 'n lid met 'n salaris gelyk aan of hoër as die minimum kerf van die skaal verbonde aan 'n pos van adjunk-kommissaris na sy goedvinde gebruik kan maak van enige treindiens wat deur die Suid-Afrikaanse Spoorweë verskaf word. Wanneer hy op amptelike diens reis en geregtig is om sy gesin op staatskoste met hom saam te neem, kan sy vrou en afhanklike kinders (met inbegrip van 'n aangenome kind), maar geen ander lede van sy huishouding nie, van dieselfde treindiens as hy gebruik maak afgesien daarvan of sy vrou en kinders deur hom vergesel word of nie. As die kinders deur geeneen van die ouers vergesel word nie, moet die koste wat uit staatsgelde ten opsigte van die kinders betaal kan word, beperk word tot wat dit sou gekos het as hulle in die eersteklas gereis het.

(ii) Indiër- of Kleurlinglede: Tweedeklas, indien beskikbaar, anders eersteklas; met dien verstande dat indien die werksaamhede van die Mag dit vereis, die Kommissaris so 'n lid kan magtig om in die eersteklas te reis ondanks die feit dat tweedeklas-akkommodasie beskikbaar is.

(3) (*a*) A member who is required to travel on official duty in the Republic or in the Territory, shall travel by train or railway bus (including a luxury railway bus if a more economical means of transport is not available) or, with due regard to the provisions of sub-regulations (1) and (5), by departmental or other government transport made available for such purpose. If he cannot travel by train, railway bus, departmental or other government transport, the member shall travel by the cheapest public transport available. No official journey shall be undertaken by aeroplane unless the approval of the Treasury has been obtained; provided that the Commissioner or a member with a salary equal to or higher than the minimum notch of the scale attaching to a post of a deputy-commissioner may, at his sole discretion, himself travel by aeroplane if the public interest will be better served thereby.

(*b*) Subject to the provisions of sub-regulation (1), official journeys to, from, between and in places outside the Republic or the Territory shall be undertaken by the cheapest public transport available, including transport by aeroplane.

(*c*) If a member is required to travel on official duty and no public or departmental or other government transport is available or the use thereof is impracticable in the particular circumstances, he shall make the best and most economical arrangements for the hire of the necessary transport.

(*d*) In an exceptional case the Commissioner may authorise a member to undertake an official journey by means of privately-owned transport if he is satisfied that the public interest will be better served thereby, whether or not it is possible to travel by means of departmental, other government, public or contract transport.

(*e*) Notwithstanding anything to the contrary contained in this sub-regulation—

(i) the Commissioner may, if he is able to certify that the public interest will be better served, use either departmental transport or his privately-owned transport for an official journey;

(ii) a member may, in his discretion, use his privately-owned motor transport for an official journey: Provided that he uses such motor transport at his own risk in so far as this is not contrary to the provisions of the Workmen's Compensation Act, 1941, as amended.

(4) A member who is required to travel on official duty by train or boat may travel in the following classes:—

(*a*) By train in the Republic, the Territory, the protectorates, Northern and Southern Rhodesia and Mozambique:—

(i) A White member: First class: Provided that the Commissioner or a member with a salary equal to or higher than the minimum notch of the scale attaching to a post of a deputy-commissioner may, in his discretion, use any train service provided by the South African Railways. If, when travelling on official duty, he is entitled to take his family with him at state expense, his wife and dependent children (including an adopted child), but no other members of his household, may use the same train service as he does, whether or not his wife and children are accompanied by him. If the children are not accompanied by either of the parents the expenditure to be met from public funds in respect of the children shall be limited to what it would have cost had they travelled first class.

(ii) Indian or Coloured members: Second class, if available, otherwise first class; provided that, should the functions of the Force so require, the Commissioner may authorise such member to travel first class notwithstanding the fact that second class accommodation is available.

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(iii) Bantoelede: Derdeklas, indien beskikbaar, anders tweedeklas; met dien verstande dat die Kommissaris, na sy goedvinde, en ondanks die feit dat derdeklas-akkommodasie beskikbaar is, lede kan magtig om in die tweedeklas of, indien slegs eerste- en derdeklas-akkomodasie beskikbaar is, in die eersteklas te reis en voorts met dien verstande dat, indien die werksaamhede van die Mag dit vereis, die Kommissaris 'n lid kan magtig om in die eersteklas te reis ondanks die feit dat tweede- of derdeklas-akkommodasie beskikbaar is.

(*b*) Per trein in ander lande of gebiede as dié wat in paragraaf (*a*) gemeld word: In die klas wat volgens die oordeel van die Kommissaris by die lid se amptelike status pas, met behoorlike inagneming van die klas waarin persone met vergelykbare status in die betrokke land of gebied reis.

(*c*) *Per boot.*—'n Blanke lid wie se jaarlikse salaris of loon, met inbegrip van pensioengewende toelaes, gelyk is aan of hoër is as die minimumkerf van die skaal verbonde aan 'n pos van senior klerk in die klerklike afdeling van die Staatsdiens—eersteklas; laer is as bedoelde minimumkerf—tweedeklas: Met dien verstande dat—

(i) indien akkommodasie in 'n klas op 'n boot in verskeie grade verdeel is, die lid van die goedkoopste akkommodasie in die voorgeskrewe klas gebruik moet maak; met dien verstande voorts dat, as die omstandighede van 'n geval dit regverdig, die Kommissaris 'n lid kan magtig om in 'n duurder graad te reis en voorts met dien verstande dat die Kommissaris, na sy goedvinde, in enige graad kan reis;

(ii) indien daar van 'n lid vir wie voorgeskryf is dat hy in die tweedeklas per boot moet reis, vereis word dat hy met 'n boot moet reis wat slegs eersteklas- en kajuitklas- of eersteklas- en toeristeklasakkommodasie beskikbaar het, sodanige lid in die kajuitklas of toeristeklas, na gelang van die geval, moet reis: Met dien verstande, voorts, dat, indien slegs eersteklas-akkommodasie beskikbaar is, die lid in die eersteklas kan reis.

(*d*) 'n Junior lid wat saam met 'n senior lid of hooggeplaaste persoon op diens reis, kan na goedvinde van die Kommissaris toegelaat word om in dieselfde klas as sodanige senior lid of persoon te reis.

(5) (*a*) Indien die Kommissaris daarvan oortuig is dat dit in belang van die Departement is, kan hy van 'n lid wie se amptelike pligte of werksaamhede dit noodsaaklik maak dat hy dikwels of gereeld reis, verlang dat hy van dié departementele of ander staatsvervoermiddel wat vir die doeltreffende verrigting van sy amptelike pligte of werksaamhede nodig geag word, gebruik moet maak.

(*b*) As 'n lid van wie daar kragtens paragraaf (*a*) van hierdie subregulasie verlang word dat hy departementele of ander staatsmotorvervoer moet bestuur, nie in besit van 'n gepaste bestuurderslisensie is nie, kan die Kommissaris hom op staatskoste van die nodige onderrig voorsien en alle eksamen- of bestuurderslisensiegelde, die koste van foto's wat op die lisensie aangebring moet word en die gelde wat vir enige geneeskundige ondersoek vereis mag word uit staatsfondse betaal.

(6) Die Kommissaris kan aan 'n lid wat kragtens die bepalings van paragraaf (*d*) of (*e*) van subregulasie (3) private vervoer gebruik vir 'n amptelike reis, die volgende betaal:—

(*a*) In die geval van motorvervoer wat kragtens die bepalings van paragraaf (*d*) of (*e*) (i) van subregulasie (3) gebruik word: Dié myl- en passasierstoelae wat die Tesourie mag voorskryf.

(*b*) In die geval van motorvervoer wat kragtens die bepalings van paragraaf (*e*) (ii) van subregulasie (3) gebruik word: 'n Bedrag gelyk aan die bedrag wat dit teen staatstarief sou gekos het as die lid en amptelike passasiers wat hom vergesel, oor die goedkoopste roete—

(i) van spoorwegorders; en

(iii) Bantu members: Third class, if available, otherwise second class; provided that the Commissioner may, in his discretion and, notwithstanding the fact that third class accommodation is available, authorise members to travel second class or, if only first and third class accommodation are available, first class, and provided further that should the functions of the Force so require, the Commissioner may authorise a member to travel first class notwithstanding the fact that second or third class accommodation is available.

(*b*) By train in countries or territories other than those mentioned in paragraph (*a*): In the class considered by the Commissioner to be in keeping with the member's status, with due regard to the class in which persons with a comparable status travel in the country or territory concerned.

(*e*) *By Boat.*—A White member whose annual salary or wage, inclusive of pensionable allowances, is equal to or higher than the minimum notch of the scale attached to a post of senior clerk in the clerical division of the Public Service—first class; is lower than such minimum notch—second class: Provided that—

(i) if accommodation in a class on a boat is divided into various grades, the member shall use the cheapest accommodation in the class prescribed: Provided further that if it is justified by the circumstances of a case, the Commissioner may authorise a member to travel in a more expensive grade, and provided further that the Commissioner may, at his discretion, travel in any grade;

(ii) if a member for whom second class travel by boat is prescribed, is required to travel by a boat which has only first class and cabin-class or first class and tourist class accommodation available, such member shall travel cabin-class or tourist-class, as the case may be: Provided further that if only first class accommodation is available, the member may travel first class.

(*d*) A junior member travelling on duty with a senior member or high-ranking personage may be permitted, in the discretion of the Commissioner, to travel in the same class as such senior member or personage.

(5) (*a*) If the Commissioner is satisfied that it will be in the interest of the Department, he may require a member whose official duties or functions necessitate frequent or regular travelling, to utilise such departmental or other government-owned transport as may deemed necessary for the efficient performance of his official duties or functions.

(*b*) If a member who is required in terms of paragraph (*a*) of this sub-regulation to drive departmental or other government-owned transport, is not in possession of an appropriate driver's licence, the Commissioner may provide him with the necessary tuition at state expense and may pay from public funds all examination and driver's licence fees, the cost of photographs which must be affixed to the licence and the fee for any medical examination that may be required.

(6) The Commissioner may pay the following to a member who, in terms of paragraph (*d*) or (*e*) of sub-regulation (3), uses privately-owned transport for an official journey:—

(*a*) In the case of motor transport utilised in terms of paragraph (*d*) or (*e*) (i) of sub-regulation (3): Such mileage and passenger allowances as may be prescribed by the Treasury.

(*b*) In the case of motor transport utilised in terms of paragraph (*e*) (ii) of sub-regulation (3): An amount equal to the amount it would have cost, at government rates, had the member and any official passengers accompanying him, used, over the cheapest route—

(i) rail warrants; and

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(ii) van ander openbare vervoermiddels gebruik gemaak het: Met dien verstande dat uitgawes aan kruiersloon by spoorwegstasies en ander toevallige vervoerdienste by die toepassing van hierdie paragraaf buite rekening gelaat moet word.

(*c*) In die geval van ander vervoer as motorvervoer: Dié toelaes wat die Tesourie, op aanbeveling van die Staatsdienskommisssie, mag goedkeur.

(7) (*a*) Ondanks andersluidende bepalings in hierdie regulasie, kan die Tesourie, op aanbeveling van die taatsdienskommissie, dit goedkeur dat die Kommissaris 'n vervoertoelae op 'n vaste grondslag aan 'n lid betaal.

(*b*) Die betaling aan 'n lid van 'n vaste vervoertoelae kragtens paragraaf (*a*) van hierdie subregulasie word gedurende die tydperke hieronder gemeld, voortgesit terwyl hy met verlof is of pligte verrig waarby die gebruik van vervoer nie noodsaaklik is nie:—

(i) In die geval van motorvervoer; 'n Totaal van veertien dae gedurende 'n jaar eindigende op 31 Desember.

(ii) In die geval van ander vervoer as dié in subparagraaf (i) bedoel: Enige tydperk ten opsigte waarvan die vervoer tot die beskikking van die Staat gestel word, afgesien daarvan of dit vir amptelike diens gebruik word al dan nie.

(8) Die Kommissaris kan aan 'n lid van wie daar vereis word om, vir die verrigting van sy amptelike pligte of werksaamhede, in 'n kamp te woon, kosteloos vervoer tussen die naaste spoorwegstasie of winkel en sodanige kamp vir sy persoonlike benodighede, met inbegrip van voedselvoorrade, toestaan mits die goedkoopste vervoerreëlings getref word.

(9) Aansoeke om die terugbetaling van dié vervoeruitgawes wat kragtens die bepalings van hierdie regulasie betaal kan word, uitgesonderd vaste vervoertoelaes, moet op die voorgeskrewe vorm gedoen word.

(10) Indien die werksaamhede van die Mag dit vereis, kan die Kommissaris, met die goedkeuring van die Tesourie, kosteloos vervoer aan 'n lid na en van sy werkplek verskaf.

(11) Indien daar omstandighede ontstaan wat 'n afwyking van die bepalings van hierdie regulasie regverdig, kan die Kommissaris amptelike reise op dié wyse of met dié vervoermiddels of teen betaling van dié vergoeding, uitgawes of toelaes goedkeur wat die Tesourie mag magtig of die Staatsdienskommissie mag aanbeveel.

VERPLASINGSKOSTE EN VERVOERFASILITEITE BY INDIENSNEMING IN DIE MAG, VIR SESSIEAMPTENARE EN BY DIENSBEËINDIGING EN AFSTERWE.

24. (1) (*a*) Behoudens die bepalings van hierdie regulasie, kan die huishouding en persoonlike besittings van 'n lid wat ingevolge die bepalings van subregulasie (4) van regulasie 4 verplaas word, op staatskoste van die een hoofkwartier na 'n ander binne die Republiek en die Gebied vervoer word.

(*b*) Indien 'n lid op eie versoek verplaas word, mag geen uitgawe in verband daarmee uit staatsfondse bestry word nie, en enige afwesigheid van diens as gevolg van sodanige verplasing moet deur die toestaan van afwesigheidsverlof ooreenkomstig regulasies 38 tot en met 57 gedek word: Met dien verstande dat die bepalings van hierdie paragraaf nie op 'n lid van toepassing is nie as die Kommissaris daarvan oortuig is dat sodanige verplasing—

(i) in die belang van die Departement is; of

(ii) noodsaaklik is vanweë die gesondheidstoestand van die lid of van sy vrou of kind, met inbegrip van 'n aangenome kind, en in so 'n geval kan die Kommissaris, na sy goedvinde, vereis dat 'n stawende geneeskundige sertifikaat ingedien word.

(2) Indien 'n lid kragtens die bepalings van paragraaf (*a*) van subregulasie (1) verplaas word, word hy geag op amptelike diens te reis en kan aan hom—

(*a*) die voorregte voorgeskryf in hierdie regulasie en in regulasie 23, toegestaan word: Met dien verstande dat, vir die toepassing van paragraaf (*b*) van subregulasie (6) van regulasie 23, lede van sy huishouding geag kan word amptelike passasiers te wees;

(ii) other public transport:

Provided that expenditure on porterage at railway stations and other incidental transport services shall not be taken into account for the purpose of this paragraph.

(*c*) In the case of transport other than motor transport: Such allowances as the Treasury may approve on the recommendation of the Public Service Commission.

(7) (*a*) Notwithstanding anything to the contrary contained in this regulation, the Treasury may, on the recommendation of the Public Service Commission, approve of the Commissioner paying a transport allowance on a fixed basis to a member.

(*b*) The payment to a member of a fixed transport allowance in terms of paragraph (*a*) of this regulation shall, whilst he is on leave or performing duties not necessitating the use of transport, be continued during the periods indicated hereunder:—

(i) In the case of motor transport: Fourteen days in the aggregate during a year ending on the 31st December.

(ii) In the case of transport other than that referred to in sub-paragraph (1): Any period in respect of which the transport is placed at the disposal of the State, irrespective of whether or not it is used for official purposes.

(8) To a member who, for the purpose of carrying out his official duties or functions, is required to live in a camp, the Commissioner may grant free conveyance between the nearest railway station or trading store and such camp for his personal requirements, including provisions, provided the most economical transport arrangemants are made.

(9) Applications for the refund of those transport expenses which may be paid in terms of this regulation, excluding fixed transport allowances, shall be made on the prescribed form.

(10) If the functions of the Force so require, the Commissioner may, on approval by the Treasury, provide free transport to a member to and from his place of work.

(11) Should circumstances arise which justify a departure from the provisions of this regulation, the Commissioner may grant approval for official travelling by such manner or such means or on payment of such compensation, expenses or allowances as the Treasury may authorise or the Public Service Commission may recommend.

TRANSFER EXPENSES AND TRANSPORT FACILITIES ON ENROLMENT IN THE FORCE, FOR SESSION OFFICIALS AND ON TERMINATION OF SERVICES AND DEATH.

24. (1) (*a*) Subject to the provisions of this regulation, the household and personal effects of a member who is transferred in terms of sub-regulation (4) of regulation 4, may be removed at public expense from one headquarters to another within the Republic and the Territory.

(*b*) If a member is transferred at his own request no expenses in connection therewith shall be met from public funds, and any absence from duty as a result of such transfer shall be covered by the granting of leave in terms of regulations 38 to 57, inclusive; provided that the provisions of this paragraph shall not apply to a member if the Commissioner is satisfied that such transfer—

(i) is in the interests of the Department; or

(ii) is necessary because of a member's state of health or that of his wife or child, including an adopted child, in which case the Commissioner may, at his discretion, require the submission of a supporting medical certificate.

(2) If a member is transferred in terms of paragraph (*a*) of sub-regulation (1), he shall be regarded as travelling on official duty and may be—

(*a*) granted the privileges prescribed in this regulation and in regulation 23: Provided that, for the purposes of paragraph (*b*) of sub-regulation (6) of regulation 23, members of his household may be deemed to be official passengers;

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(*b*) 'n verblyftoelae kragtens die bepalings van regulasie 22 betaal word.

(3) Onderstaande voorwaardes is van toepassing op die vervoer, van die eën hoofkwartier na 'n ander, van die huishouding en persoonlike besittings van 'n lid wat kragtens die bepalings van paragraaf (*a*) van subregulasie (1) verplaas word:—

(*a*) Die Kommissaris kan aan die lid 'n verblyftoelae teen die volle tarief wat op hom van toepassing is, ten opsigte van elke lid van sy huishouding wat twaalf jaar oud of ouer is en teen die helfte van sodanige tarief ten opsigte van elke ander lid van sy huishouding, betaal vir die tydperke wat die reis van die een hoofkwartier na 'n ander noodwendig in beslag neem; met dien verstande dat geen verblyftoelae in die geval van 'n bediende betaalbaar is nie, ten opsigte van wie slegs dié redelike bestaansuitgawes terugbetaal kan word wat werklik en noodwendig aangegaan is.

(*b*) (i) 'n Lid van die huishouding, uitgesonderd 'n bediende, kan in dieselfde klas op die spoorweë reis as dié waarin die lid reis.

(ii) 'n Blanke, Indiër- of Kleurlingbediende kan in die die tweedeklas, indien beskikbaar, anders in die eersteklas, en 'n Bantoebediende in die derdeklas, indien beskikbaar, anders in die tweedeklas op die spoorweë reis: Met dien verstande dat 'n kinderoppasser wat toesig oor 'n suigeling moet hou, in dieselfde klas as die lid se huishouding kan reis.

(*c*) (i) Oorgewigbagasie tot hoogstens 450 lb. bruto gewig kan per passasierstrein vervoer word.

(ii) Persoonlike besittings tot hoogstens 14,000 lb. bruto gewig kan met 'n goederetrein of die padmotordiens van die Suid-Afrikaanse Spoorweë of 'n ander openbare vervoermiddel of departementele of ander staatsvervoermiddel van die een hoofkwartier na 'n ander en van die woning na die spoorwegstasie, en omgekeerd, en na en van 'n pakhuis, as opberging van die persoonlike besittings kragtens die bepalings van paragraaf (*e*) gemagtig is, vervoer word: Met dien verstande dat as vervoer met een van gemelde vervoermiddels nie moontlik of doenlik is nie, of duurder is, die Kommissaris na sy goedvinde kan goedkeur dat 'n ander vervoermiddel gebruik word. Die voorgeskrewe gewig sluit die gewig van voertuie in maar nie die gewig van 'n dier wat vir amptelike doeleindes aangehou word nie; so 'n dier kan, benewens die voorsiening wat vir persoonlike besittings gemaak word, op staatskoste vervoer word.

(*d*) Die verpakkingskoste (wat inbegrip van die koste van verpakkingsmateriaal) en uitpakkingskoste van persoonlike besittings binne die voorgeskrewe gewigsbeperking kan uit staatsfondse bestry word.

(*e*) In 'n uitsonderlike geval kan die Kommissaris dit goedkeur dat 'n lid se persoonlike besittings, binne die voorgeskrewe gewigsbeperking, vir 'n tydperk van hoogstens ses kalendermaande op staatskoste opgeberg word by òf sy ou òf sy nuwe hoofkwartier.

(*f*) Behoudens dié beperkings en voorwaardes wat die Tesourie mag goedkeur, kan die volgende uitgawes uit staatsgelde bestry word:—

(i) Die koste om persoonlike besittings wat onderweg beskadig is, te herstel of te vervang;

(ii) die koste om elektriese huishoudelike toestelle te diskonnekteer, te herkonnekteer en aan te pas;

(iii) die koste verbonde aan die aankoop van noodsaaklike skoolboeke vir 'n kind of ander afhanklike.

(*g*) As 'n lid wat 'n huis of woonstel wat hy self ten volle of gedeeltelik gemeubileer het, by of in die omgewing van die hoofkwartier waarvandaan hy verplaas word, bewoon het, sy persoonlike besittings, met inbegrip van sy meubels, opberg of dit na 'n huis of woonstel by of in die omgewing van die hoofkwartier waarheen hy verplaas word, vervoer, kan die Kommissaris aan hom 'n bedrag

(*b*) paid a subsistance allowance in terms of regulation 22.

(3) The following conditions shall be applicable to the removal, from one headquarters to another, of the household and personal effects of a member transferred in terms of paragraph (*a*) of sub-regulation (1):—

(*a*) The Commissioner may pay to the member a subsistance allowance at the full rate applicable to such member, in respect of every member of his household who is twelve years of age or older, and at half such rate in respect of every other member of his household, for the periods necessarily spent in travelling from one headquarters to another; provided that no allowance shall be payable in the case of a servant, in respect of whom only reasonable living expenses actually and necessarily incurred, may be refunded.

(*b*) (i) A member of the household, excluding a servant, may travel in the same class on the railways as that in which the member travels.

(ii) A White, Indian or Coloured servant may travel second-class, if available, otherwise first class, and a Bantu servant may travel third-class, if available, otherwise second-class on the railways: Provided that a nursemaid in charge of a baby in arms, may travel in the same class as the member's household.

(*c*) (i) Excess luggage not exceeding 450 lb. in weight (gross) may be conveyed by passenger train.

(ii) Personal effects not exceeding 14,000 lb. in weight (gross) may be conveyed by goods train or the road motor service of the South African Railways or other public conveyance or departmental or other government-owned transport from one headquarters to another and from the dwelling to the railway station and *vice versa*, and to and from a warehouse if the storage of the personal effects is authorised in terms of paragraph (*e*): Provided that if conveyance by one of the said means of transport is impossible or impracticable or more expensive, the Commissioner may, in his discretion, approve the use of any other means of transport. The prescribed weight includes the weight of vehicles but not the weight of any animal kept for official purposes; such animal may, in addition to the provision made for personal effects, be conveyed at state expense.

(*d*) The cost of packing (including the cost of packing material) and unpacking personal effects within the prescribed weight limit may be met from public funds.

(*e*) In an exceptional case the Commissioner may approve that a member's personal effects, within the prescribed weight limit, be stored at state expense for a period not exceeding six calendar months at either his old or his new headquarters.

(*f*) Subject to such limitations and conditions as may be approved by the Treasury, the following expenses may be met from public funds:—

(i) The cost of repairing or replacing personal effects damaged in transit;

(ii) the cost of disconnecting, reconnecting and adapting electrical domestic appliances;

(iii) the cost involved in purchasing essential school books for a child or other dependant.

(*g*) If a member who occupied a house or flat which house or flat was at or in the vicinity of the headquarters from which he is transferred, wholly or partly furnished by himself, stores his personal effects, including his furniture, or removes such effects to a house or flat at or in the vicinity of the headquarters to which he is transferred, the Com-

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van R50 betaal ten opsigte van die waardevermindering van sy persoonlike besittings en ter bestryding van die uitgawes uitgesonderd dié waarvoor elders in hierdie regulasies voorsiening gemaak word wat uit sy verplasing voortspruit: Met dien verstande dat die Kommissaris, na sy goedvinde, kan goedkeur dat 'n kleinere bedrag betaal word indien die omstandighede na sy mening nie die betaling van 'n bedrag van R50 regverdig nie.

(4) Die Kommissaris kan aan 'n lid wat kragtens paragraaf (*a*) van subregulasie (1) verplaas is, die volgende terugbetaal: —

(*a*) Die bedrag wat werklik en noodwendig aan huur of losies en huisvesting en bediendeloon by die oorspronklike hoofkwartier uitgegee en verbeur is weens kort kennisgewing van verplasing, mits daar terselfdertyd ook uitgawes aan huur of losies en huisvesting en bediendeloon by die hoofkwartier waarheen die lid verplaas is, aangegaan word.

(*b*) Die bedrag wat werklik en noodwendig aan losies en huisvesting of hotelakkommodasie by die oorspronklike hoofkwartier vir 'n tydperk van hoogsteens sewe dae uitgegee is omdat die lid verplig was om in 'n losieshuis of hotel tuis te gaan terwyl sy meubels en persoonlike besittings ingepak of na die nuwe hoofkwartier vervoer moes word.

(*c*) Die bedrag wat werklik en noodwendig aan losies en huisvesting of hotelakkommodasie by die nuwe hoofkwartier vir 'n tydperk van hoogstens sewe dae uitgegee is omdat die lid verplig was om in 'n losieshuis of hotel tuis te gaan terwyl sy meubels en persoonlike besittings uitgepak of van die ou hoofkwartier vervoer moes word of terwyl hy op soek na 'n huis of woonstel was.

(*d*) (i) Die verskil tussen die gewone bestaansuitgawes aan huur, belastings, water, ligte, brandstof, voedsel en bediendeloon en die buitengewone uitgawes werklik en noodwendig deur so 'n lid by sy nuwe hoofkwartier aangegaan omdat hy verplig was om vir 'n tydperk van langer as sewe dae in 'n losieshuis of hotel tuis te gaan terwyl sy meubels en persoonlike besittings uitgepak of van die ou hoofkwartier vervoer moes word of terwyl hy op soek na 'n huis of woonstel was: Met dien verstande dat geen eis vir buitengewone bestaansuitgawes ten opsigte van 'n tydperk van langer as twee kalendermaande oorweeg kan word nie.

(ii) Eise om die terugbetaling van buitengewone bestaansuitgawes moet skriftelik op die voorgeskrewe vorm ingedien word.

(*e*) Uitgawes wat noodwendig as gevolg van sy verplasing aangegaan is in verband met die herregistrasie van een private motorvoertuig.

(*f*) Uitgawes wat noodwendig as gevolg van sy verplasing aangegaan is in verband met die vervanging van nommerplate ten opsigte van een private motorvoertuig: Met dien verstande dat die maksimum bedrag R2 per stel nommerplate is.

(*g*) Telefoonhuur op 'n *pro rata* grondslag ten opsigte van die tydperk waarvoor hy, as gevolg van sy verplasing, nie die telefoon kon gebruik nie: Met dien verstande dat telefoonhuur wat deur die Telefoondiens terugbetaalbaar is, nie terugbetaal kan word nie.

(5) (*a*) Skriftelike tenders vir die verpakking en uitpakking en op- en aflaai van persoonlike besittings moet van geskikte firmas of ondernemings verkry word, en die laagste tender moet aanvaar word: Met dien verstande dat die Kommissaris magtiging vir die aanname van 'n hoër tender kan verleen as hy daarvan oortuig is dat daar voldoende redes vir die verwerping van die laagste tender bestaan.

(*b*) Verpakkingsmateriaal waarvoor daar uit staatsfondse betaal is, moet, tensy die Departement dit vir latere gebruik nodig het, per openbare veiling of aan die betrokke lid of 'n ander persoon verkoop word teen 'n prys wat die Kommissaris bepaal.

missioner may pay him an amount of R50 in respect of the depreciation of his personal effects and to meet the expenses arising from his transfer, other than those for which provision is made elsewhere in these regulations: Provided that the Commissioner may, at his discretion, approve the payment of a smaller amount if, in his opinion, the circumstances do not justify the payment of an amount of R50.

(4) The Commissioner may refund the following to a member transferred in terms of paragraph (*a*) of subregulation (1): —

(*a*) The amount actually and necessarily spent on rent or board and lodging and servants' wages at the original headquarters and forfeited in consequence of short notice of transfer, provided expenditure on rent or board and lodging and servants' wages is at the same time incurred at the headquarters to which the member is transferred.

(*b*) The amount actually and necessarily spent on board and lodging or hotel accommodation at the original headquarters for a period not exceeding seven days because the member was compelled to reside at a boarding-house or hotel while his furniture and personal effects were being packed or conveyed to his new headquarters.

(*c*) The amount actually and necessarily spent on board and lodging or hotel accommodation at the new headquarters for a period not exceeding seven days because the member was compelled to reside in a boarding-house or hotel while his furniture and personal effects were being unpacked or conveyed from the old headquarters or while he was in search of a house or flat.

(*d*) (i) The difference between normal living expenses on rent, rates, water, light, fuel, food and servants' wages and the abnormal expenses actually and necessarily incurred by the member at his new headquarters because he was compelled to reside in a boarding house or hotel for a period of longer than seven days while his furniture and personal effects were being unpacked or conveyed from the old headquarters or while he was in search of a house or flat: Provided that no claim for abnormal living expenses shall be entertained in respect of a period in excess of two calendar months.

(ii) Claims for the refund of abnormal living expenses shall be submitted in writing on the prescribed form.

(*e*) Expenses necessarily incurred, as a result of his transfer, in connection with the registration of one privately-owned motor vehicle.

(*f*) Expenses necessarily incurred, as a result of his transfer, in connection with the replacement of number plates in respect of one privately-owned motor vehicle: Provided that the maximum amount is R2 per set of number plates.

(*g*) Telephone rental on a *pro rata* basis in respect of the period during which he was unable to use the telephone as a result of his transfer: Provided that telephone rental which is repayable by the Telephone Services may not be refunded.

(5) (*a*) Written tenders for packing and unpacking and loading and unloading personal effects shall be obtained from suitable firms or undertakings, and the lowest tender shall be accepted: Provided that the Commissioner may authorise the acceptance of a higher tender if he is satisfied that there are adequate reasons for the rejection of the lowest tender.

(*b*) Packing material paid for from public funds shall, unless the Department requires it for subsequent use, be sold by public auction or to the member concerned or to another person at a price determined by the Commissioner.

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(*c*) Die vervoer van 'n motorvoertuig op staatskoste is onderworpe aan die voorwaardes dat—

(i) die Staat geen aanspreeklikheid vir die verlies of beskadiging van die motorvoertuig tydens die vervoer daarvan aanvaar nie; en

(ii) dit per goederetrein vervoer word teen 'n tarief wat deur die Tesourie goedgekeur is.

(6) Die voordele voorgeskryf in subregulasies (3) en (4), is slegs van toepassing as die lid sy huishouding en persoonlike besittings oorplaas binne twee kalendermaande vanaf die datum waarop sy verplasing van krag word, tensy hy toestemming van die Kommissaris verkry het om die oorplasing van sy huishouding of persoonlike besittings uit te stel.

(7) (*a*) In die geval van 'n applikant wie se aansoek om indiensneming of herindiensneming in die Mag goedgekeur is en wat aangesê is om diens te aanvaar by 'n polisiestasie of -kantoor wat as sy hoofkwartier aangewys word of om hom by 'n polisiestasie of -kantoor of 'n opleidingsinrigting of -sentrum aan te meld vir indiensneming of opleiding, kan die Kommissaris dit goedkeur dat so 'n applikant en sy persoonlike bagasie op dié voorwaardes betreffende vervoermiddels en reisklasse wat ooreenstem met die voorwaardes wat vir lede in regulasie 23 voorgeskryf is, gratis vervoer word van die plek in die Republiek of die Gebied waar hy woonagtig is of gewerf is of, indien hy nie in die Republiek of die Gebied gewerf is nie, van enige spoorwegstasie in die Republiek of die Gebied tot by die plek waar hy aangesê is om diens te aanvaar of om hom vir indiensneming of opleiding aan te meld. Vir die toepassing van hierdie subregulasie omvat „vervoer" ook vervoer per departementele vervoermiddel op sowel die plek in die Republiek of die Gebied waar hy woonagtig is of gewerf word as die plek waar hy diens moet aanvaar of hom vir indiensneming of opleiding moet aanmeld of, indien departementele vervoer nie beskikbaar is nie, vervoer per huurmotor tussen die woonplek en die op- of afklimpunt van die openbare vervoermiddel waarmee die reis onderneem word.

(*b*) Indien 'n student kragtens die bepalings van paragrawe (*a*), (*b*), (*c*), (*d*) of (*f*) van subregulasie (1) van regulasie 15 uit die Mag ontslaan word of indien iemand soos bedoel in paragraaf (*a*) van hierdie subregulasie, by sy aankoms by so 'n polisiestasie, -kantoor, opleidingsinrigting of -sentrum vir indiensneming afgekeur word, word die bepalings van paragraaf (*a*) van hierdie subregulasie *mutatis mutandis* toegepas ten opsigte van sy vervoer terug na die plek in die Republiek of die Gebied waar hy woonagtig is of vanwaar hy gekom het om in die Mag in diens geneem te word.

(*c*) Met die goedkeuring van die Kommissaris en behoudens die bepalings van subparagraaf (*d*), kan die huishouding en persoonlike besittings van 'n persoon in subparagraaf (*a*) bedoel, sodra hy in die Mag in diens geneem is en die hoofkwartier waar hy diens moet aanvaar of waar hy by voltooiing van sy opleiding diens moet aanvaar, aangewys is, op staatskoste vanaf die plek waar hy tydens sy indiensneming woonagtig is of, indien hy nie in die Republiek of die Gebied woonagtig is nie, vanaf enige spoorwegstasie in die Republiek of die Gebied tot by sodanige hoofkwartier vervoer word op die grondslag wat in paragraaf (a) van subregulasie (1), paragrawe (*b*), (*c*) en (*d*) van subregulasie (3) en subregulasies (5) en (6) voorgeskryf word vir 'n lid wat verplaas is.

(*d*) Indien 'n lid wie se huishouding en persoonlike besittings kragtens die bepalings van paragraaf (*c*) vervoer is, binne ses kalendermaande vanaf die datum van sy diensaanvaarding bedank of as gevolg van onbevredigende diens of wangedrag afgedank of ontslaan word, moet hy die koste terugbetaal wat ten opsigte van sy huishouding en persoonlike besittings aangegaan is: Met dien verstande dat, vir sover dit die vervoerkoste van sy huishouding en persoonlike besittings vanaf De Aar na sy bestemming betref, die bepalings van hierdie paragraaf nie van toepassing is nie op 'n persoon wat voor sy indiensneming buite die Gebied gewoon het en vir wie 'n hoofkwartier na indiensneming, in genoemde Gebied aangewys is.

(*c*) The conveyance of a motor-vehicle at state expense is subject to the conditions that—

(i) the State accepts no liability for the loss of or damage to a motor-vehicle while it is being conveyed; and

(ii) it is conveyed by goods train at a rate approved by the Treasury.

(6) The benefits prescribed in sub-regulations (3) and (4) shall apply only if the member transfers his household and personal effects within two calendar months from the date on which his transfer takes effect, unless he has obtained permission from the Commission to defer the removal of his household and personal effects.

(7) (*a*) In the case of an applicant whose application for enlistment or re-enlistment in the Force has been approved and who has been instructed to assume duty at a police station or office indicated as his headquarters or to report at a police station or office or training institution or centre for enlistment or training, the Commissioner may approve that, subject to such conditions regarding the means of transport and classes of travel as are in agreement with those prescribed in regulation 23 for members, such applicant and his personal luggage be conveyed free of charge from the place in the Republic or the Territory where he resides or is recruited or, if he is not recruited in the Republic or the Territory, from any railway station in the Republic or the Territory to the place where he is instructed to assume duty or to report for inlistment or training. For the purpose of this sub-regulation "convey" includes conveyance by departmental transport at the place in the Republic or the Territory where he resides or is recruited as well as at the place where he has to assume duty or report for enlistment or training, or, if departmental transport is not available, conveyance by taxi between the residence and the point of boarding or alighting from the public conveyance with which the journey is undertaken.

(*b*) If a student is discharged from the Force in terms of paragraphs (*a*), (*b*), (*c*), (*d*) or (*f*) of sub-regulation (1) of regulation 15 or if a person referred to in paragraph (*a*) of this sub-regulation, upon his arrival at such a police station, office, training institution or centre, is rejected for enlistment the provisions of paragraph (*a*) of this sub-regulation shall *mutatis mutandis* apply in respect of his conveyance back to the place in the Republic or the Territory where he is resident or whence he came for enlistment in the Force.

(*c*) With the approval of the Commissioner and subject to the provisions of sub-paragraph (*d*), the household and personal effects of a person referred to in sub-paragraph (*a*) may, as soon as he has been enrolled in the Force and the headquarters where he has to assume duty or where he has to assume duty on completion of his training, has been assigned, be conveyed at public expense from the place where he resides at the time of enrolment or, if he is not residing in the Republic or the Territory, from any railway station in the Republic or the Territory, to such headquarters on the basis laid down in paragraph (*a*) of sub-regulation (1), paragraphs (*b*), (*c*) and (*d*) of sub-regulation (3) and sub-regulations (5) and (6) for a transferred member.

(*d*) If a member whose household and personal effects have been conveyed in terms of paragraph (*c*), resigns or is discharged or dismissed within six calendar months from the date of assumption of duty as a result of unsatisfactory service or misconduct, he shall refund the expenditure incurred in respect of his household and personal effects: Provided that the provisions of this paragraph shall not, in so far as it concerns the transport expenses of his household and personal effects from De Aar to his destination apply to a person who, prior to enrolment, resided outside the Territory and to whom headquarters were assigned in the said Territory after his enrolment.

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25. (1) Behoudens die bepalings van subregulasie (2), kan 'n sessie-amptenaar, sy huishouding en sy oorgewigbagasie per spoor op staatskoste vervoer word op die grondslag soos voorgeskryf vir 'n lid wat verplaas is. 'n Sessie-amptenaar kan ook toegelaat word om een private motorkar of motorfiets en fietse (insluitende driewiele) na en van Kaapstad per spoor op staatskoste te vervoer op die voorwaardes wat die Tesourie goedkeur.

(2) Die bepalings van paragraaf (*e*) (ii) van subregulasie (3) van regulasie 23 is *mutatis mutandis* op 'n sessie-amptenaar wat in subregulasie (1) bedoel word, van toepassing mits sowel die heen- as die terugreis per motor afgelê word met dien verstande dat lede van sodanige sessie-amptenaar se huishouding geag mag word amptelike passasiers te wees vir die toepassing van paragraaf (*b*) van subregulasie (6) van regulasie 23.

26. (1) In gevalle waar 'n lid weens bereiking van die ouderdomsgrens aftree of sy dienste beëindig word as gevolg van bedanking of ontslag weens—

(*a*) swak gesondheid, wat nie aan sy eie toedoen te wyte is nie, of afnemende kragte;

(*b*) die bereiking van pensioenleeftyd of 'n hoë ouderdom;

(*c*) oortolligheid, die afskaffing van sy pos of reorganisasie;

kan hy, sy huishouding en persoonlike besittings, behoudens die bepalings van subregulasie (2), op staatskoste vervoer word na 'n plek in die Republiek of die Gebied waar hy wil woon.

(2) Behoudens die voorwaardes en beperkings soos in hierdie regulasie en in subregulasies (1) tot (6) van regulasie 24 voorgeskryf, kan ondergenoemde uitgawes ten opsigte van die vervoer van so 'n lid, sy huishouding en persoonlike besittings uit staatsfondse betaal word mits dit nie vroeër as 90 dae voor en nie later as 90 dae na 'n lid se laaste dag van diens aangegaan is nie:—

(*a*) Die koste verbonde aan die vervoer van sy persoon, sy huishouding en oorgewigbagasie van sy tuiste af na die plek waar hy wil gaan woon; en

(*b*) koste verbonde aan die verpakking en vervoer van sy persoonlike besittings van sy tuiste of 'n opbergingsplek af na die plek waar hy wil gaan woon of na 'n opbergingsplek op of in die nabyheid van sodanige plek; met dien verstande dat, indien die persoonlike besittings na 'n opbergingsplek vervoer word, geen uitgawe uit staatsfondse aangegaan mag word om dit later daarvandaan na sy woonplek te vervoer nie.

(3) Die bepalings van paragraaf (*e*) (ii) van subregulasie (3) van regulasie 23 is *mutatis mutandis* op 'n lid soos in subregulasie (1) bedoel of op sy huishouding van toepassing; met dien verstande dat lede van die huishouding van sodanige lid vir die toepassing van paragraaf (*b*) van subregulasie (6) van regulasie 23 geag kan word amptelike passasiers te wees.

(4) In buitengewone gevalle kan die Kommissaris, na sy goedvinde, dit goedkeur dat die voorregte wat by subregulasies (1), (2) en (3) verleen word, vir 'n tydperk van langer as 90 dae na die lid se laaste dag van diens verleng word.

(5) Aan 'n lid wat by bereiking van pensioenleeftyd aftree en wat, sonder onderbreking van sy diens, weer in 'n tydelike hoedanigheid in die Mag in diens geneem word, kan die voorregte voorgeskryf by en kragtens hierdie regulasie, verleen word wanneer sy dienste uiteindelik beëindig word of wanneer hy as sodanige tydelike werknemer bedank.

(6) Die bepalings van subregulasies (1) tot (4) is nie van toepassing nie—

(*a*) indien 'n lid se dienste in die Mag beëindig word vanweë—

(i) sy bedanking, met inbegrip van ontslag by wyse van uitkoping;

25. (1) Subject to the provisions of sub-regulation (2), a session official, his household and excess luggage may be conveyed by rail at public expense on the basis prescribed for a transferred member. A session official may also be permitted to rail one privately-owned motor-car or motorcycle and bicycles (including tricycles) to and from Cape Town at public expense on such conditions as the Treasury may approve.

(2) The provisions of paragraph (*e*) (ii) of sub-regulation (3) of regulation 23 shall *mutatis mutandis* be applicable to a session official referred to in sub-regulation (1) on condition that both the forward and the return journey are undertaken by motor-car; provided that members of such session official's household may be regarded as official passengers for the purposes of paragraph (*b*) of sub-regulation (6) of regulation 23.

26. (1) In cases where a member retires on account of superannuation or his services are terminated as a result of resignation or discharge owing to—

(*a*) ill-health, not occasioned by any fault of his own, or failing strength;

(*b*) his having reached pensionable age or an advanced age;

(*c*) redundancy, the abolition of his post or re-organisation;

transport for himself, his household and personal effects to any place in the Republic or the Territory where he wishes to reside, may be provided at public expense subject to the provisions of sub-regulation (2).

(2) Subject to the conditions and limitations prescribed in this regulation and in sub-regulations (1) to (6) of regulation 24, the following expenses in respect of the conveyance of such member, his household and personal effects may be paid from public funds provided they are incurred not earlier than 90 days prior to and not later than 90 days subsequent to a member's last day of service—

(*a*) the cost of conveying his person, household and excess luggage from his place of residence to the place where he wishes to reside; and

(*b*) the cost of packing and conveying his personal effects from his place of residence or a warehouse to the place where he wishes to reside or to a warehouse at or in the vicinity of such place; provided that if the personal effects are conveyed to a warehouse, no expenditure from public funds shall be incurred for the subsequent removal of such effects to his place of residence.

(3) The provisions of paragraph (*e*) (ii) of sub-regulation (3) of regulation 23 shall *mutatis mutandis* apply to a member referred to in sub-regulation (1) or to his household; provided that members of the household of such member may be regarded as official passengers for the purposes of paragraph (*b*) of sub-regulation (6) of regulation 23.

(4) In exceptional cases the Commissioner may in his discretion approve that the privileges granted under sub-regulations (1), (2) and (3), be extended for a period beyond 90 days from the member's last day of service.

(5) A member who has retired on attaining the pensionable age and who, without a break in his service, is re-employed in a temporary capacity in the Force, may be granted the privileges prescribed by and in terms of this regulation when his services are finally terminated or when he resigns as such temporary employee.

(6) The provisions of sub-regulations (1) to (4) are not applicable—

(*a*) if a member's services in the Force are terminated on account of—

(i) his resignation, including discharge by way of purchase;

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(ii) sy ontslag as gevolg van wangedrag;
(iii) die feit dat hy gedros het; of
(iv) sy ontslag weens swak gesondheid wat deur sy eie toedoen veroorsaak is;

(*b*) in die geval van vervoer tussen plekke wat in dieselfde of aangrensende munisipaliteite of minder as twintig myl van mekaar af geleë is, tensy 'n lid onmiddellik voor sy diensbeëindiging of afsterwe amptelike kwartiere bewoon het wat ontruim moet word, en in so 'n geval is die beperking wat by hierdie paragraaf opgelê word, nie van toepassing nie.

(7) Die huishouding en persoonlike besittings van 'n lid, of iemand soos bedoel in subregulasie (5), wat te sterwe kom terwyl hy nog in die diens van die Mag is, kan, behoudens die bepalings van subregulasies (1) tot (4), wat *mutatis mutandis* op sodanige vervoer van toepassing is, op staatskoste na enige plek in die Republiek of in die Gebied vervoer word.

27. Indien daar omstandighede ontstaan wat 'n afwyking van die bepalings van regulasie 24, 25 of 26 regverdig, kan die Tesourie dié vorwaardes betreffende die verplasingskoste en vervoervoorregte van persone by indiensneming, van sessie-amptenare en van lede by hul diensbeëindiging of afsterwe goedkeur wat die Kommissaris mag aanbeveel.

GENEESKUNDIGE ONDERSOEK, REKORDS EN RADE.

28. (1) 'n Geneeskundige staat op die voorgeskrewe vorm moet ten opsigte van elke lid in stand gehou word.

(2) Die Kommissaris of 'n lid aan wie hy sy bevoegdheid kragtens hierdie regulasie gedelegeer het, kan te eniger tyd gelas dat 'n lid—

(*a*) wat beweer of van wie vermoed word dat hy aan 'n ongesteldheid, swak gesondheid, siekte of besering ly, hom onderwerp aan 'n ondersoek op staatskoste in 'n militêre of ander hospitaal of verpleeginrigting of deur 'n distriksgeneesheer, 'n ander geregistreerde geneeskundige praktisyn van die Staat, enige ander geregistreerde geneeskundige praktisyn of 'n persoon wat geregistreer is om geneeskundige hulpdienste te lewer;

(*b*) hom aan 'n ondersoek, op staatskoste, soos bedoel in paragraaf (*a*), onderwerp met die doel om 'n verslag oor sy gesondheidstoestand te verkry of hom voor 'n geneeskundige raad te laat verskyn.

(3) Indien 'n distriksgeneesheer of ander geneeskundige praktisyn in sy verslag verklaar dat 'n lid, volgens sy mening, geneeskundig ongeskik is of waarskynlik ongeskik sal word vir verdere diens in die Mag, moet sodanige verslag onverwyld aan die Kommissaris voorgelê word.

(4) (*a*) Die Kommissaris kan 'n geneeskundige raad byeenroep of gelas dat sodanige raad byeengeroep word met die doel om 'n lid te ondersoek en vas te stel of hy geskik is om in die Mag te bly of nie.

(*b*) Sodanige raad word saamgestel uit een of meer geregistreerde geneeskundige praktisyns en, indien nodig, een of meer persone wat geregistreer is om geneeskundige hulpdienste te lewer.

(*c*) Geneeskundige verslae of -state wat op die geval betrekking mag hê, asook alle toepaslike verslae wat die betrokke lid begerig mag wees om in te dien, moet vir oorweging aan die raad voorgelê en by die verrigtings ingesluit word. Indien sodanige lid dit verlang, kan hy by die verrigtings van die raad op sy eie koste deur sy private geregistreerde geneeskundige praktisyn verteenwoordig word.

(*d*) Na die ondersoek van die betrokke lid en na oorweging van die verslae of state soos bedoel in paragraaf (*c*), moet die raad sy verslag, bevinding en aanbeveling op die voorgeskrewe vorm notuleer. Die relaas van die raad moet deur al die lede daarvan onderteken word.

(*e*) Indien die raad aanbeveel dat die betrokke lid weens swak gesondheid uit die Mag ontslaan word, word hy die geleentheid gebied om skriftelike vertoë tot die Kommissaris te rig.

(ii) his discharge because of misconduct;
(iii) the fact that he has absconded; or
(iv) his discharge owing to ill-health occasioned by own fault;

(*b*) in a case involving transport between places which are in the same or adjoining municipalities or which are situated less than twenty miles apart, unless a member immediately prior to the termination of his services or death occupied official quarters which have to be vacated, in which case the limitations imposed by this paragraph shall not apply.

(7) The household and personal effects of a member, or a person referred to in sub-regulation (5), who dies whilst still in the employment of the Force, may, subject to the provisions of sub-regulations (1) to (4), which shall *mutatis mutandis* apply to such conveyance, be conveyed at public expense to any place in the Republic or in the Territory.

2. If the circumstances arise which justify a departure from the provisions of regulations 24, 25 or 26, the Treasury may approve such conditions regarding the transfer expenses and transport privileges of persons on enlistment, of session officials and of members on the termination of their services or their death as the Commissioner may recommend.

MEDICAL EXAMINATION, RECORDS AND BOARDS.

28. (1) A medical sheet on the prescribed form shall be maintained in respect of every member.

(2) The Commissioner or a member to whom he has delegated his powers in terms of this regulation, may at any time order that a member—

(*a*) claiming or suspected to be suffering form an indisposition, ill-health, disease or injury, shall submit himself to a medical examination at public expense in a military or other hospital or nursing institution or by a district surgeon, other registered government medical practitioner, any other registered medical practitioner or a person registered to render medical auxiliary services;

(*b*) shall submit himself to an examination, at public expense, referred to in paragraph (*a*) for the purpose of obtaining a report on his state of health or with a view to bringing him before a medical board.

(3) If a district surgeon or other medical practitioner states in his report that, in his opinion, a member is or is likely to become medically unfit for further service in the Force such report shall, without delay, be submitted to the Commissioner.

(4) (*a*) The Commissioner may convene a medical board or may order such a board to be convened for the purpose of examining a member and determining whether or not he is fit to remain in the Force.

(*b*) Such board shall consist of one or more registered medical practitioners and, if necessary, one or more persons registered to render medical auxiliary services.

(*c*) Medical reports or sheets which may have a bearing on the case as well as all relevant reports which the member concerned may wish to submit, shall be placed before the board for consideration and shall be included in the proceedings. If such member so desires, he may at his own expense be represented at the proceedings of the board by his private registered medical practitioner.

(*d*) After examining the member concerned and considering the reports or sheets referred to in paragraph (*c*), the board shall record its report, findings and recommendation on the prescribed form. The records of the board shall be signed by all the members thereof.

(*e*) Should the board recommend that the member concerned be discharged from the Force on account of ill-health, he shall be given the opportunity to make written representations to the Commissioner.

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(*f*) Die relaas en vertoë bedoel in paragraaf (*e*), word ter oorweging aan die Kommissaris gestuur wat, indien hy dit dienstig ag, oorleg kan pleeg met die Sekretaris van Gesondheid of 'n geneeskundige beampte deur hom gemagtig.

(5) (*a*) Die Kommissaris besluit, met inagneming van subartikel (1) van artikel *drie* van die Wet, of die betrokke lid ooreenkomstig die bepalings van paragraaf (*a*) van subregulasie (1) van regulasie 15 as geneeskundig ongeskik vir verdere diens ontslaan moet word, of afwesigheidsverlof aan hom verleen moet word, of hy weer ondersoek moet word en of hy gelas moet word om diens te hervat.

(*b*) Indien daar besluit word om die betrokke lid te ontslaan, word die datum van sy ontslag deur die Kommissaris bepaal.

VAKSINASIE EN INENTING.

29. 'n Lid moet hom te eniger tyd aan dié vaksinasie of hervaksinasie en inenting teen siekte onderwerp wat die Kommissaris mag gelas op aanbeveling van die Sekretaris van Gesondheid of 'n geneeskundige beampte deur hom daartoe gemagtig.

GENEESKUNDIGE EN HOSPITAALBEHANDELING: LEDE.

30. (1) Behoudens die bepalings van hierdie regulasie en van regulasies 31, 32, 33 en 34, is 'n lid geregtig om geneeskundige en hospitaalbehandeling, met inbegrip van medisyne en verbandmiddels op staatskoste te ontvang, en die Kommissaris kan te eniger tyd gelas dat 'n lid van wie vermoed word of wat beweer dat hy aan 'n ongesteldheid, swak gesondheid, siekte of besering ly, in 'n militêre of ander hospitaal of verpleeginrigting opgeneem word om sodanige behandeling te ontvang.

(2) Die geneeskundige en hospitaalbehandeling waarvoor daar in hierdie regulasie voorsiening gemaak word, behels—

(*a*) geneeskundige ondersoek en behandeling deur 'n distriksgeneesheer of ander geneeskundige praktisyn van die Staat of, ingeval hul dienste nie beskikbaar is nie, deur 'n private geneeskundige praktisyn;

(*b*) opname, versorging en verpleging in 'n militêre of openbare hospitaal asook dié geneeskundige of aanvullende geneeskundige hulpdiens wat deur so 'n hospitaal aan 'n lid gelewer word terwyl hy daarin versorg word;

(*c*) opname, versorging en verpleging in 'n private hospitaal of verpleeginrigting in besonder dringende gevalle of wanneer geskikte akkommodasie nie in 'n openbare hospitaal beskikbaar is nie, asook dié geneeskundige of aanvullende geneeskundige hulpdiens wat deur so 'n private hospitaal of verpleeginrigting aan 'n lid gelewer word terwyl hy daarin versorg word;

(*d*) die indiensneming van 'n geregistreerde verpleegster indien die distriksgeneesheer of ander gemagtigde geneeskundige praktisyn wat die geval behandel, van mening is dat so 'n stap noodsaaklik is;

(*e*) die verskaffing van geneeskundige geriewe, hulpmiddels en toestelle mits betaling daarvoor uit staatsfondse deur die Kommissaris goedgekeur word.

BYKOMENDE GENEESKUNDIGE EN TANDHEELKUNDIGE BEHANDELING: LEDE.

31. (1) Die koste van geneeskundige behandeling of hulp benewens dié in regulasie 30 voorgeskryf, word uit staatsfondse betaal slegs—

(*a*) indien sodanige behandeling of hulp deur 'n distriksgeneesheer of ander geneeskundige praktisyn van die Staat skriftelik aanbeveel word; en

(*b*) vir sover dit nie die bedrag oorskry nie wat vir die bepaalde diens voorgeskryf is in 'n tarief wat deur die Tesourie goedgekeur is:

Met dien verstande dat in alle gevalle waar sodanige bykomende geneeskundige behandeling of hulp verleen word onder die omstandighede soos in subregulasie (1) van regulasie 53 beskryf, al die koste daaraan verbonde, uit staatsfondse betaal moet word.

(*f*) The records and any representations referred to in paragraph (*e*), shall be forwarded to the Commissioner for consideration, who, if he deems it expedient, may consult the Secretary for Health or a medical officer authorised by him.

(5) (*a*) The Commissioner shall, with due observance of the provisions of sub-section (1) of section *three* of the Act, decide whether the member concerned shall, in terms of paragraph (*a*) of sub-regulation (1) of regulation 15, be discharged as medically unfit for further service in the Force, whether he shall be granted leave of absence, whether he shall again be examined or whether he shall be ordered to resume duty.

(*b*) Should it be decided to discharge the member concerned, the date of his discharge shall be determined by the Commissioner.

VACCINATION AND INOCULATION.

29. A member shall at any time submit himself to such vaccination or revaccination and inoculation against disease as the Commissioner may direct on the recommendation of the Secretary for Health or a medical officer authorised thereto by him.

MEDICAL AND HOSPITAL TREATMENT: MEMBERS.

30. (1) Subject to the provisions of this regulation and of regulations 31, 32, 33 and 34, a member shall be entitled to receive medical and hospital treatment, including drugs and dressings, at public expense, and the Commissioner may at any time order that a member suspected or claiming to be suffering from an indisposition, ill-health, disease or injury, be admitted to a military or any other hospital or nursing home to undergo such treatment.

(2) The medical and hospital treatment provided for under this regulation comprises—

(*a*) medical examination and treatment by a district surgeon or other government medical practitioner or, in the event of their services not being available, by a private medical practitioner;

(*b*) admission to and care and nursing in a military or public hospital as well as any medical or supplementary medical auxiliary service rendered by such hospital to a member whilst being cared for therein;

(*c*) admission to and care and nursing in a private hospital or nursing home in cases of special urgency or when suitable accommodation is not available in a public hospital, as well as any medical or supplementary medical auxiliary service rendered by such hospital or nursing home to a member whilst being cared for therein;

(*d*) the employment of a registered nurse when, in the opinion of the district surgeon or other authorised medical practitioner attending the case, such a course is necessary;

(*e*) the provisions of medical comforts, aids and appliances provided payment therefor from public funds is approved by the Commissioner.

ADDITIONAL MEDICAL AND DENTAL TREATMENT: MEMBERS.

31. (1) The cost of medical treatment or aid in addition to that prescribed in regulation 30 shall be met from public funds only—

(*a*) if such treatment or aid is recommended in writing by a district surgeon or other government medical practitioner; and

(*b*) in so far as it does not exceed the amount laid down for the particular service in a scale of fees approved by the Treasury:

Provided that in all cases where such additional medical treatment or aid is provided under the circumstance described in sub-regulation (1) of regulation 53, all the costs attached thereto shall be paid from public funds.

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(2) Aan 'n lid, uitgesonderd 'n offisier, kan die helfte van die koste wat hy aangegaan het vir tandheelkundige behandeling wat die Kommissaris nodig ag om hom geskik te maak vir verdere doeltreffende diens in die Mag, uit staatsfondse terugbetaal word.

(3) 'n Lid is daarop geregtig om tandheelkundige behandeling wat deur 'n distriksgeneesheer verskaf word, gratis te ontvang.

(4) Indien tandheelkundige behandeling genoodsaak word as gevolg van omstandighede soos beskryf in subregulasie (1) van regulasie 53, kan die koste daaraan verbonde, of 'n gedeelte daarvan, na goedvinde van die Kommissaris uit staatsfondse terugbetaal word.

GENEESKUNDIGE EN HOSPITAALBEHANDELING: VROUENS EN KINDERS VAN BLANKE LEDE.

32. (1) Die vrou en afhanklike kinders van 'n Blanke lid is, behoudens die bepalings van hierdie regulasie en regulasies 33 en 34, daarop geregtig om geneeskundige en hospitaalbehandeling met inbegrip van medisyne en verbandmiddels op staatskoste te ontvang.

(2) Die geneeskundige en hospitaalbehandeling waarvoor daar in hierdie regulasie voorsiening gemaak word, behels—

(*a*) geneeskundige ondersoek en behandeling deur 'n distriksgeneesheer of ander geneeskundige praktisyn van die Staat of, ingeval hul dienste nie beskikbaar is nie, deur 'n private geneeskundige praktisyn;

(*b*) opname, versorging en verpleging in 'n militêre of openbare hospitaal, uitgesonderd 'n hospitaal of inrigting vir melaatses of sielsiekes, asook dié geneeskundige of aanvullende geneeskundige hulpdiens wat deur so 'n hospitaal aan die vrou of kind van 'n Blanke lid gelewer word terwyl sy of hy daarin versorg word;

(*c*) opname, versorging en verpleging in 'n private hospitaal of verpleeginrigting in besonder dringende gevalle of wanneer geskikte akkommodasie nie in 'n openbare hospitaal beskikbaar is nie, asook dié geneeskundige of aanvullende geneeskundige hulpdiens wat deur so 'n hospitaal of verpleeginrigting aan die vrou of kind van 'n Blanke lid gelewer word terwyl sy of hy daarin versorg word;

(*d*) die indiensneming van 'n geregistreerde verpleegster indien die distriksgeneesheer of ander gemagtigde geneeskundige praktisyn wat die geval behandel, van mening is dat so 'n stap noodsaaklik is;

(*e*) die verskaffing van geneeskundige geriewe, hulpmiddels en toestelle mits betaling daarvoor uit staatsfondse deur die Kommissaris goedgekeur word.

(3) Vir die toepassing van hierdie regulasie, asook regulasie 33, beteken „afhanklike kind" met betrekking tot 'n lid, enige kind, stiefkind of wetlik aangenome kind van daardie lid, wat permanent by die lid inwoon en wat—

(*a*) jonger as agtien jaar is en nie 'n lonende betrekking beklee nie; of

(*b*) agtien jaar oud of ouer is, 'n voltydse skolier of student aan 'n skool of ander opvoedkundige inrigting is en geheel en al van so 'n lid vir sy/haar onderhoud afhanklik is; of

(*c*) ouer as agtien jaar is en vanweë 'n geestelike of liggaamlike gebrek geheel en al van so 'n lid vir sy/haar onderhoud afhanklik is:

Met dien verstande dat 'n kind wat tydelik elders as by die betrokke lid inwoon, hetsy met die doel om 'n skool of ander opvoedkundige inrigting by te woon of omdat die lid, weens omstandighede in verband met sy werksaamhede, nie in staat is om die kind persoonlik te versorg nie, geag word permanent by so 'n lid in te woon: Voorts met dien verstande dat, waar die onderhoud wat deur iemand anders as die betrokke lid ten opsigte van 'n kind betaal word of betaalbaar is, of enige verdienste of inkomste van watter aard ook al wat deur of namens 'n kind ontvang word, volgens die Kommissaris se mening onvoldoende is om daardie kind van voldoende voedsel, kleding, inwoning of geneeskundige en hospitaalbehandeling te voorsien, so 'n kind geag word geheel en al van so 'n lid vir sy/haar onderhoud afhanklik te wees.

(2) Any member, except a commissioned officer, may be refunded from public funds half the cost incurred by him for such dental treatment as the Commissioner deems necessary in order to render him fit for further efficient service in the Force.

(3) A member shall be entitled to receive free of charge any dental treatment rendered by a district surgeon.

(4) Should dental treatment be necessitated as a result of circumstances described in sub-regulation (1) of regulation 53, the cost attached thereto, or any portion thereof, may in the discretion of the Commissioner be refunded from public funds.

MEDICAL AND HOSPITAL TREATMENT—WIVES AND CHILDREN OF WHITE MEMBERS.

32. (1) The wife and dependent children of a White member shall, subject to the provisions of this regulation and regulations 33 and 34, be entitled to receive medical and hospital treatment, including drugs and dressings, at public expense.

(2) The medical and hospital treatment provided for under this regulation comprises—

(*a*) medical examination and treatment by a district surgeon or other government medical practitioner or, in the event of their services not being available, by a private medical practitioner;

(*b*) admission to, and care and nursing in, a military or public hospital, other than a leper or mental hospital or institution, as well as any medical or supplementary medical auxiliary service rendered by such hospital to the wife or child of a White member whilst being cared for therein;

(*c*) admission to and care and nursing in a private hospital or nursing home in cases of special urgency or when suitable accommodation is not available in a public hospital, as well as any medical or supplementary medical auxiliary service rendered by such private hospital or nursing home to the wife or child of a White member whilst being cared for therein;

(*d*) the employment of a registered nurse when, in the opinion of the district surgeon or other authorised medical practitioner attending the case, such a course is necessary;

(*e*) the provision of medical comforts, aids and appliances provided payment therefor from public funds is approved by the Commissioner.

(3) For the purposes of this regulation, as well as regulation 33, "dependent child" in relation to a member shall mean any child, step-child or legally adopted child of that member, which is permanently resident with such member and which is—

(*a*) under the age of eighteen years and not in gainful employment; or

(*b*) eighteen years of age or older, a full-time scholar or student at a school or other educational institution and entirely dependent upon such member for its maintenance; or

(*c*) over the age of eighteen years and because of a physical or mental infirmity entirely dependent upon such member for its maintenance:

Provided that a child temporarily resident elsewhere than with the member concerned either for the purpose of attending a school or other educational institution or because of the member's inability, owing to circumstances connected with his functions, to care personally for the child, shall be deemed to be permanently resident with such member: Provided further that where the maintenance which is paid or is payable in respect of a child by any person other than the member concerned or where any earnings or income of any nature whatsoever received by or on behalf of a child is, in the opinion of the Commissioner, insufficient to provide such child with adequate food, clothing, lodging and medical and hospital treatment, such child shall be deemed to be entirely dependent upon such member for its maintenance.

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BYKOMENDE GENEESKUNDIGE BEHANDELING OF HULP: VROUENS EN KINDERS VAN BLANKE LEDE.

33. (1) Die koste van geneeskundige behandeling of hulp, benewens dié in regulasie 32 voorgeskryf, ten opsigte van die vrou en kinders van 'n Blanke lid word uit staatsfondse betaal slegs—

(*a*) indien sodanige behandeling of hulp deur 'n distriksgeneesheer of ander geneeskundige praktisyn van die Staat skriftelik aanbeveel word; en

(*b*) vir sover dit nie die bedrag oorskry nie wat vir die bepaalde diens voorgeskryf is in 'n tarief wat deur die Tesourie goedgekeur is.

(2) 'n Blanke lid is geregtig op 'n hulptoelae van hoogstens R10.50 ter bestryding van die koste verbonde aan geneeskundige hulp en verplegingsgelde in die geval van die swangerskap, 'n miskraam of die bevalling van sy vrou: Met dien verstande dat die Kommissaris na sy goedvinde geneeskundige en hospitaalbehandeling kragtens die bepalings van regulasie 32 of subregulasie (1) kan goedkeur in gevalle waar die Kommissaris, ná oorlegpleging met die Sekretaris van Gesondheid of 'n geneeskundige beampte deur hom aangewys, van mening is dat latente siektes of liggaamlike swakheid ontstaan het of vererger is as gevolg van sodanige swangerskap of bevalling, en ook waar siektes of ongesteldhede, volgens die oordeel van die Sekretaris van Gesondheid of 'n geneeskundige beampte deur hom aangewys, daardeur meegebring is.

(3) Die vrou en afhanklike kinders, soos omskryf in subregulasie (3) van regulasie 32, van 'n Blanke lid is daarop geregtig om tandheelkundige behandeling wat deur 'n distriksgeneesheer verskaf word, gratis te ontvang.

OMSKRYWING VAN „ MEDISYNE ".

34. Vir die toepassing van subregulasie (1) van regulasie 30 en subregulasie (1) van regulasie 32, beteken „ medisyne " enige geneeskundige preparaat wat nodig is vir die behandeling van 'n ongesteldheid, siekte of besering of om die gesondheid te herstel en wat deur 'n distriksgeneesheer of behoorlik gemagtigde geneeskundige praktisyn voorgeskryf word, maar dit sluit nie die volgende in nie:—

(*a*) Virol, geneeskragtige wyn, suigling- en invalidevoedsel en soortgelyke preparate;

(*b*) lipsalf, toiletpoeier, skoonheidsmiddels vir die vel of hare, seep, tandepasta en soortgelyke preparate;

(*c*) alkoholiese stimuleermiddels; en

(*d*) medisyne wat nodig is in geval van swangerskap, miskraam of bevalling.

AFTREDING OF ONTSLAG UIT DIE MAG TERWYL 'N LID IN 'N HOSPITAAL OF VERPLEEGINRIGTING IS.

35. Benewens die behandeling wat kragtens artikel *agten-sestig* van die Regeringsdiens-Pensioenwet, 1955 (Wet No. 58 van 1955), verleen word, kan 'n lid wat hom by sy aftreding of ontslag uit die Mag in 'n hospitaal of verpleeginrigting, uitgesonderd 'n hospitaal of inrigting vir melaatses of sielsiekes, bevind, verdere geneeskundige en hospitaalbehandeling op staatskoste ontvang vir 'n tydperk wat die Kommissaris bepaal.

HUWELIK, GESINSVERANDERING EN DOOD VAN LEDE EN LEDE VAN HUL HUISHOUDING.

36. (1) 'n Lid moet sy bevelvoerder onverwyld van sy huwelik in kennis stel en is verplig om die voorgeskrewe besonderhede in verband met veranderings in sy huishouding aan sy bevelvoerder te rapporteer.

(2) Vir die doeleindes van dié toelaes en voorregte wat die Kommissaris mag bepaal, word 'n lid geag nie getroud te wees nie tensy sy eggenote en afhanklike kinders binne die Republiek of die Gebied woonagtig is. Indien die eggenote of 'n afhanklike kind van so 'n lid die Republiek of die Gebied verlaat om in die buiteland te gaan woon, word die voorregte wat gewoonlik op sodanige eggenote of kind van toepassing is, by verstryking van ses kalendermaande sedert hulle die Republiek of die Gebied verlaat het, gestaak tensy die Kommissaris in buitengewone omstandighede anders gelas.

ADDITIONAL MEDICAL TREATMENT OR ASSISTANCE—WIVES AND CHILDREN OF WHITE MEMBERS.

33. (1) The cost of any medical treatment or aid, additional to that prescribed in regulation 32, in respect of the wife and children of a White member shall be met from public funds only—

(*a*) if such treatment or aid is recommended in writing by a district surgeon or other government medical practitioner; and

(*b*) in so far as it does not exceed the amount prescribed for the particular service in a scale of fees approved by the Treasury.

(2) A White member shall be entitled to a grant-in-aid not exceeding R10.50 towards the cost of medical assistance and nursing fees in case of the pregnancy, a miscarriage or the confinement of his wife: Provided that the Commissioner may, in his discretion, approve of medical and hospital treatment under regulation 32 or sub-regulation (1) in cases where the Commissioner after consultation with the Secretary for Health or a medical officer designated by him, is of opinion that latent diseases or constitutional weaknesses have developed or were aggravated as a result of such pregnancy or childbirth, and also where, in the opinion of the Secretary for Health or a medical officer designated by him, diseases or disorders have been caused thereby.

(3) The wife and dependent children, as defined in sub-regulation (3) of regulation 32, of a White member shall be entitled to free dental treatment given by a district surgeon.

DEFINITION OF " DRUGS ".

34. For the purposes of sub-regulation (1) of regulation 30 and sub-regulation (1) of regulation 32, " drugs " shall mean any medical preparation which is required for the treatment of an indisposition, disease or injury or the restoration of health and which is prescribed by a district surgeon or a duly authorised medical practitioner, but shall not include the following:—

(*a*) Virol, medicinal wine, infant or invalid food and similar preparations;

(*b*) lip salve, toilet powder, cosmetic preparations for the skin or hair, soap, dental paste and similar preparations;

(*c*) alcoholic stimulants; and

(*d*) drugs required in case of pregnancy, miscarriage or confinement.

RETIREMENT OR DISCHARGE FROM THE FORCE WHILST A MEMBER IS IN HOSPITAL OR NURSING INSTITUTION.

35. In addition to any treatment given in terms of section *sixty-eight* of the Government Service Pensions Act, 1955 (Act No. 58 of 1955), a member who, on his retirement or discharge from the Force, is in a hospital or nursing institution, other than a leper or mental institution, may continue to receive medical and hospital treatment at public expense for a period to be determined by the Commissioner.

MARRIAGE, FAMILY CHANGES AND DEATH OF MEMBERS AND MEMBERS OF THEIR HOUSEHOLD.

36. (1) A member shall immediately notify his commander of his marriage and shall be obliged to report to his commander the prescribed particulars in regard to changes in his household.

(2) For the purposes of such allowances and privileges as the Commissioner may determine, a member shall be deemed not to be married unless his wife and dependent children reside within the Republic or the Territory. Should the wife or a dependent child of such a member leave the Republic or the Territory to reside abroad, the privileges ordinarily applicable to such wife or child shall cease on the expiration of six calendar months since their departure from the Republic or the Territory, unless the Commissioner in exceptional circumstances otherwise directs.

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37. (1) Behoudens dié opdragte wat voorgeskryf mag word, moet die afsterwe van 'n lid sonder versuim aan die Kommissaris gerapporteer word.

(2) Redelike onkoste in verband met die begrafnis van 'n lid kan na goedvinde van die Kommissaris uit staatsfondse betaal word.

(3) 'n Hulptoelae van hoogstens R10 in die geval van 'n lid se eggenote en R5 in die geval van 'n afhanklike kind soos omskryf in subregulasie (3) van regulasie 32, kan uit staatsfondse aan 'n lid betaal word ter bestryding van die koste verbonde aan die begrafnis van so 'n lid se eggenote of afhanklike kind; met dien verstande dat so 'n hulptoelae in geen geval hoër as die werklike begrafniskoste mag wees nie.

AFWESIGHEIDSVERLOF.

TOEPASSINGSBESTEK VAN VERLOFREGULASIES.

38. (1) Die bepalings van hierdie regulasies betreffende afwesigheidsverlof, is op alle lede van toepassing.

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

AFWESIGHEIDSVERLOF 'N VOORREG.

39. (1) Die afwesigheidsverlof waarvoor daar in hierdie regulasies voorsiening gemaak word, is 'n voorreg en word toegestaan slegs met inagneming van die vereistes van die Mag.

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

(3) Die bepalings van subregulasies (1) en (2) verhinder nie dat verlof gratifikasies op dié voorwaardes wat die Staatsdienskommissie aanbeveel en die Tesourie goedkeur, betaal word nie.

VERLENING EN INTREKKING VAN VERLOF, EN VERLOFAANSOEKVORMS.

40. (1) (*a*) Die verlening van alle afwesigheidsverlof is onderworpe aan die goedkeuring van die Kommissaris; met dien verstande dat die verlening van afwesigheidsverlof aan die Kommissaris onderworpe is aan dié goedkeuring waaroor die Minister mag besluit.

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

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

(3) (*a*) Aansoeke om verlof moet skriftelik gedoen word op die voorgeskrewe vorm.

(*b*) Die vorm van die geneeskundige sertifikaat wat ter stawing van 'n aansoek om siekteverlof ingedien moet word, moet ook voorgeskryf word.

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

(*a*) sy adres gedurende afwesigheidsverlof van watter aard ook al te verstrek;

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

VERLOFREGISTERS.

41. (1) Die Departement moet in sy Hoofkantoor 'n verlofregister ten opsigte van elke lid hou, en daarin moet alle tydperke van afwesigheid volgens die indeling vervat in regulasie 44, aangeteken word.

37. (1) Subject to such directions as may be prescribed, the death of a member shall be reported to the Commissioner without delay.

(2) Reasonable expenses in connection with the funeral of a member may, in the discretion of the Commissioner, be paid from public funds.

(3) A grant-in-aid not exceeding R10 in the case of a member's wife and R5 in the case of a dependent child as defined in sub-regulation (3) of regulation 32, may be paid from public funds to a member towards defraying expenses in connection with the funeral of such member's wife or dependent child; provided that such grant-in-aid shall in no case exceed the actual cost of the funeral.

LEAVE OF ABSENCE.

SCOPE OF APPLICATION OF LEAVE REGULATIONS.

38. (1) The provisions of these regulations regarding leave of absence shall apply to all members.

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

LEAVE OF ABSENCE A PRIVILEGE.

39. (1) The leave of absence provided for in these regulations is a privilege and shall be granted only with due regard to the exigencies of the Force.

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

(3) The provisions of sub-regulations (1) and (2) shall not preclude the payment of leave gratiuties on conditions recommended by the Public Service Commission and approved by the Treasury.

GRANTING AND WITHDRAWAL OF LEAVE, AND LEAVE APPLICATION FORMS.

40. (1) (*a*) The granting of all leave of absence is subject to approval by the Commissioner; provided that the granting of leave of absence to the Commissioner is subject to such approval as may be decided by the Minister.

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

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

(3) (*a*) Applications for leave shall be made in writing on the prescribed form.

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

(4) The Commissioner may require any member to—

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

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

LEAVE REGISTERS.

41. (1) The Department shall keep at its Head Office a leave register in respect of each member, in which register all periods of absence shall be recorded in accordance with the classification contained in regulation 44.

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(2) Alle verlofaansoeke moet vir oudit- en ander doeleindes in die kantoor genoem in subregulasie (1), gehou word vir die tydperk wat die Kommissaris mag gelas.

(3) 'n Bevelvoerder aan wie die Kommissaris sy bevoegdheid kragtens hierdie regulasies gedelegeer het, moet die bepalings van subregulasie (1) van hierdie regulasie *mutatis mutandis* toepas op elke lid onder sy bevel.

VERVAL VAN VERLOF BY DIENSBEËINDIGING.

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

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

(*b*) nie van toepassing is nie op—

(i) siekteverlof;

(ii) spesiale verlof wat kragtens paragraaf (*b*) of (*c*) van subregulasie (1) van regulasie 52 verleen word;

(iii) vakansieverlof wat kragtens subregulasie (6) van regulasie 50 verleen word.

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

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

BETALING VAN TOELAES, ENS., GEDURENDE VERLOF.

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

INDELING VAN AFWESIGHEIDSVERLOF.

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

(*a*) Vakansieverlof (kumulatief) met volle betaling.

(*b*) Vakansieverlof sonder betaling.

(*c*) Siekteverlof met volle betaling.

(*d*) Siekteverlof (addisioneel) met volle betaling.

(*e*) Siekteverlof met halwe betaling.

(*f*) Siekteverlof sonder betaling.

(*g*) Spesiale verlof met volle betaling.

(*h*) Spesiale siekteverlof met volle of verminderde betaling.

(*i*) Spesiale verlof met betalingsvoorwaardes soos deur die Kommissaris op aanbeveling van die Staatsdienskommissie goedgekeur mag word.

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

(3) (*a*) Behoudens die bepalings van paragraaf (*c*) van subregulasie (1) van regulasie 52, word alle ongemagtigde tydperke van afwesigheid, ongeag die tugmaatreëls wat teen die betrokke lid geneem mag word, geag vakansieverlof sonder betaling te wees tensy die Kommissaris anders besluit.

(2) All applications for leave shall be filed for audit and other purposes in the office mentioned in sub-regulation (1) for such period as the Commissioner may direct.

(3) A commander to whom the Commissioner has delegated his authority in terms of these regulations, shall apply the provisions of sub-regulation (1) of this regulation *mutatis mutandis* to every member under his command.

LAPSE OF LEAVE ON TERMINATION OF SERVICES.

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

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

(*b*) not apply to—

(i) sick leave;

(ii) special leave granted in terms of paragraph (*b*) or (*c*) of sub-regulation (1) of regulation 52;

(iii) vacation leave granted in terms of sub-regulation (6) of regulation 50.

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

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

PAYMENT OF ALLOWANCES, ETC., DURING LEAVE.

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

CLASSIFICATION OF ABSENCES ON LEAVE.

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

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

(*b*) Vacation leave without pay.

(*c*) Sick leave with full pay.

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

(*e*) Sick leave with half pay.

(*f*) Sick leave without pay.

(*g*) Special leave with full pay.

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

(*i*) Special leave with pay conditions as may be approved by the Commissioner on the recommendation of the Public Service Commission.

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

(3) (*a*) Save as provided in paragraph (*c*) of sub-regulation (1) of regulation 52, all unauthorised periods of absence shall, apart from any disciplinary action which may be taken against the member concerned, be regarded as vacation leave without pay unless the Commissioner decides otherwise.

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(*b*) Die indiening van 'n skriftelike verlofaansoek soos voorgeskryf in paragraaf (*a*) van subregulasie (3) van regulasie 40, word nie in die geval van ongemagtigde afwesigheid vereis nie.

GROEPERING VAN LEDE VIR VERLOFDOELEINDES.

45. (1) Verlof kan soos volg aan lede verleen word:—

(*a*) Vakansieverlof (kumulatief) met volle betaling—

Groep.	*Getal dae per jaar.*
(i) Lede wat vyftien jaar of langer diens voltooi het	38
(ii) Lede wat tien jaar of langer maar minder as vyftien jaar diens voltooi het	34
(iii) Lede wat minder as tien jaar diens voltooi het	30

(*b*) Siekteverlof—

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

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

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

LANGER VERLOF VERLEEN AS VERLOFKREDIT.

46. Indien daar aan 'n lid meer vakansieverlof met volle betaling verleen is as dié wat hy kragtens hierdie regulasie tegoed het, kan die verlof wat te veel verleen is, van die vakansieverlof wat hom later toeval, afgetrek word mits die Kommissaris daarvan oortuig is dat daar te goeder trou gehandel is toe daar te veel verlof aan hom verleen is; en voorts met dien verstande dat as die lid bedank of sy dienste beëindig word voordat voldoende vakansieverlof vir die doel van sodanige aftrekking opgeloop het, daardie gedeelte van die verlof wat te veel verleen is en wat op die laaste dag van sy diens nog meer is as sy vakansieverlof wat opgeloop het, as 'n oorbetaling van salaris geag moet word wat òf verhaal òf met behoorlike magtiging afgeskryf moet word.

VRY DAE.

47. 'n Vry dag word nie geag verlof te wees nie en word nie as sodanig in die verlofstaat aangeteken nie; met dien verstande dat—

(*a*) 'n vry dag of twee of meer agtereenvolgende vry dae wat binne 'n tydperk van verlof val, geag word verlof te wees wat ingevolge subregulasie (1) van regulasie 44 onder dieselfde hoof ingedeel is as die verlof wat sodanige vry dag of dae voorafgaan en daarop volg;

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

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

(*b*) The submission of a written application for leave as prescribed in paragraph (*a*) of sub-regulation (3) of regulation 40, shall not be required in the case of unauthorised absences.

GROUPING OF MEMBERS FOR LEAVE PURPOSES.

45. (1) Members may be granted leave as follows:—

(*a*) Vacation Leave (Accumulative) with Full Pay—

Group.	*Number of Days per Annum.*
(i) Members who have completed fifteen years or longer service	38
(ii) Members who have completed ten years or longer but less than fifteen years service	34
(iii) Members who have completed less than ten years service	30

(*b*) Sick Leave—

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

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

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

LEAVE GRANTED IN EXCESS OF LEAVE CREDIT.

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

DAYS OFF.

47. A day off shall not be regarded as leave and shall not be recorded as such in the leave register; provided that—

(*a*) a day off or two or more consecutive days off falling within a period of leave, shall be regarded as leave falling under the same leave classification in terms of sub-regulation (1) of regulation 44 as the leave which precedes and succeeds such day or days off;

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

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

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

48. (1) Die uitvaardiging van hierdie regulasies en die herroeping van die regulasies wat onmiddellik voor sodanige uitvaardiging van krag was, raak in geen opsig die aaneenlopendheid van die kumulatiewe vakansieverlof-voorregte van 'n lid wat onmiddellik voor die datum van inwerkingtreding van hierdie regulasies in die Mag was nie, en sodanige opgeloopte vakansieverlof bly, behoudens die bepalings van subregulasie (3), in die kredit van sodanige lid staan.

(2) Behoudens die bepalings van subregulasie (3), behou 'n persoon wat voltyds in diens is by 'n ander staatsdepartement, die Suid-Afrikaanse Spoorweë en Hawens, 'n onderwysinrigting onder die beheer van die Departement van Onderwys, Kuns en Wetenskap, die Staatsdelwery, 'n provinsiale onderwysdepartement of 'n erkende universiteit binne die Republiek en 'n persoon wat kragtens 'n provinsiale ordonnansie aangestel is in die diens van 'n provinsiale administrasie en wat sonder 'n onderbreking van diens by wyse van 'n oorplasing of op 'n ander manier as lid van die Mag aangestel word, die kumulatiewe vakansieverlof wat in sy kredit gestaan het op die dag voor sy aanstelling, en sy vorige diens ten opsigte waarvan die verlofkredit oorgedra word, tel as diens vir verlofdoeleindes. As sodanige verlof eers na voltooiing van 'n vasgestelde dienstydperk geneem kon geword het en sodanige dienstydperk op die datum waarop hierdie regulasies op sodanige lid van toepassing word, nog nie voltooi is nie, kan die berekening van die verlofkredit gebaseer word op daardie gedeelte van die dienstydperk wat hy op laasgenoemde datum voltooi het en kan die verlof aldus bereken, onmiddellik toegestaan word.

(3) By die toepassing van subregulasie (2), word 'n gedeelte van 'n dag as een dag gereken wanneer 'n lid met die opgeloopte vakansieverlof gekrediteer word op die datum waarop hierdie regulasies op hom van toepassing word.

ALGEMENE BEPALINGS.—VAKANSIEVERLOF.

49. (1) Kumulatiewe vakansieverlof loop ten opsigte van elke voltooide maand diens op en wel teen een-twaalfde van die getal dae wat ooreenkomstig paragraaf (*a*) van subregulasie (1) van regulasie 45 op 'n lid van toepassing is.

(2) Indien 'n lid van die een na die ander vakansieverlofgroep genoem in subregulasie (1) van regulasie 45, oorgeplaas word—

(*a*) behou hy die kumulatiewe vakansieverlofkredit wat gedurende sy dienstydperk in die vorige groep of groepe opgeloop het; en

(*b*) word die kumulatiewe vakansieverlof van die nuwe groep op hom van toepassing vanaf die eerste dag van die maand waarin sodanige oorplasing van krag word,

tensy die bepalings van subregulasie (2) van regulasie 45 op hom van toepassing is.

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

(4) Behoudens die bepalings van regulasie 57, mag daar aan geen lid vakansieverlof van meer as 184 dae in enige tydperk van agtien kalendermaande verleen word nie, en ten opsigte van enige tydperk van afwesigheid wat hierdie beperking oorskry, moet daar, met behoorlike inagneming van die bepalings van regulasie 54, vakansieverlof sonder betaling verleen word. Vir die toepassing van hierdie subregulasie word vakansieverlof wat ooreenkomstig subregulasie (6) van regulasie 50 verleen word, buite rekening gelaat.

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

48. (1) The promulgation of these regulations and the repeal of the regulations which were in force immediately prior to such promulgation shall in no way affect the continuity of the accumulative vacation leave privileges of a member who was in the Force immediately prior to the coming into force of these regulations, and such accumulated vacation leave shall, subject to the provisions of sub-regulation (3), remain to the credit of such member.

(2) Subject to the provisions of sub-regulation (3), a person in the full-time employment of another State Department, the South African Railways and Harbours, an educational institution under the control of the Department of Education, Arts and Science, the State Diggings, a provincial education department or a recognised university within the Republic and a person appointed under a provincial ordinance in the service of a provincial administration who, on transfer or otherwise, is appointed a member of the Force without a break in his service, shall retain the accumulative leave standing to his credit on the day before his appointment, and his previous service in respect of which the leave credit is carried forward shall count as service for leave purposes. If such leave could have been taken only after the completion of a specified period of service, and if such period of service is uncompleted on the date these regulations become applicable to such member, the calculation of the leave credit may be based on that portion of the period of service which he has completed on the last-mentioned date, and the leave so calculated, may be granted forthwith.

(3) For the purposes of sub-regulation (2), any portion of a day shall be regarded as one day when the accumulated vacation leave is placed to the credit of a member on the date on which these regulations become applicable to him.

GENERAL PROVISIONS: VACATION LEAVE.

49. (1) Accumulative vacation leave shall accrue in respect of each completed month of service at the rate of one-twelfth of the number of days applicable to a member in terms of paragraph (*a*) of sub-regulation (1) of regulation 45.

(2) If a member is transferred from one vacation leave group to another group referred to in sub-regulation (1) of regulation 45—

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

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

unless the provisions of sub-regulation (2) of regulation 45 are applicable to him.

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

(4) Subject to the provisions of sub-regulation 57, no member shall be granted vacation leave in excess of 184 days in any period of eighteen calendar months, and in respect of any absence from duty exceeding this limit, vacation leave without pay shall be granted, due regard being had to the provisions of regulation 54. For the purposes of this sub-regulation, any vacation leave granted in terms of sub-regulation (6) of regulation 50, shall not be taken into account.

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(5) Die kumulatiewe vakansieverlof wat 'n lid op 1 Januarie van elke jaar in sy kredit het, word in die verlofregister aangeteken, en by die aantekening van sodanige kredit word 'n gedeelte van 'n dag as een dag gereken.

ALGEMENE BEPALINGS.—SIEKTEVERLOF.

50. (1) Siekteverlof, soos voorgeskryf in subregulasie (1) van regulasie 45, val 'n lid toe op die eerste dag van 'n tydkring, en as daar aan die ander bepalings van hierdie regulasies voldoen word, kan die volle getal dae van die betrokke tydkring met ingang van daardie dag aan hom verleen word; met dien verstande dat daar aan geen lid siekteverlof met volle of halwe betaling verleen mag word nie voordat hy dertig dae diens voltooi het en dan slegs ten opsigte van tydperke van afwesigheid na die voltooiing van sodanige diens.

(2) 'n Persoon wat gedurende 'n tydkring en sonder onderbreking van diens, ooreenkomstig subregulasie (2) van regulasie 48 by wyse van 'n oorplasing of op 'n ander manier as lid van die Mag aangestel word, is onmiddellik op die siekteverlof gemeld in subregulasie (1) van regulasie 45 (min die siekteverlof met betaling wat hy reeds gedurende die betrokke tydkring mag geneem het), geregtig indien hierdie bepalings gunstiger is as die siekteverlofbepalings wat op hom van toepassing was onmiddellik voor sy aanstelling as lid.

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

(4) Aan 'n lid wat minstens 21 jaar onafgebroke diens voltooi het en wat weens 'n langdurige siekte al die siekteverlof met volle betaling opgebruik het wat kragtens subregulasie (1) van regulasie 45 aan hom verleen kan word, kan, behoudens die bepalings van regulasie 51, addisionele siekteverlof met volle betaling verleen word in dié mate en op dié voorwaardes wat die Kommissaris, op aanbeveling van die Staatsdienskommissie en met die goedkeuring van die Tesourie, mag bepaal.

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

(*a*) by die voorlegging aan hom van 'n bevredigende sertifikaat uitgereik deur 'n distriksgeneesheer of 'n ander geneeskundige praktisyn van die Staat of, as hulle nie beskikbaar is nie, deur 'n private geneeskundige praktisyn; en

(*b*) as hy daarvan oortuig is dat die lid op daardie bepaalde tydstip nie permanent ongeskik vir die hervatting van sy gewone pligte is nie; en

(*c*) as die lid geen vakansieverlof in sy kredit het nie; na sy goedvinde verdere siekteverlof met halwe betaling vir hoogstens 92 dae in 'n bepaalde tydkring aan sodanige lid verleen. Sodanige verdere siekteverlof kan ten opsigte van afsonderlike tydperke van afwesigheid en ten opsigte van verskillende soorte siektes verleen word.

(6) (*a*) Enige vakansieverlof wat in die kredit van 'n lid staan, kan in plaas van siekteverlof met halwe betaling of siekteverlof sonder betaling op sy skriftelike aansoek aan so 'n lid verleen word mits sodanige aansoek nie later as dertig dae nadat hy sy diens hervat het, ingedien word nie; met dien verstande dat die getal dae vakansieverlof wat aldus toegestaan word nie 365 dae in enige tydkring oorskry nie en met dien verstande voorts dat die Kommissaris oortuig is dat die betrokke lid op die betrokke tydstip nie permanent ongeskik is vir die hervatting van sy gewone pligte nie.

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

(7) (*a*) Indien 'n lid aan wie vakansieverlof verleen is, siek, ongesteld of beseer word nadat hy reeds sy dienste gestaak het ten einde met vakansieverlof te gaan, kan daardie gedeelte van die vakansieverlof waarin hy siek of

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

GENERAL PROVISIONS.—SICK LEAVE.

50. (1) Sick leave, as prescribed in sub-regulation (1) of regulation 45, shall accrue to a member on the first day of a cycle, and if the other provisions of these regulations are complied with, the full number of days of the relative cycle may be granted to him as from that day; provided that no member may be granted sick leave with full or half pay until he has completed thirty days' service, and then only in respect of periods of absences subsequent to the completion of such service.

(2) A person who, during a cycle and without a break in service, is appointed in terms of sub-regulation (2) of regulation 48 as a member by way of transfer or in another manner, shall immediately be entitled to the sick leave referred to in sub-regulation (1) of regulation 45 (less any paid sick leave he may already have taken during the relative cycle) if these provisions are more favourable than the sick leave provisions applicable to him immediately prior to his appointment as a member.

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

(4) A member who has completed at least 21 years' continuous service and who, on account of prolonged illness, has taken all the sick leave with full pay which may be granted to him in terms of sub-regulation (1) of regulation 45, may, subject to the provisions of regulation 51, be granted additional sick leave with full pay to such an extent and subject to such conditions as the Commissioner may determine on the recommendation of the Public Service Commission and with the approval of the Treasury.

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

(*a*) on the submission to him of a satisfactory certificate issued by a district surgeon or other Government medical practitioner or, if they are not available, by a private medical practitioner; and

(*b*) if he is satisfied that the member at that particular time is not permanently unfit to resume his normal duties; and

(*c*) if the member has no vacation leave to his credit, at his discretion grant such member further sick leave with half pay not exceeding 92 days in any one cycle. Such further sick leave may be granted in respect of separate periods of absence and in respect of different kinds of illnesses.

(6) (*a*) A member may, on application in writing, be granted in lieu of sick leave with half pay or without pay, any vacation leave which he may have to his credit, provided such application is submitted not later than thirty days after he has resumed duty; provided that the number of days vacation leave thus granted shall not exceed 365 days in any cycle and provided further that the Commissioner is satisfied that the member concerned is not at that stage permanently unfit for the resumption of his normal duties.

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

(7) (*a*) If a member to whom vacation leave has been granted, falls ill, becomes indisposed or is injured after he has ceased his duties in order to proceed on vacation leave, that portion of the vacation leave, during which he

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ongesteld was of aan 'n besering gely het, behoudens die bepalings van subregulasie (1) van regulasie 51 in siekteverlof omgeskep word as—

(i) die lid ooreenkomstig subregulasie (3) van regulasie 51 'n sertifikaat uitgereik deur 'n distriksgeneesheer of 'n ander geneeskundige praktisyn van die Staat of, indien hulle nie beskikbaar is nie, deur 'n geregistreerde private geneeskundige praktisyn [of 'n geregistreerde tandarts as subregulasie (4) van regulasie 51 op hom van toepassing is], indien wat aan die vereistes van regulasie 51 voldoen;

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

(iii) die Kommissaris se goedkeuring verkry is.

(*b*) Vakansieverlof sonder betaling mag nie in siekteverlof omskep word nie.

VERLENING VAN SIEKTEVERLOF.

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

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

(*a*) hom ongeskik maak vir sy werk; en

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

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

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

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

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

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

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

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

(*b*) 'n Dergelike sertifikaat wat deur 'n geregistreerde tandarts uitgereik is in verband met ander ongesteldhede, kan slegs met die instemming van die Sekretaris van Gesondheid of 'n beampte of werknemer wat hy daartoe gemagtig het, aangeneem word.

was ill, indisposed or suffering from an injury may, subject to the provisions of sub-regulation (1) of regulation 51, be converted into sick leave if—

(i) the member, in terms of sub-regulation (3) of regulation 51, submits a certificate issued by a district surgeon or other Government medical practitioner or, if they are not available, by a registered private medical practitioner [or a registered dentist if sub-regulation (4) of regulation 51 is applicable to him] and complying with the requirements of regulation 51;

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

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

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

GRANTING OF SICK LEAVE.

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

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

(*a*) incapacitates him for duty; and

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

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

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

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

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

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

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

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

(*b*) A similar certificate issued by a registered dentist in respect of other indispositions may be accepted only with the concurrance of the Secretary for Health or an officer or employee authorised thereto by him.

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(*c*) Ondanks die bepalings van hierdie subregulasie, kan die Kommissaris vereis dat 'n sertifikaat uitgereik deur 'n distriksgeneesheer, 'n ander geneeskundige praktisyn van die Staat of 'n geregistreerde private geneeskundige praktisyn, ingedien moet word of dat so 'n sertifikaat, uitgereik deur 'n geregistreerde tandarts, deur 'n distriksgeneesheer mede-onderteken moet word voordat hy die siekteverlof verleen.

(5) Ondanks die indiening van 'n sertifikaat soos in subregulasies (3) en (4) voorgeskryf, kan die Kommissaris na sy goedvinde weier om siekteverlof met betaling te verleen ten opsigte van enige tydperk van afwesigheid waarop die sertifikaat betrekking het, en in so 'n geval word die tydperk van afwesigheid as ongemagtig beskou en is die bepalings van subregulasie (3) van regulasie 44 van toepassing; met dien verstande dat, behoudens die goedkeuring van die Kommissaris, sodanige afwesigheid of 'n gedeelte daarvan deur vakansieverlof met volle betaling gedek kan word as die lid vakansieverlof in sy kredit het en aansoek daarom doen.

SPESIALE VERLOF MET VOLLE BETALING.

52. (1) Spesiale verlof met volle betaling kan aan 'n lid verleen word—

(*a*) wanneer hy 'n eksamen van 'n erkende universiteit binne die Republiek, enige regseksamen van die Staatsdiens of enige ander eksamen wat die Kommissaris mag aanwys, skryf;

(*b*) wanneer hy van diens afwesig is vanweë kwarantyn of isolasie gelas deur 'n geneeskundige praktisyn omdat hy in aanraking was met 'n persoon wat 'n besmetlike of aansteeklike siekte opgedoen of vermoedelik opgedoen het; met dien verstande dat spesiale verlof kragtens hierdie paragraaf slegs verleen kan word as 'n sertifikaat ingedien word wat deur 'n distriksgeneesheer of 'n ander geneeskundige praktisyn van die Staat of, indien hulle nie beskikbaar is nie, deur 'n geregistreerde private geneeskundige praktisyn uitgereik is en waarin die tydperk van en die rede vir isolasie gemeld word; en voorts met dien verstande dat indien so 'n sertifikaat deur 'n geregistreerde private geneeskundige praktisyn onderteken is, die voorbehoudsbepaling van subregulasie (3) (*a*) van regulasie 51 ook van toepassing is;

(*c*) vir 'n tydperk, uitgesonderd 'n tydperk waarin hy in sy amp geskors is, wat nodig is om voor 'n hof te verskyn op aanklag van 'n misdryf ten opsigte waarvan hy later vrygespreek of die aanklag teruggetrek word; met dien verstande egter dat indien 'n lid voor 'n hof aangekla word van 'n misdryf wat uit sy diens ontstaan of voortgespruit het en in die loop daarvan begaan is en die Staat sy verdediging onderneem en/of sy verdedigingskoste betaal, die Kommissaris, na sy goedvinde en afgesien daarvan of so 'n lid uiteindelik op so 'n aanklag skuldig of onskuldig bevind word en of die aanklag teruggetrek word, kan gelas dat so 'n tydperk nie beskou moet word as 'n tydperk van afwesigheid nie;

(*d*) wanneer hy in sy hoedanigheid van lid van 'n beheerraad, raad van trustees, komitee of ander bestuursliggaam van 'n gesertifiseerde polisiewinkel, menasie of ander goedgekeurde instelling van die Mag 'n vergadering van so 'n liggaam moet bywoon en hy as gevolg van sodanige bywoning vir een of meer volle werkdae afwesig is;

(*e*) wat deur 'n erkende amateursportvereniging gekies is om—

(i) Suid-Afrika by internasionale sportwedstryde sowel buite as binne die Republiek en die Gebied as deelnemer te verteenwoordig;

(ii) spanne wat Suid-Afrika by internasionale sportwedstryde buite die Republiek en die Gebied verteenwoordig, as afrigter of bestuurder te vergesel; en

(iii) 'n buitelandse nasionale span wat die Republiek of die Gebied besoek, as verteenwoordiger van die betrokke vereniging te vergesel.

(*c*) Notwithstanding the provisions of this sub-regulation, the Commissioner may require that a certificate issued by a district surgeon, other Government medical practitioner, or a registered private medical practitioner, be submitted or that such certificate, issued by a registered dentist, be countersigned by a district surgeon before the sick leave is granted by him.

(5) Notwithstanding the submission of a certificate as prescribed in sub-regulations (3) and (4), the Commissioner may, at his discretion, refuse to grant sick leave with pay in respect of any period of absence to which the certificate relates, and in such case the period of absence shall be regarded as unauthorised and the provisions of sub-regulation (3) of regulation 44 shall apply; provided that, subject to the approval of the Commissioner, such absence or any portion thereof may be covered by vacation leave with full pay if the member has vacation leave to his credit and applies therefor.

SPECIAL LEAVE WITH FULL PAY.

52. (1) Special leave with full pay may be granted to a member—

(*a*) when he writes an examination of a recognised university within the Republic, any law examination of the Public Service or any other examination which the Commissioner may indicate;

(*b*) when he is absent from duty because of quarantine or isolation ordered by a medical practitioner as a result of his having been in contact with a person who has contracted or is suspected of having contracted an infectious or contagious disease; provided that special leave under this paragraph may be granted only on the production of a certificate issued by a district surgeon or other Government medical practitioner or, if they are not available, a registered private medical practitioner, and indicating the period of and the reason for isolation; and provided further that if such certificate is signed by a registered private medical practitioner, the proviso to sub-regulation (3) (*a*) of regulation 51 shall also apply;

(*c*) for any period, other than a period during which he is suspended from office, necessary to appear before a court on a criminal charge in respect of which he is subsequently acquitted or the charge is withdrawn; provided, however, that if a member is charged before a court with an offence originating from or arising out of his duties and committed in the course thereof and the Government undertakes his defence and/or pays the costs of his defence, the Commissioner may, in his discretion and irrespective of whether such member is ultimately found guilty or acquitted or the charge is withdrawn, direct that such period shall not be regarded as a period of absence;

(*d*) when, in his capacity as a member of a board of control, board of trustees, committee or other controlling body of a certified canteen, mess or other approved institution of the Force, he is required to attend a meeting of such body, and is, as a result of such attendance, absent for one or more full working days;

(*e*) who has been selected by a recognised amateur sport association to—

(i) represent South Africa as a competitor in international sporting events within as well as outside the Republic and the Territory;

(ii) accompany teams representing South Africa at international sporting events outside the Republic and the Territory, as coach or manager; and

(iii) accompany an overseas national team visiting the Republic or the Territory, as representative of the association concerned.

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(2) Spesiale verlof wat ooreenkomstig subregulasie (1) verleen word, kan enige tydperk insluit wat werklik en noodwendig in beslag geneem word deur reise vir die doel waarvoor die verlof verleen word.

(3) Behoudens die voorskrifte van die Kommissaris, kan spesiale verlof met volle betaling aan 'n lid verleen word ten einde hom in staat te stel om hom voor te berei vir 'n eksamen in subregulasie (1) (*a*) bedoel of 'n ander eksamen wat die Kommissaris mag aanwys.

SPESIALE SIEKTEVERLOF.

53. (1) (*a*) Behoudens die bepalings van subregulasies (1) (*b*) en (2), kan die Kommissaris aan 'n lid wat afwesig is weens 'n besering opgedoen in 'n ongeluk wat uit sy diens voortgespruit en in die loop daarvan plaasgevind het, of weens siekte of ongesteldheid wat in die loop van en as gevolg van sy diens opgedoen is, of weens 'n daaropvolgende ongeskiktheid wat volgens die oordeel van die distriksgeneesheer of die Sekretaris van Gesondheid te wyte is aan dieselfde besering, siekte of ongesteldheid, of weens 'n ongesteldheid wat ontstaan het as gevolg van vaksinasie of inenting ooreenkomstig die bepalings van regulasie 29, spesiale siekteverlof met volle betaling verleen vir die tydperk wat hy nie geskik is om sy gewone werksaamhede of pligte uit te voer nie of, indien die geval binne die bestek van die Ongevallewet, 1941, soos gewysig, val, spesiale siekteverlof met besoldiging gelyk aan die verskil tussen sy volle salaris en enige skadeloosstelling wat ingevolge genoemde Wet in die vorm van periodieke betalings van 'n persentasie van sy maandelikse verdienste aan hom betaalbaar is.

(*b*) Indien 'n lid van diens afwesig is weens 'n besering wat volgens die oordeel van die Kommissaris geheel en al of gedeeltelik toe te skryf is aan die onregmatige daad van 'n derde party en indien dit 'n geval is wat binne die bestek van die Ongevallewet, 1941, soos gewysig, val, is sodanige lid gedurende sodanige afwesigheid nie op enige betaling geregtig nie, behalwe die skadeloosstelling wat ingevolge genoemde Wet in die vorm van periodieke betalings van 'n persentasie van sy maandelikse verdienste betaalbaar is; met dien verstande egter dat so 'n lid aan die Staat enige eis kan sedeer wat hy, ten opsigte van sy salaris, teen enige persoon as gevolg van so 'n onregmatige daad mag hê, en in so 'n geval moet die Kommissaris hom vir die tydperk van sodanige afwesigheid spesiale siekteverlof met volle betaling verleen ooreenkomstig die bepalings van hierdie regulasie.

(2) Spesiale siekteverlof kragtens hierdie regulasie word nie verleen nie as die Kommissaris van oordeel is dat die ongeluk aan die ernstige en opsetlike wangedrag van die lid toe te skryf is.

(3) Die bepalings van subregulasie (2) van regulasie 28 en subregulasies (3) en (4) van regulasie 51 is *mutatis mutandis* van toepassing op die verlening van spesiale siekteverlof.

VAKANSIEVERLOF SONDER BETALING.

54. As daar grondige redes vir so 'n stap bestaan, kan die Kommissaris na sy goedvinde maar behoudens die beperkings voorgeskryf in paragraaf (*c*) van subregulasie (1) van regulasie 55, aan 'n lid wat geen vakansieverlof met betaling in sy kredit het nie, vakansieverlof sonder betaling verleen vir nie langer as altesaam 184 dae in enige tydperk van agtien kalendermaande nie.

SIEKTEVERLOF SONDER BETALING.

55. (1) (*a*) Aan 'n lid wat sy siekteverlof met betaling, waarvoor daar in hierdie regulasies voorsiening gemaak word, opgebruik het, kan, ondanks die bepalings van subregulasie (6) van regulasie 50, siekteverlof sonder betaling verleen word vir hoogstens 365 dae in enige bepaalde tydkring.

(*b*) Die siekteverlof bedoel in paragraaf (*a*), kan verleen word afgesien daarvan of addisionele siekteverlof met volle betaling of verdere siekteverlof met halwe betaling kragtens subregulasie (4) of (5) van regulasie 50 aan so 'n lid verleen is.

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

(3) Special leave with full pay may, subject to the directions of the Commissioner, be granted to a member to enable him to prepare himself for an examination referred to in sub-regulation (1) (*a*) or any other examination which the Commissioner may indicate.

SPECIAL SICK LEAVE.

53. (1) (*a*) Subject to the provisions of sub-regulations (1) (*b*) and (2), the Commissioner may grant a member who is absent owing to an injury sustained in an accident arising out of and in the course of his duties, or owing to a disease or indisposition contracted in the course of and as a result of his duties, or owing to any subsequent incapacitation which in the opinion of the district surgeon or Secretary for Health is due to the same injury, illness or indisposition, or owing to an indisposition resulting from vaccination or inoculation in accordance with the provisions of regulation 29, special sick leave with full pay for the period he is incapacitated for his normal functions or duties, or, if the case falls within the scope of the Workman's Compansation Act, 1941, as amended, special sick leave with remuneration equal to the difference between his full pay and the compensation payable to him in terms of the said Act by way of periodical payments of a percentage of his monthly earnings.

(*b*) If a member is absent from duty owing to an injury which, in the opinion of the Commissioner, is attributable either wholly or partly to the wrongful act of a third party and if it is a case falling within the scope of the Workmen's Compensation Act, 1941, as amended, such member shall not be entitled to any pay during such absence, except the compensation which, in terms of the said Act, is payable in the form of periodical payments of a percentage of his monthly earnings; provided, however, that such member may cede to the Government any claim, in respect of his pay, which he may have against any person as a result of such wrongful act, in which case the Commissioner shall, in terms of this regulation, grant him special sick leave with full pay for such period of absence.

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

(3) The provisions of sub-regulation (2) of regulation 28 and sub-regulations (3) and (4) of regulation 51 are *mutatis mutandis* applicable to the granting of special sick leave.

VACATION LEAVE WITHOUT PAY.

54. If there are sound reasons for such a step, the Commissioner may, at his discretion but subject to the limits prescribed in paragraph (*c*) of sub-regulation (1) of regulation 55, grant a member who has no vacation leave with pay to his credit vacation leave without pay for a period not exceeding 184 days in the aggregate in any period of eighteen calendar months.

SICK LEAVE WITHOUT PAY.

55. (1) (*a*) A member who has exhausted his paid sick leave provided for in these regulations may, notwithstanding the provisions of sub-regulation (6) of regulation 50, be granted sick leave without pay for a period not exceeding 365 days in any particular cycle.

(*b*) The sick leave referred to in paragraph (*a*) may be granted irrespective of whether such member has been granted additional sick leave with full pay or further sick leave with half pay in terms of sub-regulation (4) or (5) of regulation 50.

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

(2) Die verlening, aan 'n lid, van siekteverlof sonder betaling kragtens subregulasie (1), is onderworpe aan die indiening, deur hom, van 'n bevredigende geneeskundige sertifikaat soos voorgeskryf in subregulasie (3) van regulasie 51.

VERLOF WAT VIR DIE BEREKENING VAN VERLOF EN DIE BEPALING VAN SALARISVERHOUDINGS AS DIENS TEL.

56. (1) Alle verlof, van watter aard ook al, met volle of gedeeltelike betaling, en vakansie- en siekteverlof sonder betaling van hoogstens altesaam 15 dae in 'n maand, tel as diens vir die oploop van verlof. As die verlof sonder betaling die perk van 15 dae oorskry—

(*a*) word sodanige oorskryding, vir die toepassing van subregulasie (1) van regulasie 49, nie as diens gereken nie; en

(*b*) word die siekteverlof met volle betaling en die siekteverlof met halwe betaling wat ooreenkomstig paragraaf (*b*) van subregulasie (1) van regulasie 45 aan 'n lid verleen mag word, met een ses-en-dertigste verminder ten opsigte van elke sodanige oorskryding, en hierdie vermindering word afgetrek van die getal dae beskikbaar in die tydkring waarin die oorskryding plaasvind of, as die beskikbare siekteverlof van die betrokke tydkring reeds geneem is, van die getal dae beskikbaar in die daaropvolgende tydkring.

(2) Vakansieverlof sonder betaling en siekteverlof sonder betaling tel as diens vir die vasstelling van 'n lid se verlofgroep ingevolge paragraaf (*a*) van subregulasie (1) van regulasie 45.

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

(4) Alle afwesigheidsverlof, van watter aard ook al, hetsy met of sonder betaling, tel as diens vir salarisverhogingsdoeleindes.

BUITENGEWONE GEVALLE EN AFWYKINGS.

57. Indien daar omstandighede ontstaan wat so 'n stap regverdig, kan die Kommissaris na sy goeddunke toelaat dat daar van die bepalings van regulasies 38 tot 56 afgewyk word op die voorwaardes wat hy mag goedkeur of mag hy gelas dat enige tydperk ten opsigte van 'n bepaalde lid nie as afwesigheid beskou moet word nie.

DIENS- EN DISSIPLINÊRE OORTREDINGS.

58. 'n Lid begaan 'n oortreding en kan ooreenkomstig die bepalings van Hoofstuk II van die Wet en hierdie regulasies behandel word indien hy—

(1) afgesien van enige oortreding soos omskryf in subregulasies (2) tot (41), versuim om te voldoen aan of in stryd handel met enige ander bepaling van hierdie regulasies of 'n Staande-, Mags- of ander order of voorskrif wat kragtens regulasie 6 uitgevaardig is en waaraan hy moet voldoen of wat hy moet gehoorsaam;

(2) met iemand anders saamsweer om muitery te pleeg of om 'n muitery, staking, oproer of opstand te veroorsaak of indien hy 'n muitery, staking, oproer of opstand begin, daarby aansluit of iemand daartoe aanhits of, indien hy, terwyl 'n muitery, staking, oproer of opstand in sy teenwoordigheid plaasvind, versuim om alles in sy vermoë te doen om dit te onderdruk of, indien hy, terwyl hy weet of vermoed dat iemand anders by 'n sameswering tot muitery, staking, oproer of opstand betrokke is of daarby aangesluit het, in gebreke bly om sonder versuim al die feite waarvan hy kennis dra aan sy bevelvoerder of meerdere te rapporteer;

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

(2) The granting to a member of sick leave without pay in terms of sub-regulation (1) is subject to the submission by him of a satisfactory medical certificate as prescribed in sub-regulation (3) of regulation 51.

LEAVE WHICH COUNTS AS SERVICE FOR THE CALCULATION OF LEAVE AND THE DETERMINATION OF SALARY INCREMENTS.

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

(*a*) such excess shall not be regarded as service for the purposes of sub-regulation (1) of regulation 49; and

(*b*) the sick leave with full pay and sick leave with half pay which may be granted to a member in terms of paragraph (*b*) of sub-regulation (1) of regulation 45, shall be reduced by one-thirty-sixth in respect of each such excess, which reduction shall be made from the number of days available in the cycle in which the excess occurs or, if the available sick leave for the relative cycle has already been taken, from the number of days available in the next cycle.

(2) Vacation leave without pay and sick leave without pay shall count as service for the purpose of determining a member's leave group under paragraph (*a*) of sub-regulation (1) of regulation 45.

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

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

EXCEPTIONAL CASES AND DEPARTURES.

57. Should circumstances arise which justify such a course, the Commissioner may, in his discretion, allow a departure from the provisions of regulations 38 to 56 on such conditions as he may approve or he may order that any period in respect of a particular member shall not be regarded as absence.

OFFENCES AGAINST DUTY AND DISCIPLINE.

58. A member shall be guilty of an offence and may be dealt with in accordance with the provisions of Chapter II of the Act and these regulations if he—

(1) apart from any offense as defined in sub-regulations (2) to (41), fails to comply with or acts contrary to any provision of these regulations or a Standing, Force or other order or instruction issued in terms of regulation 6, with which he has to comply or which he has to obey;

(2) conspires with any other person to commit mutiny or to cause a mutiny, strike, riot or revolt or if he starts, or joins in any mutiny, strike, riot or revolt or incites any person to do so or if he, while a mutiny, strike, riot or revolt, takes place in his presence, fails to do his utmost to suppress it or if he, while knowing or suspecting any other person to be involved in any conspiracy to cause a mutiny, strike, riot or revolt or to have joined in it, fails to report all the facts which he knows without delay to his commander or superior;

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(3) sy meerdere aanrand, hom met geweld dreig, dreigende of beledigende taal teenoor hom besig, met woord of daad in verset teen hom kom of 'n minagtende, weerspannige of parmantige houding teenoor hom aanneem;

(4) 'n wettige bevel wat deur sy meerdere gegee is, nie gehoorsaam nie, dit verontagsaam of opsetlik versuim om dit uit te voer;

(5) terwyl hy 'n pasiënt in 'n hospitaal of verpleeginrigting is, opsetlik versuim om enige regulasie of reël daarvan of 'n wettige opdrag gegee deur 'n lid van die geneeskundige of verpleegpersoneel verbonde aan sodanige hospitaal of inrigting, na te kom;

(6) 'n valse aantyging van onbetaamlike handelwyse of wangedrag teen 'n meerdere maak;

(7) 'n ondergeskikte op 'n tirannieke of onderdrukkende wyse behandel;

(8) 'n valse beskuldiging teen 'n lid maak of tydens 'n ondersoek, verhoor of navraag 'n valse verklaring aflê of opsetlik belangrike feite verswyg of verberg;

(9) 'n klagte teen of 'n ongunstige mededeling omtrent 'n ander lid terughou of onredelik vertraag

(10) uit die Mag dros, weier om daarin te dien of die werksaamhede van die Mag uit te voer of 'n ander lid aanspoor of oorreed om uit die Mag te dros, te weier om daarin te dien of die werksaamhede daarvan uit te voer;

(11) sonder verlof van diens afwesig is;

(12) versuim om hom sonder 'n geldige en afdoende rede op 'n bepaalde tyd vir diens aan te meld by sy stasie, werkplek of enige ander plek deur sy bevelvoerder of meerdere aangewys;

(13) strydig met die voorskrifte of bevele van 'n meerdere, van diens gaan voordat hy afgelos is of sonder dat hy eers toestemming van sy meerdere verkry het;

(14) strydig met die voorskrifte of bevele van 'n meerdere, van sy kwartiere of woning afwesig is sonder die verlof of 'n ander geldige rede;

(15) willens en wetens 'n lid wat gedros het of wat sonder 'n geldige rede van diens afwesig is, ontvang, versorg, herberg of versteek of, wetende waar so 'n lid hom bevind, versuim om onverwyld sy meerdere in kennis te stel of om alles in sy vermoë te doen om hom in hegtenis te laat neem;

(16) 'n anonieme mededeling aan 'n Minister, die Kommissaris, ander hoogwaardigheidsbekleër of 'n meerdere in die Mag rig

(17) opsetlik 'n onnodige opskudding veroorsaak, 'n vals alarm gee of ongegronde inligting versprei;

(18) baklei of hom andersins op 'n oproerige of onbetaamlike wyse gedra;

(19) (*a*) onder die invloed van drank of verdowingsmiddels is wanneer hy op diens is; of

(*b*) onder die invloed van drank of verdowingsmiddels is wanneer hy van diens af is; of

(*c*) op diens drank of verdowingsmiddels gebruik; of

(*d*) hom ongeskik maak vir diens of vir die behoorlike uitvoering van sy werksaamhede deur die onmatige gebruik van drank of verdowingsmiddels; of

(*e*) terwyl hy op diens is, enige vertrek of plek binnegaan wat gebruik word vir die vervaardiging, berging, verkoop of verskaffing van drank, behalwe in die uitvoering van sy werksaamhede of om herberg te bekom;

(*f*) 'n verpligting op hom neem teenoor 'n gelisensieerde drankhandelaar of 'n kantienhouer of ander persoon in diens van so 'n gelisensieerde handelaar of kantienhouer of aandele hou in 'n maatskappy waarvan die hoofdoel die vervaardiging of verskaffing van of handel in drank is:

(3) assaults his superior, threatens him with violence, uses threatening or insulting language towards him, resists him by word or action or adopts towards him a disdainful, recalcitrant or insolent attitude;

(4) disobeys, disregards or wilfully neglects to carry out any lawful command given by his superior;

(5) whilst a patient in any hospital or nursing institution, wilfully neglects to obey any regulation or rule thereof or any lawful direction given by a member of the medical or nursing staff attached to such hospital or institution;

(6) falsely imputes improper demeanour or misconduct to a superior;

(7) treats an inferior in a tyrannical or oppressive manner;

(8) makes a false accusation against any member or during an investigation, trial or inquiry makes a false statement or wilfully suppresses or conceals material facts;

(9) withholds or unreasonably delays any complaint against or an adverse communication in connection with another member;

(10) deserts the Force, refuses to serve in or carry out the functions of the Force or incites or persuades any other member to desert, refuse to serve in or to carry out the functions of the Force;

(11) absents himself from duty without leave;

(12) fails without good and sufficient cause, to report for duty at a stipulated time at his station, place of work or any other place appointed by his commander or superior;

(13) contrary to any orders or instructions by a superior goes off duty before being relieved or without having first obtained permission from his superior;

(14) contrary to any orders or instructions by a superior, absents himself from his quarters or dwelling without leave or other valid cause;

(15) knowingly and deliberately receives, cares for, harbours or conceals a member who has deserted or, without valid cause, has absented himself from duty or, knowing the whereabouts of such member, fails to notify his superior immediately or to do everything in his power to have him arrested;

(16) addresses any anonymous communication to a Minister, the Commissioner, other dignitary or a superior in the Force;

(17) intentionally causes an unnecessary disturbance, gives a false alarm or disseminates false information;

(18) fights or otherwise behaves in a riotous or an unseemly manner;

(19) (*a*) is under the influence of liquor or narcotic drugs when on duty; or

(*b*) is under the influence of liquor or narcotic drugs when off duty; or

(*c*) partakes of liquor or narcotic drugs on duty; or

(*d*) renders himself unfit for duty or for the proper performance of his functions by the excessive use of liquor or narcotic drugs; or

(*e*) enters, while on duty, any room or place being used for the manufacture, storage, sale or supply of liquor, except in the exercise of his functions or to obtain accommodation;

(*f*) places himself under an obligation to any licensed dealer in liquor or any barman or other person in the employ of any such licensed dealer or barman or holds shares in a company the main object of which is the manufacture or supply of or trading in liquor:

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Met dien verstande dat, vir die toepassing van hierdie subregulasie—

(i) „ verdowingsmiddels ", afgesien van sy gewone betekenis, ook „ *bedwelmende medisyne* " beteken soos in artikel *honderd vyf-en-sewentig* van die Drankwet, 1928 (Wet No. 30 van 1928), omskryf;

(ii) 'n lid nie geag word 'n oortreding te gepleeg het nie indien hy 'n verdowingsmiddel stiptelik in ooreenstemming met 'n voorskrif van 'n geregistreerde geneeskundige praktisyn of 'n geregistreerde tandarts gebruik het;

(iii) „ drank " ook „ sterk drank " of „ drank " soos in artikel *honderd vyf-en-sewentig* van die Drankwet, 1928 (Wet No. 30 van 1928), omskryf en ook „ Bantoebier " soos in artikel *een* van die Wet op Bantoebier, 1962 (Wet No. 63 van 1962), omskryf, beteken;

(20) (*a*) malinger of veins of voorgee dat hy siek, kranklik, ongesteld of beseer is of aan pyn ly;

(*b*) vrystelling van diens verkry of poog om dit te verkry deur 'n valse of oordrewe verskoning op grond van siekte, krankheid, ongesteldheid, besering of pyn aan te voer;

(*c*) opsetlike siekte, krankheid, ongesteldheid, besering of pyn veroorsaak of homself of 'n ander lid opsetlik vermink of beseer, hetsy op versoek van so 'n lid of nie, of homself opsetlik deur iemand anders laat vermink of beseer met die opset om homself of so 'n ander lid daardeur ongeskik vir diens of vir die verrigting van sy werksaamhede te maak;

(21) in gebreke bly om sonder vertraging sy meerdere in kennis te stel dat hy aan 'n veneriese of enige ander siekte ly wat ingevolge wet aangemeld moet word;

(22) op diens slaap;

(23) sy plig versuim of sy werksaamhede op 'n onbehoorlike wyse verrig;

(24) sonder die toestemming van die Kommissaris, inligting wat hy ingewin het of wat aan hom verstrek is weens sy werk in die Mag, regstreeks of onregstreeks openbaar maak op 'n ander manier as in in die vervulling van sy werksaamhede of sodanige inligting gebruik vir 'n ander doel as vir die vervulling van sy werksaamhede of ampspligte, hetsy hy sodanige inligting openbaar maak of nie;

(25) 'n gevangene of ander persoon wat in hegtenis is, sonder behoorlike magtiging vrylaat of opsetlik of weens nalatigheid laat ontsnap;

(26) onnodige geweld teenoor 'n gevangene of 'n ander persoon wat in hegtenis is, gebruik of hom op 'n ander manier mishandel;

(27) sonder die skriftelike toestemming van die Kommissaris enige kommissie, loon of beloning, hetsy in geld of in 'n ander vorm (wat nie die emolumente is wat ten opsigte van sy amptelike pligte aan hom betaalbaar is nie) aanneem of dit eis ten opsigte van die vervulling van sy werksaamhede of ten opsigte van die nalating om sy werksaamhede te vervul of indien hy versuim om sy bevelvoerder skriftelik van die aanbod van sodanige kommissie, loon of beloning in kennis te stel;

(28) 'n korting, kommissie, geskenk, loon, beloning of ander teenprestasie of voordeel, hetsy in geld of in 'n ander vorm (uitgesonderd sy amptelike besoldiging), eis, vra, ontvang, of aanneem ten opsigte van die aanskaffing, aankoop, verkoop of wegmaking van voorrade, wapens, ammunisie, saaltuig, vervoermiddels, diere, voer en ander uitrusting of enige ander benodigdhede van watter aard ook al, wat nodig is vir gebruik in, of die eiendom is van die Mag, 'n winkel, menasie of enige ander instelling van die Mag;

Provided that for the purposes of this sub-regulation—

(i) " narcotic drugs ", apart from its usual meaning, shall also include " *intoxicating medicine* " as defined in section *one hundred and seventy-five* of the Liquor Act, 1928 (Act No. 30 of 1928);

(ii) a member shall not be deemed to have committed an offence if a narcotic drug was used by him strictly in accordance with instructions issued by a registered medical practitioner or a registered dentist;

(iii) " liquor " shall also mean " *intoxicating liquor* " or " *liquor* " as defined in section *one hundred and seventy-five* of the Liquor Act, 1928 (Act No. 30 of 1928), and also " *Bantu Beer* " as defined in section *one* of the Bantu Beer Act, 1962 (Act No. 63 of 1962);

(20) (*a*) malingers or feigns or pretends to be ill, infirm, indisposed, injured or suffering from pain;

(*b*) obtains or attempts to obtain exemption from duty by advancing a false or exaggerated excuse on the grounds of illness, infirmity, indisposition, injury or pain;

(*c*) wilfully causes illness, infirmity, indisposition, injury or pain or wilfully maims or injures himself or any other member, whether at the request of such member or not, or wilfully causes himself to be maimed or injured by any other person with the intention of rendering himself or such other member unfit for duty or the performance of his functions;

(21) fails to notify his superior without delay that he is suffering from venerial or any other disease which is notifiable under the law;

(22) sleeps on duty;

(23) neglects his duty or performs his functions in an improper manner;

(24) without the permission of the Commissioner, directly or indirectly discloses, otherwise than in the discharge of his functions, any information gained by or communicated to him because of his employment in the Force or uses such information for any purpose other than for the discharge of his functions or official duties, whether or not be discloses such information;

(25) without proper authority, releases a prisoner or other person in custody or wilfully or negligently allows him to escape;

(26) uses unnecessary violence against a prisoner or other person in custody or otherwise ill-treats him;

(27) without the written permission of the Commissioner, accepts or demands in respect of the discharge, or the failure to discharge, his functions any commission, fee or reward, pecuniary or otherwise (not being the emoluments payable to him in respect of his official duties) or fails to report in writing to his commander the offer of any such commission, fee or reward;

(28) demands, solicits, receives or accepts any discount, commission, gift, fee, reward or other consideration or advantage, whether pecuniary or otherwise (except his official remuneration), in respect of the acquisition, purchase, sale or disposal of any stores, arms, ammunition, saddlery, transport, animals, forage and other equipment or any other requisites of whatever nature, required for use in, or being the property of the Force, a canteen, mess or any other institution of the Force;

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(29) staatseiendom, met inbegrip van eiendom wat op staatskoste aan hom of 'n ander lid uitgereik is vir persoonlike gebruik by die verrigting van sy of sodanige lid se werksaamhede, of eiendom in besit of onder die beheer van die Staat of waarvoor die Staat verantwoordelik is, of eiendom van 'n ander lid, 'n winkel, menasie of enige ander instelling van die Mag, 'n gevangene of ander persoon wat in hegtenis geneem is, of enige bewysstuk in 'n strafsaak, of eiendom wat laat vaar, verloor of onopgeeis en deur 'n lid gevind of in bewaring geneem of in sy besit is, wederregtelik of op 'n onregmatige wyse toeëien, terughou, misbruik, ongemagtigde gebruik daarvan maak of opsetlik beskadig of weens nalatigheid verloor;

(30) 'n dier wat die eiendom van die Staat of in besit of onder die beheer van die Staat is of waarvoor die Staat verantwoordelik is, flou ry, oorwerk, oorlaai, mishandel of verwaarloos;

(31) in die verrigting van sy werksaamhede growwe onbeleefdheid teenoor enigiemand openbaar;

(32) hom in die openbaar ongunstig uitlaat oor die administrasie van die Mag of enige ander staatsdepartement;

(33) (*a*) lid van 'n politieke party of 'n beweging, organisasie, liggaam of vereniging met politieke oogmerke is of word; of

(*b*) hetsy op of van diens af, willens en wetens, 'n wapen, embleem, vaandel, kleure, saluut, groet, onderskeidende gebaar of teken, van watter aard ook al, wat hom verbind met 'n politieke party, beweging, organisasie, liggaam of vereniging soos bedoel in paragraaf (*a*), dra, toon of gebruik daarvan maak; of

(*c*) aktief deelneem aan of hom assosieer met die politieke bedrywighede, oogmerke of sake van 'n party, beweging, organisasie, liggaam of vereniging soos bedoel in paragraaf (*a*) of, behoudens die bepalings van regulasie 72, op enige wyse aktief die kandidatuur van 'n kandidaat vir die Volksraad, Senaat, 'n provinsiale raad, afdelings-, stadsraad of munisipale raad of dorpsbestuur, gesondheidskomitee, plaaslike bestuur of skoolraad bevorder behalwe deur sy stem uit te bring of sy werksaamhede en ampspligte in verband met 'n verkiesing uit te voer;

(34) probeer om uit politieke of buitebronne inmenging of ingryping in verband met sy eie of 'n ander lid se posisie, diensvoorwaardes of werksaamhede in die Mag te bewerkstellig: Met dien verstande dat 'n lid nie geag word 'n oortreding ingevolge hierdie subregulasie te pleeg nie indien hy met die Kommissaris se wete probeer om deur bemiddeling van die Parlement 'n grief te laat herstel;

(35) met die opset om te bedrieg om iemand te benadeel, 'n verslag, opgawe, register, boek, staat, vorm, vordering, brief of enige ander dokument met betrekking tot sy werksaamhede of pligte in die Mag onderdruk, verberg, weerhou, skend, verander, vernietig, wegdoen, iets daarin uitwis, of 'n valse misleidende, onvolledige of onnoukeurige verklaring, aantekening of inskrywing daarin maak, laat maak, toelaat of oogluikend toelaat dat dit gemaak word;

(36) met die oog op die verkryging van enige voorreg of voordeel met betrekking tot sy posisie, werksaamhede of pligte in die Mag of met die oog daarop om die Regering, die Staatsdiens, die Mag, 'n ander staatsdepartement of 'n lid van die Mag of die Staatsdiens nadeel of skade aan te doen, 'n valse of onjuiste verklaring maak, wetende dat dit vals of onjuis is;

(37) regstreeks of onregstreeks geld leen van of deur tussenkoms van 'n lid wat 'n laer rang as hy beklee;

(29) wrongfully and unlawfully appropriates, withholds, misapplies, makes unauthorised use of or wilfully injures or negligently loses any public property, including property issued to him or to another member at public expense for personal use in the execution of his or such member's functions, or property in possession or under the control of the Government or for which the Government is responsible or any property belonging to another member, a canteen, mess or any other institution of the Force, a prisoner or other person in custody, or any exhibit in a criminal case, or property abandoned, lost or unclaimed and found or taken into safekeeping by a member or being in his possession;

(30) overrides, overdrives, overloads, ill-treats or neglects any animal which is the property of the Government or in possession or under the control of the Government or for which the Government is responsible;

(31) in the exercise of his functions, displays gross discourtesy towards any person;

(32) comments unfavourably in public upon the administration of the Force or any other Government department;

(33) (*a*) is or becomes a member of any political party or any movement, organization, body or association having political objects; or

(*b*) whether on or off duty, knowingly and deliberately wears, exhibits or uses any badge, emblem, standard, colours, salute, greeting, distinctive gesture or device of any kind which associates him with any political party, movement, organisation, body or association referred to in paragraph (*a*); or

(*c*) actively takes part in or associates himself with the political activities, objects or matters of a party, movement, organisation, body or association referred to in paragraph (*a*) or, subject to the provisions of regulation 72, in any way actively promotes the candidature of a candidate for Parliament, the Senate, a provincial, divisional, city or municipal council or village management board, health committee, local authority or school board beyond recording his vote or carrying out his functions and official duties in connection with an election;

(34) attempts to secure interference or intervention from political or outside sources in connection with his own or another member's position, conditions of service or functions in the Force: Provided that a member shall not be deemed to commit an offence under this sub-regulation if, with the Commissioner's knowledge, he endeavours to obtain redress of any grievance through Parliament;

(35) with intent to deceive or prejudice any person, suppresses, conceals, withholds, defaces, alters, destroys or does away with any report, return, register, book, record, form, claim, letter or any other document in relation to his functions or duties in the Force, obliterates anything therein or makes, causes or allows to be made or connives at the making of any false, misleading, incomplete or inaccurate statement, record or entry therein;

(36) with a view to obtaining any privilege or advantage in connection with his position, functions or duties in the Force, or with a view to causing prejudice or harm to the Government, the Public Service, the Force, another Government Department or a member of the Force or the Public Service, makes a false or incorrect statement, knowing it to be false or incorrect;

(37) directly or indirectly borrows any money from or through a member holding a lower rank than himself;

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(38) sonder die skriftelike toestemming van die Kommissaris—

(*a*) regstreeks of onregstreeks handel of besigheid dryf; of

(*b*) 'n kommersiële, industriële, boerdery- of ander landboubedrywigheid onderneem of daaraan deelneem; of

(*c*) enige private agentskap of private werk onderneem wat in verband staan met die verrigting van sy werksaamhede of die uitvoering van sy pligte in die Mag; of

(*d*) enige besoldigde werk, uitgesonderd sy werksaamhede in die Mag, verrig; of

(*e*) willens en wetens sy vrou toelaat om besoldigde werk te verrig of om enigiets gemeld in paragrawe (*a*), (*b*) of (*c*) te doen;

(39) nadat hy behoorlik gewaarsku of aangesê is om op 'n bepaalde tyd en plek as beskuldigde, verweerder of getuie aanwesig te wees by 'n verhoor, raad van ondersoek of enige ander ondersoek kragtens die Wet of hierdie regulasies, sonder grondige rede versuim om op die tyd en plek aldus bepaal, aanwesig te wees of, indien hy aanwesig is, behoudens die bepalings van subartikel (4) van artikel *tien* van die Wet en hierdie regulasies, weier om 'n eed af te lê of 'n plegtige bevestiging te maak of om 'n vraag te beantwoord wat regtens aan hom gestel mag word of om 'n dokument of saak oor te lê wat in sy besit of onder sy beheer is;

(40) hom op 'n onbehoorlike wyse gedra of op 'n wyse wat nie vir 'n lid van sy rang betaamlik is nie;

(41) hom op 'n wyse gedra of 'n daad begaan of versuim om enigiets te doen, of dit in hierdie regulasie omskryf word of nie, en wat tot nadeel van die goeie orde, doeltreffende administrasie, beheer of dissipline van die Mag strek of mag strek.

59. Skriftelikè toestemming deur die Kommissaris om iets te doen wat sonder sodanige toestemming 'n oortreding ingevolge die bepalings van regulasie 58 sou wees, word aan die betrokke lid oorgedra deur sy bevelvoerder of enige ander lid deur hom aangewys, en sodanige bevelvoerder of aangewese lid is bevoeg om getuienis daaromtrent af te lê by 'n verhoor, raad van ondersoek of 'n ander ondersoek wat ingevolge die Wet of hierdie regulasies gehou word.

SKORSING.

60. (1) Behoudens die bepalings van artikels *drie* en *vier* van die Wet en met behoorlike inagneming van die bepalings van artikel *veertien* van die Wet en subregulasie (2), word 'n lid slegs weens beweerde of vermoedelike ernstige wangedrag of indien die omstandighede van so 'n aard is dat hy nie toegelaat behoort te word om sy bevoegdhede, werksaamhede en gesag uit te oefen nie, in sy amp geskors.

(2) Die Kommissaris kan 'n offisier in sy amp skors as 'n voorlopige maatreël in afwagting van die uitslag van 'n onmiddellike verwysing na die Minister vir oorweging kragtens subartikel (1) van artikel *drie* van die Wet.

(3) Tensy anders gelas deur die Staatspresident, in die geval van 'n offisier, of deur die Minister of die Kommissaris, in die geval van 'n ander lid, duur die skorsing van 'n lid voort tot die datum waarop sodanige lid afgedank, ontslaan of in rang verlaag word of totdat hy diens hervat nadat hy aldus aangesê is.

(4) 'n Lid wat in sy amp geskors is, mag nie gedurende die tydperk van skorsing uniform dra nie.

VERHOOR DEUR 'N OFFISIER INGEVOLGE ARTIKEL 9 (2) VAN DIE WET.

61. (1) Behoudens die bepalings van subartikel (4) van artikel *tien* van die Wet, wat *mutatis mutandis* op 'n verhoor ingevolge subartikel (2) van artikel *nege* van die Wet van toepassing is, en met uitsondering van die bepalings van subartikels (1), (2) en (4) van artikel *sewe-en-vyftig*, subartikel (8) van artikel *driehonderd-en-nege* en

(38) without the written permission of the Commissioner—

(*a*) engages directly or indirectly in any trade or business;

(*b*) undertakes or takes part in any commercial, industrial, farming or other agricultural activity; or

(*c*) undertakes any private agency or private work connected with the performance of his functions or the carrying out of his duties in the Force;

(*d*) performs any remunerative work, except his functions in the Force; or

(*e*) knowingly and deliberately allows his wife to perform any remunerative work or to do anything referred to in paragraphs (*a*), (*b*) or (*c*);

(39) after having been duly warned or ordered to be present at an appointed time and place as the accused, defendant or witness at a trial, board of inquiry or any other investigation under the Act or these regulations, fails without just cause to be present at the time and place so appointed or, being present, subject to the provisions of sub-section (4) of section *ten* of the Act and these regulations, refuses to be sworn or to make a solemn affirmation or to answer any question which may be lawfully put to him or to produce any document or thing in his possession or under his control;

(40) conducts himself in an improper manner or in a manner unbecoming a member of his rank;

(41) conducts himself in any manner or commits any act or omits to do anything, whether or not defined in these regulations, which is or may be prejudicial to the good order, efficient administration, control or discipline of the Force.

59. Any permission, in writing, by the Commissioner to do anything which, without such permission, would constitute a conteravention in terms of regulation 58, shall be conveyed to the member concerned by his commander or any other member designated by him, and such commander or designated member shall be competent to give evidence thereanent at any trial, board of inquiry or other investigation conducted in terms of the Act or these regulations.

SUSPENSION.

60. (1) Subject to the provisions of sections *three* and *four* of the Act and due regard being had to the provisions of section *fourteen* of the Act and sub-regulation (2), a member shall be suspended from office only on account of alleged or suspected serious misconduct or if the circumstances are of such a nature that he should not be allowed to exercise his powers, functions and authority.

(2) A commissioned officer may be suspended from his office by the Commissioner as a provisional measure pending the result of an immediate reference to the Minister for consideration in terms of sub-section (1) of section *three* of the Act.

(3) Unless otherwise directed by the State President, in the case of a commissioned officer, or by either the Minister or the Commissioner, in the case of any other member, the suspension of a member shall continue until the date on which such member is discharged, dismissed or reduced in rank or, until he resumes duty after having been ordered to do so.

(4) A member who is suspended from his office may not wear uniform during the period of suspension.

TRIAL BY A COMMISSIONED OFFICER UNDER SECTION 9 (2) OF THE ACT.

61. (1) Subject to the provisions of sub-section (4) of section *ten* of the Act, which shall *mutatis mutandis* apply to a trial under sub-section (2) of section *nine* of the Act, and with the exception of the provisions of sub-section (1), (2) and (4) of section *fifty-seven*, sub-section (8) of section

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subartikel (4) van artikel *driehonderd-en-tien* van die Strafproseswet, 1955 (Wet No. 56 van 1955), word die verrigtinge by so 'n verhoor, behoudens andersluidende bepalings in hierdie regulasies, op dié wyse en in dié vorm gevoer wat so na doenlik dieselfde is as dié wat in die summiere verrigtinge in 'n landdroshof by die verhoor en beslissing van strafsake gevolg word.

(2) 'n Verhoor deur 'n offisier word gehou by 'n polisiestasie, polisiekantoor, polisiepos of enige ander plek wat die verhooroffisier, met inagneming van die woonplek van die getuies of enigeen van hulle, as geleë beskou.

(3) Behalwe met die toestemming van die Kommissaris, mag niemand anders as die aanklaer, die beskuldigde en sy regsverteenwoordiger, 'n getuie terwyl hy getuienis aflê, en 'n tolk, indien nodig, by so 'n verhoor teenwoordig wees nie.

(4) 'n Lid van dieselfde of 'n hoër rang as dié van die beskuldigde moet deur die verhooroffisier aangewys word om as aanklaer op te tree, en as dit vir hom nodig is om getuienis vir die vervolging af te lê wat nie bloot van 'n formele aard is nie, moet hy dit sover doenlik doen voordat ander getuienis genotuleer word.

(5) (*a*) Die aanklaer moet reël vir die teenwoordigheid van die beskuldigde deur aan hom 'n kopie van die klagstaat, in die voorgeskrewe vorm, waarop die tyd, datum en plek van die verhoor gemeld word, 'n redelike tyd voor die aanvang van die verhoor te beteken of te laat beteken.

(*b*) Die aanklaer moet ook reël vir die teenwoordigheid van alle getuies deur hulle vroegtydig in kennis te stel van die tyd, datum en plek van die verhoor. Indien nodig, in die geval van getuies wat nie lede is nie, moet hy getuiedagvaardings, in die voorgeskrewe vorm en onderteken deur die verhooroffisier, aan hulle beteken of laat beteken.

(*c*) Die betekening van sodanige getuiedagvaardings is onderworpe aan die vereistes van die hofreëls wat ten opsigte van die betekening van getuiedagvaardings in strafsake in 'n landdroshof van toepassing is.

(6) 'n Getuie moet die getuienis wat hy afgelê het, onderteken nadat die verhooroffisier dit aan hom voorgelees het.

(7) (*a*) Indien die beskuldigde op die aanklag skuldig pleit en tensy die bepalings van subregulasie (12 toegepas word, moet voldoende getuienis aangevoer en genotuleer word om te bewys dat die oortreding werklik gepleeg is en om die aard en omvang daarvan aan die lig te bring ten spyte daarvan dat sodanige inligting deur die beskuldigde openbaar mag word in 'n verklaring wat hy aflê of voorlê.

(*b*) 'n Skriftelike verklaring wat deur die beskuldigde ingedien word, word deur die verhooroffisier onderteken en as deel van die verrigtinge aan die oorkonde geheg.

(8) (*a*) Behalwe in die geval van 'n verhoor kragtens subregulasie (12), moet die aanklaer, sodra die beskuldigde skuldig bevind is, 'n gewaarmerkte uittreksel van die gedragstaat, soos bedoel in regulasie 63, waarop alle ongeskrapte vorige veroordelings van die beskuldigde voorkom, aan hom voorlê en hom versoek om sodanige veroordelings te erken of te ontken. Ingeval die beskuldigde 'n veroordeling ontken, kan die aanklaer, indien die verhooroffisier dit wenslik ag, getuienis aanvoer om dit te bewys.

(*b*) 'n Vorige skuldigbevinding wat regtens bewys of deur die beskuldigde erken is, moet deur die verhooroffisier in aanmerking geneem word by die oplegging van die vonnis.

(9) (*a*) Die beskuldigde en alle ander lede wat 'n verhoor, soos in hierdie regulasie bedoel, bywoon, word geag op diens te wees en is geregtig op die reisvoorregte en die verblyftoelae waarvoor daar in hierdie regulasies voorsiening gemaak word. Ander getuies is geregtig op dié onderhoudstoelae en reisfasiliteite, wat uit staatsfondse bestry moet word, soos vir getuies in strafsake in 'n landdroshof voorgeskryf.

three hundred and nine and sub-section (4) of section *three hundred and ten* of the Criminal Procedure Act, 1955 (Act No. 56 of 1955), the proceedings at such trial shall, save as otherwise provided in these regulations, be conducted in such manner and in such form as are as nearly as practicable the same as those followed in summary proceedings in a magistrate's court at the hearing and determination of criminal cases.

(2) A trial by a commissioned officer shall be held at a police station, police office, police post or any other place which the trial officer may consider convenient, having regard to the place of residence of the witnesses or any of them.

(3) Except with the consent of the Commissioner, no person other than the prosecutor, the accused and his legal adviser, a witness while giving evidence, and an interpreter, if required, shall be present at such trial.

(4) A member of equal or higher rank than that of the accused shall be detailed by the trial officer to act as prosecutor, and if it should be necessary for him to give evidence for the prosecution, which is not merely of a formal nature, he shall as far as practicable do so before any other evidence is recorded.

(5) (*a*) The prosecutor shall arrange for the presence of the accused by serving or causing to be served on him a reasonable time before the commencement of the trial, a copy of the charge sheet, on the prescribed form, on which shall be indicated the time, date and venue of the trial.

(*b*) The prosecutor shall also arrange for the presence of all witnesses by notifying them in good time of the time, date and venue of the trial. If necessary, in the case of witnesses who are not members, he shall serve or cause to be served upon them subpoenas on the prescribed form signed by the trial officer.

(*c*) The service of such subpoenas shall be subject to the requirements of the Rules of Court which apply in respect of the service of subpoenas in criminal cases in a magistrate's court.

(6) The evidence given by a witness shall be signed by him after having been read over to him by the trial officer.

(7) (*a*) If the accused pleads guilty to the charge and unless the provisions of sub-regulation (12) are applied, sufficient evidence shall be adduced and recorded to prove that the offence was actually committed and to disclose the nature and extent thereof, notwithstanding that such information may be disclosed by the accused in any statement which he may make or submit.

(*b*) Any written statement handed in by the accused shall be signed by the trial officer and attached to the record as part of the proceedings.

(8) (*a*) Except in the case of a trial under sub-regulation (12), the prosecutor shall, as soon as the accused is found guilty, produce a certified extract from the conduct sheet, referred to in regulation 63, on which all unexpunged previous convictions appear and call upon him to admit or deny such convictions. In the event of the accused not admitting any conviction the prosecutor may, if the trial officer deems it expedient, adduce evidence to prove it.

(*b*) Any previous conviction lawfully proved or admitted by the accused shall be taken into consideration by the trial officer in passing sentence.

(9) (*a*) The accused and all other members attending a trial referred to in this regulation shall be regarded as being on duty and shall be entitled to the travelling privileges and subsistence allowance provided for in these regulations. Other witnesses shall be entitled to such maintenance fees and travelling facilities, to be met from public funds, as are prescribed for witnesses in criminal cases in a magistrate's court.

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(*b*) Indien die beskuldigde verlang dat getuies gedagvaar word om ten gunste van hom te getuig, kan hy 'n aansoek met daardie strekking aan die verhooroffisier rig; met dien verstande dat indien die verhooroffisier van mening is dat die getuienis van 'n verdedigingsgetuie nie noodsaaklik en van wesenlike belang was nie, die Kommissaris, na sy goedvinde, kan weier om koste wat aangegaan is om die teenwoordigheid van so 'n getuie te verseker, uit staatsfondse te betaal en die betaling daarvan op die beskuldigde kan verhaal.

(10) Die beskuldigde is persoonlik verantwoordelik vir die betaling van gelde aan 'n regsverteenwoordiger wat in opdrag van hom optree.

(11) Die beskuldigde of sy regsverteenwoordiger mag onder die toesig van 'n lid wat die verhooroffisier aanwys, insae in die oorkonde van die verhoor hê en kan gratis 'n afskrif daarvan maak; met dien verstande dat, indien die beskuldigde aldus versoek, hy van 'n afskrif voorsien kan word teen betaling van die gelde wat vir die verskaffing van 'n afskrif van die oorkonde van 'n summiere verhoor in 'n landdroshof voorgeskryf is.

(12) (*a*) Indien die beskuldigde, nadat besonderhede van die aanklag aan hom verstrek is, te kenne gee dat hy voornemens is om daarop skuldig te pleit, kan sy bevelvoerende offisier, ondanks andersluidende bepalings in hierdie regulasie en mits hy van mening is dat die beweerde oortreding van 'n nie-ernstige aard is, gelas dat die beskuldigde voor hom of 'n ander offisier gebring word, en indien die beskuldigde by verskyning op die aanklag skuldig pleit, kan sodanige bevelvoerende of ander offisier, nadat hy kennis geneem het van die aard van die beweerde oortreding en sonder om getuienis te notuleer, die beskuldigde òf berispe òf 'n boete van hoogstens twee rand oplê.

(*b*) 'n Vonnis wat kragtens paragraaf (*a*) van hierdie subregulasie opgelê is, word nie op die gedragstaat soos bedoel in regulasie 63, aangeteken nie en word nie by enige latere verhoor ingevolge subartikel (2) van artikel *nege* van die Wet as 'n vorige skuldigbevinding beskou of as sodanig bewys nie.

(13) Ondanks die bepalings van paragraaf (*a*) van subregulasie (12), kan die Kommissaris, na sy goedvinde, gelas dat die bepalings van paragraaf (*b*) van voormelde subregulasie *mutatis mutandis* toegepas word ten opsigte van enige oortreding waarvoor 'n lid berispe of veroordeel is hetsy deur 'n strafhof of ingevolge subartikels (2), (4), (5), (6) of (9) van artikel *nege* van die Wet.

APPÈL TEEN SKULDIGBEVINDING EN VONNIS, EN HERSIENING.

62. (1) 'n Lid wat verlang om ooreenkomstig die bepalings van subartikel (6) van artikel *nege* van die Wet te appelleer ten 'n skuldigbevinding en vonnis wat opgelê en kragtens subartikel (5) van gemelde artikel bekragtig is, moet binne *veertien* dae na die datum waarop hy van die bekragtiging van die skuldigbevinding en vonnis in kennis gestel is, by die verhooroffisier 'n skriftelike appèl indien waarin hy duidelik en breedvoerig die gronde uiteensit waarop die appèl gebaseer word.

(2) By ontvangs van die appèl stel die verhooroffisier 'n skriftelike repliek op waarin hy die volgende uiteensit:—

(*a*) Die feite wat hy bevind het bewys te wees;

(*b*) die redes vir sy bevinding in verband met enige feit waarteen appèl aangeteken word; en

(*c*) die redes vir sy beslissing oor enige regsvraag wat ter sprake gebring is of oor die toelating, geloofwaardigheid of verwerping van getuienis, waarteen appèl aangeteken word.

(3) Die verhooroffisier stuur die appèl en sy repliek, tesame met die oorkonde van die verhoor en alle ander relevante stukke, aan die betrokke offisier wat kragtens subartikel (5) van artikel *nege* van die Wet die skuldigbevinding of vonnis bekragtig of die bedrag van die boete vasgestel het, en laasgenoemde lê dit alles aan die Kommissaris voor met dié skriftelike opmerkings wat hy toepaslik ag.

(*b*) If the accused desires any witness to be subpoenaed to give evidence in his favour, he may submit an application to that effect to the trail officer; provided that if, in the opinion of the trail officer, the evidence of a witness for the defence was not necessary and of material importance, the Commissioner may, in his discretion, refuse the payment, from public funds, of any expense involved in securing the attendance of such a witness and may recover payment thereof from the accused.

(10) The accused shall be personally responsible for the payment of fees to any legal representative acting on his instructions.

(11) The accused or his legal representative may, under the supervision of a member designated by the trail officer, inspect the record of the trail and may make a copy thereof, free of charge; provided that should the accused so request, he may be furnished with a copy on payment of the fees prescribed for the supply of a copy of the record of a summary trial in a magistrate's court.

(12) (*a*) If the accused, after having been furnished with particulars of the charge, intimates that he intends pleading guilty thereto, his commanding officer may, notwithstanding anything to the contrary contained in this regulation and provided he is of opinion that the alleged offence if of a non-serious nature, order the accused to be brought before him or another commissioned officer, and if the accused, on appearing, pleads guilty to the charge, such commanding or other commissioned officer may, after having taken cognisance of the nature of the alleged offence and without recording evidence, either reprimand or sentence the accused to a fine not exceeding two rand.

(*b*) A sentence imposed in terms of paragraph (*a*) of this sub-regulation shall not be entered on the conduct sheet referred to in regulation 63 and shall not be regarded as a previous conviction or proved as such at any subsequent trial under sub-section (2) of section *nine* of the Act.

(13) Notwithstanding the provisions of paragraph (*a*) of sub-regulation (12), the Commissioner may, in his discretion, order that the provisions of paragraph (*b*) of the aformentioned sub-regulation shall *mutatis mutandis* apply in respect of any offence for which a member was reprimanded or convicted whether by a criminal court or in terms of sub-sections (2), (4), (5), (6) or (9) of section *nine* of the Act.

APPEAL AGAINST CONVICTION AND SENTENCE, AND REVIEW.

62. (1) A member desiring to appeal in terms of subsection (6) of section *nine* of the Act against a conviction and sentence imposed and confirmed under sub-section (5) of the said section, shall within 14 days after the date on which he was notified of the confirmation of the conviction and sentence, lodge with the trial officer an appeal in writing in which he shall set out clearly and in detail the grounds on which the appeal is based.

(2) On receipt of the appeal, the trail officer shall compile a written reply in which he shall set forth—

(*a*) the facts he found to be proved;

(*b*) the reasons for his finding in connection with any fact against which appeal is noted; and

(*c*) the reasons for his ruling on any point of law which was raised or on the admission, credibility or rejection of evidence, against which an appeal was lodged.

(3) The trial officer shall transmit the appeal and his reply, together with the record of the trial and all other relevant documents, to the officer concerned who, in terms of sub-section (5) of section *nine* of the Act, confirmed the conviction or sentence or determined the amount of the fine, and the latter shall submit all these to the Commissioner with such written comment as he may deem applicable.

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(4) By die uitoefening van die bevoegdheid hom verleen by subartikel (6) van artikel *nege* van die Wet, oorweeg die Kommissaris die inhoud van die stukke wat ingevolge subregulasie (3) aan hom voorgelê word, sonder om enige *viva voce* betoog aan te hoor, en indien hy daarvan oortuig is dat daar voldoende getuienis is om die uitspraak te regverdig en dat, in hoofsaak, geregtigheid inderdaad geskied het, kan hy die appèl van die hand wys ondanks enige onreëlmatigheid of tekortkoming, tegnies of andersins in verband met die verrigtinge of die oorkonde wat nie die werklike meriete van die saak raak nie.

(5) Verrigtinge wat ooreenkomstig die bepalings van subartikel (9) van artikel *nege* van die Wet aan die Kommissaris voorgelê word, moet vergesel gaan van—

(*a*) 'n opsomming, deur die verhooroffisier, van die besonderhede wat ingevolge subparagrawe (*a*), (*b*) en (*c*) van subregulasie (2) vereis word; en

(*b*) die kommentaar, indien daar is, van die offisier wat kragtens subartikel (5) van voormelde artikel die skuldigbevinding en vonnis bekragtig of die boete vasgestel het.

GEDRAGSTATE.

63. (1) 'n Gedragstaat, op die voorgeskrewe vorm, word ten opsigte van iedere lid in stand gehou, en behoudens die bepalings van subregulasies (12) en (13) van regulasie 61 en subregulasie (7) van regulasie 67, word alle skuldigbevindings weens wangedrag daarop aangeteken.

(2) Indien daar vir 'n tydperk van *vyf* jaar sedert die datum van die laaste skuldigbevinding wat op 'n lid se gedragstaat voorkom, geen verdere skuldigbevinding daarop aangeteken word nie, word alle inskrywings geskrap; met dien verstande dat 'n inskrywing in verband met 'n skuldigbevinding ten opsigte waarvan die vonnis of 'n gedeelte daarvan opgeskort of uitgestel is, geskrap word sodra al die voorwaardes van sodanige opskorting of uitstelling nagekom is.

(3) Ondanks die bepalings van subregulasie (2) maar behoudens die bepalings van subregulasies (12) en (13) van regulasie 61, kan die Kommissaris die doeleindes bepaal waarvoor 'n skuldigbevinding wat nie op 'n lid se gedragstaat aangeteken is nie of wat reeds geskrap is, in aanmerking geneem moet word.

ONDERSOEKE KRAGTENS ARTIKEL *sewentien* VAN DIE WET.

64. (1) Indien, vanweë 'n skuldigbevinding weens wangedrag of bewerings aangaande wangedrag, ongeskiktheid om sy werksaamhede uit te voer, onvermoë om dit op 'n doeltreffende wyse uit te voer, onbehoorlik of onbetaamlike gedrag of optrede of enige ander feit of aangeleentheid omtrent hom, die vraag ontstaan of 'n bepaalde lid, uitgesonderd 'n offisier, geskik is om sy rang te behou of om in die Mag te bly, en sodanige skuldigbevinding of bewerings sy rangsverlaging of afdanking of ontslag ooreenkomstig die bepalings van paragrawe (*c*), (*d*) of (*f*) van subregulasie (1) van regulasie 15 tot gevolg kan hê, roep die Kommissaris of, behoudens die bepalings van subartikel (1) van artikel *sewentien* van die Wet, sodanige afdelingskommissaris of ander aangewese offisier 'n raad byeen met die doel om ondersoek in te stel na die geskiktheid van so 'n lid om—

(*a*) sy rang te behou; of

(*b*) om in die Mag te bly.

(2) 'n Raad kan kragtens subregulasie (1) byeengeroep word ondanks die feit dat 'n lid op 'n bepaalde aanklag van wangedrag vrygespreek is, hetsy deur 'n strafhof of ingevolge subartikel (2) van artikel *nege* van die Wet.

(3) Die byeenroepende owerheid stel 'n offisier as voorsitter van die raad aan en, indien nodig geag, een of meer ander offisiere as lede.

(4) Die byeenroepingsbevel moet duidelik en uitdruklik die volgende meld:—

(*a*) Die doel waarvoor die raad belê word;

(*b*) die besonderhede van die skuldigbevinding of bewerings wat tot die ondersoek aanleiding gegee het; en

(*c*) of slegs 'n bevinding en verslag of ook 'n aanbeveling verlang word.

(4) In the exercise of the powers vested in him by sub-section (6) of section *nine* of the Act, the Commissioner shall consider the contents of the documents which are submitted to him in terms of sub-regulation (3) without hearing any *viva voce* arguments, and if he is satisfied that there is sufficient evidence to justify the finding and that, in substance, justice has in fact been done, he may disallow the appeal notwithstanding any irregularity or defect, technical or otherwise, in connection with the proceedings or record which do not affect the real merits of the case.

(5) Proceedings submitted to the Commissioner in accordance with the provisions of sub-section (9) of section *nine* of the Act, shall be accompanied by—

(*a*) a summary, by the trial officer, of the particulars required under sub-paragraphs (*a*), (*b*) and (*c*) of sub-regulation (2); and

(*b*) the comments, if any, of the commissioned officer who, in terms of sub-section (5) of the aforesaid section, confirmed the conviction and sentence or determined the fine.

CONDUCT SHEETS.

63. (1) A conduct sheet, on the prescribed form, shall be maintained in respect of every member, and subject to the provisions of sub-regulations (12) and (13) of regulation 61 and sub-regulation (7) of regulation 67, all convictions for misconduct shall be recorded thereon.

(2) If for the period of *five* years since the date of the last conviction appearing on a member's conduct sheet no further conviction is recorded thereon, all entries shall be expunged; provided that an entry in connection with a conviction in respect of which the sentence or part thereof has been suspended or postponed, shall be expunged as soon as all the conditions of such suspension or postponement have been complied with.

(3) Notwithstanding the provisions of sub-regulation (2) but subject to the provisions of sub-regulations (12) and (13) of regulation 61, the Commissioner may determine the purpose for which a conviction which is not recorded on a member's conduct sheet or which has already been expunged, shall be taken into account.

INQUIRIES UNDER SECTION *seventeen* OF THE ACT.

64. (1) If, on account of any conviction for misconduct or allegations concerning misconduct, unfitness to carry out his functions, incapacity to do so efficiently, improper or unbecoming conduct or behaviour or any other fact or matter concerning him, the question arises whether a particular member, other than a commissioned officer, is fit to retain his rank or to remain in the Force, and such conviction or allegations may result in his reduction in rank or his discharge or dismissal in terms of paragraphs (*c*), (*d*) or (*f*) of sub-regulation (1) of regulation 15, the Commissioner or, subject to the provisions of sub-section (1) of section *seventeen* of the Act, such divisional commissioner or other designated commissioned officer shall convene a board for the purpose of inquiring into the fitness of such a member to—

(*a*) retain his rank; or

(*b*) remain in the Force.

(2) A board may be convened in terms of sub-regulation (1) notwithstanding the fact that a member has been acquitted on a particular charge of misconduct, whether by a criminal court or under sub-section (2) of section *nine* of the Act.

(3) The convening authority shall appoint a commissioned officer as chairman of the board and, if deemed necessary, one or more other commissioned officers as members.

(4) The convening order shall clearly and specifically mention—

(*a*) the purpose for which the board is convened;

(*b*) the particulars of the conviction or allegations which gave rise to the inquiry; and

(*c*) whether only a finding and report are required or whether a recommendation is also required.

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(5) Die raad vergader op 'n datum, tyd en plek bepaal deur die voorsitter, wat reëlings moet tref dat die verweerder dienooreenkomstig verwittig en 'n kopie van die byeenroepingsbevel, asook van alle bylaes daarin gemeld, 'n redelike tyd voordat die raad vergader, aan hom beteken word.

(6) Die ondersoek word beperk tot die opdragte vervat in die byeenroepingsbevel, en die oorspronklike word saam met alle bylaes daarin gemeld, by die verrigtinge ingesluit.

(7) Die bepalings van subregulasies (9), (10) en (11) van regulasie 61 is *mutatis mutandis* van toepassing op 'n raad wat kragtens hierdie regulasie byeengeroep word.

(8) 'n Lid met dieselfde of 'n hoër rang as die verweerder kan deur die voorsitter aangewys word om getuienis aan te voer ter staving van die bewerings in die byeenroepingsbevel gemeld.

(9) Geen persoon wat nie lid van die Mag is nie, mag verplig word om as getuie voor die raad te verskyn nie en geen getuie mag verplig word om getuienis onder eed of plegtige bevestiging af te lê nie.

(10) (*a*) Behoudens die bepalings van paragraaf (*e*), moet 'n getuie persoonlik vir ondervraging voor die raad verskyn, en enige vraag wat nodig geag word om die juistheid of geloofwaardigheid van sy verklaring te toets of om enige geskilpunt op te klaar, kan aan so 'n getuie gestel word.

(*b*) Die verweerder en sy regsverteenwoordiger, indien daar so iemand is, moet die geleentheid gebied word om teenwoordig te wees wanneer 'n getuie deur die raad ondervra word en om hom onder kruisverhoor te neem.

(*c*) Die verweerder kan persoonlik 'n verklaring voor die raad aflê, ander persone roep om ten gunste van hom te getuig en enige ander relevante getuienis voorlê.

(*d*) Die verklarings van getuienis wat deur die raad ondervra word, moet genotuleer, aan hulle voorgelees en deur hulle onderteken word.

(*e*) Indien die voorsitter van mening is dat, vanweë uitgawes of ander afdoende redes, die teenwoordigheid van 'n getuie nie geregverdig is nie, kan 'n beëdigde of ander skriftelike verklaring van so 'n getuie, asook enige ander dokumentêre getuienis, voorgelê en toegelaat word; met dien verstande dat die voorsitter, na sy goedvinde, skriftelike vraagpunte deur die raad en die verweerder of sy regsverteenwoordiger geopper, aan so 'n getuie vir beantwoording kan laat voorlê, en sodanige vraagpunte en enige antwoord daarop, wat 'n antwoord van sodanige getuie heet te wees, is insgelyks toelaatbare getuienis.

(*f*) Die raad is nie bevoeg om 'n straf op te lê nie maar oorweeg al die beskikbare getuienis, asook enige vertoë deur of namens die verweerder, notuleer daarna sy bevinding en stuur die raadsverrigtinge, tesame met 'n aanbeveling indien aldus in die byeenroepingsbevel vereis, aan die byeenroepende owerheid.

(11) So dikwels as wat die Kommissaris of die byeenroepende owerheid mag gelas, kan die raad weer byeengeroep word met die doel om verdere getuienis te ondervra of om 'n getuie of ander persoon wie se beëdigde of ander verklaring toegelaat is kragtens paragraaf (*e*) van subregulasie (10), verder te ondervra of om addisionele inligting te notuleer of om sy bevinding en aanbeveling in heroorweging te neem.

(12) Tensy 'n byeenroepende owerheid kragtens subartikel (2) van artikel *vier* van die Wet deur die Kommissaris gemagtig is om die geskilpunt te besleg, stuur sodanige owerheid die verrigtinge, nadat hy sy opmerkings daarop aangeteken het, aan die Kommissaris vir sy beslissing. Indien die Kommissaris dit nodig ag, kan hy sy beslissing voorbehou.

(13) Indien die Kommissaris van mening is dat, vanweë 'n tegniese onreëlmatigheid of tekortkoming by die verrigtinge, geregtigheid inderdaad nie geskied het nie, kan hy, na sy goedvinde, gelas dat die ondersoek *de novo* gehou word en vir daardie doel 'n verdere raad kragtens subregulasie (1) byeenroep of laat byeenroep.

(5) The board shall assemble on such date, time and place as determined by the chairman, who shall also arrange for the defendant to be notified accordingly and to be served with a copy of the convening order, as well as of any annexure referred to therein, within a reasonable time before the board assembles.

(6) The inquiry shall be limited to the terms of reference contained in the convening order, and the original, together with any annexure referred to therein, shall be included in the proceedings.

(7) The provisions of sub-regulations (9), (10) and (11) of regulation 61 shall *mutatis mutandis* apply to a board convened in terms of this regulation.

(8) A member equal or senior in rank to the defendant may be detailed by the chairman to adduce evidence in support of the allegations referred to in the convening order.

(9) No person, not being a member of the Force, shall be compelled to appear as a witness before the board, and no witness shall be compelled to give evidence under oath or solemn affirmation.

(10) (*a*) Subject to the provisions of paragraph (*e*), a witness shall personally appear before the board for examination, and any question considered necessary in order to test the accuracy or credibility of his statement or to clarify any point in issue may be put to such witness.

(*b*) The defendant and his legal representative, if any, shall be afforded the opportunity of being present when a witness is examined by the board and of cross-examining him.

(*c*) The defendant may personally make a statement before the board, may call other persons to testify in his favour and may produce any other relevant evidence.

(*d*) The statements of witnesses examined by the board shall be recorded, read over to and signed by them.

(*e*) If the chairman is of opinion that, because of the expense or for other conclusive reasons, the attendance of any witness is not justified, an affidavit or other written statement by such witness, as well as any other documentary evidence, may be produced and admitted; provided that the chairman may, in his discretion, cause written interrogatories raised by the board and the defendant or his legal representative to be submitted to such witness for reply, and such interrogatories and any reply thereto, purporting to be a reply from such witness, shall likewise be admissible evidence.

(*f*) The board has no power to impose any punishment but shall consider all the available evidence as well as any representations by or on behalf of the defendant, and shall thereafter record its findings and forward the board's proceedings, together with a recommendation if so required in terms of the convening order, to the convening authority.

(11) As often as the Commissioner or the convening authority may direct, the board may be reconvened for the purpose of examining additional witnesses or further examining any witness or other person whose affidavit or statement has been accepted in terms of paragraph (*e*) of sub-regulation (10), or recording additional information or reconsidering its findings and recommendation.

(12) Unless a convening authority has, in terms of subsection (2) of section *four* of the Act, been authorised by the Commissioner to dispose of the issue, such authority shall, after having recorded its remarks thereon, submit the proceedings to the Commissioner for his decision. If the Commissioner considers it expedient, he may reserve his decision.

(13) If the Commissioner is of opinion that, owing to any technical irregularity or defect in the proceedings, justice has in fact not been done, he may, in his discretion, order the inquiry to be held *de novo* and may for that purpose convene or cause to be convened a further board in terms of sub-section (1).

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APPÈL BY DIE MINISTER TEEN ONTSLAG, AFDANKING OF VERLAGING IN RANG.

65. (1) 'n Lid wat verlang om kragtens die bepalings van subartikel (2) van artikel *sewentien* van die Wet te appelleer teen 'n bevel waarby hy ontslaan, afgedank of in rang verlaag word, moet binne *veertien* dae na die datum waarop hy van die bevel in kennis gestel is, by die Kommissaris of, behoudens die bepalings van subartikel (1) van voormelde artikel, by sodanige afdelingskommissaris of ander aangewese offisier wat sodanige bevel uitgevaardig het, 'n skriftelike appèl indien waarin hy duidelik en in besonderhede die gronde meld waarop die appèl gebaseer word.

(2) Die appèl word tesame met die oorkonde van die verrigtinge van die raad en alle ander relevente stukke deur die Kommissaris aan die Minister voorgelê.

(3) Die tenuitvoerlegging van 'n bevel waarby 'n lid ontslaan, afgedank of in rang verlaag word, word nie ten gevolge van 'n appèl kragtens hierdie regulasie opgeskort nie.

(4) By die uitoefening van die bevoegheid hom verleen by subartikel (2) van artikel *sewentien* van die Wet, oorweeg die Minister die inhoud van die stukke wat ooreenkomstig subregulasie (2) aan hom voorgelê word, sonder om enige *viva voce*-betoog aan te hoor.

BEWEERDE WANGEDRAG VAN OFFISIERE.

66. (1) Indien daar vermoed of beweer word dat 'n offisier hom wangedra het, moet skriftelike verklarings asook die ander relevante stukke met betrekking tot sodanige vermoede of bewering aan die Kommissaris gestuur word en indien hy van mening is dat stappe kragtens die bepalings van subartikel (1) van artikel *tien* van die Wet oorweeg behoort te word, laat die Kommissaris 'n voorlopige ondersoek instel deur 'n offisier van dieselfde of 'n hoër rang as die betrokke offisier, hieronder „die verweerder" genoem, met die doel om vas te stel of daar *prima facie* gronde al dan nie vir sodanige vermoede of bewering bestaan.

(2) Die verweerder is nie by 'n voorlopige ondersoek wat kragtens hierdie regulasie ingestel word, op regsverteenwoordiging geregtig nie maar hy moet van die plek, datum en tyd daarvan verwittig word en, indien hy aldus verkies, die geleentheid gebied word om teenwoordig te wees wanneer 'n getuie ondervra word en om sodanige getuie te kruisvra.

(3) Die bepalings van subregulasie (2) van regulasie 61, paragraaf (*a*) van subregulasie (9) van regulasie 61, subregulasie (9) van regulasie 64 en paragrawe (*a*), (*c*), (*d*) en (*e*) van subregulasie (10) van regulasie 64 is vir sover dit nie met subregulasie (2) en enige ander bepaling van hierdie regulasie onbestaanbaar is nie, *mutatis mutandis* van toepassing op so 'n voorlopige ondersoek; met dien verstande dat indien die verweerder verkies om 'n verklaring af te lê, hy eers gewaarsku moet word dat enigiets wat hy mag sê, as getuienis teen hom gebruik kan word by enige stappe wat daarna teen hom ingestel mag word, hetsy kragtens subartikel (1) van artikel *tien* van die Wet of andersins; en voorts met dien verstande dat die verweerder nie tydens die voorlopige ondersoek gekruisvra mag word in verband met 'n verklaring wat hy verkies om af te lê nie.

(4) Die verrigtings van so 'n voorlopige ondersoek word as vertroulik behandel, en sodra die ondersoek voltooi is, word die oorkonde daarvan, tesame met die ondersoeker se verslag en aanbeveling, aan die Kommissaris gestuur.

(5) Die Kommissaris kan te eniger tyd gelas dat die saak verder ondersoek word en kan ook 'n verdere verslag en aanbeveling vereis.

(6) Indien die Kommissaris van mening is dat daar, blykens die getuienis en die verslag en aanbeveling van die ondersoeker, *prima facie* gronde bestaan vir 'n aanklag van wangedrag, kan hy die verweerder aankla van dié wangedrag wat deur die getuienis gestaaf word en hom aansê om binne *veertien* dae na die datum waarop besonderhede van die aanklag aan hom verstrek is, 'n skriftelike skuldbekenning of -ontkenning voor te lê.

APPEAL TO THE MINISTER AGAINST DISCHARGE, DISMISSAL OF REDUCTION IN RANK.

65. (1) A member desiring to appeal in terms of subsection (2) of section *seventeen* of the Act against an order discharging, dismissing or reducing him in rank, shall within *fourteen* days after the date on which he was notified of the order, lodge with the Commissioner or, subject to the provisions of sub-section (1) of the aforesaid section, such divisional commissioner or other designated commissioned officer who made such order, an appeal in writing in which he shall set out clearly and in detail the grounds on which the appeal is based.

(2) The appeal, together with the record of the board's proceedings and all other relevant documents, shall be submitted by the Commissioner to the Minister.

(3) The execution of an order discharging, dismissing or reducing a member in rank, shall not be suspended by reason of an appeal in terms of this regulation.

(4) In the exercise of the powers vested in him by subsection (2) of section *seventeen* of the Act, the Minister shall consider the contents of the documents submitted to him in terms of sub-regulation (2) without hearing any *viva voce* arguments.

ALLEGED MISCONDUCT OF COMMISSIONED OFFICERS.

66. (1) If it is suspected or alleged that a commissioned officer has misconducted himself, written statements as well as the other relevant documents in relation to such suspicion or allegation shall be submitted to the Commissioner and if he is of opinion that steps in terms of subsection 10 of the Act should be considered, the Commissioner shall cause a preliminary investigation to be made by a commissioned officer equal or higher in rank than the commissioned officer concerned, hereinafter referred to as "the defendant", for the purpose of ascertaining whether or not there are *prima facie* grounds for such suspicion or allegation.

(2) The defendant shall not be entitled to legal representation at any preliminary investigation made in terms of this regulation but he shall be advised of the place, date and time thereof and shall, if he so desires, be afforded the opportunity of being present when a witness is examined and of cross-examining such witness.

(3) The provisions of sub-regulation (2) of regulation 61, paragraph (*a*) of sub-regulation (9) of regulation 61, subregulation (9) of regulation 64 and paragraphs (*a*), (*c*), (*d*) and (*e*) of sub-regulation (10) of regulation 64, shall, in so far as these are not inconsistent with sub-regulation (2) and any other provision of this regulation, *mutatis mutandis* apply to any such preliminary investigation; provided that should the defendant elect to make a statement he shall first be warned that anything he may say, may be used in evidence against him in any subsequent steps that may be taken against him, whether in terms of sub-section (1) of section *ten* of the Act or otherwise; and provided further that the defendant may not be cross-examined during the preliminary investigation on any statement which he may elect to make.

(4) The proceedings of such preliminary investigation shall be treated as confidential, and as soon as the investigation has been completed the record thereof, together with the investigator's report and recommendation, shall be submitted to the Commissioner.

(5) The Commissioner may, at any time, order that the matter be further investigated and may also require a further report and recommendation.

(6) If the Commissioner is of opinion that it appears from the evidence and the report and recommendation of the investigator that *prima facie* grounds exist for a charge of misconduct, he may charge the defendant with such misconduct as may be substantiated by the evidence and call upon him to submit, within *fourteen* days after the date on which he is furnished with particulars of the charge, a written admission or denial of guilt.

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(7) By die ontvangs van die verweerder se skulderkenning of -ontkenning, stuur die Kommissaris 'n verslag en aanbeveling aan die Minister wat, na sy goedvinde, òf die verrigtinge kan stuit òf die saak na die Staatspresident kan verwys vir oorweging kragtens subartikel (1) van artikel *tien* van die Wet.

67. (1) Een van die lede van 'n raad van ondersoek wat saamgestel word kragtens paragraaf (*b*) van subartikel (1) van artikel *tien* van die Wet, word as voorsitter benoem en hy sit voor wanneer ook al die raad vergader.

(2) Die verrigtinge by so 'n ondersoek word, behoudens andersluidende bepalings in hierdie regulasies, gevoer op 'n wyse en in die vorm so na doenlik dieselfde as dié in summiere verrigtinge in 'n landdroshof by die verhoor en beslissing van strafsake.

(3) Die voorsitter bepaal die plek waar en die datum en tyd waarop die ondersoek gehou word. Hy stel die aanklaer en die ander lede van die raad dienooreenkomstig in kennis en moet ook aan die aanklaer 'n kopie van die minuut waarkragtens die raad saamgestel is, verskaf vir betekening aan die verweerder.

(4) Die bepalings van subregulasies (2), (3), (4), (5), (6), (9), (10) en (11) van regulasie 61 is *mutatis mutandis* van toepassing op so 'n ondersoek; met dien verstande dat die aanklaer deur die Kommissaris aangestel word; en voorts met dien verstande dat, in voornoemde bepalings, melding van—

(*a*) „ verhoor " en „ verhoor deur 'n offisier " uitgelê moet word as bedoelende „ ondersoek ";
(*b*) „ verhooroffisier " en „ Kommissaris " uitgelê moet word as bedoelende „ voorsitter van die raad ";
(*c*) „ beskuldigde " uitgelê moet word as bedoelende „ verweerder ";
(*d*) „ klagstaat in die voorgeskrewe vorm " uitgelê moet word as bedoelende „ minuut waarkragtens die raad saamgestel is ";
(*e*) „ 'n redelike tyd " uitgelê moet word as bedoelende „ 'n tydperk van minstens sewe volle dae ".

(5) Wanneer al die beskikbare getuienis aangehoor is, moet die raad sy bevinding aankondig en notuleer. Indien die lid skuldig bevind word, lê die aanklaer 'n gewaarmerkte uittreksel van die gedragstaat soos bedoel in regulasie 63, waarop alle ongeskrapte vorige veroordelings voorkom, voor en versoek hy die verweerder om sodanige veroordelings te erken of te ontken. Ingeval die verweerder enige veroordeling ontken, kan die aanklaer, indien die voorsitter dit wenslik ag, getuienis aanvoer om dit te bewys.

(6) Die Kommissaris stuur die voltooide oorkonde van die raad se verrigtinge en die bevinding en aanbeveling van die raad aan die Minister vir voorlegging aan die Staatspresident kragtens subartikel (6) van artikel *tien* van die Wet.

(7) 'n Straf wat kragtens die bepalings van subartikel (1) van artikel *drie* van die Wet opgelê word, word aangeteken op die gedragstaat gemeld in regulasie 63; met dien verstande dat die Kommissaris, na sy goedvinde, kan gelas dat 'n berisping nie aldus aangeteken moet word nie.

ADMINISTRATIEWE ONDERSOEKE.

68. (1) Die Kommissaris kan vir administratiewe doeleindes 'n raad byeenroep om ondersoek in te stel na—

(*a*) 'n besering wat, na beweer word, deur 'n lid of iemand anders in diens van die Departement, opgedoen is in 'n ongeluk wat uit die uitvoering van sy werksaamhede voortgespruit of in die loop daarvan plaasgevind het, of 'n siekte of 'n ongesteldheid wat, na beweer word, in die loop van en as gevolg van die uitvoering van sy werksaamhede opgedoen is, of 'n daaropvolgende ongeskiktheid wat, na beweer word, aan dieselfde besering, siekte of ongesteldheid te wyte is, of 'n ongesteldheid wat, na beweer word, ontstaan het as gevolg van vaksinasie of inenting ooreenkomstig die bepalings van hierdie regulasies;

(7) On receipt of the defendant's admission or denial of guilt, the Commissioner shall submit a report and recommendation to the Minister who may, in his discretion, either stay the proceedings or refer the matter to the State President for consideration in terms of sub-section (1) of section *ten* of the Act.

67. (1) One of the members of a board of inquiry constituted in terms of paragraph (*b*) of sub-section (1) of section *ten* of the Act, shall be designated as president and he shall preside whenever the board assembles.

(2) The proceedings at such inquiry shall, save as otherwise provided in these regulations, be conducted in a manner and form as nearly as practicable the same as those in summary proceedings in magistrate's court at the hearing and determination of criminal cases.

(3) The president shall determine the place where and the date and time when the inquiry will be held. He shall advise the prosecutor and the other members of the board accordingly and shall also furnish the prosecutor with a copy of the minute constituting the board, for service on the defendant.

(4) The provisions of sub-regulations (2), (3), (4), (5), (6), (9), (10) and (11) of regulation 61, shall *mutatis mutandis* apply to any such inquiry; provided that the prosecutor shall be appointed by the Commissioner; and provided further that in the aforesaid provisions any reference to—

(*a*) " trial " and " trial by a commissioned officer " shall be construed as a reference to " inquiry ";
(*b*) " trial officer " and " Commissioner " shall be construed as a reference to " the president of the board ".
(*c*) " accused " shall be construed as a reference to " defendant ";
(*d*) " charge sheet on the prescribed form " shall be construed as a reference to " minute constituting the board ";
(*e*) " a reasonable time " shall be construed as a reference to " a period of at least seven clear days ".

(5) When all the available evidence has been heard, the board shall announce and record its finding. If the member is found guilty, the prosecutor shall produce a certified extract from the conduct sheet referred to in regulation 63 on which all unexpunged previous convictions appear and shall call upon the defendant to admit or deny such convictions. In the event of the defendant not admitting any conviction the prosecutor may, if the president deems it expedient, adduce evidence to prove it.

(6) The Commissioner shall forward the completed record of the board's proceedings and the finding and recommendation of the board to the Minister for submission to the State President in terms of sub-section (6) of section *ten* of the Act.

(7) Any penalty imposed in terms of sub-section (1) of section *three* of the Act, shall be recorded on the conduct sheet referred to in regulation 63; provided that the Commissioner may, in his discretion, direct that a reprimand shall not be so recorded.

ADMINISTRATIVE INQUIRIES.

68. (1) The Commissioner may, for administrative purposes, convene a board to inquire into—

(*a*) an injury alleged to have been sustained by a member or any other person in the service of the Department, in an accident arising out of or in the course of the execution of his functions, or a disease or indisposition alleged to have been contracted in the course and as a result of the execution of his functions, or any subsequent incapacitation alleged to be due to the same injury, disease or indisposition, or an indisposition alleged to have resulted from vaccination or inoculation in accordance with the provisions of these regulations;

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(*b*) die dood van 'n lid of iemand anders in diens van die Departement, wat, na beweer word, veroorsaak is as gevolg van die omstandighede bedoel in paragraaf (*a*);

(*c*) die afwesigheid van diens van 'n lid of iemand anders in diens van die Departement, as gevolg van 'n siekte, ongesteldheid of besering wat, na beweer word, te wyte is aan wangedrag of ernstige en opsetlike versuim om redelike voorsorgsmaatreëls te tref;

(*d*) die geskiktheid, waarde en aankoop van voorrade, wapens, ammunisie, saaltuig, voer en ander uitrustingsartikels, vervoermiddels en trek- of ander diere wat vir gebruik in die Mag nodig is of die geskiktheid vir verdere diens van enige deel van voormelde eiendom wat reeds in die Mag in gebruik is;

(*e*) 'n tekort of skade aan of verlies van staatseiendom of eiendom in besit van of onder die beheer van die Staat of waarvoor die Staat verantwoordelik is, of eiendom van 'n lid of iemand anders werksaam in die Mag, wat na beweer word, ontstaan het in verband met die uitvoering van sy werksaamhede of dienste in die Mag;

(*f*) 'n tekort, verlies, skade of uitgawe wat die Staat berokken word as gevolg van die beweerde wederregtelike gedrag, nalatigheid of onverskilligheid van 'n lid of 'n ander werknemer van die Departement; of

(*g*) enige ander saak wat die Kommissaris nodig ag.

(2) Die byeenroepende owerheid stel 'n offisier as voorsitter van so 'n raad aan en, indien hy dit nodig ag, een of meer ander lede van die Mag met die rang van sersant of 'n hoër rang, as lede; met dien verstande dat die Kommissaris, na sy goedvinde, iemand wat na sy oordeel bedrewe is in die een of ander onderwerp wat moontlik by die ondersoek oorweeg sal moet word, as lid van sodanige raad kan aanstel.

(3) Die bepalings van subregulasies (2), (4), (5), (6), (7), (8), (9), (10), (11), (12) en (13) van regulasie 64 is, vir sover dit doenlik en nie met enige ander bepaling van hierdie regulasie onbestaanbaar is nie, *mutatis mutandis* van toepassing op 'n raad van ondersoek wat kragtens subregulasie (1) byeengeroep word; met dien verstande dat—

(*a*) ondanks die doel waarvoor so 'n raad byeengeroep word, die verweerder nie by die ondersoek op 'n regsverteenwoordiger geregtig is nie;

(*b*) die bepalings van subregulasie (5) van regulasie 64 en van paragrawe (*b*) en (*c*) van subregulasie (10) van genoemde regulasie, met inagneming van die bepalings van paragraaf (*a*) van hierdie subregulasie, van toepassing is slegs indien so 'n raad kragtens paragraaf (*f*) van subregulasie (1) van hierdie regulasie byeengeroep word of, indien dit kragtens 'n ander paragraaf van voormelde subregulasie byeengeroep word, die voorsitter van mening is dat wesenlike nadeel kan geskied indien 'n lid nie die onderhawige voorregte gegun word nie;

(*c*) ondanks die bepalings van paragraaf (*e*) van subregulasie (10) van regulasie 64, deskundige of tegniese getuienis in die vorm van 'n sertifikaat of ander voorgeskrewe vorm voorgelê kan word;

(*d*) ondanks andersluidende bepalings in hierdie regulasies vervat, maar behoudens die bepalings van paragraaf (*b*) van hierdie subregulasie, skriftelike verklarings in plaas van *viva voce*-getuienis deur die raad oorweeg kan word indien die voorsitter van mening is dat, ondanks die feit dat 'n getuie nie persoonlik vir ondervraging voor die raad verskyn nie, wesenlike geregtigheid inderdaad sal geskied.

(*b*) the death of a member or any other person in the service of the Department, alleged to have been caused as a result of circumstances referred to in paragraph (*a*);

(*c*) the absence from duty of a member or any other person in the service of the Department, owing to illness, an indisposition or injury alleged to be due to misconduct or serious or deliberate failure to take reasonable precautions;

(*d*) the suitability, value and purchase of any stores, arms, ammunition, saddlery, forage and other articles of equipment, transport and draught and other animals required for use in the Force or the suitability for further service of any part of the aforesaid property already in use in the Force;

(*e*) any deficiency in or damage to or loss of public property or any property in possession of or under the control of the Government or for which the Government is responsible, or any property of a member or other person employed in the Force, which is alleged to have occurred in connection with the execution of his functions or duties in the Force;

(*f*) any deficiency, loss, damage or expense occasioned to the Government as a result of the alleged wrongful conduct, negligence or carelessness of a member or any other employee of the Department; or

(*g*) any other matter which the Commissioner may consider necessary.

(2) The convening authority shall appoint a commissioned officer as chairman of such a board and, if he deems it necessary, one or more other members of the Force with the rank of sergeant or any higher rank, as members; provided that the Commissioner may, in his discretion, appoint as a member of such board any person who in his opinion is well-versed in any matter which may have to be considered at the inquiry.

(3) The provisions of sub-regulations (2), (4), (5), (6), (7), (8), (9), (10), (11), (12) and (13) of regulation 64 shall, in so far as these are practicable and not inconsistent with any other provision of this regulation, *mutatis mutandis* apply to a board of inquiry which is convened in terms of sub-regulation (1); provided that—

(*a*) notwithstanding the purpose for which such a board is convened, the defendant shall not be entitled to be legally represented at the inquiry;

(*b*) the provisions of sub-regulation (5) of regulation 64 and of paragraphs (*b*) and (*c*) of sub-regulation (10) of the said regulation shall, with due regard to the provisions of paragraph (*a*) of this sub-regulation, apply only if such board is convened in terms of paragraph (*f*) of sub-regulation (1) of this regulation or, if convened in terms of any other paragraph of the aforesaid sub-regulation, it appears to the chairman that substantial prejudice may occur if any member is not afforded the privileges in question;

(*c*) notwithstanding the provisions of paragraph (*e*) of sub-regulation (10) of regulation 64, expert or technical evidence may be produced in the form of a certificate or other prescribed form;

(*d*) notwithstanding any provisions to the contrary contained in these regulations but subject to the provisions of paragraph (*b*) of this sub-regulation, written statements instead of *viva voce* evidence may be considered by the board if, in the opinion of the chairman, substantial justice will in fact be done notwithstanding the fact that a witness does not personally appear before the board for examination.

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(4) Die bepalings van hierdie regulasie is nie van toepassing nie op 'n goederekeurraad wat saamgestel word ooreenkomstig die voorgeskrewe opdragte aangaande duursame voorrade of ander uitrusting.

TEKORT, VERLIES, SKADE OF UITGAWES: AANSPREEKLIKHEID VIR EN VERHAAL VAN.

69. (1) Ondanks die bepalings van subregulasies (1) en (2) van regulasie 4, kan 'n lid aanspreeklik daarvoor gehou word om 'n tekort, verlies, skade of uitgawe te vergoed wat aan die Staat berokken is of wat die Staat moes aangaan as gevolg van sy wederregtelike optrede, nalatigheid of onverskilligheid of sy versuim om 'n bepaalde plig uit te voer, en indien meer as een lid vir sodanige tekort, verlies, skade of uitgawe verantwoordelik is, is hulle gesamentlik daarvoor aanspreeklik.

(2) Tensy 'n lid wat aanspreeklik gehou word ingevolge die bepalings van subregulasie (1), bereid is om so 'n tekort, verlies, skade of uitgawes uit eie beweging te vergoed en tensy hy binne 'n redelike tyd wat deur die Kommissaris bepaal word, 'n behoorlike, aanvaarbare verduideliking van sy beweerde wederregtelike optrede, nalatigheid, onverskilligheid of versuim om 'n plig uit te voer, verstrek aan sy afdelingskommissaris, bevelvoerende offisier of 'n offisier aan wie die Kommissaris sy bevoegdheid kragtens hierdie regulasie gedelegeer het, kan 'n bevel teen die betrokke lid vir die verhaal van die volle bedrag van die tekort, verlies, skade of uitgawe uitgevaardig word deur—

(*a*) die Kommissaris, 'n offisier wat hy daartoe gemagtig het of die afdelingskommissaris van die lid, indien die bedrag R40 of hoër is en indien die betrokke lid op 'n aanklag van wangedrag waaruit sodanige tekort, verlies, skade of uitgawe voortgespruit het, veroordeel is of indien 'n raad van ondersoek wat, kragtens die bepalings van subregulasie (1) van regulasie 68 byeengeroep is, bevind het dat hy daarvoor verantwoordelik is; of

(*b*) die Kommissaris, 'n offisier deur hom gemagtig, die afdelingskommissaris van die lid of sy bevelvoerende offisier, indien die bedrag minder as R40 is en die Kommissaris of sodanige gemagtigde offisier, afdelingskommissaris of bevelvoerende offisier, na noukeurige ondersoek, daarvan oortuig is dat sodanige tekort, verlies, skade of uitgawe inderdaad deur die lid se wederregtelike optrede, nalatigheid, onverskilligheid of versuim veroorsaak is.

(3) 'n Bevel wat ingevolge subregulasie (2) uitgevaardig word, moet aan die betrokke lid beteken word en die bedrag gemeld in sodanige bevel, is behoudens die bepalings van subregulasie (5), 'n skuld wat aan die Staat verskuldig is.

(4) Die persoon wat kragtens subregulasie (2) gemagtig is om 'n bevel teen 'n lid uit te vaardig, is, behoudens die bepalings van subregulasie (5), ook bevoeg om te gelas dat die verskuldigde bedrag op die lid wat daarvoor aanspreeklik is, verhaal word op die wyse en voorwaardes wat in oorleg met die Tesourie voorgeskryf mag word.

(5) 'n Lid wat gegrief is oor 'n bevel wat kragtens subregulasie (2) teen hom uitgevaardig is deur 'n afdelingskommissaris, bevelvoerende offisier of 'n ander offisier deur die Kommissaris gemagtig, kan binne 'n tydperk van een kalendermaand vanaf die datum waarop die bevel ooreenkomstig subregulasie (3) aan hom beteken is, of dié verdere tydperk wat die Kommissaris mag toelaat, skriftelik teen so 'n bevel appèl by die Kommissaris aanteken. Na oorweging van die appèl en ander relevante stukke en na dié verdere ondersoek wat nodig geag mag word, kan die Kommissaris òf die beval bekragtig òf, met behoorlike inagneming van die voorskrifte van die Tesourie, die appellant geheel en al of ten dele, na gelang dit billik of redelik mag blyk, vrystel van die vereistes in sodanige bevel vervat.

(4) The provisions of this regulation are not applicable to a board of survey constituted in accordance with the prescribed instructions concerning durable stores or other equipment.

DEFICIENCY, LOSS, DAMAGE OR EXPENSE: LIABILITY FOR AND RECOVERY OF.

69. (1) Notwithstanding the provisions of sub-regulations (1) and (2) of regulation 4, any member may be held liable to make good any deficiency, loss, damage or expense caused to the State as a result of his wrongful act, negligence or carelessness or his failure to carry out a specific duty, and if more than one member is responsible for such deficiency, loss, damage or expense, they shall be jointly and severally liable.

(2) Unless a member who is held liable in terms of sub-regulation (1), is prepared to make good any such deficiency, loss, damage or expense of his own accord and unless he furnishes, within a reasonable time to be determined by the Commissioner, a proper, acceptable explanation in regard to his alleged wrongful act, negligence, carelessness or failure to carry out a duty, to his divisional commissioner, commanding officer or a commissioned officer to whom the Commissioner has delegated his powers under this regulation, an order against the member concerned for the recovery of the full amount of the deficiency, loss, damage or expense may be issued by—

(*a*) the Commissioner, a commissioned officer authorised by him or the member's divisional commissioner, if the amount is R40 or more and if the member concerned was convicted on a charge of misconduct involving such deficiency, loss, damage or expense or if a board of inquiry, convened in terms of sub-regulation (1) of regulation 68, has found that he was responsible therefor; or

(*b*) the Commissioner, a commissioned officer authorised by him, the member's divisional commissioner or his commanding officer if the amount is less than R40 and the Commissioner or such authorised commissioned officer, divisional commissioner or commanding officer, after careful investigation, is satisfied that such deficiency, loss, damage or expense was in fact caused through the member's wrongful act, negligence, carelessness or failure.

(3) An order made in terms of sub-regulation (2), shall be served on the member concerned and the amount mentioned in such order, shall, subject to the provisions of sub-regulation (5), be a debt due to the State.

(4) The person authorised in terms of sub-regulation (2) to issue an order against a member, shall, subject to the provisions of sub-regulation (5), also be competent to order that the amount owing be recovered from the member liable therefor in such manner and on such conditons as may be prescribed in consultation with the Treasury.

(5) Any member who is aggrieved by an order made against him in terms of sub-regulation (2) by a divisional commissioner, commanding officer or other commissioned officer authorised by the Commissioner, may within a period of *one* calendar month from the date on which the order was served on him in accordance with sub-regulation (3), or such further period as the Commissioner may allow, appeal in writing to the Commissioner againstt such an order. After consideration of the appeal and any other relevant documents and after such further investigation as may be considerd necessary, the Commissioner may either confirm the order or, with due regard to any directions by the Treasury, exempt the appellant either wholly or in part, as may appear to be just and reasonable, from the requirements contained in such order.

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DESERSIE.

70. (1) Indien 'n lid vir meer as een kalendermaand sonder verlof afwesig is en nog nie gearresteer is nie, kan 'n raad van ondersoek kragtens die bepalings van subregulasie (1) van regulasie 68 byeengeroep word om ondersoek in te stel na sodanige afwesigheid en na enige tekort, verlies of skade ten opsigte van—

(*a*) enige uniform, mondering, wapens, uitrusting of enige ander staatseiendom van watter aard ook al, of 'n artikel wat die eiendom is van 'n winkel soos omskryf in subartikel (3) van artikel *nege-en*-twintig van die Wet en wat aan so 'n lid uitgereik is of waarvoor hy verantwoordelik is;

(*b*) gelde of onbetaalde skulde wat deur so 'n lid verskuldig is aan die Staat of 'n winkel gemeld in paragraaf (*a*).

(2) Indien die raad van ondersoek bevind dat bedoelde lid vir meer as een kalendermaand afwesig was en nog afwesig is, notuleer hy sy bevinding aldus, en ook die aanvangsdatum van sodanige afwesigheid sonder verlof asook sy bevinding ten opsigte van enige tekort, verlies of skade soos bedoel in subregulasie (1), en die geraamde waarde daarvan.

(3) Die raad van ondersoek is bevoeg om, na gelang van die relevante getuienis, aan te beveel dat—

(*a*) bedoelde lid as 'n deserteur van die sterkte geskrap word;

(*b*) 'n tekort, verlies of skade soos bedoel in subregulasie (2), verhaal word uit gelde wat, met behoorlike inagneming van die bepalings van subregulasie (5), deur die Staat aan hom verskuldig mag wees:

Met dien verstande dat so 'n aanbeveling nie die bedoelde lid van vervolging kragtens die bepalings van artikel *nege* van die Wet vrywaar nie.

(4) Die bedoelde lid se bevelvoerder moet onverwyld beslag lê op alle staatseiendom wat sodanige lid agtergelaat het, en die roerende goed wat die private eiendom van so 'n lid is en aldus agtergelaat is, word in bewaring geneem vir beskikking ooreenkomstig die bepalings van subregulasie (6) van regulasie 80; met dien verstande dat daar oor 'n uniform wat die private eiendom van so 'n lid is, beskik moet word ooreenkomstig die voorskrifte van die Kommissaris.

(5) Die opbrengs van die verkoop van private roerende goed of 'n uniform soos bedoel in subregulasie (4), tesame met enige gelde wat die Staat aan so 'n lid verskuldig mag wees, kan aangewend word ter vergoeding van 'n tekort, verlies of skade soos in subregulasie (2) bedoel.

SKULD EN GELDELIKE VERLEENTHEID.

71. (1) 'n Lid van wie daar beweer of vermoed word dat hy, gelet op sy inkomste en ander omstandighede, in 'n onredelike mate in die skuld is of in geldelike verleentheid verkeer of teen wie 'n vonnis vir skuld of 'n bevel tot siviele gyseling uitgereik is of insolvensiegedinge ingestel is, kan deur die Kommissaris gelas word om 'n uitvoerige en volledige staat voor te lê van sy bates en laste, tesame met 'n verduideliking van hoe sodanige skulde aangegaan is en hoe hy voornemens is om dit te delg.

(2) Indien dit na dié verdere ondersoek wat nodig geag mag word, blyk dat sodanige lid, as gevolg van sy skuld of geldelike laste, waarskynlik in die onverskrokke en onpartydige uitvoering van sy werksaamhede gestrem kan word, kan die Kommissaris, in die geval van—

(*a*) 'n offisier, dié stappe doen wat hy dienstig ag;

(*b*) 'n ander lid, gelas dat 'n raad van ondersoek kragtens subregulasie (1) van regulasie 64 byeengeroep word.

DESERTION.

70. (1) If a member is absent without leave for more than *one* calendar month and is not arrested, a board of inquiry may be convened in terms of sub-regulation (1) of regulation 68 to inquire into such absence and into any deficiency, loss or damage which may exist in respect of—

(*a*) any uniform, kit, arms, equipment or any other public property, whatsoever, or any article which is the property of a canteen as defined in sub-section (3) of section *twenty-nine* of the Act and issued to such member or for which he is responsible;

(*b*) any moneys or unpaid debts due by such member to the State or a canteen referred to in paragraph (*a*).

(2) If the board of inquiry finds that such member has been so absent for more than *one* calendar month and is still absent, it shall so record its finding as well as the date of the commencement of such absence without leave and also its finding on any deficiency, loss or damage referred to in sub-regulation (1), and the estimated value thereof.

(3) The board of inquiry shall, according to the relevant evidence, be competent to make a recommendation that—

(*a*) such member be struck off strength as a deserter;

(*b*) any deficiency, loss or damage referred to in sub-regulation (2), be recovered from any moneys which, with due regard to the provisions of sub-regulation (5), may be owing to him by the State:

Provided that such recommendation shall not indemnify such member against prosecution in terms of the provisions of section *nine* of the Act.

(4) The commander of the member referred to, shall immediately seize any public property left by such member, and any movable private property of such a member, which was so left, shall be taken into custody for disposal in accordance with the provisions of sub-regulation (6) of regulation 80; provided that any uniform which is the private property of such a member, shall be disposed of in accordance with directions of the Commissioner.

(5) The proceeds realised by the sale of any movable private property or uniform referred to in sub-regulation (4), together with any moneys which the State may owe such a member, may be used to make good any deficiency, loss or damage referred to in sub-regulation (2).

DEBT AND FINANCIAL EMBARRASEMENT.

71. (1) Any member alleged or suspected to be in debt to an unreasonable extent, considering his income and other circumstances, or to be financially embarrassed or against whom a judgment for debt or a decree of civil imprisonment has been obtained or insolvency proceedings have been instituted, may be ordered by the Commissioner to furnish a detailed and complete statement of his assets and liabilities together with an explanation as to how such liabilities were incurred and how he proposes to discharge them.

(2) If, after such further investigation as may be considered necessary, it appears that such member is, as a result of his debt or monetary liabilities, likely to be hampered in the fearless and impartial discharge of his functions, the Commissioner may, in the case of—

(*a*) a commissioned officer, take such action as he may deem fit;

(*b*) any other member, direct that a board of inquiry be convened in terms of sub-regulation (1) of regulation 64.

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AANVAARDING VAN NOMINASIE VIR STADSRAAD, ENSOVOORTS.

72. (1) Ondanks die bepalings van paragraaf (*c*) van subregulasie (33) van regulasie 58 maar behoudens die bepalings van subregulasie (2), kan 'n lid—

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

(*b*) met die toestemming van die Minister 'n aanstelling, nominasie of rekwisisie as kandidaat vir verkiesing tot lid van 'n raad, komitee of bestuur soos in paragraaf (*a*) bedoel, aanvaar as die Minister daarvan oortuig is dat dit nie inbreuk op die lid se amptelike werksaamhede sal maak nie.

(2) Indien 'n geskil ontstaan tussen die Regering en 'n raad, komitee of bestuur soos in sub-regulasie (1) bedoel, mag 'n lid wat lid is van sodanige raad, komitee of bestuur, nie aan 'n bespreking van of stemming oor enige saak in verband met so 'n geskilpunt deelneem nie.

(3) Indien die Minister dit dienstig ag, kan hy die bevoegdheid wat by hierdie regulasie aan hom verleen word, aan die Kommissaris delegeer op dié voorwaardes wat hy bepaal en kan hy so 'n delegasie te eniger tyd intrek.

GEHOORSAAMHEID.

73. (1) Behoudens die bepalings van subregulasie (2), moet 'n lid 'n wettige bevel wat aan hom gegee is deur 'n persoon wat bevoeg is om dit te doen, onvoorwaardelik gehoorsaam.

(2) 'n Lid kan, nadat hy 'n bevel soos in subregulasie (1) bedoel, gehoorsaam het, eis dat sodanige bevel skriftelik herhaal word en dan enige klagte wat hy in verband daarmee het, op die voorgeskrewe wyse vir 'n beslissing voorlê.

HERSTEL VAN GRIEWE.

74. (1) 'n Lid wat hom deur 'n handeling of versuim van die kant van 'n ander lid veronreg voel, kan skriftelik by sy onmiddellike bevelvoerder daaroor kla, en indien die klagte teen sodanige bevelvoerder is of indien laasgenoemde nie gemagtig of in staat is om die onreg te herstel of die veronregte lid andersins binne 'n redelike tyd tevrede te stel nie, verwys sodanige bevelvoerder die klagte na sy bevelvoerende offisier.

(2) Indien sodanige bevelvoerende offisier nie gemagtig of in staat is om die grief te herstel of die veronregte lid andersins tevrede te stel nie, stuur hy die klagte sonder onredelike versuim vir beslissing aan sy afdelingskommissaris of 'n ander offisier deur die Kommissaris aangewys, en sodanige afdelingskommissaris of ander aangewese offisier moet, indien hy nie gemagtig of in staat is om die onreg te herstel of die veronregte lid tevrede te stel nie, die klagte sonder versuim aan die Kommissaris voorlê.

(3) Indien die Kommissaris nie in staat is om die onreg te herstel of die veronregte lid andersins tevrede te stel nie, stuur hy, indien sodanige lid aldus versoek en daar *prima facie* gronde vir so 'n grief skyn te bestaan, die klagte aan die Minister wie se beslissing, met behoorlike inagneming van die bepalings van subartikel (1) van artikel *drie* van die Wet, finaal is.

(4) 'n Lid wat 'n klagte kragtens hierdie regulasie na 'n hoër gesag verwys, moet die veronregte lid onverwyld daarvan in kennis stel.

(5) 'n Lid wat 'n klagte by sy bevelvoerder ingedien het en wie se beweerde onreg nie herstel of wat andersins nie binne 'n redelike tyd tevrede gestel is nie of wat nie binne 'n redelike tyd in kennis gestel is dat sy klagte na 'n hoër gesag verwys is nie, kan regstreeks by sodanige hoër gesag

ACCEPTANCE OF NOMINATION FOR CITY COUNCIL, ETC.

72. (1) Notwithstanding the provisions of paragraph (*c*) of sub-regulation (33) of regulation 58 but subject to the provisions of sub-regulation (2), a member—

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

(*b*) may, with the permission of the Minister, accept an appointment, nomination or requisition as candidate for election as a member of a council, board, committee or authority referred to in paragraph (*a*), if the Minister is satisfied that it will not interfere with the member's official functions.

(2) In the event of any dispute arising between the Government and any council, committee, board or authority referred to in sub-regulation (1), a member who is a member of such council, committee, board or authority shall not take part in any discussion or vote on any matter so in dispute.

(3) If the Minister deems it expedient, he may delegate the powers conferred on him under this regulation, to the Commissioner on such conditions as he may determine and at any time revoke such delegation.

OBEDIENCE.

73. (1) Subject to the provisions of sub-regulation (2), a member shall unconditionally obey any lawful instruction given to him by a person who is competent to do so.

(2) A member may, after having obeyed an instruction referred to in sub-regulation (1), demand that such instruction be repeated in writing and may thereupon in the prescribed manner submit for decision any complaint he may have in connection therewith.

REDRESS OF WRONGS.

74. (1) Any member who feels aggrieved by any act or ommission on the part of any other member, may complain in writing, to his immediate commander, and if the complaint is against such commander or if the latter is not empowered or is unable to redress the wrong or otherwise to satisfy the aggrieved member within a reasonable time, such commander shall refer the complaint to his commanding officer.

(2) If such commanding officer is not empowered or is unable to redress the wrong or otherwise to satisfy the aggrieved member, he shall without unreasonable delay transmit the complaint for decision to his divisional commissioner or any other commissioned officer designated by the Commissioner, and such divisional commissioner or other designated commissioned officer shall, if he is not empowered or is unable to redress the wrong or to satisfy the aggrieved member, submit the complaint to the Commissioner without delay.

(3) If the Commissioner is unable to redress the wrong or otherwise to satisfy the aggrieved member, he shall, if such member so requests and there appears to be *prima facie* grounds for such grievance, transmit the complaint to the Minister, whose decision shall, with due regard to the provisions of sub-section (1) of section *three* of the Act, be final.

(4) Any member who refers a complaint to a higher authority in terms of this regulation, shall immediately notify the aggrieved member to that effect.

(5) Any member who has lodged a complaint with his commander and whose wrong is not redressed or who is not otherwise satisfied within a reasonable time or who has not been advised within a reasonable time that his complaint had been referred to a higher authority, may complain directly to such higher authority and ultimately

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en uiteindelik by die Kommissaris kla; met dien verstande dat sodanige lid, wanneer hy by sodanige hoër gesag of die Kommissaris kla, gelyktydig daarmee 'n afskrif van sodanige verdere klagte aan sy bevelvoerder moet stuur.

(6) Die bepalings van hierdie regulasie is *mutatis mutandis* ook van toepassing op enige ander grief met betrekking tot die Mag waarvoor daar nie uitdruklik voorsiening in die Wet of hierdie regulasies gemaak is nie en wat 'n lid onder die aandag van 'n hoër gesag wens te bring.

WOONADRESSE EN TELEFOONNOMMERS.

75. 'n Lid moet sy bevelvoerder van sy woonadres en huistelefoonnommer, as hy 'n telefoon het, in kennis stel asook van alle veranderings daarvan, en sodanige besonderhede moet in 'n voorgeskrewe register aangeteken word.

AFSTAAN VAN 'N LID AAN 'N ANDER DEPARTEMENT OF OWERHEID.

76. Die Kommissaris kan, met behoorlike inagneming van die bepalings van subartikel (4) van artikel *dertien* van die Staatsdienswet, 1957 (Wet No. 54 van 1957), en van 'n Wet van die Parlement waarby 'n Bantoegebied tot 'n self-regerende gebied ooreenkomstig die bepalings van daardie Wet verklaar word, op aanbeveling van die Staatsdienskommissie en op dié voorwaardes wat laasgenoemde in oorleg met die Tesourie mag aanbeveel, 'n lid, hetsy vir 'n besondere diens of vir 'n bepaalde tydperk, aan 'n ander departement of owerheid afstaan.

BETALING, DEUR DIE PUBLIEK, VIR POLISIEDIENSTE.

77. (1) Die Kommissaris moet, met behoorlike inagneming van die bepalings van artikels *vyf, ses* en *sewe* van die Wet, bepaal of 'n besondere werksaamheid, plig of diens binne die bestek van die gewone en algemeen aanvaarde verantwoordelikhede van die Mag val, en indien sodanige werksaamheid, plig of diens nie binne sodanige bestek val nie, word dit, behoudens die bepalings van subregulasie (2), slegs uitgevoer op dié voorwaardes wat in oorleg met die Tesourie voorgeskryf mag word.

(2) Ondanks die bepalings van subregulasie (1), kan die Kommissaris, na sy goedvinde maar behoudens die voorskrifte van die Minister, magtiging daarvoor verleen dat 'n werksaamheid, plig of diens gratis uitgevoer word ten behoewe van 'n verdienstelike liefdadigheid of in gevalle wat geag word van algemene kulturele of opvoedkundige belang te wees.

KWARTIERE.

78. (1) 'n Lid is verplig en hy kan, behoudens die voorskrifte van die Kommissaris, gelas word om kwartiere wat deur die Staat besit of gehuur word of andersins tot beskikking van die Staat gestel is, te bewoon, afgesien daarvan of sodanige kwartiere 'n vaste of verskuifbare bouwerk of 'n tent is, en indien die behoeftes van die Mag dit vereis, kan 'n lid gelas word om in sodanige kwartiere te bly en om te eniger tyd of gedurende 'n bepaalde tyd beskikbaar te wees; met dien verstande dat die bepalings van hierdie subregulasie nie aan 'n lid die reg verleen om aanspraak op die toewysing van sodanige kwartiere te maak nie; en voorts met dien verstande dat, indien die getal aansoeke om die toewysing van kwartiere meer is as die getal beskikbare kwartiere, sodanige kwartiere òf ooreenkomstig die voorskrifte van die Kommissaris òf deur die Kommissaris, na sy goedvinde, toegewys word.

(2) Die huurgeld ten opsigte van kwartiere soos bedoel in subregulasie (1), word deur die Kommissaris, in oorleg met die Tesourie, bepaal en die voorwaardes van toewysing en verhuring kan behoudens die bepalings van hierdie regulasie voorgeskryf word; met dien verstande dat, sodanige huurgeld in buitengewone omstandighede deur die Kommissaris, na sy goedvinde, òf verhoog òf verminder kan word.

(3) 'n Lid bly aanspreeklik vir die huurgeld van kwartiere wat aan hom toegewys is totdat die Kommissaris aan hom toestemming verleen om dit te ontruim en hy dit aldus ontruim het; met dien verstande dat—

(*a*) sodanige kwartiere op die datum van ontruiming deur die betrokke lid aan sy bevelvoerder of laasgenoemde se gevolmagtigde oorhandig moet word;

to the Commissioner; provided that such member shall, when complaining to such higher authority or to the Commissioner, at the same time forward a copy of such further complaint to his commander.

(6) The provisions of this regulation shall *mutatis mutandis* apply also to any other grievance concerning the Force for which no express provision has been made in the Act or these regulations and which a member may desire to bring to the notice of a higher authority.

RESIDENTIAL ADDRESSES AND TELEPHONE NUMBERS.

75. A member shall notify his commander of his residential address and of his home telephone number, if he has a telephone, as well as of any changes thereof, and such particulars shall be recorded in a prescribed register.

SECONDMENT OF A MEMBER TO ANOTHER DEPARTMENT OR AUTHORITY.

76. The Commissioner may, due regard being had to the provisions of sub-section (4) of section *thirteen* of the Public Service Act, 1957 (Act No. 54 of 1957), and of an Act of Parliament whereby a Bantu area is declared to be a self-governing area in accordance with the provisions of that Act, on the recommendation of the Public Service Commission and on such conditions as may be recommended by the latter in consultation with the Treasury, second a member, whether for a particular service or for a specific period, to another department or authority.

PAYMENT, BY THE PUBLIC, FOR POLICE SERVICES.

77. (1) The Commissioner shall, with due regard to the provisions of sections *five, six* and *seven* of the Act, determine whether a particular function, duty or service falls within the scope of the normal and generally accepted responsibilities of the Force, and if such function, duty or service does not fall within such scope, it shall, subject to the provisions of sub-regulation (2), be performed only on such conditions as may be prescribed in consultation with the Treasury.

(2) Notwithstanding the provisions of sub-regulation (1), the Commissioner may, in his discretion but subject to directions issued by the Minister, authorise that any function, duty or service be carried out free of charge on behalf of any deserving charity or in cases considered to be of general cultural or educational interest.

QUARTERS.

78. (1) A member shall be obliged and may, subject to directions issued by the Commissioner, be ordered to occupy quarters in posession of, or hired by, or otherwise placed at the disposal of the State, irrespective of whether such quarters is a fixed or movable structure or a tent, and if the exigencies of the Force so require, a member may be ordered to remain in such quarters and be available at any or during a specified time; provided that the provisions of this sub-regulation shall not entitle a member to claim the allocation of such quarters; and provided further that, should the number of applications for the allocation of quarters exceed the number of available quarters, such quarters shall be allocated either in accordance with directions issued by the Commissioner or by the Commissioner in his discretion.

(2) The rental in respect of quarters referred to in sub-regulation (1), shall be determined by the Commissioner in consultation with the Treasury and the conditions of allocation and letting may be prescribed subject to the provisions of this regulation; provided that such rental may, in exceptional circumstances, either be increased or reduced by the Commissioner, in his discretion.

(3) A member shall remain liable for the rental of quarters allocated to him until he has been granted permission by the Commissioner to vacate it and he has so vacated it; provided that—

(*a*) such quarters shall be handed over by the member concerned to his commander or the latter's delegate on the date it is vacated by him;

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(*b*) sodanige ontruiming nie die lid teen aanspreeklikheid ingevolge subregulasie (6) vrywaar nie;

(*c*) 'n lid wat kwartiere vir ongetroudes bewoon en vir 'n deurlopende tydperk van langer as 14 dae afwesig is, behoudens die bepalings van paragrawe (*a*) en (*b*), nie vir die huurgeld van sodanige kwartiere aanspreeklik is vir die tydperk van afwesigheid van langer as 14 dae nie indien hy gedurende sodanige tydperk al sy besittings daaruit verwyder het.

(4) Die Kommissaris kan 'n lid te eniger tyd kennis gee om kwartiere wat aan hom toegewys is, te ontruim, en indien aldus kennis gegee, moet sodanige lid die kwartiere ontruim op die datum deur die Kommissaris bepaal; met dien verstande dat, indien so 'n lid bedank of om enige rede afgedank of ontslaan word, die kwartiere ontruim moet word voor of op die datum van sy ontslag soos bedoel in subregulasie (4) van regulasie 15; en voorts met dien verstande dat, indien so 'n lid te sterwe kom, die Kommissaris, na sy goedvinde, magtiging aan sy huishouding kan verleen om sodanige kwartiere vir 'n kort, redelike tydperk te bly okkupeer.

(5) Kwartiere mag nie sonder die toestemming van die Kommissaris verander of vir 'n ander doel aangewend word as dié waarvoor dit bestem is nie, en geen staatseiendom mag sonder die toestemming van 'n lid se bevelvoerende offisier daaruit verwyder word nie.

(6) 'n Lid aan wie kwartiere toegeken word, is verantwoordelik vir die sindelikheid daarvan terwyl dit in sy besit is, en hy kan persoonlik aanspreeklik gehou word vir die opsetlike beskadiging daarvan, hetsy deur homself, 'n lid van sy huishouding, sy gaste of bediendes, tydens sy okkupasie van die persele, asook vir die verlies van sleutels of ander staatseiendom of eiendom waarvoor die Staat verantwoordelik is, en die koste verbonde aan die herstel van sodanige beskadiging, die skoonmaak van die persele of die vervanging van sleutels of ander eiendom kan, na goedvinde van die Kommissaris, op so 'n lid verhaal word.

(7) Kwartiere wat vir 'n getroude lid bestem is, mag slegs bewoon word deur die lid aan wie dit toegeken is, sy eggenote en afhanklike kinders; met dien verstande dat—

(*a*) 'n ander familielid van sodanige lid met die toestemming van sy bevelvoerende offisier permanent by sodanige lid mag inwoon indien die bevelvoerende offisier daarvan oortuig is dat sodanige inwoning as gevolg van buitengewone omstandighede noodsaaklik is of indien die omstandighede soos bedoel in paragraaf (*b*) van die omskrywing van „huishouding" in subregulasie (1) van regulasie 1, ten opsigte van so 'n familielid geld;

(*b*) die Kommissaris, na sy goedvinde, toestemming kan verleen vir die bewoning van sodanige kwartiere deur 'n lid wat afhanklike kinders in sy sorg het en wat 'n wewenaar is of geskei is of apart van sy vrou leef ooreenkomstig 'n geregtelike bevel of 'n notariële ooreenkoms of van sy vrou vervreem is;

(*c*) indien die betrokke lid op diens of met verlof afwesig is, hy die kwartiere of 'n gedeelte daarvan, behoudens die bepalings van subregulasies (3) en (6) maar uitgesonderd die voorbehoudsbepaling van eersgenoemde subregulasie, met die toestemming van sy bevelvoerende offisier aan 'n ander lid mag onderverhuur.

(8) Kwartiere mag nie sonder die uitdruklike toestemming van die Kommissaris onderverhuur word aan iemand wat nie 'n lid is nie.

POLISIEWINKELS.

79. (1) Die Kommissaris kan, met behoorlike inagneming van die voorskrifte van die Minister, magtiging verleen vir die stigting van 'n winkel soos in subartikel (3) van artikel *nege-en-twintig* van die Wet bedoel, indien hy van mening is dat die behoeftes van die Mag as sodanig, of van lede op 'n besondere plek of in 'n besondere gebied, dit vereis.

(2) Met uitsondering van noodsaaklike huisvesting of ander noodsaaklike benodigdhede wat deur die Staat verskaf mag word en dié uitgawes wat die Kommissaris in oorleg met die Tesourie uit staatsfondse mag magtig, moet so 'n winkel selfonderhoudend wees.

(*b*) such vacating shall not indemnify the member from liability in terms of sub-regulation (6);

(*c*) a member who occupies single quarters and is absent for a continuous period of more than 14 days, shall, subject to the provisions of paragraphs (*a*) and (*b*), not be liable for the rental of such quarters for any period of absence in excess of 14 days if, during such period, he has removed all his belongings thereform.

(4) The Commissioner may at any time give a member notice to vacate quarters allocated to him, and if given such notice, such member shall vacate the quarters on the date determined by the Commissioner; provided that if such a member resigns or is discharged or dismissed for any reason, the quarters shall be vacated not later than the date of his discharge referred to in sub-regulation (4) of regulation 15; and provided further that if such a member dies, the Commissioner may, in his discretion, grant permission to his household to remain in occupation of such quarters for a short, reasonable period.

(5) Quarters may not, without the permission of the Commissioner, be altered or utilised for any purpose other than that for which it is intended, and no public property may, without the permission of a member's commanding officer, be removed therefrom.

(6) A member to whom quarters is allocated shall, whilst it is in his possession, be responsible for the cleanliness thereof, and he may be held personally liable for any wilful damage thereto, whether by himself, a member of his household, his guests or servants, during his occupation of the premises, as well as for the loss of keys or other public property or property for which the State is responsible, and the costs attached to the repair of such damage, cleaning the premises or the replacement of keys or other property may, in the discretion of the Commissioner, be recovered from such member

(7) Quarters intended for a married member may be occupied only by the member to whom it has been allocated, his wife and dependant children; provided that—

(*a*) any other relative of such member may, with the permission of his commanding officer, permanently reside with such member if the commanding officer is convinced that such a course is necessary as a result of extraordinary circumstances or if the circumstances referred to in paragraph (*b*) of the definition of "*household*" in sub-regulation (1) of regulation 1, apply in respect of such a relative;

(*b*) the Commissioner may, in his discretion, grant permission for the occupation of such quarters by a member who has dependant children under his care and who is a widower or is divorced or separated in accordance with a judicial order or notarial agreement or is estranged from his wife;

(*c*) if the member concerned is absent on duty or leave, he may, subject to the provisions of sub-regulation (3) and (6) but excluding the proviso to the firstmentioned sub-regulation, sublet the quarters or part thereof with the permission of his commanding officer to another member.

(8) Quarters may not, without the express permission of the Commissioner, be sublet to any person who is not a member.

POLICE CANTEENS.

79. (1) The Commissioner may, with due regard to directions issued by the Minister, grant authority for the establishment of a canteen as contemplated in sub-section (3) of section *twenty-nine* of the Act, if in his opinion, the exigencies of the Force as such, or of members at any particular place or in any particular area so require.

(2) With the exception of the necessary accommodation or other necessities which may be provided by the State and such expenditure as the Commissioner, in consultation with the Treasury, may authorise from public funds, such a canteen shall be self-supporting.

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(3) So 'n winkel word, behoudens die voorskrifte van die Kommissaris, bestuur en beheer deur 'n komitee wat op die voorgeskrewe wyse saamgestel word; met dien verstande dat die Kommissaris, na sy goedvinde, 'n bepaalde lid kan aanstel om in so 'n komitee te dien of om besondere pligte ten opsigte van die beheer of bestuur van so 'n winkel uit te voer.

(4) Indien 'n menasie kragtens subregulasie (1) gestig word, moet 'n lid wat kwartiere bewoon wat vir ongetroude lede bestem is, sy maaltye by sodanige menasie nuttig tensy sy bevelvoerende offisier hom daarvan vrystel.

EIENDOM WAT LAAT VAAR, VERLOOR OF ONOPGEËIS IS.

80. (1) 'n Lid wat eiendom wat laat vaar, verloor of onopgeëis is, vind, in bewaring neem of op 'n ander manier in besit daarvan kom, moet sodanige eiendom by 'n polisiestasie inlewer vir veilige bewaring en uiteindelike beskikking daaroor ooreenkomstig die bepalings van hierdie regulasie; met dien verstande dat—

(*a*) lewende hawe na die naaste skut gestuur moet word vir beskikking daaroor ooreenkomstig die bepalings van die skutwette wat ten opsigte van die bepaalde gebied geld; en

(*b*) indien daar in 'n ander wet voorsiening gemaak word vir die beskikking oor sodanige eiendom, die bepalings van sodanige wet nagekom moet word.

(2) Besonderhede van die eiendom wat in subregulasie (1) bedoel word, moet in die voorgeskrewe registers aangeteken en op die voorgeskrewe wyse geberg word totdat daar oor sodanige eiendom beskik kan word ooreenkomstig die bepalings van hierdie regulasie of 'n ander wet.

(3) Indien die naam en adres van die eienaar of iemand anders wat waarskynlik daarop geregtig is, bekend is of as gevolg van navrae, inligting of 'n advertensie bekend word en sy besit daarvan nie met 'n wetsbepaling strydig is nie, moet hy met behoorlike inagneming van die voorbehoudsbepaling van subregulasie (1), aangesê word om sodanige eiendom op te eis, wat dan aan hom oorhandig kan word mits hy bereid is om—

(*a*) dié uitgawes, indien daar is, te vergoed wat aangegaan is om die eiendom in bewaring te neem, te berg, te versorg of te adverteer of wat by aflewering daarvan aangegaan mag word; en

(*b*) 'n ontvangsbewys daarvoor te gee en, indien aldus verlang, 'n vrywaring op die voorgeskrewe vorm te onderteken.

(4) Indien sodanige eiendom vir 'n redelike tydperk in polisiebewaring bly sonder om opgeëis te word en die naam en adres van die eienaar of iemand anders wat waarskynlik daarop geregtig is, nie in die gewone loop van polisiewerksaamhede vasgestel kan word nie, word besonderhede daarvan, behoudens die voorbehoudsbepaling van subregulasie (1) en met behoorlike inagneming van die bepalings van artikel *vyf* van die Wet, ooreenkomstig die voorskrifte van die kommissaris geadverteer of gesirkuleer; met dien verstande dat—

(*a*) die betrokke eiendom voldoende kenmerke moet bevat om uitkenning volgens 'n beskrywing moontlik te maak; en

(*b*) die geraamde waarde daarvan groot genoeg geag word om die uitgawe te regverdig.

(5) Tensy daar oor eiendom soos bedoel in subregulasie (1), ooreenkomstig paragraaf (*a*) of (*b*) van daardie subregulasie of subregulasie (3) beskik is of waarskynlik binne 'n redelike tydperk beskik sal word en die besit van sodanige eiendom deur die *bona fide* vinder nie met 'n wetsbepaling in stryd is nie, kan sodanige vinder, indien hy opgespoor kan word, behoudens die bepalings van paragraaf (*a*) van subregulasie (7), na verloop van *ses* kalendermaande of, in die geval van eiendom van geringe waarde, *drie* kalendermaande, gereken vanaf die datum waarop sodanige eiendom ingelewer is, aangesê word om sodanige eiendom op te eis, wat dan aan hom oorhandig kan word indien hy bereid is om die bepalings van paragrawe (*a*) en (*b*) van subregulasie (3), wat *mutatis mutandis* op hierdie geval van toepassing is, na te kom.

(3) Such a canteen shall, subject to directions issued by the Commissioner, be conducted and controlled by a committee constituted in the prescribed manner; provided that the Commissioner may, in his discretion, appoint any particular member to serve on such a committee or to carry out specific duties in respect of the conduct or control of such canteen.

(4) If a mess is established in terms of sub-regulation (1), any member occupying quarters intended for unmarried members shall, unless exempted therefrom by his commanding officer, take his meals at such mess.

ABANDONED, LOST OR UNCLAIMED PROPERTY.

80. (1) A member who finds, takes charge of or otherwise comes into possession of abandoned, lost or unclaimed property, shall hand in such property at a police station for safe-keeping and ultimate disposal in accordance with the provisions of this regulation; provided that—

(*a*) live stock shall be sent to the nearest pound for disposal in accordance with the provisions of the pound laws which apply in respect of the particular area; and

(*b*) if any other law provides for the disposal of such property, the provisions of such law shall be complied with.

(2) Particulars of the property referred to in sub-regulation (1), shall be recorded in the prescribed registers and stored in the prescribed manner until such property can be disposed of in accordance with the provisions of this regulation or any other law.

(3) If the name and address of the owner or any other person apparently entitled thereto, is known or as a result of inquiry, information or an advertisement becomes known and his possession thereof is not in conflict with any provision of law, he shall, with due regard to the proviso to sub-regulation (1), be called upon to claim such property, which may then be delivered to him; provided he is prepared to—

(*a*) defray such expenditure, if any, as incurred in taking charge of, storing, maintaining or advertising the property or as may be incurred in the delivery thereof; and

(*b*) gives a receipt therefor and, if so required, sign an indemnity on the prescribed form.

(4) If such property remains in police custody for a reasonable time without being claimed and the name and address of the owner or any other person apparently entitled thereto, cannot be ascertained in the ordinary course of police functions, particulars thereof shall, subject to the proviso to sub-regulation (1) and with due regard to the provisions of section *five* of the Act, be advertised or circulated in accordance with directions issued by the Commissioner; provided—

(*a*) that the property concerned bears sufficient distinctive marks to enable it to be identified on a description; and

(*b*) the estimated value thereof is considered sufficient to justify the expenditure.

(5) Unless property referred to in sub-regulation (1) has in terms of paragraph (*a*) or (*b*) of that sub-regulation or sub-regulation (3) been disposed of or is likely to be disposed of within a reasonable time and the possession of such property by the bona fide finder is not in conflict with any provision of law, such finder may, if he can be traced, be called upon, subject to the provisions of paragraph (*a*) of sub-regulation (7), after the expiry of *six* calendar months or, in the case of property of small value, *three* calendar months, reckoned from the date on which such property was handed in, to claim such property, which may then be delivered to him if he is prepared to comply with the provisions of paragraph (*a*) and (*b*) of sub-regulation (3), which shall *mutatis mutandis* apply to this case.

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(6) Eiendom soos bedoel in subregulasie (1), waaroor daar nie ooreenkomstig die bepalings van paragrawe (*a*) en (*b*) van daardie subregulasie of subregulasies (3) of (5) beskik is of kan word nie, word met behoorlike inagneming van die bepalings van subregulasie (7) en die voorskrifte van die Kommissaris, na verloop van die tydperke bedoel in subregulasie (5), per openbare veiling verkoop, en die opbrengs word, behoudens die bepalings van subregulasie (5) van regulasie 70, in die Skatkis gestort.

(7) Ondanks andersluidende bepalings in hierdie regulasie vervat—

(*a*) is 'n *bona fide* vinder wat 'n lid is, nie daarop geregtig om eiendom wat ooreenkomstig subregulasie (1) deur hom ingelewer is, op te eis of te ontvang nie;

(*b*) kan 'n bevelvoerder of 'n offisier die tydperk bedoel in subregulasies (5) of (6), na sy goedvinde verleng indien hy van mening is 'n bepaalde artikel buitengewoon waardevol of van intrinsieke waarde is of indien hy van mening is dat daar 'n gegronde rede vir so 'n verlenging bestaan;

(*c*) kan eiendom wat van bederfbare aard of oënskynlik waardeloos is en wat nie binne 'n redelike tyd na die datum waarop dit in bewaring geneem is, opgeëis is nie, onverwyld maar behoudens die voorskrifte van die Kommissaris en met inagneming van die aard en toestand daarvan, òf aan die *bona fide* vinder oorhandig òf verkoop òf vernietig word;

(*d*) maar behoudens die bepalings van enige ander wet en met behoorlike inagneming van die voorskrifte van die Tesourie, kan daar 'n prosedure voorgeskryf word vir die beskikking oor plofstowwe, vuurwapens, ammunisie, drank, geld, verhandelbare stukke, seëls, poswissels, posorders, inlegboekies, uniforms, medaljes en alle ander artikels, van watter aard ook al, wat ooreenkomstig subregulasie (1) by 'n polisiestasie ingelewer word en waarvan die besit, aankoop of verkoop by so 'n wet beheer of verbied word of waarvan die verkoop per openbare veiling, na die mening van die Kommissaris, ongewens is.

(8) Indien eiendom wat ooreenkomstig die bepalings van hierdie regulasie in bewaring geneem of geberg is, kragtens subregulasie (6) of op las van die Kommissaris verkoop word, kan die opbrengs van die verkoop, min uitgawes van watter aard ook al in verband met die vervoer, bewaring, berging, versorging, advertensie of verkoop van sodanige eiendom, terugbetaal word aan die wettige eienaar of iemand anders wat daarop geregtig is.

(9) Vir die toepassing van hierdie regulasie beteken "*openbare veiling*" 'n veiling deur 'n gelisensieerde afslaer op 'n openbare verkoping of, op plekke waar die dienste van so 'n gelisensieerde afslaer nie beskikbaar is nie, 'n veiling in die openbaar, op 'n perseel onder die beheer van die polisie en deur 'n lid wat deur sy bevelvoerder aangewys word om eiendom wat laat vaar, verloor of onopgeëis is, op te veil nadat daar op die voorgeskrewe wyse en ten minste *sewe* dae voor die voorgenome veiling, in die openbaar en in die omgewing van die betrokke perseel kennis daarvan gegee is.

AFWYKINGS IN TYD VAN OORLOG OF LANDSNOODTOESTAND.

81. Indien daar 'n staat van oorlog of 'n landsnoodtoestand ontstaan, kan die Kommissaris, behoudens die bepalings van die Wet en behoudens die bepalings van subartikeel (2) van artikel *sewe* van die Staatsdienswet, 1957 (Wet No. 54 van 1957), 'n afwyking van die bepalings van hierdie regulasies magtig, hetsy in die algemeen of ten opsigte van 'n besondere lid.

(6) Property referred to in sub-regulation (1), which has not been or cannot be disposed of in accordance with the provisions of paragraphs (*a*) and (*b*) of that sub-regulation or sub-regulation (3) or (5), shall, with due regard to the provisions of sub-regulation (7) and the directions issued by the Commissioner, at the expiry of the periods referred to in sub-regulation (5), be sold by public auction, and the proceeds shall, subject to the provisions of sub-regulation (5) of regulation 70, be paid into Revenue.

(7) Notwithstanding any provision to the contrary in this regulation contained—

(*a*) a bona fide finder who is a member shall not be entitled to claim or receive any property which was handed in by him in accordance with the provisions of sub-regulation (1);

(*b*) any commander or commissioned officer may, in his discretion, extend any period referred to in sub-regulation (5) or (6), if he is of opinion that a particular article is exceptionally valuable or of intrinsic value or if he is of opinion that there is a sound reason for such extension;

(*c*) property of a perishable nature or apparently valueless and not claimed within a reasonable time after the date on which it was taken charge of, may forthwith but subject to directions issued by the Commissioner and with due regard to the nature and condition thereof, either be delivered to the bona fide finder or sold or destroyed;

(*d*) but subject to the provisions of any other law and with due regard to directions issued by the Treasury, a procedure may be prescribed for the disposal of explosives, arms, ammunition, liquor, money, negotiable instruments, stamps, money orders, postal orders, deposit books, uniforms, medals and all other articles of whatever nature, which is handed in at a police station in accordance with the provisions of sub-regulation (1) and the possession, purchase or sale of which is controlled or prohibited by any such law or the sale of which by public auction is, in the opinion of the Commissioner, undesirable.

(8) If property which was taken charge of or stored, is sold in terms of sub-regulation (6) or by order of the Commissioner, the proceeds of the sale, less any expenditure of whatever nature in connection with the transport, safe-keeping, storage, care, advertising or sale of such property, may be refunded to the lawful owner or any other person who is entitled thereto.

(9) For the purposes of this regulation "public auction" shall mean any sale by a licensed auctioneer at a public sale or, at places where the services of such an auctioneer are not available, any sale in public, at premises under the control of the police and by a member who is designated by his commander to sell, after public notice in the prescribed manner has been given at least *seven* days prior to the intended sale and in the precincts of the premises concerned, any property which has been abandoned, lost or unclaimed.

DEPARTURES IN TIME OF WAR OR NATIONAL EMERGENCY.

81. If a state of war or national emergency arises the Commissioner may, subject to the provisions of the Act and subject to the provisions of sub-section (2) of section *seven* of the Public Service Act, 1957 (Act No. 54 of 1957), authorise a departure from the provisions of these regulations, either in general or in respect of a particular member.

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BYLAE A.
(Gemeld in regulasie 12.)

AMPSEED (OF PLEGTIGE VERKLARING) BY AANSTELLING EN INDIENSNEMING.

Ek,.....
*sweer/bevestig plegtig—

(*a*) dat ek getrou aan die Republiek van Suid-Afrika sal bly en my pligte as lid van die Suid-Afrikaanse Polisie na die beste van my vermoë sal uitvoer; en

(*b*) dat ek my sal hou aan die bepalings van die Polisiewet, 1958, en die regulasies daarkragtens uitgevaardig en enige opdrag of voorskrif sal gehoorsaam wat kragtens die bepalings van genoemde Wet en regulasies uitgereik word.

* Ek sweer dat die inhoud van hierdie verklaring waar is.

SO HELP MY GOD.

* Ek bevestig en verklaar plegtig dat die inhoud van hierdie verklaring waar is en ek sertifiseer dat ek gewetensbeswaar teen die aflê van 'n eed het.

Handtekening van getuie. Handtekening van verklaarder.

* Die verklaarder erken dat hy/sy ten volle op die hoogte van die inhoud van hierdie verklaring is en dit begryp.

*Beëdig/Bevestig voor my op hede die.....dag van..... 19....., en in my teenwoordigheid onderteken.

Diens dateer vanaf.....
Plek.....
Datum..... Handtekening van Kommissaris van Ede/Vrederegter vir ..... (gebied).

* Skrap die woorde wat nie van toepassing is nie.

BYLAE B.
[Gemeld in regulasie 13 (1).]

S.A. POLISIE.—*S.A. POLICE.*

AANSTELLINGSERTIFIKAAT.
[Art. 4 (3), Wet No. 7/1958.]

CERTIFICATE OF APPOINTMENT.
[*Sec.* 4 (3), *Act No.* 7/1958.]

Hierby word gesertifiseer dat.....
This is to certify that

op.....aangestel is as lid van die Suid-Afrikaanse
has on *been appointed a member of the South African*

Polisie en dat hy die rang van.....
Police and that he holds the rank of

sedert.....beklee.
since

Deur my onderteken op hede die.....
Signed by me this

dag van.....19.....
day of

Plek.....
Place

Kommissaris van die Suid-Afrikaanse Polisie.
Commissioner of the South African Police.

BYLAE C.
[Gemeld in regulasie 18 (1) (*a*).]

ONDERSKEIDINGSTEKENS, KNOPE EN RANGTEKENS.

I. ONDERSKEIDINGS- EN KENTEKENS:—

(*a*) Alle lede.....	'n Agtpuntige ster, in die middel waarvan die wapen van die Republiek van Suid-Afrika binne-in 'n sirkel in reliëf verskyn. Die woorde „ Suid-Afrikaanse Polisie " en „ South African Police " verskyn, in reliëf, as omskrif op die rand van die sirkel; eersgenoemde bo en laasgenoemde onder die wapen.
(*b*) Alle lede benede offisiersrang	'n Skouerkenteken met die letters „ S.A.P." daarop.

II. KNOPE:—

Koepelvormig, met die kenteken soos in paragraaf I (*a*) hierbo beskryf, daarop geëmbosseer.

SCHEDULE A.
(Referred to in regulation 12.)

OATH OF OFFICE (OR SOLEMN AFFIRMATION) ON APPOINTMENT AND ENROLMENT.

I, ...
*do swear/solemnly affirm—

(*a*) that I shall remain faithful to the Republic of South Africa and shall perform my duties as a member of the South African Police to the best of my ability;

(*b*) that I shall abide by the provisions of the Police Act, 1958, and any regulations made thereunder and obey any orders or instructions issued in pursuance of the said Act and regulations.

* I swear that the contents of this affidavit are true.

SO HELP ME GOD.

* I solemnly affirm and declare that the contents of this affidavit are true and I certify that I have conscientious objections to taking an oath.

Signature of Witness. Signature of Attestor.

* The attestor has acknowledged that he/she knows and understands the contents of this affidavit.

* Sworn to/Affirmed before me on this.....day of..... 19....., and signed in my presence.

Service to date from.....
Place.....
Date..... Signature of Commissioner of Oaths/Justice of the Peace for .....(area).

* Delete the words not applicable.

SCHEDULE B.
[Referred to in regulation 13 (1).]

S.A. POLICE.—*S.A. POLISIE.*

CERTIFICATE OF APPOINTMENT.
[Sec. 4 (3), Act. No. 7/1958.]
AANSTELLINGSERTIFIKAAT.
[*Art.* 4 (3), *Wet No.* 7/1958.]

This is to certify that.....
Hierby word gesertifiseer dat

has on.....been appointed a member of the South African
op *aangestel is as lid van die Suid-Afrikaanse*

Police and that he holds the rank of.....
Polisie en dat hy die rang van

since.....
sedert *beklee.*

Signed by me this.....
Deur my onderteken op hede die

day of.....19.....
dag van

Place.....
Plek

Commissioner of the South African Police.
Kommissaris van die Suid-Afrikaanse Polisie.

SCHEDULE C.
[Referred to in regulation 18 (1) (*a*).]

DISTINCTIVE BADGES, BUTTONS AND BADGES OF RANK.

I. DISTINCTIVE BADGES AND BADGES—

(*a*) All members..	An eight-pointed star, in the centre of which appears, in relief, the coat of arms of the Republic of South Africa within a circle. The words " Suid-Afrikaanse Polisie " and " South African Police ", in relief, appear as circumscription on the rim of the circle; the former above and the latter below the coat of arms.
(*b*) All members below commissioned rank	A shoulder badge with the letters " S.A.P." thereon.

II. BUTTONS—

Domeshaped, embossed with the badge as described in paragraph I (*a*) above.

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III. RANGTEKENS:—

(*a*) Blankes—

Luitenant-generaal	'n Gekruiste sabel en staf onder twee kastele.
Generaal-majoor	Gekruiste sabel en staf onder een kasteel.
Brigadier.....	Drie sterre in 'n driehoek onder 'n kasteel.
Kolonel.....	Twee sterre onder 'n kasteel.
Luitenant-kolonel	Een ster onder 'n kasteel.
Majoor.....	Kasteel.
Kaptein.....	Drie sterre.
Luitenant.....	Twee sterre.
Adjudant-offisier	Wapen van die Republiek van Suid-Afrika binne-in 'n lourierkrans.
Sersant.....	'n Driestreepchevron onder 'n kasteel.
Ondersersant..	Drie strepe.

(*b*) Nie-Blankes—

Hoofsersant...	'n Driestreepchevron onder 'n kasteel wat binne-in 'n halfronde lourierkrans gemonteer is.
Senior sersant	'n Driestreepchevron onder 'n kasteel.
Sersant.....	'n Driestreepchevron onder 'n ster.
Ondersersant..	'n Driestreepchevron.

BYLAE D.

SALARISSKALE EN TOELAES.

BLANKE LEDE.

(Gemeld in regulasies 19 en 21.)

I. SALARISSKALE (met ingang van 1 Januarie 1963):—

Die Kommissaris van die Suid-Afrikaanse Polisie	R8,100 per jaar.
Adunk-kommissaris (Generaal-majoor)	R5,850×R150–R6,150.
Onderkommissaris (Brigadier)..	R5,400×R150–R5,700 per jaar.
Assistent-kommissaris (Brigadier)	R4,950×R150–R5,250 per jaar.
Kolonel.....	R4,500×R150–R4,800 per jaar.
Luitenant-kolonel.....	R4,080–R4,200–R4,350 per jaar.
Majoor.....	R3,480×R120–R3,840.
Kaptein.....	R2,760×R120–R3,240 per jaar.
Luitenant.....	R2,280×R120–R2,760 per jaar.
Adjudant-offisier.....	R1,818–R1,920×R120–R2,400 per jaar.
Sersant.....	R1,512×R102–R1,920×R120–R2,160 per jaar.
Konstabel.....	R840–R900×R102–R1,818 per jaar.

II. PENSIOENGEWENDE TOELAES:—

Blanke konstabels wat vir 'n tydperk van minstens agtien jaar gedien het en aan wie „ DIE MEDALJE VIR TROUE DIENS IN DIE POLISIEMAG " of „ DIE SUID-AFRIKAANSE POLISIEMEDALJE VIR TROUE DIENS " toegeken is, word benewens hul substantiewe salaris, 'n pensioengewende toelae van R40 per jaar betaal: met dien verstande dat—

(i) die toelae betaal word slegs ten opsigte van een van voormelde medaljes wat toegeken is en dat indien sodanige medalje ingetrek, nietig of verbeurd verklaar word, ook die toelae verbeur word;

(ii) met ingang van 1 Februarie 1951, bevredigende diens in die eertydse Polisiemag van die stad Durban geag word kwalifiserende diens vir die toekenning van die toelae te wees; en

(iii) betaling van sodanige toelae aan 'n konstabel wat na die rang van sersant bevorder word sonder dat sodanige bevordering 'n onmiddellike verhoging in sy basiese saldris meebring, nie gestaak moet word nie tot tyd en wyl hy tot 'n kerf op die skaal verbonde aan die rang van sersant, gevorder het wat hoër is as die maksimum kerf van die skaal verbonde aan die rang van konstabel.

III. NIE-PENSIOENGEWENDE DIENSTOELAES (met ingang van 1 Januarie 1963):—

'n Blanke lid op 'n kerf wat nie hoër as R2,280 op sy salarisskaal is nie, moet benewens sy salaris, 'n allesomvattende nie-pensioengewende dienstoelae ooreenkomstig die volgende skaal betaal word:

Kerf op skaal.	*Jaarlikse dienstoelae betaalbaar.* R
R840 tot R1,410.....	180
R1,512 tot R2,160.....	138
R2,280.....	120

III. BADGES OF RANK—

(*a*) Whites—

Lieutenant-General	Crossed sword and baton below two castles.
Major-General	Crossed sword and baton below a castle.
Brigadier.....	Three stars in a triangle below a castle.
Colonel.....	Two stars below a castle.
Lieutenant-Colonel	One star below a castle.
Major.....	Castle.
Captain.....	Three stars.
Lieutenant....	Two stars.
Warrant officer	The coat of arms of the Republic of South Africa within a laurel wreath.
Sergeant.....	A three-bar chevron below a castle.
Lance Sergeant	A three-bar chevron.

(*b*) Non-Whites—

Chief Sergeant	A three-bar chevron below a castle mounted within a semi-circular laurel wreath.
Senior Sergeant	A three-bar chevron below a castle.
Sergeant.....	A three-bar chevron below a star.
Lance Sergeant	A three-bar chevron.

SCHEDULE D.

SCALES OF PAY AND ALLOWANCES.

WHITE MEMBERS.

(Referred to in regulations 19 and 21.)

I. SCALES OF PAY (with effect from 1st January, 1963):—

The Commissioner of the South African Police	R8,100 per annum.
Deputy-commissioner (Major-general)	R5,850×R150–R6,150 per annum.
Sub-commissioner (Bragadier)	R5,400×R150–R5,700 per annum.
Assistant Commissioner (Brigadier)	R4,950×R150–R5,250 per annum.
Colonel.....	R4,500×R150–R4,800 per annum.
Lieutenant-colonel.....	R4,080–R4,200–R4,350 per annum.
Major.....	R3,480×R120–R3,840 per annum.
Captain.....	R2,760×R120–R3,240 per annum.
Lieutenant.....	R2,280×R120–R2,760 per annum.
Warrant Officer.....	R1,818–R1,920×R120–R2,400 per annum.
Sergeant.....	R1,512×R102–R1,920×R120–R2,160 per annum.
Constable.....	R840–R900×R102–R1,818 per annum.

II. PENSIONABLE ALLOWANCES—

White constables who have served for a period of not less than eighteen years and to whom the " POLICE GOOD SERVICE MEDAL " or " THE SOUTH AFRICAN POLICE MEDAL FOR FAITHFUL SERVICE " has been awarded shall, in addition to their substantive pay, be paid a pensionable allowance of R40 per annum; provided that—

(i) the allowance shall be paid only in respect of one of the aforesaid medals awarded, and that, should such medal be cancelled, annulled or declared forfeited, the allowance shall also be forfeited;

(ii) with effect from 1st February, 1951, satisfactory service in the former Police Force of the Borough of Durban shall be regarded as qualifying service for the grant of the allowance; and

(iii) payment of such allowance to a constable who is being promoted to the rank of sergeant without such promotion bringing about an immediate increase in his basic pay, shall not be discontinued until such time as he has progressed to a notch on the scale applicable to the rank of sergeant which is higher than the maximum notch of the scale applicable to the rank of constable.

III. NON-PENSIONABLE DUTY ALLOWANCE (with effect from 1st January, 1963)—

A White member on a notch not higher than R2,280 on his salary scale shall, in addition to his pay, be paid on all-inclusive non-pensionable duty allowance in accordance with the following rates:—

Notch on Scale.	*Annual Duty Allowance Payable.* R
R840 to R1,410.....	180
R1,512 to R2,160.....	138
R2,280.....	120

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BYLAE E.

SALARISSKALE EN TOELAES.

NIE-BLANKE LEDE.

(Gemeld in regulasies 19 en 21.)

I. SALARISSKALE (met ingang van 1 Januarie 1963):—

(*a*) Indiërs en Keurlinge:—

Hoofsersant.....	R780 per jaar met jaarlikse verhogings van R60 tot R1,260 per jaar.
Senior sersant.....	R720 per jaar met jaarlikse verhogings van R60 tot R1,200 per jaar.
Sersant.....	R660 per jaar met jaarlikse verhogings van R60 tot R1,140 per jaar.
Konstabel.....	R360 per jaar met jaarlikse verhogings van R40 tot R600 per jaar, dan met jaarlikse verhogings van R60 tot R900 per jaar.
Konstabel-arbeider...	R272 per jaar met jaarlikse verhogings van R24 tot R320 per jaar, dan met jaarlikse verhogings van R40 tot R480 per jaar.

(*b*) Bantoes:—

Hoofsersant.....	R660 per jaar met jaarlikse verhogings van R60 tot R1,140 per jaar.
Senior sersant.....	R560 per jaar met 'n jaarlikse verhoging van R40 tot R600 per jaar, dan met jaarlikse verhogings van R60 tot R900 per jaar.
Sersant.....	R480 per jaar met jaarlikse verhogings van R40 tot R600 per jaar, dan met 'n jaarlikse verhoging van R60 tot R660 per jaar.
Konstabel.....	R272 per jaar met jaarlikse verhogings van R24 tot R320 per jaar, dan met jaarlikse verhogings van R40 tot R560 per jaar.
Konstabel-arbeider...	R248 per jaar met jaarlikse verhogings van R24 tot R320 per jaar, dan met 'n jaarlikse verhoging van R40 tot R400 per jaar.

II. PENSIOENGEWENDE TOELAES:—

Nie-Blanke konstabels wat vir 'n tydperk van minstens agtien jaar gedien het en aan wie die „MEDALJE VIR TROUE DIENS IN DIE POLISIEMAG" of „DIE SUID-AFRIKAANSE POLISIEMEDALJE VIR TROUE DIENS" toegeken is, word benewens hul substantiewe salaris, 'n pensioengewende toelae van R30 per jaar in die geval van Indiërs en Kleurlinge en R24 per jaar in die geval van Bantoes betaal: Met dien verstande dat—

(i) die toelae betaal word slegs ten opsigte van een van voormelde medaljes wat toegeken is en dat, indien sodanige medalje ingetrek, nietig of verbeurd verklaar word, ook die toelae verbeur word;

(ii) betaling van sodanige toelae aan 'n konstabel wat tot die rang van sersant bevorder word sonder dat sodanige bevordering 'n onmiddellike verhoging in sy basiese salaris meebring, nie gestaak moet word nie tot tyd en wyl hy tot 'n kerf op die skaal verbonde aan die rang van sersant, gevorder het wat hoër is as die maksimum kerf van die skaal verbonde aan die rang van konstabel.

III. NIE-PENSIOENGEWENDE TOELAES:—

Benewens hul vaste salaris, word 'n nie-pensioengewende toelae van hoogstens R36 per jaar, behoudens die goedkeuring van die Kommissaris, aan nie-Blanke speurders betaal, ongeag die rang wat hul beklee.

SCHEDULE E.

SCALES OF PAY AND ALLOWANCES.

NON-WHITE MEMBERS.

(Referred to in regulations 19 and 21.)

I. SCALES OF PAY (with effect from 1st January, 1963)—

(*a*) Indians and Coloureds:—

Chief Sergeant.....	R780 per annum, rising by annual increments of R60 to R1,260 per annum.
Senior Sergeant.....	R720 per annum, rising by annual increments of R60 to R1,200 per annum.
Sergeant.....	R660 per annum, rising by annual increments of R60 to R1,140 per annum.
Constable.....	R360 per annum, rising by annual increments of R40 to R600 per annum, then by annual increments of R60 to R900 per annum.
Constable Labourer..	R272 per annum, rising by annual increments of R24 to R320 per annum, then by annual increments of R40 to R480 per annum.

(*b*) Bantu:—

Chief Sergeant.....	R660 per annum, rising by annual increments of R60 to R1,140 per annum.
Senior Sergeant.....	R560 per annum, rising by an annual increment of R40 to R600 per annum, then by annual increments of R60 to R900 per annum.
Sergeant.....	R480 per annum, rising by annual increments of R40 to R600 per annum then by an annual increment of R60 to R660 per annum.
Constable.....	R272 per annum, rising by annual increments of R24 to R320 per annum, then by annual increments of R40 to R560 per annum.
Constable Labourer..	R248 per annum, rising by annual increments of R24 to R320 per annum, then by an annual increment of R40 to R400 per annum.

II. PENSIONABLE ALLOWANCES—

Non-White constables who have served for not less than eighteen years and to whom the "POLICE GOOD SERVICE MEDAL" or "THE SOUTH AFRICAN POLICE MEDAL FOR FAITHFULL SERVICE" has been awarded shall, in addition to their substantive pay, be paid a pensionable allowance of R30 per annum in the case of Indians and Coloureds and R24 per annum in the case of Bantu: Provided that—

(i) the allowance shall be paid only in respect of one of the aforesaid medals, and that, should such medal be cancelled, annulled or declared forfeited, the allowance shall also be forfeited;

(ii) payment of such allowance to a constable who is being promoted to the rank of sergeant without such promotion bringing about an immediate increase in his basic pay, shall not be discontinued until such time as he has progressed to a notch on the scale applicable to the rank of sergeant which is higher than the maximum notch of the scale applicable to the rank of constable.

III. NON-PENSIONABLE ALLOWANCES—

In addition to their substantive pay, non-White detectives shall, irrespective of the rank they hold and subject to the approval of the Commissioner, be paid a non-pensionable allowance not exceeding R36 per annum.

INHOUD.

No.		BLADSY
	GOEWERMENTSKENNISGEWING.	
	Departement van Polisie.	
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