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GOVERNMENT NOTICES

DEPARTMENT OF AGRICULTURE AND FISHERIES

No. R. 834 16 April 1981

WINE AND SPIRIT CONTROL ACT, 1970
(ACT 47 OF 1970)

MINIMUM PRICE FOR WINE INTENDED FOR DISTILLATION PURPOSES, PERIOD WITHIN WHICH PURCHASE PRICE SHALL BE PAID AND THE INTEREST PAYABLE ON ARREAR PAYMENTS

In terms of section 5 (1) of the Wine and Spirit Control Act, 1970 (Act 47 of 1970), I, Pieter Theunis Christiaan du Plessis, Minister of Agriculture and Fisheries, hereby make known that the Ko-operatieve Wijnbouwers Vereniging van Zuid-Afrika Beperkt, has under the powers vested in it by the said section, determined in respect of the year commencing on 1 January 1981—

(a) the fixed minimum price to be charged by it to wholesale traders for wine intended for distillation purposes at R20,43 per hectolitre, calculated at a strength of 10 per cent alcohol by volume;

(b) the period within which the purchase price of such wine shall be paid, viz on the last day of the month immediately succeeding the month in which delivery was made; and

(c) the interest which shall be paid on all arrear payments at the rate of 13 per cent per annum, calculated from the day following the date on which a payment becomes due until the date of payment.

In this notice the word "strength" shall have the meaning assigned to it in section 14 of the said Act.

P. T. C. DU PLESSIS, Minister of Agriculture and Fisheries.

571—A

GOEWERMENTSKENNISGEWINGS

DEPARTEMENT VAN LANDBOU EN VISSERYE

No. R. 834 16 April 1981
WET OP BEHEER OOR WYN EN SPIRITUS, 1970
(WET 47 VAN 1970)

MINIMUM PRYS VAN WYN VIR DISTILLERINGSDOELEINDES BESTEM, TYDPERK WAARIN KOOPPRYS BETAAL MOET WORD EN DIE RENTE BETAALBAAR OP AGTERSTALLIGE BETALINGS

Ingevolge artikel 5 (1) van die Wet op Beheer oor Wyn en Spiritus 1970 (Wet 47 van 1970), maak ek, Pieter Theunis Christiaan du Plessis, Minister van Landbou en Visserye, hierby bekend dat die Ko-operatieve Wijnbouwers Vereniging van Zuid-Afrika, Beperkt, kragtens die bevoegdheid hom verleen by gemaalde artikel, ten opsigte van die jaar wat begin op 1 Januarie 1981—

(a) die vasgestelde minimum prys wat groot-handelaars deur hom gevra gaan word vir wyn wat vir distilleringsoeleindes bestem is, bepaal het op R20,43 per hektoliter, bereken teen 'n sterkte van 10 persent alkohol volgens volume;

(b) die tydperk bepaal het waarin die koopprys van sodanige wyn betaal moet word, naamlik op die laaste dag van die maand wat onmiddellik volg op die maand waarin aflewing plaasgevind het; en

(c) die rente wat op alle agterstallige betalings betaal moet word, bepaal het teen 13 persent per jaar, bereken vanaf die dag wat volg op die datum waarop 'n betaling opeisbaar word tot op die datum waarop die betaling geskied.

In hierdie kennisgewing het die woord "sterkte" die betekenis in artikel 14 van die genoemde Wet daarvan geheg.

P. T. C. DU PLESSIS, Minister van Landbou en Visserye.

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DEPARTMENT OF CO-OPERATION AND DEVELOPMENT

No. R. 804

16 April 1981

COMMUNITY COUNCIL STAFF REGULATIONS

I, George de Villiers Morrison, Deputy Minister of Co-operation, acting on behalf and by direction of the Minister of Co-operation and Development, by virtue of the powers vested in him by section 11 (1) (e) of the Community Councils Act, 1977 (Act 125 of 1977), after consultation with administration boards and community councils, hereby make the regulations contained in the Annexure hereto.

G. DE V. MORRISON, Deputy Minister of Co-operation.

(File A2/14/3/B)

ANNEXURE

DEFINITIONS

1. In these regulations, unless the context otherwise indicates—

(i) "accommodation" means lodging, bedding, meals, liquid refreshments (excluding alcoholic liquor), laundry (excluding dry-cleaning), hotel board levy and service charge; (xiii)

(ii) "administration board" means an administration board established in terms of section 2 (1) of the Black Affairs Administration Act, 1971 (Act 45 of 1971); (ii)

(iii) "area" means the area for which the council concerned is established; (vii)

(iv) "bonus year" means a period commencing on the first day of December of one year and ending on the last day of November of the following year; (v)

(v) "breath testing apparatus" means an apparatus approved by a council by means of which the breath of an employee or temporary employee may be tested or analysed to establish whether the alcohol content of the blood of the employee or temporary employee referred to exceeds a set limit or not; (iv)

(vi) "calendar month" means a period extending from a day in one month to the day preceding the day corresponding numerically to that day in the following month, both days inclusive; (xv)

(vii) "commencing date of service" the date on which an employee or temporary employee assumed duty with a council or the date of assumption of duty with a local authority in the case of an employee or temporary employee transferred in terms of section 10 of the Black Affairs Administration Act, 1971 (Act 45 of 1971), to an administration board, or the date of assumption of duty with an administration board in the case of an employee or temporary employee who was transferred in terms of section 6 (1A) of the Community Councils Act, 1977 (Act 125 of 1977), to a council; (i)

(viii) "council" means a community council established in terms of section 2 (1) of the Community Councils Act, 1977 (Act 125 of 1977); (xxiii)

(ix) "cycle" means a period of three years calculated from a date determined by a council and thereafter every period of three years; (xxx)

(x) "day of rest" means—

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

DEPARTEMENT VAN SAMEWERKING EN ONTWIKKELING

No. R. 804

16 April 1981

PERSONEELREGULASIES VIR DIE GEMEENSKAPSRADE

Ek, George de Villiers Morrison, Adjunk-minister van Samewerking, vaardig hierby, namens en in opdrag van die Minister van Samewerking en Ontwikkeling, kragtens die bevoegdheid hom verleen by artikel 11 (1) (e) van die Wet op Gemeenskapsrade, 1977 (Wet 125 van 1977), ná oorlegpleging met administrasie- en gemeenskapsrade, die regulasies vervat in die Bylae hierby, uit.

G. DE V. MORRISON, Adjunk-minister van Samewerking.

(Lêer A2/14/3/B)

BYLAE

WOORDOMSKRYWING

1. In hierdie regulasies, tensy uit die samehang anders blyk, beteken—

(i) "aanvangsdatum van diens" die datum waarop 'n werknemer of tydelike werknemer by 'n raad diens aanvaar het, of die datum van diensaanvaarding by 'n plaaslike owerheid in die geval van 'n werknemer of tydelike werknemer wat kragtens artikel 10 van die Wet op die Administrasie van Swart Sake, 1971 (Wet 45 van 1971), na die Raad oorgeplaas is, of die datum van diensaanvaarding by 'n administrasieraad in die geval van 'n werknemer of tydelike werknemer wat ingevolge artikel 6 (1A) van die Wet op Gemeenskapsrade, 1977 (Wet 125 van 1977), na 'n raad oorgeplaas is; (vii)

(ii) "administrasieraad" 'n administrasieraad ingestel ingevolge artikel 2 (1) van die Wet op die Administrasie van Swart Sake, 1971 (Wet 45 van 1971); (ii)

(iii) "amptelike diensure" die amptelike diensure deur 'n raad kragtens regulasie 22 (2) bepaal; (xxiii)

(iv) "asemtoetsapparaat" 'n apparaat deur 'n raad goedgekeur, deur middel waarvan die asem van 'n werknemer of tydelike werknemer getoets of ontleed word om te bepaal of die alkoholinhou van die bloed van bedoelde werknemer of tydelike werknemer 'n gegewe perk oorskry, al dan nie; (v)

(v) "bonusjaar" 'n tydperk wat op die eerste dag van Desember van 'n jaar begin en op die laaste dag van November van die daaropvolgende jaar eindig; (iv)

(vi) "emolumente" die salaris of loon wat gewoonlik aan 'n werknemer of tydelike werknemer in diens van 'n raad betaal word, en sluit dit in toelaes wat nie deel uitmaak van die salaris of loon nie, met inagneming van voorskrifte wat die Minister van tyd tot tyd uitrek; (xi)

(vii) "gebied" die gebied waarvoor die betrokke raad ingestel is; (iii)

(viii) "gebiedsowerheid" 'n gebiedsowerheid omskryf in artikel 1 van die Wet op Swart Owerhede, 1951 (Wet 68 van 1951); (xxxv)

(ix) "gereedheidsdiens" die tydperk waartydens 'n werknemer of tydelike werknemer in opdrag van sy toesighouer, kragtens regulasie 26, voltyds by sy gewone woonplek beskikbaar moet wees vir die diens van 'n raad; (xxxii)

(x) "geregistreerde kind" 'n kind wat deur 'n werknemer of tydelike werknemer ingevolge regulasie 62 geregistreer is; (xxvii)

- (b) any other day on which he is normally relieved from duty in lieu of a Sunday or public holiday in the case of an employee or temporary employee who normally works on a Sunday or public holiday; or
- (c) a Saturday, Sunday and public holiday in the case of an employee or temporary employee who observes a full five-day working week; (xxiv)
- (xi) "emoluments" the salary or wages that are usually paid to an employee or temporary employee in the service of a council and includes the allowances which do not form part of the salary or wages, taking into consideration the directions issued by the Minister, from time to time; (vi)
- (xii) "employee" a person who occupies a post contemplated in regulation 2 (1) (a) who is in the permanent service of a council and who has been appointed for the performance of duties arising from the normal continuous and uninterrupted activities of a council and who is entitled to remuneration for his services excluding a temporary employee; (xxxix)
- (xiii) "fixed establishment" means the posts created for the normal and regular requirements of a council; (xxxii)
- (xiv) "household" means the wife of an employee or temporary employee, a non-self-supporting child who is permanently resident with him and also a relative who is permanently resident with the employee or temporary employee and who of necessity is dependent upon him; (xiv)
- (xv) "incremental month" means the month during which the salary of an employee or temporary employee may be increased in accordance with the scale which is applicable to him; (xxxiv)
- (xvi) "leave gratuity" means the amount payable to an employee or temporary employee in terms of regulation 46 (1); (xxxv)
- (xvii) "legislative assembly" means a legislative assembly constituted in terms of section 1 of the Black States Constitution Act, 1971 (Act 21 of 1971); (xl)
- (xviii) "married employee" means a married employee or temporary employee who registered his wife in terms of regulation 62, or who is no longer married but has dependent registered children; (xii)
- (xix) "Minister" the Minister of Co-operation and Development; (xvii)
- (xx) "month" means a period extending from the first to the last day, both days inclusive, of any one of the 12 months of a year; (xvi)
- (xxi) "non-prescribed post" a post referred to in regulation 2 (1) (b) (i); (xviii)
- (xxii) "normal place of work" means the place where the principal part of the duties of an employee or temporary employee is or has to be performed or which may be indicated as his normal place of work by a council or by an employee or temporary employee designated thereto by the Council concerned; (xix)
- (xxiii) "official hours of attendance" means the official hours of attendance determined by a council in terms of regulation 22 (2); (iii)
- (xxiv) "personal effects" means the movable property of an employee or temporary employee and of his household, which is normally applied to personal use, including vehicles but excluding livestock, domestic animals and pets; (xxii)
- (xxv) "prescribed post" a post, on the fixed establishment of a council, approved by the Minister in terms of section 5 (1) (i) of the Community Councils Act, 1977 (Act 125 of 1977); (xxxvi)
- (xi) "geregistreerde vrou" 'n vrou wat deur 'n werkneemer of tydelike werkneemer ingevolge regulasie 62 geregistreer is; (xxviii)
- (xii) "getroude werkneemer" 'n werkneemer of tydelike werkneemer wat getroud is en wat sy vrou ingevolge regulasie 62 geregistreer het, of wat nie meer getroud is nie maar geregistreerde kinders het wat van hom afhanklik is; (xviii)
- (xiii) "herberg" slaapplek, beddegoed, etes, vloeibare verversings (uitgesonderd alkoholiese drank) en die was enstryk van wasgoed (uitgesonderd droogskoonmaak), hotelraad- en diensheffing; (i)
- (xiv) "huishouing" die vrou van 'n werkneemer of tydelike werkneemer en 'n afhanklike kind wat permanent by hom inwoon, en ook 'n familielid van 'n werkneemer of tydelike werkneemer wat permanent by hom inwoon en noodsaklikwys van hom afhanklik is; (xiv)
- (xv) "kalendermaand" 'n tydperk wat trek van 'n dag in 'n maand tot en met die dag wat die dag voorafgaan wat numeriek ooreenstem met daardie dag in die volgende maand; (vi)
- (xvi) "maand" 'n tydperk wat trek van die eerste tot en met die laaste dag van enigeen van die 12 maande van die jaar; (xx)
- (xvii) "Minister" die Minister van Samewerking en Ontwikkeling; (xix)
- (xviii) "nie-voorgeskrewe pos" 'n pos in regulasie 2 (1) (b) (i) bedoel; (xxi)
- (xix) "normale werkplek" die plek waar die vernaamste gedeelte van die werk van 'n werkneemer of tydelike werkneemer verrig word of verrig moet word, of wat deur 'n raad of 'n werkneemer of tydelike werkneemer deur die betrokke Raad daar toe aangewys, as sy normale werkplek aangewys is; (xxii)
- (xx) "ongetroude werkneemer" 'n werkneemer of tydelike werkneemer wat nie getroud is nie; (xxxviii)
- (xxi) "ononderbroke diens" die tydperk wat begin op die aanvangsdatum van diens en eindig op die datum van die finale beëindiging van diens, en omvat dit alle tydperke waarin 'n werkneemer of tydelike werkneemer afwesig is met goedkeurde verlof, van watter aard ook al, en alle tydperke van skorsing in die diens wat gevolg word deur herstel in dieselfde of ander pligte, en omvat dit ook vorige diens bedoel in die woordomskrywing van "aanvangsdatum van diens"; (xxxvii)
- (xxii) "persoonlike besittings" die roerende goed van 'n werkneemer of tydelike werkneemer en van sy huishouing wat normaalweg vir persoonlike gebruik aangewend word, met inbegrip van voertuie, maar nie lewende hawe, huis- of troeteldiere nie; (xxiv)
- (xxiii) "raad" 'n gemeenskapsraad ingestel kragtens artikel 2 (1) van die Wet op Gemeenskapsrade, 1977 (Wet 125 van 1977); (viii)
- (xxiv) "rusdag"—
- (a) in die geval van 'n werkneemer of tydelike werkneemer wat nie gewoonlik op sodanige dag werk nie, 'n Sondag of 'n openbare feesdag;
- (b) in die geval van 'n werkneemer of tydelike werkneemer wat gewoonlik op 'n Sondag of 'n openbare feesdag werk, 'n ander dag waarop hy gewoonlik, in plaas van 'n Sondag of openbare feesdag, van diens vrygestel is; of
- (c) in die geval van 'n werkneemer of tydelike werkneemer wat 'n volle vyfdaagse werkweek nakom, 'n Saterdag, Sondag en openbare feesdag; (x)
- (xxv) "salaris" die vergoeding wat aan 'n werkneemer of tydelike werkneemer betaal word vir die dienste wat hy aan 'n raad lewer, maar sluit geen toelaes in nie; (xxix)

(xxvi) "regional authority" means a regional authority as defined in section 1 of the Black Authorities Act, 1951 (Act 68 of 1951); (xxix)

(xxvii) "registered child" means a child registered by an employee or temporary employee in terms of regulation 62; (x)

(xxviii) "registered woman" means a woman registered by an employee or temporary employee in terms of regulation 62; (xi)

(xxix) "salary" means the remuneration payable to an employee or temporary employee for services he renders to a council, but does not include any allowances; (xxv)

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

(xxxi) "salary incremental period" means a period of 12 months; (xxvii)

(xxxii) "stand-by duty" means the period during which an employee or temporary employee is instructed by his supervisor in terms of regulation 26 to remain available fulltime at his normal residence for service to a council; (ix)

(xxxiii) "subsistence allowance" means a payment designed to compensate an employee or temporary employee in respect of reasonable expenses necessarily incurred by him for accommodation, whilst absent from his normal place of work on official duty, over and above his normal living expenses at his home; (xxxiii)

(xxxiv) "temporary employee" a person who occupies a post contemplated in regulation 2 (1) (b) (i) and a person who is temporarily employed in a post contemplated in regulation 2 (1) (a); (xxx)

(xxxv) "territorial authority" means a territorial authority defined in terms of section 1 of the Black Authorities Act, 1951 (Act 68 of 1951); (viii)

(xxxvi) "tribal authority" means a tribal authority as defined in section 1 of the Black Authorities Act, 1951 (Act 68 of 1951); (xxviii)

(xxxvii) "uninterrupted service" the period commencing on the date of assumption of duty, ending on the date of final termination of service and including all periods of absence from duty of the employee or temporary employee on approved leave, irrespective of the nature thereof, and all periods of suspension from duty followed by restoration to the same or other duties, and includes previous service mentioned in the definition of "commencing date of service"; (xxi)

(xxxviii) "unmarried employee" means an employee or temporary employee who is not married; (xx)

(xxxix) "widow" means the registered wife of a deceased employee or temporary employee; (xxxvii)

(xl) "working day" means any day of the week except a day of rest; (xxxviii)

DEFINITION AND CLASSIFICATION OF THE COMMUNITY COUNCIL SERVICE

2. (1) The Community Council service consists of persons—

(a) who occupy prescribed posts on the fixed establishment; and

(b) (i) who occupy other posts on the establishment than the posts contemplated in paragraph (a) i.e. non-prescribed post; and

(ii) who are in temporary employment against posts contemplated in paragraph (a).

(xxvi) "salarisverhoging" die goedgekeurde bedrag waarmee 'n salaris volgens die toepaslike salarisskaal verhoog kan word; (xxx)

(xxvii) "salarisverhogingstydperk" 'n tydperk van 12 maande; (xxx)

(xxviii) "stamowerheid" 'n stamowerheid soos in artikel 1 van die Wet op Swart Owerhede, 1951 (Wet 68 van 1951), omskryf; (xxxvi)

(xxix) "streeksowerheid" 'n streeksowerheid soos in artikel 1 van die Wet op Swart Owerhede, 1951 (Wet 68 van 1951), omskryf; (xxvi)

(xxx) "tydelike werknemer" iemand wat 'n pos bedoel in regulasie 2 (1) (b) (i), beklee, en iemand wat tydelik in diens is teen 'n pos bedoel in regulasie 2 (1) (a); (xxxiv)

(xxxi) "tydkring" 'n tydperk van drie jaar gereken vanaf 'n datum deur 'n raad bepaal en elke daaropvolgende tydperk van drie jaar; (ix)

(xxxii) "vaste diensstaat" die poste geskep vir die normale en algemene vereistes van 'n raad; (xiii)

(xxxiii) "verblyftoelae" betaling wat bedoel is om 'n werknemer of tydelike werknemer te vergoed vir redelike uitgawes wat hy, benewens sy normale bestaanuitgawes by sy tuiste, noodwendig aan herberg moet aangaan wanneer hy in amptelike diens van sy normale werkplek afwesig is; (xxxiii)

(xxxiv) "verhogingsmaand" die maand waarin die salaris van 'n werknemer of tydelike werknemer verhoog kan word volgens die skaal wat op hom van toepassing is; (xv)

(xxxv) "verlofgratifikasie" die bedrag aan 'n werknemer of tydelike werknemer betaalbaar ingevolge regulasie 46 (1); (xvi)

(xxxvi) "voorgeskrewe pos" 'n pos wat die Minister kragtens artikel 5 (1) (i) van die Wet op Gemeenskapsrade, 1977 (Wet 125 van 1977), goedgekeur het, op die vaste diensstaat van 'n raad; (xxv)

(xxxvii) "weduwee" die geregistreerde vrou van 'n werknemer of tydelike werknemer wat oorlede is; (xxxix)

(xxxviii) "werkdag" enige dag van die week, uitgesonderd 'n rusdag; (xl)

(xxxix) "werknemer" iemand wat 'n pos beklee in regulasie 2 (1) (a) bedoel, permanent in diens is by 'n raad, aangestel is vir die vervulling van pligte wat ontstaan uit die normale voortdurende en ononderbroke werksaamhede van 'n raad, en op vergoeding vir sy dienste geregtig is, uitgesonderd 'n tydelike werknemer; (xii)

(xl) "wetgewende vergadering" 'n wetgewende vergadering ingestel kragtens artikel 1 van die Grondwet van die Swart State, 1971 (Wet 21 van 1971). (xvii)

OMSKRYWING EN INDELING VAN DIE GEMEENSKAPSRAADSDIENS

2. (1) Die Gemeenskapsraadsdiens bestaan uit persone—

(a) wat voorgeskrewe poste op die vaste diensstaat beklee; en

(b) (i) wat ander poste op die diensstaat beklee as die poste in paragraaf (a) bedoel; en

(ii) wat tydelik in diens is teen poste bedoel in paragraaf (a).

(2) The Minister has the power to determine that any post on the fixed establishment should be classified as a prescribed or a non-prescribed post: Provided that any reclassification does not deprive any employee or temporary employee of any leave, or other privilege or right he enjoyed, in consequence of his occupation of a prescribed or non-prescribed post, before the reclassification.

(3) A council may in respect of groups of workers who do not qualify for permanent appointment to posts referred to in subregulation (a), on account of health, language, citizenship, age and character and are consequently employed as temporary employees, or in respect of groups of workers for whom prescribed posts are not normally provided or in respect of other groups of workers whose conditions of service are determined in terms of other legislation, approve that the conditions of service from which temporary employees are excluded in terms of this regulation should be made applicable to such groups of workers.

APPOINTMENTS AND PROMOTIONS OF EMPLOYEES

3. (1) The appointment or promotion of any employee shall be effected by a council after consultation with the administration board concerned: Provided that the appointment or promotion to the post of Chief Executive Officer, or to such other post or posts as the Minister may exclude, should be approved by the Minister in writing.

(2) Should an employee, whose services were terminated for any reason whatsoever be reappointed by a council, with or without a break in service, such reappointment shall for all purposes be considered to be a new appointment.

APPOINTMENT OF TEMPORARY EMPLOYEES

4. (1) If a post on the fixed establishment of a council cannot be filled by a permanent appointment, that post may be filled on a full-time basis by the appointment of a suitable person in a temporary capacity.

(2) A council may appoint a suitable person in a temporary capacity to a post additional to the fixed establishment, as a result of the absence or illness of the holder of such post, or when it becomes necessary to supply staff for the performance of a class of work for which staff are not normally employed on a permanent basis, or when it, for any other reason, becomes necessary to supplement the staff of a council temporarily.

(3) Temporary employees are appointed by a person authorised to do so by a council, subject to the conditions of service determined by the Minister in consultation with such council.

(4) Notice of termination of service by a temporary employee or a council shall be given, at least 24 hours' notice being given on either side, in such manner as such council may determine.

CONDITIONS CONCERNING THE APPOINTMENT OF EMPLOYEES

5. A person shall not be appointed as an employee unless—

(a) he submits acceptable documentary evidence of his qualifications, previous experience and date of birth;

(b) he is a Black citizen of the Republic of South Africa or a citizen of an independent country whose territory used to form part of the territory of the Republic of South Africa, provided that his presence in, or admittance to the area of the community council concerned is legitimate in terms of the stipulations of the Blacks (Urban Areas) Consolidation Act, 1945 (Act 25 of 1945; and

(2) Die Minister het die bevoegdheid om te bepaal dat enige pos op die vaste diensstaat as 'n voorgeskrewe of nie-voorgeskrewe pos geklassifiseer word: Met dien verstande dat enige herklassifikasie nie 'n werknemer of tydelike werknemer die verlof of ander voorreg of reg wat hom uit hoofde van sy bekleding van 'n voorgeskrewe of nie-voorgeskrewe pos toegekom het, onneem nie.

(3) 'n Raad kan ten opsigte van groepes werkers wat met betrekking tot gesondheid, taal, burgerskap, ouderdom en karakter nie vir vaste aanstelling in poste in subregulasie (a) bedoel, kwalifiseer nie en derhalwe as tydelike werknemers in diens geneem is, of ten opsigte van klasse werkers vir wie daar nie normaalweg vir voorgeskrewe poste voorsiening gemaak word nie, of ten opsigte van ander klasse werkers wie se diensvooraardes deur ander wetgewing bepaal word, goedkeur dat die diensvooraardes waarvan tydelike werknemers ingevolge hierdie regulasie uitgesluit is, op sodanige groepes werkers van toepassing gemaak word.

AANSTELLINGS EN BEVORDERINGS VAN WERKNEMERS

3. (1) Die aanstelling of bevordering van enige werknemer word deur 'n raad gedoen na oorlegpleging met die betrokke administrasieraad: Met dien verstande dat die aanstelling in of bevordering tot die pos van Hoof Uitvoerende Beampte, of in of tot sodanige pos of poste wat die Minister uitsonder, skriftelik deur die Minister goedgekeur moet word.

(2) Indien 'n werknemer wie se dienste om watter rede ook al beëindig is, met of sonder onderbreking van diens heraangestel word deur 'n raad, word sodanige heraanstelling vir alle doeleinde geag 'n nuwe aanstelling te wees.

AANSTELLING VAN TYDELIKE WERKNEMERS

4. (1) Indien 'n pos op die vaste diensstaat van 'n raad nie deur 'n vaste aanstelling gevul kan word nie, kan sodanige pos gevul word deur aanstelling op 'n voltydse grondslag van 'n geskikte persoon in 'n tydelike hoedanigheid.

(2) 'n Raad kan 'n geskikte persoon in 'n tydelike hoedanigheid aanstel om 'n pos bykomend by die vaste diensstaat te vul, hetsy weens die afwesigheid of siekte van die bekleer van sodanige pos, of wanneer dit nodig is om personeel te verskaf vir die verrigting van 'n klas werk waarvoor personeel nie gewoonlik op 'n permanente grondslag in diens gehou word nie, of wanneer dit om enige ander rede nodig is om die personeel van 'n raad tydelik aan te vul.

(3) Tydelike werknemers word deur 'n persoon deur 'n raad daartoe gemagtig, aangestel, onderworpe aan die diensvooraardes wat die Minister in oorleg met sodanige raad bepaal.

(4) Kennis van diensbeëindiging deur 'n tydelike werknemer of 'n raad geskied met wedersydse kennisgewing van minstens 24 uur op 'n wyse deur sodanige raad bepaal.

VOORWAARDES AANGAANDE AANSTELLING VAN WERKNEMERS

5. 'n Persoon word nie as 'n werknemer aangestel nie tensy—

(a) hy aanneemlike dokumentêre bewys lever van sy kwalifikasies, vorige ondervinding en geboortedatum;

(b) hy 'n Swart burger van die Republiek van Suid-Afrika is of 'n burger van 'n onafhanklike land, waarvan die grondgebied deel van die Republiek uitgemaak het, en sy aanwesigheid in of toelating tot die betrokke gemeenskapsraadsgebied wettig is ingevolge die Swartes (Stadsgebiede) Konsolidasiewet, 1945 (Wet 25 van 1945); en

(c) he, in the opinion of the council concerned or a registered medical practitioner appointed by the council, is free of any mental or physical defects, illness or weakness likely to hamper him in the proper execution of his duties or necessitate his retirement from the service of the council before reaching the retirement age.

FILLING OF POSTS

6. (1) In the filling of a post, either by appointment of a person or promotion or transfer of an employee or temporary employee, character, exceptional proficiency, ability, general and special training and, in the case of a post that is being filled by an employee or temporary employee on promotion or transfer, seniority and relative merit, shall be taken into consideration and no person or employee or temporary employee who does not comply with the requirements in respect of age, qualifications, language and experience laid down by the Minister for the filling of such post, may be appointed, promoted or transferred to fill such post: Provided that, subject to the provisions of any law, the council may, in the absence of any suitable candidate or employee or temporary employee who complies with the prescribed requirements, appoint, promote or transfer a candidate or employee or temporary employee, as the case may be, to fill such post.

(2) In filling a post, preference is given to suitable employees who comply with the requirements referred to in subregulation (1).

(3) A council may appoint a person who does not comply with the requirements in respect of age, health, character, language and citizenship for appointment to a classified post as a temporary employee in the post referred to: Provided that a person who complies with all the requirements except citizenship may be appointed on contract on conditions determined by the Minister.

(4) A person or employee or temporary employee curries or attempts to curry, favour with a council or with the person referred to in regulation 3, with the object of being appointed, transferred or promoted to a post will not be considered for appointment, transfer or promotion, as the case may be.

SENIORITY

7. In determining the seniority of employees or temporary employees in the service of a council the following shall be taken into consideration:

- (1) The date of appointment; or
- (2) the date of promotion.

PROMOTIONS

8. Subject to the provisions of these regulations, an employee is only promoted if—

- (a) a vacancy exists in a higher or newly created post; or
- (b) competence margins or higher degrees are applicable to the post occupied by an employee and such employee complies with all the requirements for promotion.

APPOINTMENTS, TRANSFERS AND PROMOTIONS ON PROBATION

9. (1) Appointments, transfers or promotions to posts shall be made on probation if the council concerned so directs.

(2) The period of probation shall not be less than six calendar months: Provided that if an officer who is serving on probation is transferred or promoted to any other post, a

(c) hy, na die mening van die betrokke raad of 'n geregistreerde geneesheer wat die raad aanwys, vry van enige verstandelike of liggaamlike gebrek, siekte of swakheid is wat waarskynlik die behoorlike uitvoering van sy pligte sal belemmer of sy uittreding uit die raad se diens voordat hy die pensioenleeftyd bereik, kan noodsaak.

VUL VAN POSTE

6. (1) By die vul van 'n pos, hetsy deur aanstelling van 'n persoon of deur bevordering of oorplasing van 'n werkneemster of tydelike werkneemster, word karakter, buitengewone bekwaamheid, aanleg, algemene en spesiale opleiding en, in die geval van 'n pos wat deur die bevordering of oorplasing van 'n werkneemster of tydelike werkneemster gevul word, senioriteit en relatiewe verdienstelikheid, in aanmerking geneem, en geen persoon of werkneemster of tydelike werkneemster wat nie voldoen aan die vereistes met betrekking tot ouderdom, kwalifikasies, taal en ondervinding wat die Minister vir die vul van die betrokke pos bepaal nie, word aangestel, bevorder of oorgeplaas om sodanige pos te vul nie: Met dien verstande dat, behoudens die bepalings van enige wet, die raad in die afwesigheid van enige gesukte kandidaat of werkneemster of tydelike werkneemster wat aan sodanige voorgeskrewe vereistes voldoen, 'n kandidaat of werkneemster of tydelike werkneemster kan aangestel, bevorder of oorplaas, na gelang van die geval, om sodanige pos te vul.

(2) By die vul van 'n pos word voorkeur verleent aan gesukte werkneemsters wat voldoen aan die vereistes in subregulasie (1) bedoel.

(3) 'n Raad kan 'n persoon wat nie aan die vereistes met betrekking tot ouderdom, gesondheid, karakter, taal en burgerskap vir aanstelling in 'n geklassifiseerde pos voldoen nie, as 'n tydelike werkneemster teen bedoelde pos aangestel: Met dien verstande dat 'n persoon wat aan alle vereistes behalwe burgerskap voldoen, op kontrak, op die voorwaardes deur die Minister bepaal, aangestel kan word.

(4) 'n Persoon of werkneemster of tydelike werkneemster wat invloed by 'n raad of die persoon bedoel in regulasie 3, werf of probeer werf met die doel om aangestel te word in, oorgeplaas te word na of bevorder te word tot 'n pos, word nie vir sodanige aanstelling, oorplasing of bevordering, na gelang van die geval, in aanmerking geneem nie.

SENIORITEIT

7. By die bepaling van die senioriteit van werkneemsters of tydelike werkneemsters in 'n raad se diens word die volgende in aanmerking geneem:

- (1) Die datum van aanstelling; of
- (2) die datum van bevordering.

BEVORDERINGS

8. Behoudens die bepalings van hierdie regulasies, word 'n werkneemster slegs bevorder indien—

- (a) 'n vakature in 'n hoër of nuutgeskepte hoër pos bestaan; of

(b) bevoegdheidsgrense of hoër grade van toepassing is op 'n pos wat 'n werkneemster vul, en die betrokke werkneemster aan al die vereistes vir bevordering voldoen.

AANSTELLINGS, OORPLASINGS EN BEVORDERINGS OP PROEF

9. (1) Aanstellings in, oorplasings na en bevorderings tot poste geskied op proef indien die betrokke raad aldus gelas.

(2) Die proeftyd is minstens ses kalendermaande: Met dien verstande dat as 'n werkneemster wat op proef diens doen, oorgeplaas word na of bevorder word tot 'n ander

lesser period of service on probation in the new post may be authorised by the council, which, together with the period of probation in the former post, shall not be less than six calendar months: Provided further that the probationary period of an employee shall be extended by the number of days' leave taken by him during the period of probation or any extension thereof.

(3) If a council is satisfied that during the period of probation or extended period of probation the employee concerned has been diligent and his conduct uniformly satisfactory and he is in all respects suitable for the post which he holds, the council may, if the employee has complied with all the conditions to which his appointment, transfer or promotion was subject, confirm the appointment, transfer or promotion.

(4) If the probationary appointment, transfer or promotion, subject to subregulation (3), is not confirmed, a council may extend the probationary period: Provided that the probationary period and the extended probationary period jointly do not exceed 12 months.

(5) Subject to the provisions of subregulation (6), an employee who is serving on probation may be discharged by a council from such council's service either during, or at or after the expiry of the period of probation—

- (a) by the giving of one month's notice; or
- (b) forthwith, if his conduct is unsatisfactory.

(6) Notwithstanding the provisions of regulation 15, an employee who immediately prior to his transfer or promotions on probation was not on probation shall revert to the post formerly held by him or to a post of equivalent grading, and to the salary he would have attained in his former post, if his probationary transfer or promotion is not confirmed.

TRANSFER OF EMPLOYEES OR TEMPORARY EMPLOYEES

10. Subject to the provisions of these regulations, an employee or temporary employee may be transferred by a council from the post he holds to any other post.

RETIREMENT AND DISCHARGE OF EMPLOYEES OR TEMPORARY EMPLOYEES

11. (1) Subject to the provisions of subregulation (2), an employee or temporary employee shall have the right to retire from the service of a council on attaining the age of 60 years and shall be so retired upon reaching the said age.

(2) If it is in a council's interests to retain an employee or temporary employee in service in his post beyond the age of 60 years, he may with his consent be so retained from time to time by such council for further periods which altogether shall not exceed five years.

(3) A council may dismiss an employee or temporary employee from its service with effect from a date fixed by such council—

- (a) on account of continued ill-health;
- (b) owing to the abolition of his post or any reduction in or reorganisation of the activities of such council;
- (c) on account of unfitness for his duties, or incapacity to carry them out efficiently;
- (d) if, for reasons other than his own unfitness or incapacity, his discharge will promote efficiency or economy in the office in which he is employed;
- (e) on account of misconduct;

pos, die raad 'n korter proeftyd in die nuwe pos kan gelas wat, saam met die proeftyd in die vorige pos, minstens ses kalendermaande is: Met dien verstande voorts dat die proeftyd van 'n werknemer verleng word met die getal dae verlof wat hy gedurende die proeftyd of enige verlenging daarvan, geneem het.

(3) Indien 'n raad oortuig is dat die betrokke werknemer gedurende die proeftyd of verlengde proeftyd ywerig was en sy gedrag deurgaans bevredigend was en dat hy in alle opsigte geskik is vir die pos wat hy beklee, kan die raad, as die werknemer voldoen het aan al die voorwaardes waaraan sy aanstelling, oorplasing of bevordering onderworpe was, die aanstelling, oorplasing of bevordering bekratig.

(4) Indien die aanstelling, oorplasing of bevordering op proef nie kragtens subregulasie (3) bekratig word nie, kan 'n raad die proeftyd verleng: Met dien verstande dat die proeftyd en die verlengde proeftyd gesamentlik nie 12 maande te bove gaan nie.

(5) Behoudens die bepalings van subregulasie (6) kan 'n werknemer wat op proef in diens is, deur 'n raad uit sodanige raad se diens ontslaan word, hetsy gedurende of by of na verstryking van die proeftyd—

- (a) deur een maand kennis te gee; of
- (b) met onmiddellike effek, as sy gedrag onbevredigend is.

(6) Ondanks die bepalings van regulasie 15 keer 'n werknemer wat onmiddellik voor sy oorplasing of bevordering op proef nie op proef was nie, terug na die pos wat hy tevore beklee het, of na 'n pos van gelyke gradering, en na die salaris wat hy in sy vorige pos sou bereik het as sy oorplasing of bevordering op proef nie bekratig word nie.

OORPLASING VAN WERKNEMERS OF TYDELIKE WERKNEMERS

10. Behoudens die bepalings van hierdie regulasies kan 'n werknemer of tydelike werknemer deur 'n raad oorgeplaas word uit die pos wat hy beklee, na enige ander pos.

UITTREDING, AFDANKING EN ONTSLAG VAN WERKNEMERS OF TYDELIKE WERKNEMERS

11. (1) Behoudens die bepaling van subregulasie (2) het 'n werknemer of tydelike werknemer die reg om uit die diens van 'n raad te tree wanneer hy die leeftyd van 60 jaar bereik en word hy aldus afgedank wanneer hy genoemde leeftyd bereik.

(2) Indien dit in 'n raad se belang is om 'n werknemer of tydelike werknemer in sy pos in diens te hou nadat hy die leeftyd van 60 jaar bereik het, kan hy aldus van tyd tot tyd met sy goedkeuring deur sodanige raad in diens gehou word vir verdere tydperke wat altesaam vyf jaar nie te bove mag gaan nie.

(3) 'n Raad kan, met ingang van 'n datum deur sodanige raad bepaal, 'n werknemer of tydelike werknemer uit sy diens ontslaan—

- (a) weens voortdurende swak gesondheid;
- (b) weens die afskaffing van sy pos of vermindering of reorganisasie of herreëling van die werksaamhede van sodanige raad;
- (c) weens ongeskiktheid vir sy pligte of onvermoë om hulle op bekwame wyse uit te voer;
- (d) indien, om ander redes as sy eie ongeskiktheid of onvermoë, sy ontslag doeltreffendheid of besuiniging in die kantoor waarin hy in diens is, sal bevorder;
- (e) weens wangedrag;

(f) if, in the case of an employee appointed on probation, his appointment is not confirmed;

(g) upon forfeiture of any certificate of competence, licence or authorisation without which the employee or temporary employee may not execute the duties for which he has been appointed in the service of such council:

Provided that the services of an employee or temporary employee may not be terminated during his absence on approved paid leave: Provided further that at least two months notice of termination of the services of an employee or temporary employee referred to in paragraph (b) above shall be given.

(4) An employee or temporary employee who absents himself without leave from his duties for a period exceeding 14 days shall be deemed to have been discharged from the service of a council on account of misconduct with effect from the date immediately succeeding his last day of attendance at his normal place of work: Provided that if such employee or temporary employee assumes other employment he shall be deemed to have been discharged as aforesaid, notwithstanding the fact that the said period has not yet expired.

(5) An employee or temporary employee shall be deemed to have left the service of a council voluntarily as from the date upon which he—

(a) accepts nomination as a candidate for election as a member of a community council; or

(b) before the prior written consent of the council has been obtained—

(i) accepts nomination as a candidate for election as a member of a legislative assembly, territorial authority or regional authority;

(ii) is nominated a member of a legislative assembly; or

(iii) is acknowledged or appointed a member of a tribal authority.

(6) An employee or temporary employee may terminate his services with a council by giving not less than one month's notice thereof in writing: Provided that the council may, in its discretion, accept a shorter period.

MISCONDUCT

12. (1) An employee is guilty of misconduct and may be dealt with in accordance with the provisions of regulation 13, if he—

(a) contravenes any provision of these regulations or fails to comply with any provision thereof with which it is his duty to comply;

(b) does, or causes or permits to be done, or connives at, any act which is prejudicial to the administration of a council, or to the efficiency or discipline of an office of a council;

(c) disobeys, disregards, or makes wilful default in carrying out a lawful order given to him by a person having authority to give it, or by word or conduct displays insubordination;

(d) is negligent or indolent in the discharge of his duties;

(e) undertakes, without the permission of the council concerned, any private agency or private work;

(f) publicly comments upon the administration of a council;

(f) indien, in die geval van 'n werknemer wat op proef aangestel is, sy aanstelling nie bekratig word nie;

(g) weens die verbeuring van enige sertifikaat van bevoegdheid, lisensie of magtiging waaronder die werknemer of tydelike werknemer nie die pligte mag uitvoer waarvoor hy in die diens van sodanige raad aangestel is nie:

Met dien verstande dat 'n werknemer of tydelike werknemer se dienste nie beëindig word terwyl hy met goedkeurde verlof met betaling is nie: Met dien verstande voorts dat minstens twee maande kennis dat sy diens beëindig gaan word, aan 'n werknemer of tydelike werknemer gemeld in paragraaf (b) hierbo, gegee word.

(4) 'n Werknemer of tydelike werknemer wat sonder verlof vir 'n tydperk van meer as 14 dae van sy pligte wegby, word geag weens wangedrag uit die diens van 'n raad ontslaan te gewees het met ingang van die datum wat onmiddellik volg op die laaste dag waarop hy op sy normale werkplek teenwoordig was: Met dien verstande dat as so 'n werknemer of tydelike werknemer ander werk aanvaar, hy geag word ontslaan te gewees het soos voormeld, nienteenstaande die feit dat bedoelde tydperk nog nie verstryk het nie.

(5) 'n Werknemer of tydelike werknemer word geag vrywillig uit 'n raad se diens te getree het met ingang van die datum waarop hy—

(a) nominasie as kandidaat vir verkiesing tot lid van 'n gemeenskapsraad aanvaar; of

(b) sonder die voorafverkree skriftelike toestemming van die raad—

(i) nominasie as kandidaat vir verkiesing tot lid van 'n wetgewende vergadering, gebiedsowerheid of streekowerheid aanvaar;

(ii) as lid van 'n wetgewende vergadering aangewys word; of

(iii) as lid van 'n stamowerheid erken of aangestel word.

(6) 'n Werknemer of tydelike werknemer kan sy diens by 'n raad beëindig deur minstens een maand skriftelik kennis daarvan te gee: Met dien verstande dat die raad na goedunke 'n korter tydperk kan aanvaar.

WANGEDRAG

12. (1) 'n Werknemer is skuldig aan wangedrag en daar kan ooreenkomsdig die bepalings van regulasie 13 met hom gehandel word indien hy—

(a) 'n bepaling van hierdie regulasies oortree of versuim om te voldoen aan 'n bepaling daarvan waaraan dit sy plig is om te voldoen;

(b) 'n daad wat nadelig is vir 'n raad se administrasie of doeltreffendheid of, dissipline van 'n kantoor van 'n raad, verrig, laat verrig of toelaat of oogluikend toelaat dat dit verrig word;

(c) 'n wettige opdrag wat aan hom gegee is deur 'n persoon wat die bevoegdheid het om dit te gee, nie gehoorsaam nie, dit verontgaam of opsetlik versuim om dit uit te voer, of hom deur woord of gedrag aan insubordinasie skuldig maak;

(d) nalatig of traag is in die uitvoering van sy pligte;

(e) sonder die toestemming van die betrokke raad enige private agentskap het of private werk onderneem;

(f) hom in die openbaar uitlaat oor die administrasie van 'n raad;

- (g) conducts himself in a disgraceful, improper or unbecoming manner, or whilst on duty is grossly discourteous to any person;
- (h) uses intoxicants or stupefying drugs to excess;
- (i) at any time during his normal working hours—
- (i) is under the influence of intoxicating liquor; or stupefying drugs; or
- (ii) has a blood alcohol content, expressed in milligrams per hundred millilitres of blood, of not less than 150 milligrams (0,15 %)
- (j) occupies a supervisory position and wilfully and knowingly allows—
- (i) an employee under his supervision to contravene any provision of these regulations; or
- (ii) a temporary employee under his supervision to contravene any provision of his conditions of service;
- (k) occupies a supervisory position and knowing that—
- (i) an employee under his supervision has contravened any provision of these regulations; or
- (ii) a temporary employee under his supervision has contravened any provision of his conditions of service; fails to report such contravention to the council immediately;
- (l) becomes insolvent or compromises with his creditors, unless it is known that his insolvency or compromise has been occasioned by unavoidable misfortune;
- (m) becomes pecuniarily embarrassed, unless it is shown that his pecuniary embarrassment has not been occasioned by imprudence or other reprehensible cause and is not prejudicial to the faithful performance of his duties;
- (n) without first having obtained the permission of the council concerned or an employee designated thereto by the council, discloses otherwise than in the discharge of his official duties, information gained by or conveyed to him through his employment in the service of the council, or uses such information for any purpose other than for the discharge of his official duties, whether or not he discloses such information;
- (o) without the permission of the council concerned accepts or demands in respect of the carrying out of or the failure to carry out his duties, any commission, fee or reward, pecuniary or otherwise (not being the emoluments payable to him in respect of his duties) or fails to report to the council the offer of any such commission, fee or reward;
- (p) misappropriates, or damages by wilful or negligent action, or improperly uses any property of a council under such circumstances that his act does not constitute a criminal offence;
- (q) commits a criminal offence;
- (r) absents himself from his office, place of work or duty without leave or valid cause;
- (s) with a view to obtaining any privilege or advantage in relation to his official position, or his duties, or to causing prejudice or injury to a council or a person in the employ of such council, makes a false or incorrect statement, knowing it to be false or incorrect.
- (2) If at any time it is determined that—
- (a) (i) an employee was insolvent at the time of his application for employment in the service of a council;
- (ii) an employee had compromised with his creditors and that such compromise still existed at the time of his application for employment in the service of a council;
- (g) hom op 'n skandelike, onbehoorlike of onbetaam-like wyse gedra of hom aan growwe onbeleefdheid teenoor 'n persoon skuldig maak terwyl hy diens doen;
- (h) buitensporig gebruik maak van sterk drank of bedwelmende middels;
- (i) gedurende sy normale werkure—
- (i) onder die invloed van sterk drank of bedwelmende middels is; of
- (ii) 'n bloedalkoholinhou, uitgedruk in milligram per honderd milliliter bloed, van minstens 150 milligram (0,15%) het;
- (j) 'n toesighoudende posisie beklee en willens en wetens toelaat dat—
- (i) 'n werknemer onder sy toesig 'n bepaling van hierdie regulasies oortree; of
- (ii) 'n tydelike werknemer onder sy toesig 'n bepaling van sy diensvoorraarde oortree;
- (k) 'n toesighoudende posisie beklee en, wetende dat—
- (i) 'n werknemer onder sy toesig 'n bepaling van hierdie regulasies oortree het; of
- (ii) 'n tydelike werknemer onder sy toesig 'n bepaling van sy diensvoorraarde oortree het, versuim het om sodanige oortreding onverwyld aan die raad te rapporteer;
- (l) insolvent word of 'n akkoord met sy skuldeisers aangaan, tensy daar bewys word dat sy insolvensie of akkoord deur onvermydelike teenspoed veroorsaak is;
- (m) in geldelike moeilikheid geraak, tensy daar bewys word dat sy geldelike moeilikheid nie die gevolg is van onversigtigheid of ander laakkbare oorsaak nie en nie nadelig is vir die getroue uitvoering van sy pligte nie;
- (n) sonder dat hy eers die toestemming van die betrokke raad of 'n werknemer deur die raad daar toe aangewys, verkry het, inligting wat hy ingewin of waar aan hy gekom het as gevolg van sy werk in die diens van die raad, openbaar maak anders as in die vervulling van sy ampspligte of sodanige inligting gebruik vir 'n ander doel as vir die vervulling van sy ampspligte, hetsy hy sodanige inligting openbaar maak of nie;
- (o) sonder die toestemming van die betrokke raad, enige kommissie, geld of beloning (geldelik of andersins), wat nie die emolumente is wat ten opsigte van sy pligte aan hom betaalbaar is nie, aanneem of dit eis ten opsigte van die uitvoering van sy pligte of die versuim om sy pligte uit te voer, of versuim om aan die raad die aanbod van so 'n kommissie, geld of beloning te rapporteer;
- (p) hom eiendom van 'n raad wederregtelik toeëien, dit opsetlik of op nalatige wyse beskadig of onbehoorlike gebruik daarvan maak onder sodanige omstandighede dat sy daad nie 'n kriminele misdryf uitmaak nie;
- (q) 'n kriminele misdryf begaan;
- (r) sonder verlof of geldige rede van sy kantoor, werkplek of diens wegblý; of
- (s) met die oog op die verkryging van enige voorreg of voordeel met betrekking tot sy ampelike posisie of sy pligte, of met die oog op die veroorsaking van enige nadeel of skade aan 'n raad of 'n persoon in die diens van sodanige raad, 'n valse of onjuiste verklaring doen, wetende dat dit vals of onjuis is.
- (2) Indien daar te eniger tyd vasgestel word dat—
- (a) (i) 'n werknemer ten tyde van sy aansoek om 'n betrekking in die diens van 'n raad insolvent was;
- (ii) 'n werknemer 'n akkoord met sy skuldeisers aangaan het en dat sodanige akkoord ten tyde van sy aansoek om 'n betrekking in die diens van 'n raad nog bestaan het;

(iii) an employee at any time prior to his application for employment in the service of a council had committed a criminal offence; and he failed to mention such fact in such application, where he was asked about any such offence; or

(b) an employee furnished false information in his application for employment in the service of a council; such an employee shall be regarded as being irrefutably guilty of misconduct and the council may proceed against him in accordance with regulation 13 (25);

(3) (a) A member of a council or an employee holding a supervisory position can order an employee whom he reasonably suspects to be guilty of misconduct as described in subregulation (1) (i), to—

(i) breathe into a breath testing apparatus for such period as he may direct;

(ii) undergo an examination by a medical practitioner, including any blood test which such medical practitioner may deem necessary in order to determine the alcohol content of the blood of such employee; or

(iii) breathe into a breath testing apparatus and undergo the examination referred to in subparagraph (ii).

(b) If—

(i) an employee fails or refuses to breathe into a breath testing apparatus or to undergo the examination when so required under paragraph (a); or

(ii) the breath testing apparatus records that the alcohol content of the blood of an employee exceeds a limit specified by a council for that particular kind of breath testing apparatus.

such employee shall be regarded as being irrefutably guilty of misconduct as described in subparagraph (1) (i) and the council may proceed against him in accordance with regulation 13 (25).

PROCEDURE IN CASES OF INEFFICIENT EMPLOYEES AND MISCONDUCT

13. (1) If in the opinion of a council, reasonable grounds exist for suspecting that an employee is not fit for his duties, not able to carry them out in an efficient manner or that he is guilty of misconduct, the council shall appoint a committee of three members, consisting of members of the council and employees (hereafter referred to as the committee) to investigate such suspicion and nominate one of the members to be chairman of the committee.

(2) In the case of—

(a) an inquiry instituted to determine whether an employee is unfit for his duties or unable to carry them out in an efficient manner, the committee shall fix the time and place of the inquiry and give the employee concerned reasonable notice in writing of the time and place so fixed and furnish him with a written statement of the grounds on which it is alleged that he is unfit for his duties or incapable of carrying them out efficiently;

(b) an inquiry to determine whether or not an employee is guilty of misconduct, the charge is to be served upon the employee concerned by the employee appointed by the council for the purpose.

(3) A charge of misconduct contains a direction or is accompanied by a direction calling upon the employee charged to transmit or deliver, within a reasonable period specified in the direction to a person likewise specified, a written admission or denial of the charge and, if he so desires, a written explanation of the misconduct with which he is charged.

(iii) 'n werknemer te eniger tyd voordat hy aansoek om 'n betrekking in die diens van 'n raad gedoen het, 'n kriminele misdryf begaan het, en hy versuim het om sodanige feit in sodanige aansoek, waar hy daarom gevra is, te meld; of

(b) 'n werknemer enige valse inligting in sy aansoek om 'n betrekking in die diens van 'n raad, verstrek het, word sodanige werknemer onweerlegbaar geag skuldig te wees aan wangedrag en kan die raad kragtens regulasie 13 (25) teen hom optree.

(3) (a) 'n Lid van 'n raad of 'n werknemer wat 'n toesighoudende posisie beklee, kan 'n werknemer wat hy redeelikewys vermoed skuldig te wees aan wangedrag soos in subregulasie (1) (i) omskryf, gelas om—

(i) in 'n asemtoetsapparaat uit te asem vir die tydperk wat hy bepaal;

(ii) hom aan 'n ondersoek deur 'n mediese praktisyn te onderwerp, met inbegrip van bloedtoetse wat sodanige mediese praktisyn nodig ag om die alkoholinhou van die bloed van bedoelde werknemer te bepaal; of

(iii) in 'n asemtoetsapparaat uit te asem en om hom aan die ondersoek in subparagraaf (ii) bedoel, te onderwerp.

(b) Indien—

(i) 'n werknemer versuim of weier om in 'n asemtoetsapparaat uit te asem of hom aan 'n ondersoek te onderwerp nadat hy kragtens paragraaf (a) aldus gelas is; of

(ii) die asemtoetsapparaat wys dat die alkoholinhou van die bloed van 'n werknemer 'n perk oorskry wat 'n raad met betrekking tot daardie besondere fabrikaat asemtoetsapparaat gespesifiseer het;

word bedoelde werknemer onweerlegbaar geag skuldig te wees aan wangedrag soos in subregulasie (1) (i) omskryf, en kan die raad kragtens regulasie 13 (25) teen hom optree.

PROCEDURE IN GEVALLE VAN ONBEKWAME WERKNEMERS EN WANGEDRAG

13. (1) Indien daar na die mening van 'n raad redelike grond bestaan om te vermoed dat 'n werknemer ongeskik vir sy pligte is of nie in staat is om dit op 'n bekwame wyse uit te voer nie, al dan nie, stel die komitee van drie lede, bestaande uit raadslede en werknemers (hierna die "komitee" genoem), aan om ondersoek na sodanige vermoede in te stel, en wys een van die lede as voorstuur van die komitee aan.

(2) In die geval van—

(a) 'n ondersoek om vas te stel of 'n werknemer ongeskik vir sy pligte is of nie in staat is om dit op 'n bekwame wyse uit te voer nie, al dan nie, stel die komitee die tyd en plek van die ondersoek vas, en gee aan die betrokke werknemer redelike skriftelike kennis van die tyd en plek vasgestel, en verstrek aan hom 'n skriftelike uiteensetting van die redes op grond waarvan beweer word dat hy ongeskik is vir sy pligte of nie in staat is om hulle op bekwame wyse uit te voer nie;

(b) 'n ondersoek om vas te stel of 'n werknemer aan wangedrag skuldig is, al dan nie, word die aanklag aan die betrokke werknemer beteken deur 'n werknemer deur die raad vir die doel aangewys.

(3) 'n Aanklag van wangedrag bevat 'n aansegging of gaan vergesel van 'n aansegging waarby die aangeklaagde werknemer aangesê word om binne 'n redelike tydperk wat in die aansegging vermeld word aan 'n persoon wat ook daarin vermeld word, 'n skriftelike erkenning of ontkenning van die aanklag te stuur of by hom af te lewer en, as hy dit verlang, ook 'n skriftelike verklaring van die wangedrag waarvan hy aangekla word.

(4) A council may at any time before or after an employee has been charged with misconduct suspend him from duty.

(5) An employee who has been suspended from duty in terms of subregulation (4) shall not be entitled to any emoluments for the period of his suspension: Provided that a council may order payment to such employee of the whole or a portion of his emoluments.

(6) If no charge in accordance with this regulation is preferred against an employee who has been suspended from duty, he shall be allowed to resume duty and be paid his full emoluments for the period of his suspension.

(7) A council may at any time cancel the suspension, but notwithstanding the cancellation of the suspension the proceedings on the charge of misconduct may be continued.

(8) If the employee charged denies the charge or fails to comply with the direction mentioned in subregulation (3) the council shall inform the committee accordingly.

(9) On receipt of such information, the committee shall immediately determine the time and place of the inquiry and give the employee charged reasonable notice in writing of the time and place determined.

(10) A council shall appoint a person (hereafter referred to as the "prosecutor"), to attend the inquiry and to adduce evidence and arguments in support of the allegations referred to in subregulation (1) and to cross-examine any person who has given evidence to refute those allegations.

(11) (a) The prosecutor may—

(i) summon any person who in his opinion may be able to give material information concerning the subject of the inquiry to be held by him, or who he suspects or believes has in his possession or custody or under his control any book, document or thing which has any bearing upon the subject of the inquiry to appear before the committee at a time and place specified in the summons, to be interrogated or to produce such book, document or thing;

(ii) call to appear before the committee and administer an oath to or take an affirmation from any person present at the inquiry who was or might have been summoned in terms of paragraph (i), and may interrogate him and require him to produce any book, document or thing in his possession or custody or under his control which the prosecutor suspects or believes to have a bearing upon the subject of the inquiry.

(b) If any person, having been duly summoned under paragraph (a) (i) fails, without sufficient cause, to attend at the time and place specified in the summons, or to remain in attendance until excused by the committee from further attendance, or if any person called in terms of paragraph (a) (ii) refuses to be sworn or to affirm as a witness, or fails without sufficient cause to answer fully and to the best of his knowledge all questions lawfully put to him, or to produce any book, document or thing in his possession or custody or under his control, he shall be guilty of an offence, and liable upon conviction to a fine not exceeding R50 or, by default, to imprisonment for a period not exceeding 30 days: Provided that in connection with the interrogation of any such person during the inquiry or the production of any such book, document or thing before the

(4) 'n Raad kan te eniger tyd voor of nadat 'n werknemer van wangedrag aangekla is, die werknemer in sy diens skors.

(5) 'n Werknemer wat ingevolge subregulasie (4) in sy diens geskors is, is nie op enige emolumente vir die tydperk van sy skorsing geregtig nie: Met dien verstande dat 'n raad kan gelas dat die geheel of 'n gedeelte van sy emolumente aan so 'n werknemer betaal word.

(6) As geen aanklag ingevolge hierdie regulasie teen 'n werknemer wat in sy diens geskors is, ingebring word nie, word hy toegelaat om weer diens te aanvaar en word sy volle emolumente vir die tydperk van sy skorsing aan hom betaal.

(7) 'n Raad kan die skorsing te eniger tyd intrek, maar ondanks die intrekking van die skorsing kan die verrigtings in verband met die aanklag van wangedrag voortgesit word.

(8) As die aangeklaagde werknemer die aanklag ontken of versuim om die aanseggings in subregulasie (3) bedoel, na te kom, stel die raad die komitee dienooreenkomsdig in kennis.

(9) Ná ontvangs van sodanige kennisgewing stel die komitee onverwyld die tyd en plek van die ondersoek vas, en gee aan die aangeklaagde werknemer redelike skriftelike kennis van die tyd en plek vasgestel.

(10) 'n Raad stel 'n persoon (hierna die "aanklaer" genoem) aan om by die ondersoek teenwoordig te wees en om getuienis en argumente ter stawing van die bewerings in subregulasie (1) bedoel, aan te voer en om enige persoon wat getuienis afgelê het om daardie bewerings te weerlê, in kruisverhoor te neem.

(11) (a) Die aanklaer kan—

(i)'n persoon wat na sy mening in staat is om inligting van weselike belang te verstrek oor die onderwerp van die ondersoek deur hom ingestel, of wat, na hy vermoed of glo, 'n boek, dokument of ding in sy besit of bewaring of onder sy beheer het wat betrekking op die onderwerp van die ondersoek het, dagvaar om op 'n tyd en plek in die dagvaarding vermeld, voor die komitee te verskyn om ondervra te word of om daardie boek, dokument of ding voor te lê;

(ii) 'n persoon wat by die ondersoek teenwoordig is en wat ingevolge paragraaf (i) gedagvaar is of gedagvaar kon gewees het, oproep om voor die komitee te verskyn en van hom 'n eed afneem of van hom 'n bevestiging aanneem, en kan hom ondervra en hom aansê om 'n boek, dokument of ding in sy besit of bewaring of onder sy beheer wat, na die aanklaer vermoed of glo, betrekking op die onderwerp van die ondersoek het, voor die komitee te lê.

(b) As 'n persoon wat behoorlik ingevolge paragraaf (a) (i) gedagvaar is, sonder voldoende rede in gebreke bly om teenwoordig te wees op die tyd en plek wat in die dagvaarding vermeld is, of om teenwoordig te bly totdat die komitee hom daarvan vrygestel het om langer teenwoordig te wees, of as 'n persoon wat ingevolge paragraaf (a) (ii) opgeroep is, weier om as getui beëdig of bevestig te word, of sonder voldoende rede in gebreke bly om volledig en na sy beste wete alle vrae wat wettig aan hom gestel word, te beantwoord, of om 'n boek, dokument of ding in sy besit of bewaring of onder sy beheer voor te lê, is hy skuldig aan 'n misdryf en by skuldigbevinding strafbaar met 'n boete van hoogstens R50 of, by wanbetaling, tot gevangenisstraf van hoogstens 30 dae: Met dien verstande dat in verband met die ondervraging van so 'n persoon tydens die ondersoek of met die voorlegging van so 'n boek, dokument of ding aan die komitee, die wetsbepalings met betrekking tot privilegie,

committee, the law relating to privilege, as applicable to a witness summoned to give evidence or to produce any book, document or thing before a court of law, shall apply.

(c) Any person who, after having been sworn or after having been affirmed as a witness, gives a false answer to any question put to him by the prosecutor, a member of the committee, the charged employee or his representative, or makes a false statement on any matter, knowing that answer or statement to be false, shall be guilty of an offence and liable on conviction to the punishment prescribed by law for perjury.

(d) Any person who hinders or prevents any person from attending in obedience to any summons issued under paragraph (a) (i), or from giving any evidence or producing any book, document or thing which he may be required to give or produce, shall be guilty of an offence, and liable upon conviction to a fine not exceeding R50 or, in default of payment, to imprisonment for a period not exceeding 30 days.

(e) A council shall pay a person who was duly summoned in accordance with paragraph (a) (i) and who attended the inquiry, the witness fees as prescribed by section 191 (3) of the Criminal Procedure Act, 1977 (Act 51 of 1977).

(12) (a) At the inquiry the employee charged shall have the right to be present and to be heard either in person or through a representative, to cross-examine any person called as a witness in support of the charge or allegations referred to in subregulation (2), as the case may be, to inspect any documents produced in evidence, to give evidence himself and to call other persons as witnesses.

(b) The committee holding the inquiry shall keep a record of the proceedings at the inquiry and of all evidence given thereat.

(c) The failure of the employee concerned to attend the inquiry either personally or through a representative shall not invalidate the proceedings.

(13) The acquittal or the conviction of an employee by a court of law upon a charge of a criminal offence shall not be a bar to proceedings against him under these regulations on a charge of misconduct, notwithstanding the fact that the facts set forth in the charge of misconduct would, if proved, constitute the offence set forth in the criminal charge on which he was so acquitted or convicted or another offence on which he might have been convicted at his trial on the said criminal charge.

(14) If the misconduct with which the employee is charged amounts to an offence of which he has been convicted by a court of law, a certified copy of the record of his trial and conviction by that court shall, upon the identification of such employee as the person referred to in the record, be sufficient proof of such offence by him unless the conviction has been set aside by a superior court: Provided that it shall be competent for the employee charged to adduce evidence that he was a fact wrongfully convicted.

(15) At the conclusion of the inquiry the committee shall find whether the employee is unfit to carry out his duties or incapable of carrying them out efficiently, or whether he is guilty or not guilty of the misconduct with which he was charged, as the case may be, and shall inform the employee concerned of his finding and report the result of the inquiry to the council.

(16) If the employee concerned is under suspension from duty under subregulation (4) and the committee finds that he is not guilty of the misconduct with which he has been

soos van toepassing op 'n getuie wat gedagvaar is om voor 'n gereghof getuienis af te lê of om 'n boek, dokument of ding voor te lê, van toepassing is.

(c) 'n Persoon wat, nadat hy as getuie beëdig of bevestig is, 'n valse antwoord gee op 'n vraag deur die aanklaer, 'n lid van die komitee, die aangeklaagde werknemer of sy verteenwoordiger aan hom gestel, of 'n valse verklaring doen oor enige aangeleentheid wetende dat die antwoord of verklaring vals is, is aan 'n misdryf skuldig en by skuldbevinding strafbaar met die straf wat by wet vir meineed voorgeskryf is.

(d) 'n Persoon wat 'n persoon verhinder om ter nakoming van 'n dagvaarding uitgereik ingevolge paragraaf (a) (i), teenwoordig te wees of om getuienis af te lê of om 'n boek, dokument of ding voor te lê wat hy aangesê word om af te lê of voor te lê, is skuldig aan 'n misdryf en by skuldbevinding strafbaar met 'n boete van hoogstens R50 of, by wanbetaling, tot gevangenisstraf van hoogstens 30 dae.

(e) 'n Raad betaal aan 'n persoon wat behoorlik ingevolge paragraaf (a) (i) gedagvaar is en die ondersoek bygewoon het, die getuiegeld voorgeskryf kragtens artikel 191 (3) van die Strafproseswet, 1977 (Wet 51 van 1977).

(12) (a) By die ondersoek het die betrokke werknemer die reg om teenwoordig te wees en aangehoor te word, hetsy persoonlik of deur 'n verteenwoordiger, om enige persoon wat opgeroep is as getuie ter stawing van die bewerings of aanklag, na gelang van die geval, in subregulasié (2) bedoel, in kruisverhoor te neem, om alle dokumente wat as getuienis voorgelê is, in te sien, om self getuienis af te lê en om enige ander persoon as getuie op te roep.

(b) Die komitee wat die ondersoek instel, hou notule van die verrigtings by die ondersoek en van alle getuienis wat aldaar afgelê word.

(c) Die versuim van die betrokke werknemer om by die ondersoek teenwoordig te wees, hetsy persoonlik of deur 'n verteenwoordiger, maak die verrigtings nie ongeldig nie.

(13) Die vryspreking of die skuldigbevinding van 'n werknemer deur 'n gereghof op 'n aanklag van 'n kriminele misdryf, belet nie dat stappe ingevolge hierdie regulasie op 'n aanklag van wangedrag teen hom ingestel word nie, ondanks die feit dat die feite uiteengesit in die aanklag van wangedrag, as dit bewys sou word, die misdryf sou uitmaak wat uiteengesit is in die kriminele aanklag waarop hy aldus vrygespreek of skuldig bevind is, of 'n ander misdryf waaraan hy by sy verhoor op bedoelde kriminele aanklag skuldig bevind kon geword het.

(14) As die wangedrag waarvan die werknemer aangekla word, neerkom op 'n misdryf waaraan hy deur 'n gereghof skuldig bevind is, is 'n gesertificeerde afskrif van die notule van sy verhoor en skuldigbevinding deur daardie hof, nadat bedoelde werknemer geïdentifiseer is as die persoon wat in die notule genoem word, voldoende bewys dat hy bedoelde misdryf begaan het, tensy die skuldigbevinding deur 'n hoëhof tersyde gestel is: Met dien verstande dat die aangeklaagde werknemer die reg het om getuienis aan te voer dat hy in werklikheid verkeerdelik skuldig bevind is.

(15) Na afloop van die ondersoek bevind die komitee of die betrokke werknemer ongeskik is vir sy pligte of nie in staat is om hulle op bekware wyse uit te voer nie, of skuldig is of nie skuldig is nie aan die wangedrag waarvan hy aangekla is, na gelang van die geval, en verwittig die betrokke werknemer van sy bevinding en doen verslag aan die raad oor die uitslag van die ondersoek.

(16) As die betrokke werknemer ingevolge subregulasié (4) in sy diens geskors is en die komitee bevind dat hy nie skuldig is aan die wangedrag waarvan hy aangekla is nie,

charged, the said employee shall be allowed forthwith to resume duty in his post and shall be paid his full emoluments for the period of his suspension.

(17) If the committee finds that the employee is unfit to carry out his duties or incapable of carrying them out efficiently or finds the employee concerned to be guilty of misconduct, the employee concerned may, within 14 days of the date upon which he was informed of the finding, appeal against such finding to the council, by giving the council notice in writing of appeal, wherein he shall set forth fully the grounds upon which the appeal is based.

(18) If the committee finds that the employee concerned is unfit to carry out his duties or incapable of carrying them out efficiently, or is guilty of the misconduct with which he was charged, as the case may be, the chairman of the committee shall forward as soon as possible after the inquiry has been finalised, the record of the proceedings at the inquiry and any documentary evidence admitted therat, a written explanation of the committee's findings and reasons therefor and any observations on the inquiry which the committee desires to make and, if the findings of a member of the committee differ from the findings of the majority of the members of the committee, a written explanation of the member's minority findings and his reasons therefor and any remarks in regard to the inquiry that he wishes to make, to the council. If notice of appeal has been given in accordance with the provisions of subregulation (17), the council shall furnish within seven days of the receipt of the notice of appeal, or if the council receives such explanation of appeal after the receipt of the notice of appeal, within seven days of the receipt of that written explanation, to the employee concerned, a copy of the committee's reasons for the findings and a copy of the minority findings, if any, and the reasons of the member concerned therefor.

(19) If the employee concerned applies to the council for a copy of the record of the proceedings at the inquiry within seven days of the date upon which he received a copy of the reason for the findings, the council shall furnish him with such copy.

(20) The employee concerned may within 14 days of the date upon which he received the copy of the record of the proceedings, or if he did not apply for a copy of the record, within 21 days of the date upon which he received a copy of the reasons for the findings, submit to the council written representations, in quadruplicate, in support of his appeal.

(21) The council, excluding the members that were members of the committee, shall consider the aforesaid record and documents and thereafter the council may allow the appeal wholly or in part and set aside or alter the findings, or dismiss the appeal and confirm the findings wholly or in part, or the council may, before arriving at a final decision on the appeal, remit any question in connection with the inquiry to the committee and direct such committee to report thereon or to hold a further inquiry and arrive at a finding thereon.

(22) If the council directs the holding of a further inquiry, the provisions of subregulations (10), (11) and (12) shall supply.

(23) When the council has arrived at a final decision on an appeal, it shall convey that decision in writing to the appellant.

(24) If the council allows the appeal of an appellant who was suspended from duty, he shall forthwith be allowed to resume duty and shall be paid his full emoluments for the period of his suspension.

word bedoelde werknemer toegelaat om onverwyd weer diens in sy pos te aanvaar en word aan hom sy volle emolumente vir die tydperk van sy skorsing betaal.

(17) Indien die komitee bevind dat die betrokke werknemer ongeskik is vir sy pligte of nie in staat is om hulle op bekwame wyse uit te voer nie, of skuldig is aan die wangedrag waarvan hy aangekla is, kan die betrokke werknemer binne 14 dae na die datum waarop hy van die bevinding verwittig is, na die raad daarteen appelleer deur aan die raad skriftelik kennis van appèl te gee, waarin hy volledig die gronde waarop die appèl gebaseer word, uiteensit.

(18) Indien die komitee bevind dat die betrokke werknemer ongeskik is vir sy pligte of nie in staat is om hulle op bekwame wyse uit te voer nie, of skuldig is aan die wangedrag waarvan hy aangekla is, na gelang van die geval, stuur die voorstander van die komitee so gou doenlik na die afhandeling van die notule van die verrigtinge by die ondersoek en alle dokumentêre getuenis wat aldaar toegelaat is, aan die raad 'n skriftelike uiteensetting van die komitee se bevinding en sy redes daarvoor en enige opmerkings oor die ondersoek wat die komitee wens te maak, en, indien die bevinding van 'n lid van die komitee verskil van die bevinding van die meerderheid van die komitee, ook 'n skriftelike uiteensetting van dié lid se minderheidsbevinding en sy redes daarvoor en enige opmerking oor die ondersoek wat hy wens te maak. Indien kennis van appèl ooreenkomsdig die bepalings van subregulasie (17) gegee is, verstrek die raad binne sewe dae na ontvangs van die kennisgewing van appèl, of, indien die raad sodanige skriftelike uiteensetting ontvang na ontvangs van bedoelde skriftelike kennisgewing, binne sewe dae na ontvangs van die skriftelike uiteensetting, aan die betrokke werknemer 'n afskrif van die komitee se redes vir sy bevinding en 'n afskrif van die minderheidsbevinding, as daar is, en die betrokke lid se redes daarvoor.

(19) As die betrokke werknemer binne sewe dae na die datum waarop hy 'n afskrif van die redes vir die bevinding ontvang het, by die raad aansoek doen om 'n afskrif van die notule van die verrigtinge by die ondersoek, verstrek die raad so 'n afskrif aan hom.

(20) Die betrokke werknemer kan binne 14 dae na die datum waarop hy om die afskrif van die notule aansoek gedoen het, of, indien hy nie om 'n afskrif van die notule aansoek gedoen het nie, binne 21 dae na die datum waarop hy die afskrif van die redes vir die bevinding ontvang het, skriftelike vertoë ter stawing van sy appèl in viervoud aan die raad voorlê.

(21) Die raad, met uitsondering van lede wat lede van die komitee was,oorweeg bedoelde notule en dokumente, en daarna kan die raad die appèl in sy geheel of gedeeltelik toestaan en die bevinding tersyde stel of wysig, of die appèl afwys en die bevinding in sy geheel of gedeeltelik bekräftig, of kan die raad, voordat hy tot 'n finale beslissing oor die appèl geraak, enige vraag in verband met die ondersoek na die komitee terugverwys en hom gelas om daaroor verslag te doen of om 'n verdere ondersoek in te stel en tot 'n bevinding daaroor te geraak.

(22) Indien die raad gelas dat 'n verdere ondersoek ingestel word, is die bepalings van subregulasies (10), (11) en (12) van toepassing.

(23) Wanneer die raad tot 'n finale beslissing oor 'n appèl geraak het, deel hy daardie beslissing skriftelik aan die appellant mee.

(24) As die raad die appèl van 'n appellant wat in sy diens geskors is, toestaan, word die appellant onverwyd toegelaat om weer sy diens te aanvaar en word aan hom sy volle emolumente vir die tydperk van sy skorsing betaal.

(25) If the committee has found that the employee is unfit to carry out his duties or is incapable of carrying them out efficiently or that he is guilty of the misconduct as charged, and the employee has not appealed against the findings as hereinbefore provided, or if he has so appealed, his appeal has been dismissed, the council may—

- (a) take no further steps in the case;
- (b) caution or reprimand such employee;
- (c) impose a fine not exceeding R200 upon him, which fine may be recovered by deduction from his emoluments in the instalments determined by the council;
- (d) transfer him to another post or employ him in addition to the fixed establishment;
- (e) reduce his salary or grade or both his salary and his grade to an extent determined by the council or withhold his salary increment for a period not exceeding 12 months;
- (f) discharge him, or call upon him to resign from the service of the council from a date to be specified by the council: Provided that action in accordance with paragraphs (b) or (c) shall be taken only against an employee found guilty of misconduct:

Provided further that except in cases where action is taken in accordance with paragraph (e), the council shall not be prevented from acting in accordance with more than one of the foregoing paragraphs: Provided further that if an employee who has been called upon to resign from the service of the council fails so to resign, he shall be deemed to have been discharged therefrom as from a date to be specified by the council.

(26) If the employee charged in terms of this regulation admits the charge, he shall be deemed to be guilty of the misconduct with which he has been charged and the council shall take action in accordance with subregulation (25).

(27) If an employee who has been suspended from duty in terms of subregulation (4) is dealt with in accordance with the provisions of subregulation (25) (b), (c) or (e), he shall forthwith be allowed to resume duty, and if he is dealt with in accordance with the provisions of subregulation (25) (d), he shall as soon as practicable be allowed to assume duty in the post or duties to which he is transferred, and in any such case he shall be paid his full emoluments for the period of his suspension.

(28) Where in any inquiry into a charge of misconduct as defined in regulation 12 (1) (i), evidence is tendered of the analysis of a specimen of the blood of any employee it shall be presumed until the contrary is proved that any syringe used for obtaining such specimen and the receptacle in which such specimen was placed for dispatch to an analyst were free of any substance or contamination that could have affected the result of such analysis.

MANNER IN WHICH NOTICE MAY BE GIVEN OR FURNISHED

14. Where it is provided in regulation 13—

(a) that any notice, statement or other document is to be given or furnished to or served upon any person or that any matter is to be or may be conveyed to any person in writing, the notice, statement, document or written communication may be sent by post in a registered letter or be delivered to him or left at his last known place of residence; or

(b) any person is to be informed of any decision or finding, he may be informed thereof verbally or in a written communication sent by post in a registered letter or delivered to him or left at his last known place of residence.

(25) As die komitee bevind het dat die werknemer ongeskik is vir sy pligte of nie in staat is om hulle op bekwame wyse uit te voer nie of dat hy skuldig is aan die wangedrag waarvan hy aangekla is, en die werknemer nie teen die bevinding soos hierbo bepaal, geappelleer het nie, of as hy aldus geappelleer het en sy appel afgewys is, kan die raad—

- (a) geen verdere stappe in die saak doen nie;
- (b) bedoelde werknemer waarsku of berispe;
- (c) hom 'n boete van hoogstens R200 ople, welke boete verhaal kan word deur die paaiemente wat deur die raad bepaal word van sy emolumente af te trek;
- (d) hom na 'n ander pos oorplaas of hom addisioneel tot die vaste diensstaat in diens hou;
- (e) sy salaris of graad of sowel sy salaris as sy graad verlaag in die mate wat die raad bepaal, of sy salarisverhoging vir 'n tydperk van hoogstens 12 maande terughou;
- (f) hom ontslaan of aansê om uit die diens van die raad te bedank met ingang van 'n datum wat deur die raad vermeld word:

Met dien verstande dat daar kragtens paragrawe (b) en (c) slegs teen 'n werknemer wat aan wangedrag skuldig bevind is, opgetree word: Met dien verstande voorts dat behalwe waar daar kragtens paragraaf (e) opgetree word, die raad nie belet word om kragtens meer as een van die voorafgaande paragrawe op te tree nie: Met dien verstande voorts dat as 'n werknemer wat aangesê is om uit die diens van die raad te bedank, versium om aldus te bedank, hy geag word daaruit ontslaan te gewees het met ingang van 'n datum wat deur die raad vermeld word.

(26) As die werknemer wat ingevolge hierdie regulasie aangekla is, die aanklag erken, word hy geag skuldig te wees aan die wangedrag waarvan hy aangekla is, en tree die raad kragtens subregulasie (25) op.

(27) Indien daar met 'n werknemer wat kragtens subregulasie (4) in sy diens geskors is, ooreenkomsdig die bepalings van subregulasie (25) (b), (c) of (e) gehandel word, word hy onverwyld toegelaat om weer diens te aanvaar, en indien daar met hom ooreenkomsdig die bepalings van subregulasie (25) (d) gehandel word, word hy so gou doenlik toegelaat om diens te aanvaar in die pos of pligte waarna hy oorgeplaas word, en in so 'n geval word sy volle emolumente vir die tydperke van sy skorsing aan hom betaal.

(28) Waar daar by enige ondersoek na 'n aanklag van wangedrag soos omskryf in regulasie 12 (1) (i), getuenis aangevoer word oor 'n ontleiding van 'n monster van die bloed van enige werknemer, word daar aanvaar, totdat die teendeel bewys word, dat enige spuit wat gebruik is om sodanige monster te neem en diehouer waarin sodanige monster geplaas is vir versending na 'n ontleider, vry van enige stof of kontaminasie was wat die uitslag van sodanige ontleiding kon geaffekteer het.

WYSE WAAROP KENNISGEWING GEGEE OF VERSTREK KAN WORD

14. Waar daar by regulasie 13 bepaal word—

(a) dat enige kennisgewing, verklaring of ander dokument aan 'n persoon gegee of verstrek of beteken moet word of dat enige aangeleenthed skriftelik aan 'n persoon meegedeel moet of kan word, kan die kennisgewing, verklaring, dokument of geskrif per geregistreerde pos aan hom gestuur word of aan hom aangelever of by sy laaste bekende woonplek gelaat word; of

(b) dat 'n persoon van 'n beslissing of bevinding verwittig moet word, kan hy mondeling of per geskrif wat per geregistreerde pos aan hom gestuur word of aan hom aangelever of by sy laaste bekende woonplek gelaat word, daarvan verwittig word.

REMUNERATION OF EMPLOYEES OR TEMPORARY EMPLOYEES

15. (1) Salaries shall be paid to employees or temporary employees according to the salary scale or notch attached to their grades as determined from time to time by the Minister in consultation with a council.

(2) A council may, subject to the conditions determined by the Minister—

(a) pay to employees or temporary employees or classes of employees on appointment, transfer or promotion salaries at higher rates than the minimum of the appropriate salary scale;

(b) specially advance the salaries of employees or temporary employees or classes of employees within the salary scales applicable to them; and

(c) specially advance the salaries of employees or temporary employees of exceptional ability or possessing special qualifications or who rendered meritorious service, within the salary scale applicable.

SALARIES OF EMPLOYEES OR TEMPORARY EMPLOYEES ARE NOT TO BE REDUCED EXCEPT AS SPECIALLY PROVIDED

16. The salary or salary scale of an employee or temporary employee shall not be reduced without his consent except in accordance with the provisions of regulation 13.

SALARY INCREMENTS

17. (1) Subject to the provisions of regulation 15 and of subregulation (2) the salary of an employee or temporary employee shall be increased by one salary increment within the limits of the salary scale applicable to him, after completion of each incremental period and with effect from the first day of such employee's or temporary employee's incremental month.

(2) If the supervisor of an employee or temporary employee issues a certificate in which it is declared that the conduct of the employee or temporary employee as to industry, discipline, punctuality or sobriety was not uniformly satisfactory during an incremental period or that he did not perform his work uniformly satisfactorily during such incremental period, the salary of such employee or temporary employee shall not be increased in terms of the provisions of subregulation (1): Provided that a council may, in its discretion, grant approval for the salary of an employee or temporary employee to be increased in terms of the provisions of subregulation (1) even if a certificate mentioned in this subregulation has been issued.

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

BESOLDIGING VAN WERKNEMERS OF TYDELIKE WERKNEMERS

15. (1) Daar word aan werknemers of tydelike werknemers salaris betaal ooreenkomsdig die salarisskaal of kerf wat by hulle grade pas soos van tyd tot tyd deur die Minister in oorleg met 'n raad bepaal.

(2) 'n Raad kan, behoudens die voorwaardes wat die Minister bepaal—

(a) aan werknemers of tydelike werknemers of klasse werknemers by aanstelling, oorplasing of bevordering salaris teen hoër bedrae as die minimum van die toepaslike salarisskaal betaal;

(b) salarisse van werknemers of tydelike werknemers of klasse werknemers spesiaal verhoog binne die salarisskale wat op hulle van toepassing is; en

(c) salarisse van werknemers of tydelike werknemers wat buitengewoon bekwaam is of wat oor spesiale kwalifikasies beskik of wat verdienstelike diens gelewer het, spesiaal verhoog binne die salarisskaal wat van toepassing is.

SALARISSE VAN WERKNEMERS OF TYDELIKE WERKNEMERS WORD NIE VERLAAG NIE, UITGE SONDERD SOOS SPESIAAL BEPAAL

16. Die salaris of salarisskaal van 'n werknemer of tydelike werknemer word nie sonder sy toestemming verlaag nie, uitgesonderd in ooreenstemming met die bepalings van regulasie 13.

SALARISVERHOOGING

17. (1) Behoudens die bepalings van regulasie 15 en van subregulasie (2), word die salaris van 'n werknemer of tydelike werknemer verhoog met een salarisverhoging binne die perke van die salarisskaal wat op hom van toepassing is, ná die voltooiing van elke salarisverhogingstydperk en wel met ingang van die eerste dag van sodanige werknemer of tydelike werknemer se verhogingsmaand.

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

(3) Indien die salaris van 'n werknemer of tydelike werknemer nie kragtens die bepalings van subregulasie (1) of die voorbeholdsbeleid van subregulasie (2) verhoog word nie vanweë die uitreiking van 'n sertifikaat in subregulasie (2) genoem, word sodanige werknemer of tydelike werknemer deur die raad skriftelik verwittig van die redes daarvoor, asook dat by verstryking van 'n aaneenlopende tydperk wat aangedui word en wat nie langer as 'n salarisverhogingstydperk mag wees nie, 'n salarisverhoging deur die raad toegeken kan word op voorwaarde dat 'n sertifikaat deur die toesighouer uitgereik word waarin verklaar word dat die werk en gedrag van die werknemer of tydelike werknemer, met betrekking tot die eienskappe in subregulasie (2) genoem, gedurende sodanige tydperk bevredigend was.

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

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

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

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

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

(6) If the period mentioned in subregulation (3) is equal to an incremental period, the council shall grant such employee or temporary employee two salary increments after the expiry of such period: Provided that such salary increments may be granted only if the supervisor issues a certificate in which it is declared that the work and conduct of the employee or temporary employee in regard to the qualities

(4) (a) Indien die tydperk in subregulasie (3) genoem, korter is as 'n salarisverhogingstydperk, word een salarisverhoging deur die raad aan die werknemer of tydelike werknemer toegestaan met ingang van die eerste dag van die maand wat volg op die datum waarop genoemde tydperk verstryk: Met dien verstande dat sodanige salarisverhoging toegestaan kan word slegs as die toesighouer 'n sertifikaat uitreik waarin verklaar word dat die werknemer of tydelike werknemer se werk en gedrag met betrekking tot die eienskappe in subregulasie (2) genoem, gedurende sodanige tydperk bevredigend was.

(b) Indien 'n salarisverhoging kragtens paragraaf (a) aan 'n werknemer of tydelike werknemer toegestaan is, word 'n verdere salarisverhoging deur die raad aan hom toegestaan ná verstryking van 'n salarisverhogingstydperk gereken vanaf die datum waarop sy salaris kragtens subregulasie (1) verhoog sou gewees het as sodanige verhoging nie kragtens die bepalings van subregulasie (2) weerhou is nie: Met dien verstande dat sodanige salarisverhoging toegestaan kan word slegs as die toesighouer 'n sertifikaat uitreik waarin verklaar word dat die werk en gedrag van 'n werknemer of tydelike werknemer met betrekking tot die eienskappe in subregulasie (2) genoem, steeds bevredigend was vanaf die datum van die toestaan van die salarisverhoging in paragraaf (a) genoem, tot die datum voor dié waarop 'n salarisverhoging kragtens hierdie paragraaf toegestaan kan word: Met dien verstande voorts dat die bepalings van hierdie paragraaf nie op 'n werknemer of tydelike werknemer van toepassing is nie as sy salaris reeds gelyk is aan die maksimum kerf van die toepaslike skaal.

(5) Indien 'n salarisverhoging kragtens subregulasie (4) (a) nie aan 'n werknemer of tydelike werknemer toegestaan word nie—

(a) word sodanige werknemer of tydelike werknemer weer eens deur die raad skriftelik verwittig van die redes daarvoor, asook dat by verstryking van 'n aaneenlopende tydperk wat aangedui word en wat gelykstaande moet wees met die verskil tussen die tydperk in subregulasie (3) (a) genoem en 'n salarisverhogingstydperk, 'n salarisverhoging deur die raad toegestaan kan word op voorwaarde dat 'n sertifikaat deur die toesighouer uitgereik word waarin verklaar word dat die werk en gedrag van die werknemer of tydelike werknemer met betrekking tot die eienskappe in subregulasie (2) genoem, bevredigend was gedurende bedoelde aaneenlopende tydperk; en

(b) word twee salarisverhogings deur die raad aan sodanige werknemer of tydelike werknemer toegestaan ná verstryking van 'n salarisverhogingstydperk gereken vanaf die datum waarop sy salaris kragtens subregulasie (1) verhoog sou gewees het as sodanige verhoging nie kragtens die bepalings van subregulasie (2) weerhou is nie: Met dien verstande dat sodanige salarisverhogings toegestaan kan word slegs as die toesighouer 'n sertifikaat uitreik waarin verklaar word dat die werknemer of tydelike werknemer se werk en gedrag met betrekking tot die eienskappe in subregulasie (2) genoem, bevredigend was gedurende die aaneenlopende tydperk in paragraaf (a) genoem: Met dien verstande voorts dat slegs een salarisverhoging aan sodanige werknemer toegestaan kan word as sy salaris reeds gelyk is aan die voorlaaste kerf van die toepaslike skaal.

(6) Indien die tydperk in subregulasie (3) genoem gelyk is aan 'n salarisverhogingstydperk, word twee salarisverhogings deur die raad aan sodanige werknemer of tydelike werknemer toegestaan ná verstryking van sodanige tydperk: Met dien verstande dat sodanige salarisverhogings toegestaan kan word slegs as die toesighouer 'n sertifikaat uitreik waarin verklaar word dat die werk en gedrag van die werknemer of tydelike werknemer met betrekking tot die

mentioned in subregulation (2) were satisfactory during such period: Provided further that such employee or temporary employee may be granted one salary increment only if his salary is already equal to the penultimate notch of the appropriate scale.

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

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

PAYMENT OF EMOLUMENTS

18. (1) Emoluments due to an employee or temporary employee shall be made on a date and in a manner to be decided by a council: Provided that when an employee or temporary employee leaves the service of the council his emoluments and other moneys owed to him by the council, minus authorised deductions or dues to the council, must be paid to him within a reasonable period but not exceeding 14 days after he has left the service of the council.

(2) A council shall deduct each month from the emoluments such amounts, subscriptions, instalments on loans and any other moneys that an employee or temporary employee owes to the council or that are to be deducted from his emoluments by law or as approved by the council on request of an employee or temporary employee and shall pay such moneys without delay to the person or body concerned.

CESSION OF EMOLUMENTS PROHIBITED

19. No employee or temporary employee shall without the written approval of a council cede the whole or any part of any salary or allowance payable to him.

SALARY UPON UPGRADING OF A POST

20. An employee or temporary employee who occupies a post that has been upgraded or classified in a higher salary grade will not by reason of such upgrading or classification into a higher salary grade necessarily be entitled to such higher salary attached to the post.

SALARY UPON DOWNGRADING OF A POST

21. An employee or temporary employee who occupies a post that has been downgraded or has been classified in a lower salary grade will retain his salary and his salary scale as a personal salary and salary scale for as long as he occupies the post concerned.

OFFICIAL HOURS OF ATTENDANCE

22. (1) Notwithstanding any provisions to the contrary contained in these regulations the supervisor may require an employee or temporary employee to perform official duty on any day of the week or at any time during the day or night or to attend at his normal place of work or elsewhere for such duty.

(2) Subject to the provisions of subregulation (1) and of regulation 24 an employee or temporary employee shall be present for duty at his normal place of work as determined from time to time by a council: Provided that the council may determine separate official hours of attendance for different classes or groups of employees, or for individuals within such classes or groups, or for divisions, branches or offices.

eienskappe in subregulasie (2) genoem, gedurende sodanige tydperk bevredigend was: Met dien verstande voorts dat slegs een salarisverhoging aan sodanige werknemer of tydelike werknemer toegestaan kan word as sy salaris reeds gelyk is aan die voorlaaste kerf van die toepaslike skaal.

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

(8) Behoudens die bepalings van hierdie regulasie, word die salaris van 'n werknemer of tydelike werknemer aan wie 'n salarisverhoging kragtens subregulasies (4) (b), (5) (b) of (6) toegestaan is, by die verstryking van elke verdere salarisverhogingstydperk verhoog met een salarisverhoging binne die perke van die skaal wat van toepassing is.

BETALING VAN EMOLUMENTE

18. (1) Emolumente verskuldig aan 'n werknemer of tydelike werknemer, word betaal op die dag en wyse wat 'n raad bepaal: Met dien verstande dat, wanneer 'n werknemer of tydelike werknemer uit die diens van die raad tree, sy emolumente en ander gelde deur die raad aan hom verskuldig, min gemagtigde aftrekings of bedrae deur hom aan die raad verskuldig, binne 'n redelike tydperk, maar hoogstens 14 dae daarna, aan hom betaal word.

(2) 'n Raad trek maandeliks sodanige bedrae, ledegelede, paaiemente op lenings en enige ander gelde wat 'n werknemer of tydelike werknemer aan die raad verskuldig is of wat by wet afgetrek moet word of wat die raad op versoek van 'n werknemer of tydelike werknemer goedkeur, van sy emolumente af en betaal dit onverwyld aan die betrokke instansie.

SESSIE VAN EMOLUMENTE VERBODE

19. Geen werknemer of tydelike werknemer mag sonder die skriftelike goedkeuring van 'n raad die geheel of 'n gedeelte van enige salaris of toelae wat aan hom betaalbaar is, sedeer nie.

SALARIS BY OPGRADERING VAN POS

20. 'n Werknemer of tydelike werknemer wat 'n pos beklee wat opgegrader of ingedeel word in 'n hoër salarisskaal, is nie bloot uit hoofde van sodanige opgradering of indeling op die hoër salaris wat op sodanige pos van toepassing is, geregtig nie.

SALARIS BY AFGRADERING VAN POS

21. 'n Werknemer of tydelike werknemer wat 'n pos beklee wat afgegrader word of ingedeel word in 'n laer salarisskaal, behou sy salaris en salarisskaal as 'n persoonlike salaris en salarisskaal vir solank hy die betrokke pos beklee.

AMPTELIKE DIENSURE

22. (1) Ondanks andersluidende bepalings in hierdie regulasies vervat, kan die toesighouer van 'n werknemer of tydelike werknemer vereis dat hy op enige dag van die week of enige tyd van die dag of die nag amptelike diens verrig of dat hy by sy normale werkplek of elders aanwesig moet wees vir sodanige diens.

(2) Behoudens die bepalings van subregulasie (1) en van regulasie 24, moet 'n werknemer of tydelike werknemer by sy normale werkplek vir diens aanwesig wees gedurende amptelike diensure soos deur 'n raad van tyd tot tyd bepaal: Met dien verstande dat die raad verskillende amptelike diensure vir verskillende klasse of groepe werknemers, of vir individue binne sodanige klasse of groepe, of vir afdelings, takke of kantore kan bepaal.

(3) A council shall determine the meal break of an employee or temporary employee or classes or groups of employees: Provided that a meal break falling within the official hours of attendance prescribed in terms of the provisions of these regulations shall not be reckoned as official duty for the completion of the working week.

(4) An employee or temporary employee—

- (a) shall, during his official hours of attendance, give his full attention to the duties entrusted to him; and
- (b) shall not without the consent of his supervisor be absent from his office or place of work during his official hours of attendance.

ATTENDANCE REGISTER

23. (1) An employee or temporary employee who occupies a supervisory position shall be responsible for the observance by the staff under his control of the prescribed hours of attendance.

(2) An attendance register shall be kept in which an employee or temporary employee shall personally record the time of his arrival at and departure from his place of work: Provided that the provisions of this subregulation shall not be applicable to—

(a) an employee or temporary employee who is remunerated in accordance with a salary scale the maximum notch of which exceeds the maximum notch of the salary scale determined by a council; and

(b) an employee or temporary employee who serves under circumstances which in the opinion of a council render the keeping of a register of his attendance impracticable or undesirable; in such event the council shall make such other arrangements as it may consider adequate to ensure that the prescribed official hours of attendance are observed.

(3) The attendance register shall be kept by an employee or temporary employee in a supervisory capacity whose duty it shall be to—

(a) ensure that the attendance register is accessible to members of the staff for the purpose mentioned in subregulation (2) and then only during such limited periods at the commencement and conclusion of the day's duties as may be indicated by the council;

(b) ensure that only authentic records of times of arrival and departure are made by the employees mentioned in subregulation (2);

(c) examine the entries made in the attendance register;

(d) report any irregularity to the employee appointed by the council; and

(e) ensure that recorded absences are covered by leave.

WORKING WEEKS

24. (1) Subject to the provisions of regulation 22 a council shall decide, with due regard to the public interest, which employees or temporary employees, or classes or groups of employees, sections, branches or offices shall observe a five-day working week or otherwise, and the council may prescribe different working weeks for different classes or groups of employees, or for individuals within such classes or groups or for sections, branches or offices.

(2) The minimum hours of service for an employee or temporary employee shall be determined by a council: Provided that the council may determine different hours of service for different classes or groups of employees: Provided further that the total number of hours do not exceed 48 hours per week.

(3) 'n Raad bepaal die etenspouse van 'n werknemer of tydelike werknemer of klasse of groepes werknemers: Met dien verstande dat 'n etenspouse wat binne die amptelike diensure val wat kragtens die bepalings van hierdie regulasie voorgeskryf is, nie as amptelike dienstyd vir die voltooiing van die werkweek gereken word nie.

(4) 'n Werknemer of tydelike werknemer—

(a) moet gedurende sy amptelike diensure sy volle aandag wy aan die pligte wat aan hom toevertrou is; en

(b) mag nie gedurende sy amptelike diensure sonder toestemming van sy toesighouer van sy kantoor of werkplek afwesig wees nie.

BYWONINGSREGISTER

23. (1) 'n Werknemer of tydelike werknemer wat 'n toesighoudende posisie beklee, is verantwoordelik vir die na-koming deur die personeel onder sy beheer van die voor-geskreve amptelike diensure.

(2) 'n Bywoningsregister word gehou waarin 'n werknemer of tydelike werknemer persoonlik die tyd van sy aankoms by en vertrek van sy werkplek aanteken: Met dien verstande dat die voorskrifte van hierdie subregulasie nie van toepassing is nie op—

(a) 'n werknemer of tydelike werknemer wat besoldig word volgens 'n salarisskaal waarvan die maksimum kerf hoër is as die maksimum kerf van die salarisskaal deur 'n raad bepaal; en

(b) 'n werknemer of tydelike werknemer wat onder omstandighede dien wat, na 'n raad se mening, die hou van 'n register van sy bywoning ondoenlik of onwenslik maak, en in sodanige geval tref die raad sodanige ander reëlings as wat die raad geskik ag ten einde te verseker dat die voorgeskrewe amptelike diensure nagekom word.

(3) Die bywoningsregister word gehou deur die werknemer of tydelike werknemer wat 'n toesighoudende posisie beklee, en dit is sy plig om—

(a) toe te sien dat die bywoningsregister beskikbaar is vir lede van die personeel onder sy beheer vir die doel in subregulasie (2) genoem, en dan slegs gedurende sodanige beperkte tye aan die begin en aan die einde van die dag se werkzaamhede as wat deur die raad aangedui word;

(b) toe te sien dat slegs outentieke aantekenings van aankoms en vertrek gemaak word deur die werknemers in subregulasie (2) bedoel:

(c) die aantekenings in die bywoningsregister na te gaan;

(d) enige onreëlmaturheid te rapporteer aan 'n werknemer deur die raad aangewys; en

(e) toe te sien dat aangetekende gevalle van afwesigheid deur verlof gedeke word.

WERKWEKE

24. (1) Behoudens die bepalings van regulasie 22, besluit 'n raad, met behoorlike inagneming van die openbare belang, watter werknemers of tydelike werknemers of klasse of groepes werknemers, afdelings, takke of kantore 'n vyf-dagse werkweek of andersins moet nakom, en kan die raad verskillende werkweke vir verskillende klasse of groepes werknemers, of vir individue binne sodanige klasse of groepes, of vir afdelings, takke of kantore voorskryf.

(2) Die minimum getal diensure vir 'n werknemer of tydelike werknemer word deur 'n raad bepaal: Met dien verstande dat die raad verskillende getalle diensure vir verskillende klasse of groepes werknemers kan bepaal: Met dien verstande voorts dat die getal diensure nie 48 uur per week oorskry nie.

(3) Where the official hours of attendance determined for an employee or temporary employee fall wholly or partially during the night the working week of such employee or temporary employee shall, for the purpose of calculating overtime duty, be reduced by one-sixth of whatever portion of the hours of attendance falls during the night: Provided that the provisions of this subregulation shall not be applicable to employees or temporary employees falling into a class whose conditions of service require the performance of night duty.

(4) (a) If an employee or temporary employee, during the official hours of attendance applicable in his case, is absent from duty as a result of leave granted or as a result of other circumstances which are acceptable to a council, he shall be regarded as having been on duty during such absence for the purpose of the completion of his working week.

(b) The official hours of attendance that have been determined for an employee or temporary employee in respect of a particular day in or in terms of the provisions of these regulations and that—

- (i) fall on a public holiday, in the case of an employee or temporary employee who does not normally work on such day; or
 - (ii) in the case of an employee or temporary employee who normally works on a public holiday, fall on any other day on which he may be relieved from duty in lieu of such public holiday;
- shall be included for the purposes of the completion of his working week.

OVERTIME DUTY AND OVERTIME REMUNERATION

25. (1) If a supervisor of an employee or temporary employee requires him, in terms of regulation 22 (1), to perform overtime duty that entails exceeding the official hours of attendance, such employee or temporary employee may be paid a non-pensionable overtime remuneration in respect thereof at the following tariffs:

(a) *In respect of overtime duty on a Sunday, public holiday and a day of rest in the case of an employee or temporary employee who works on a Sunday*—double the hourly equivalent of the annual remuneration of the employee concerned;

(b) *in respect of overtime duty on a day other than a day mentioned in paragraph (a)*—one and one-third times the hourly equivalent of the annual remuneration of the employee or temporary employee concerned;

Provided that instead of the payment of overtime remuneration to the employee or temporary employee a council may grant special leave on full pay to an employee or temporary employee for such corresponding periods, at such times as the exigencies of the service may permit, or it may decide that the overtime, calculated in units of full working days, be added to the employee or temporary employee's vacation leave.

(2) In calculating overtime service performed by an employee or temporary employee—

(a) a period of overtime duty of less than one hour continuous with the official working hours which apply to the employee or temporary employee concerned shall not be taken into account;

(b) a period of overtime duty of less than one hour which is not continuous with the official working hours of the employee or temporary employee concerned shall be taken as one hour;

(c) subject to the provisions of paragraphs (a) and (b) a part of an hour shall be taken as an hour if it is half an hour or longer and shall not be taken into account if it is less than half an hour.

(3) Waar die amptelike diensure wat vir 'n werknemer of tydelike werknemer bepaal is, in die geheel of gedeeltelik gedurende die nag val, moet sodanige werknemer of tydelike werknemer se werkweek vir doeinde van die berekening van oortyddiens verminder word met een sesde van die gedeelte van sodanige diensure wat gedurende die nag val: Met dien verstande dat die bepalings van hierdie subregulasie nie van toepassing is nie op 'n werknemer of tydelike werknemer wat in 'n klas val waarvan die diensvoorraarde nagdiens vereis.

(4) (a) Indien 'n werknemer of tydelike werknemer gedurende die amptelike diensure wat op hom van toepassing is, van diens afwesig is as gevolg van verlof toegestaan of weens ander omstandighede wat vir 'n raad aanneemlik is, word hy, vir doeinde van die voltooiing van sy werkweek, geag gedurende sodanige afwesigheid diens te gedoen het.

(b) Die amptelike diensure wat ten opsigte van 'n bepaalde dag of kragtens die bepalings van hierdie regulasies vir 'n werknemer of tydelike werknemer bepaal is en wat—

- (i) in 'n openbare feesdag val, in die geval van 'n werknemer of tydelike werknemer wat nie normaalweg op sodanige dag werk nie; of

- (ii) in die geval van 'n werknemer of tydelike werknemer wat normaalweg op 'n openbare feesdag werk, in sodanige ander dag val as wat hy normaalweg in plaas daarvan diens vrygestel is; word ingerekken vir doeinde van hierdie voltooiing van sy werkweek.

OORTYDDIENS EN OORTYDBESOLDIGING

25. (1) As die toesighouer kragtens regulasie 22 (1) van 'n werknemer of tydelike werknemer vereis dat hy oortyddiens verrig wat 'n oorskryding meebring van sy amptelike diensure, word nie-pensioendraende oortydbesoldiging aan sodanige werknemer of tydelike werknemer ten opsigte daarvan teen die volgende tariewe betaal:

(a) *Ten opsigte van oortyddiens op 'n Sondag, openbare feesdag, en 'n rusdag in die geval van 'n werknemer of tydelike werknemer wat op Sondae werk*—twee maal die urlukse ekwivalent van die betrokke werknemer of tydelike werknemer se jaarlikse besoldiging;

(b) *Ten opsigte van oortyddiens op 'n ander dag as 'n dag in paragraaf (a) bedoel*—een en 'n derde maal die urlukse ekwivalent van die betrokke werknemer of tydelike werknemer se jaarlikse besoldiging:

Met dien verstande dat, in plaas van oortydbesoldiging aan 'n werknemer of tydelike werknemer te betaal, 'n raad aan 'n werknemer of tydelike werknemer spesiale verlof met volle besoldiging vir die ooreenstemmende tyd kan toestaan wanneer die diens van die raad dit toelaat, of sodanige oortyddiens in hoeveelhede van volle werkdae tot die krediet van die werknemer of tydelike werknemer se vakansieverlof aanteken.

(2) By die berekening van die oortyddiens deur 'n werknemer of tydelike werknemer verrig, word—

(a) 'n tydperk van oortyddiens van korter as 'n uur wat aaneenlopend is met die amptelike diensure wat vir die betrokke werknemer of tydelike werknemer bepaal is, buite rekening gelaat;

(b) 'n tydperk van oortyddiens van korter as 'n uur wat nie aaneenlopend is nie met die amptelike diensure wat vir die betrokke werknemer of tydelike werknemer bepaal is, as een uur gereken;

(c) behoudens die bepalings van paragrawe (a) en (b), 'n gedeelte van 'n uur as een uur gereken indien dit 'n halfuur of langer is en buite rekening gelaat indien dit korter as 'n halfuur is.

STAND-BY DUTY AND PAYMENT THEREFOR

26. (1) A supervisor may, subject to the instructions of a council, instruct an employee or temporary employee under his control to perform stand-by duty for such times outside his normal working hours as may be determined by such supervisor.

(2) An employee or temporary employee who performs stand-by duty will be remunerated therefor at the tariff fixed by the council concerned for such class or group of employees.

APPLICABILITY OF LEAVE REGULATIONS

27. Regulations 28 up to and including 49 shall be applicable to all employees or temporary employees: Provided that such regulations, in the case of employees or temporary employees whose conditions of service have been determined in accordance with the provisions of industrial or similar agreements, are applicable only to the extent to which it has been expressly determined that they are applicable to such employees or temporary employees; otherwise the leave privileges of such employees or temporary employees shall be determined by the council concerned.

LEAVE APPLICATION FORMS, GRANTING AND WITHDRAWAL OF LEAVE AND UNAUTHORISED ABSENCES FROM DUTY

28. (1) (a) Application for leave shall be made in writing on a form substantially in the form determined by a council.

(b) The form of the certificate of indisposition which is to serve support of an application for sick leave shall be substantially in the form determined by the council.

(2) (a) The granting of all leave of absence shall be subject to approval by the council.

(b) Leave already granted may at any time be withdrawn by the council and in such case the council may compensate the employee or temporary employee for any irrecoverable expenses incurred by him in respect of a vacation after having been informed that his application for leave had been approved and before being informed of such withdrawal, or commitments incurred by him as a result of a vacation during such period and if such employee or temporary employee has to travel to resume his duties, the council shall make an *ex gratia* payment, the amount to be determined by the council, to the employee or temporary employee in respect of expenses incurred by him in respect of such journey and he shall be considered to be on duty during such journey.

(c) With the exception of sick leave, leave of absence shall be granted only with due regard to the needs of a council.

(d) A council may, if so requested in writing by an employee or temporary employee, withdraw granted vacation leave, except for holiday leave referred to in regulation 32.

(3) Except where an employee or temporary employee is suspended from service or, as a result of sudden illness or other circumstances acceptable to council concerned, is prevented from remaining at his post or from reporting for duty, he shall not leave his post or absent himself from duty before he has applied in writing for leave and has been informed by the council or his supervisor that his application for leave has been granted by the council.

GEREEDHEIDSDIENS EN BESOLDIGING DAARVOOR

26. (1) 'n Toesighouer kan, behoudens die opdragte van 'n raad, 'n werknemer of tydelike werknemer onder sy beheer, aansê om gereedheidsdiens te doen vir sodanige tydperk buite sy amptelike diensure as wat sodanige toesighouer bepaal.

(2) 'n Werknemer of tydelike werknemer wat gereedheidsdiens doen, word daarvoor vergoed teen die tarief wat die betrokke raad vir die betrokke klas of groep werknemers bepaal.

TOEPASLIKHEID VAN VERLOFREGULASIES

27. Regulasies 28 tot en met 49 is van toepassing op alle werknemers of tydelike werknemers: Met dien verstande dat genoemde regulasies in die geval van werknemers of tydelike werknemers wie se diensvoorraarde vasgestel is in ooreenstemming met die bepalings van nywerheids- of dergelike ooreenkoms, slegs van toepassing is vir sover daarin uitdruklik bepaal word dat hulle op genoemde werknemers of tydelike werknemers van toepassing is, en origens is die verlofvoordele van daardie werknemers of tydelike werknemers dié wat die betrokke raad bepaal.

VERLOFAANSOEKVORMS, TOESTAAN EN INTREKKING VAN VERLOF, EN ONGEMAGTIGDE AFWE SIGHEDE VAN DIENS

28. (1) (a) Aansoek om verlof word skriftelik gedoen op 'n vorm wesenlik in die vorm deur 'n raad bepaal.

(b) 'n Sertifikaat van ongesteldheid wat ter stawing van 'n aansoek om siekteverlof dien, moet wesenlik in die vorm wees deur die raad bepaal:

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

(b) Verlof reeds toegestaan, kan te eniger tyd deur die raad ingetrek word, en in so 'n geval kan die raad die werknemer of tydelike werknemer vergoed vir enige onverhaalbare uitgawes deur hom aangegaan ten opsigte van 'n vakansie nadat hy in kennis gestel is dat sy aansoek om die betrokke verlof goedgekeur is en voordat hy van sodanige intrekking in kennis gestel is, of aangegaan as gevolg van verpligtings deur hom opgeneem ten opsigte van 'n vakansie gedurende sodanige tydperk, en indien sodanige werknemer of tydelike werknemer moet reis ten einde sy diens te hervat, maak die raad 'n *ex gratia*-betaling, waarvan die bedrag deur die raad bepaal word, aan die werknemer of tydelike werknemer ten opsigte van die koste deur hom aangegaan ten opsigte van sodanige reis en hy word geag op diens te wees terwyl hy aldus reis.

(c) Uitgesonderd siekteverlof word afwesigheidsverlof toegestaan met behoorlike inagneming van 'n raad se behoeftes.

(d) 'n Raad kan op die skriftelike versoek van 'n werknemer of tydelike werknemer vakansieverlof reeds toegestaan, uitgesonderd die vakansieverlof bedoel in regulasie 32, intrek.

(3) Behalwe in die geval waar 'n werknemer of tydelike werknemer in sy diens geskors is of waar 'n werknemer of tydelike werknemer weens sy skielike siekte of ander omstandighede wat vir die betrokke raad aanneemlik is, verhinder word om op diens te bly of hom vir diens aan te meld, verlaat hy nie sy werk of bly hy nie van diens weg nie voordat hy skriftelik om verlof aansoek gedoen het en hy deur die raad of sy toesighouer in kennis gestel is dat die raad sy aansoek om verlof goedgekeur het.

(4) (a) Except as provided in regulation 40 (1) (c), all unauthorised periods of absence from service, irrespective of any disciplinary action taken against an employee or temporary employee, shall be considered to be vacation leave without pay, unless otherwise provided by the council.

(b) The submission of a written application for leave shall not be a requirement in the case of an unauthorised period of absence.

LEAVE REGISTERS

29. (1) A council shall keep a leave register in respect of each employee or temporary employee in which all absences from duty shall be recorded in accordance with the classification referred to in regulation 30 (1).

(2) All applications for leave shall be filed for audit and other purposes in the office where the leave register is kept, for such period as the council may direct.

CLASSIFICATION OF LEAVE OF ABSENCE

30. (1) All absences from duty on leave shall be classified under one or more of the following heads:

- (a) Vacation leave with full pay.
- (b) Vacation leave without pay.
- (c) Sick leave with full pay.
- (d) Sick leave with half pay.
- (e) Sick leave without pay.
- (f) Special leave.
- (g) Special sick leave.

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

GROUPING OF EMPLOYEES OR TEMPORARY EMPLOYEES FOR LEAVE PURPOSES AND PROVISION FOR LEAVE

31. For the purposes of granting leave of absence, employees or temporary employees shall be classified in the undermentioned groups and leave may accordingly be granted to them in terms thereof:

(1) Employees, temporary employees and employees on contract who occupy prescribed posts:

Group:

(a) Ten Years' service or longer or a salary equal to the commencing notch of the salary scale for Chief Clerk or equivalent ranks:

| | |
|-----------------------|--|
| <i>Vacation leave</i> | <i>Sick leave</i> |
| 36 days per annum | 120 days on full pay, and 120 days on half pay per cycle |

Group:

(b) Less than 10 years' service or a salary lower than the commencing salary notch of the salary scale for Chief Clerk or equivalent ranks.

| | |
|-----------------------|--|
| <i>Vacation leave</i> | <i>Sick leave</i> |
| 30 days per annum | 120 days on full pay, and 120 days on half pay per cycle |

(4) (a) Uitgesonderd soos in regulasie 40 (1) (c) bepaal word, word alle ongemagtige tydperke van afwesigheid van diens, ongeag enige tugmaatreëls wat teen 'n werknemer geneem word, geag vakansieverlof sonder betaling te wees, tensy die raad anders bepaal.

(b) Die indiening van 'n skriftelike aansoek om verlof is nie 'n vereiste in die geval van ongemagtige tydperk van afwesigheid nie.

VERLOFSTATE

29. (1) 'n Raad hou ten opsigte van elke werknemer of tydelike werknemer 'n verlofstaat waarin alle tydperke van afwesigheid van diens aangeteken word volgens die indeling vervat in regulasie 30 (1).

(2) Alle aansoeke om verlof word vir oudit- en ander doeleindes bewaar in die kantoor waar die verlofstaat gehou word en wel vir dié tydperk wat die raad bepaal.

INDELING VAN AFWESIGHEIDSVERLOF

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

- (a) Vakansieverlof met volle besoldiging.
- (b) Vakansieverlof sonder besoldiging.
- (c) Siekterverlof met volle besoldiging.
- (d) Siekterverlof met halwe besoldiging.
- (e) Siekterverlof sonder besoldiging.
- (f) Spesiale verlof.
- (g) Spesiale siekterverlof.

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

GROEPERING VAN WERKNEMERS OF TYDELIKE WERKNEMERS VIR VERLOFDOELEINDES EN VERLOFVOORSIENING

31. Werknemers of tydelike werknemers word vir die doeleindes van die toestaan van afwesigheidsverlof in die volgende groepe ingedeel en verlof kan dioenooreenkomsig aan hulle toegestaan word:

(1) Werknemers, tydelike werknemers en werknemers op kontrak wat voorgeskrewe poste beklee:

Group:

(a) Meer as 10 jaar diens, of 'n salaris gelykstaande met die aanvangskerf van die salarisskaal vir Hoofklerk of gelykwaardige range.

Vakansieverlof

36 dae per jaar

Siekterverlof

120 dae met volle besoldiging,
en 120 dae met halwe besoldiging per tydkring

Group:

(b) Minder as 10 jaar diens, of 'n salaris minder as die aanvangskerf van die salarisskaal vir Hoofklerk of gelykwaardige range.

Vakansieverlof

30 dae per jaar

Siekterverlof

120 dae met volle besoldiging,
en 120 dae met halwe besoldiging per tydkring

(2) Temporary employees and groups of temporary employees that occupy non-prescribed posts or who are employed under other conditions:

Group:

(a) 15 years' or more service or when adjusted in terms of paragraphs (b) and (c) below.

| Vacation leave | Sick leave |
|-------------------|--|
| 30 days per annum | 120 days on full pay, and 120 days on half pay per cycle |

Group:

(b) Less than 15 years' service or in receipt of a salary equivalent to or higher than the commencing notch of the salary scale for a Clerk Grade II. [A person advances to the higher leave group in terms of paragraph (a) upon completion of 15 years' or 5 years' service after having qualified for inclusion in this leave group on the basis of salary, depending which of the two periods is the shortest.]

| Vacation leave | Sick leave |
|-------------------|--|
| 25 days per annum | 90 days on full pay, and 90 days on half pay per cycle |

Group:

(c) Ten years' service or less and in receipt of a salary lower than the commencing notch of the salary scale for a Clerk Grade II. [If the minimum notch is attained or bypassed, the leave shall be adjusted to that of the group indicated in paragraph (b).]

| Vacation leave | Sick leave |
|-------------------|--|
| 21 days per annum | 60 days on full pay, and 60 days on half pay per cycle |

(d) Students taken into service for vacation work do not qualify for any leave privileges.

(e) A casual employee qualifies for the prescribed leave privileges indicated in subregulation (2) (a), (b) and (c) upon completion of six months' continuous service from the date of assumption of duty.

GENERAL PROVISIONS: VACATION LEAVE

32. (1) Subject to the provisions of regulation 42 (1), accumulative vacation leave shall accrue in respect of each completed month of service at the rate of one-twelfth of the provision applicable to an employee or temporary employee in terms of regulation 31.

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

(a) he shall retain the accumulative vacation leave that 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 from the first day of the month during which such transfer or translation becomes effective;

unless the provisions of regulation 45 (2) are applicable to him.

(3) A council may at any time require an employee or temporary employee to take the whole or a portion of the vacation leave due to him: Provided that the maximum period of leave prescribed in subregulation (4) shall not be exceeded.

(2) Tydelike werknemers en groepe tydelike werknemers wat nie-voorgeskrewe poste beklee of op ander voorwaardes in diens is:

Groep:

(a) 15 jaar of meer diens, of wanneer aangepas soos in paragrawe (b) en (c) hieronder aangedui.

| Vakansieverlof | Siekteverlof |
|-----------------|--|
| 30 dae per jaar | 120 dae met volle besoldiging, en 120 dae met halwe besoldiging per tydkring |

Groep:

(b) Minder as 15 jaar diens, of 'n salaris gelykstaande met of meer as die aanvangskerf van die salarisskaal vir Klerk Graad II. ('n Persoon vorder na die hoër verlofgroep in paragraaf (a) indien hy 15 jaar diens voltooi het, of indien hy 5 jaar diens voltooi het nadat hy gekwalifiseer het vir inskakeling by hierdie verlofgroep op grond van salaris, watter tydperk ook al die kortste is.)

| Vakansieverlof | Siekteverlof |
|-----------------|--|
| 25 dae per jaar | 90 dae met volle besoldiging, en 90 dae met halwe besoldiging per tydkring |

Groep:

(c) 10 jaar of minder diens en in ontvangs van 'n salaris minder as die aanvangskerf van die salarisskaal vir Klerk Graad II. [Indien die minimum kerf bereik of oorskry word, word die verlof aangepas by die groep aangedui in paragraaf (b).]

| Vakansieverlof | Siekteverlof |
|-----------------|--|
| 21 dae per jaar | 60 dae met volle besoldiging, en 60 dae met halwe besoldiging per tydkring |

(d) Studente wat vir vakansiewerk in diens geneem is, kwalifiseer nie vir enige verlofvoordele nie.

(e) 'n Geleenheidswerknemer kwalifiseer wel vir die voorgeskrewe verlofvoordele aangedui in subregulasie (2) (a), (b) en (c), ná voltooiing van ses maande aaneenlopende diens vanaf die datum van diensaanvaarding.

ALGEMENE BEPALINGS: VAKANSIEVERLOF

32. (1) Behoudens die bepalings van regulasie 42 (1), was oplopende vakansieverlof aan ten opsigte van elke voltoode maand van diens en wel teen een twaalfde van die voorsiening wat ingevolge regulasie 31 op 'n werknemer of tydelike werknemer van toepassing is.

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

(a) behou hy die vakansieverlof wat gedurende sy dienstydperk in die vorige groep of groepe aangewas het; en

(b) word die nuwe groep se vakansieverlof op hom van toepassing vanaf die eerste dag van die maand waarin sodanige oorplasing of oorgang van krag word;

tensy die bepalings van regulasie 45 (2) op hom van toepassing is.

(3) 'n Raad kan te eniger tyd van 'n werknemer of tydelike werknemer vereis dat hy 'n gedeelte of die geheel van die vakansieverlof wat hom toekom, neem: Met dien verstande dat die maksimum tydperk van verlof wat by subregulasie (4) voorgeskryf word, nie oorskry word nie.

(4) Subject to the provisions of regulation 34 and except on the recommendation of a council, an employee or temporary employee shall not be granted vacation leave in excess of 184 days in the aggregate in any period of 18 calendar months and any absence from duty for a longer period than this limit shall be covered by the granting of vacation leave without pay and for the purposes of this subregulation no account shall be taken of vacation leave granted in terms of regulation 35 (3) (d).

(5) The accumulative vacation leave standing to the credit of an employee or temporary employee on 1 January of each year shall be recorded in the leave register, and in the recording of such credit any portion of a day shall be regarded as one day.

OVERGRANT OF VACATION LEAVE

33. If an employee or temporary employee has been granted vacation leave with full pay in excess of that which stood to his credit at the time, such overgrant may be deducted from vacation leave which subsequently accrues to him: Provided the council is satisfied that the overgrant was made in good faith: Provided further that, if such employee or temporary employee resigns or his services are terminated before sufficient vacation leave has accrued to him for the purpose of such deduction, that portion of the overgrant which exceeds his vacation leave credit on his last day of service shall be regarded as an overpayment of salary which must be recovered or written off under competent authority.

VACATION LEAVE WITHOUT PAY

34. (1) If sound reasons exist, a council may grant an employee or temporary employee who has no vacation leave with pay to his credit, vacation leave without pay, not exceeding 184 days in any period of 18 calendar months.

(2) Subject to the provisions of regulation 32 (4) or 42 (2), all vacation leave with full pay standing to an employee's or temporary employee's credit shall first be exhausted, before vacation leave without pay may be granted to him.

GENERAL PROVISIONS: SICK LEAVE

35. (1) Sick leave shall accrue to an employee or temporary employee on the first day of a cycle and with effect from that day the full provision of the relative cycle may be granted to him if the other provisions of these regulations are complied with: Provided that no employee or temporary employee shall be granted sick leave with full or half pay until he has completed 30 days' service reckoned from the date of his appointment and then only in respect of absences subsequent to the completion of such service.

(2) Unused sick leave prescribed for a particular cycle shall lapse at the end of that cycle and shall not be carried forward to the next cycle.

(3) (a) An employee or temporary employee may, on application in writing, be granted any vacation leave which he may have to his credit, in lieu of sick leave with half pay or sick leave without pay: Provided that—

(i) such application shall be submitted not later than three calendar months after he has resumed duty; and

(4) Behoudens die bepalings van regulasie 34 en behalwe op aanbeveling van 'n raad, mag aan 'n werknemer of tydelike werknemer nie vakansieverlof van altesaam meer as 184 dae in enige tydperk van 18 kalendermaande toegestaan word nie, en enige afwesigheid van diens wat hierdie beperking oorskry, word gedeck deur die toestaan van vakansieverlof sonder betaling, en vir die doeleindeste van hierdie subregulasie word vakansieverlof wat kragtens regulasie 35 (3) (d) toegestaan word, buite rekening gelaat.

(5) Die ooplopende vakansieverlof wat 'n werknemer of tydelike werknemer op 1 Januarie van elke jaar tot sy krediet het, word in die verlofstaat aangeteken, en by die aantekening van sodanige krediet word enige gedeelte van 'n dag as een dag gereken.

OORTOEKENNING VAN VAKANSIEVERLOF

33. Indien daar aan 'n werknemer of tydelike werknemer meer vakansieverlof met volle besoldiging toegestaan is as wat hy op daardie tydstip tot sy krediet gehad het, kan sodanige oortoekenning afgetrek word van vakansieverlof wat later aan hom toeval: Met dien verstande dat die raad oortuig is dat die oortoekenning te goeder trou gedoen is: Met dien verstande voorts dat as sodanige werknemer of tydelike werknemer bedank of sy dienste beëindig word voordat voldoende vakansieverlof vir die doel van sodanige aftrekking aan hom toegeval het, die gedeelte van die oortoekenning wat sy vakansieverlof krediet op die laaste dag van sy diens oorskry, 'n oorbetaling van salaris geag word wat of teruggevorder of met bevoegde magtiging afgeskryf word.

VAKANSIEVERLOF SONDER BESOLDIGING

34. (1) As gegronde redes daarvoor bestaan, kan 'n raad aan 'n werknemer of tydelike werknemer wat geen vakansieverlof met besoldiging tot sy krediet het nie, vakansieverlof sonder besoldiging toestaan vir hoogstens 184 dae altesaam in enige tydperk van 18 kalendermaande.

(2) Behoudens die bepalings van regulasie 32 (4) of 42 (2), moet alle vakansieverlof met volle besoldiging wat 'n werknemer of tydelike werknemer tot sy krediet het, eers uitgeput wees voordat vakansieverlof sonder betaling aan hom toegestaan kan word.

ALGEMENE BEPALINGS: SIEKTEVERLOF

35. (1) Siekterverlof val op die eerste dag van 'n siklus aan 'n werknemer of tydelike werknemer toe en met ingang van daardie dag kan die volle voorsiening vir die betrokke tydkring aan hom toegestaan word, mits aan die ander bepalings van hierdie regulasies voldoen word: Met dien verstande dat aan geen werknemer of tydelike werknemer siekterverlof met volle of halwe besoldiging toegestaan mag word voordat hy 30 dae diens, gereken vanaf die datum van sy aanstelling, voltooi het nie en dan slegs ten opsigte van tydperke van afwesigheid na die voltooiing van sodanige diens.

(2) Ongebruikte siekterverlof wat vir 'n bepaalde tydkring voorgeskryf is, vervalt aan die einde van daardie tydkring en word nie na die volgende tydkring oorgedra nie.

(3) (a) Aan 'n werknemer of tydelike werknemer kan, op skriftelike aansoek, enige vakansieverlof wat hy tot sy krediet het, toegestaan word in plaas van siekterverlof met halwe besoldiging of siekterverlof sonder besoldiging. Met dien verstande dat—

(i) sodanige aansoek nie later nie as drie kalendermaande nadat hy diens hervat het, ingediend word; en

- (ii) The council shall be satisfied that the employee or temporary employee concerned is not at that stage permanently unfit for the resumption of his normal duties.
- (b) Once the vacation leave referred to has been granted to an employee or temporary employee and he has received payment in respect thereof, such leave shall not be reconverted into sick leave with half pay or without pay.
- (4) (a) If an employee or temporary employee to whom vacation leave has been granted becomes ill after he has left his duties to proceed on vacation leave, that portion of the vacation leave referred to in respect of which he submits a certificate by a registered medical practitioner or a registered dentist which complies with the requirements prescribed in regulation 36 may be converted into sick leave, provided the necessary sick leave is available in terms of these regulations.
- (b) Vacation leave without pay shall not be converted into sick leave with full or half pay.
- ### GRANTING OF SICK LEAVE
36. (1) Sick leave shall be granted only in respect of the absence from duty of an employee or temporary employee owing to an illness, indisposition or injury not due to his misconduct or failure to take reasonable precautions.
- (2) An employee or temporary employee who is addicted to alcohol or to drugs for which treatment has been prescribed by a medical practitioner will be granted sick leave, provided he is treated in a full-time capacity by a medical practitioner or is treated in an institution.
- (3) Sick leave may be granted in respect of nervous complaints, insomnia, debility and similar ill-defined illnesses or indispositions only if a council is satisfied that the applicant's state of health incapacitates him for duty.
- (4) (a) A council may at any time require an employee or temporary employee to submit to an examination by one or more registered medical practitioners or registered dentists nominated by the council.
- (b) The expenses in connection with such examination shall be met from funds of the council.
- (5) (a) If an employee or temporary employee is absent from duty for a continuous period of more than three days owing to illness, he may be granted sick leave only if he furnishes the council concerned with a certificate by a registered medical practitioner or a registered dentist which clearly describes the nature of the illness, which states that he is not capable of performing his official duties, and in which is indicated the period necessary for his recuperation.
- (b) A council may require the submission of a similar certificate in respect of periods of three days or less.
- (c) If a council is satisfied that the absence of an employee or temporary employee is bona fide due to illness and that there are good reasons for the non-submission of a certificate of indisposition, it may waive the submission of such certificate by the employee or temporary employee in respect of sick leave for a continuous period not exceeding 14 days. Such exemption shall be endorsed on the leave application.
- (ii) die raad oortuig is dat die betrokke werknemer of tydelike werknemer op die betrokke tydstip nie permanent ongeskik is vir die hervatting van sy normale pligte nie.
- (b) As genoemde vakansieverlof een maal aan 'n werknemer of tydelike werknemer toegestaan is en hy ten opsigte daarvan betaling ontvang het, word sodanige verlof nie weer in siekterverlof met halwe besoldiging of sonder besoldiging omgesit nie.
- (4) (a) Indien 'n werknemer of tydelike werknemer aan wie vakansieverlof toegestaan is, siek word nadat hy reeds sy diens verlaat het om met vakansieverlof te gaan, kan daardie gedeelte van genoemde vakansieverlof ten opsigte waarvan hy 'n sertifikaat van 'n geregistreerde geneesheer of 'n geregistreerde tandarts indien wat voldoen, aan die vereistes voorgeskryf in regulasie 36, in siekterverlof omskep word, mits die nodige siekterverlof kragtens hierdie regulasies beskikbaar is.
- (b) Vakansieverlof sonder besoldiging word nie in siekterverlof met volle of halwe besoldiging omskep nie.
- ### TOESTAAN VAN SIEKTERVERLOF
36. (1) Siekterverlof word toegestaan slegs ten opsigte van 'n werknemer of tydelike werknemer se afwesigheid van diens weens siekte, ongesteldheid of besering wat nie te wyte is aan sy wangedrag of gebrek aan behoorlike voorsorg nie.
- (2) Aan 'n werknemer of tydelike werknemer wat verslaaf is aan alkohol of dwelmmiddels waarvoor behandeling deur 'n geregistreerde geneesheer voorgeskryf word, kan siekterverlof toegestaan word mits hy voltyds deur 'n geregistreerde geneesheer of in 'n inrigting daarvoor behandel word.
- (3) Ten opsigte van senuwee-aandoenings, slape-loosheid, swakte en dergelike swak omskrewne siektes of ongesteldhede word siekterverlof toegestaan slegs as 'n raad oortuig is dat die applikant se gesondheidstoestand hom ongeskik maak vir sy werk.
- (4) (a) 'n Raad kan te eniger tyd eis dat 'n werknemer of tydelike werknemer hom onderwerp aan 'n ondersoek deur een of meer geregistreerde geneeshere of geregistreerde tandartse deur die raad aangewys.
- (b) Die onkoste verbonde aan sodanige ondersoek word uit fondse van die raad betaal.
- (5) (a) Indien 'n werknemer of tydelike werknemer weens siekte van diens afwesig is vir 'n aaneenlopende tydperk van langer as drie dae, kan siekterverlof aan hom toegestaan word slegs as hy 'n sertifikaat van 'n geregistreerde geneesheer of 'n geregistreerde tandarts, wat duidelik die aard van die siekte beskryf, wat verklaar dat hy nie is staat is om sy pligte waar te neem nie en wat aantoon watter tydperk nodig is vir sy herstel, by die betrokke raad indien.
- (b) 'n Raad kan eis dat 'n derglike sertifikaat ook ten opsigte van tydperke van drie dae of minder ingedien word.
- (c) Indien 'n Raad daarvan oortuig is dat die werknemer of tydelike werknemer se afwesigheid *bona fide* te wyte is aan siekte en dat daar goeie redes bestaan waarom 'n sertifikaat van ongesteldheid nie ingedien is nie, kan hy afsien van die vereiste dat sodanige sertifikaat ingedien word deur die werknemer of tydelike werknemer ten opsigte van 'n aaneenlopende tydperk van siekterverlof van hoogstens veertien dae, en sodanige vrystelling word op die aansoek om verlof geëndoseer.

(6) (a) Sick leave, with or without pay, in respect of which a certificate referred to in subregulation (5) is not submitted, may be granted only for an aggregate of 10 days during any year ending on 31 December and any further absences shall be covered by the granting of vacation leave with full pay or, if the employee or temporary employee has no vacation leave to his credit, vacation leave without pay.

(b) The provisions of this subregulation shall not apply to periods of absence in respect of which exemption in terms of subregulation (5) (c) has been granted, and such periods shall not be taken into account in the determination of the 10 days.

(7) Notwithstanding the submission of a certificate as defined in subregulation (5), a council may refuse to grant sick leave with pay in respect of any absence from duty to which the certificate relates, and in such case the absence shall be regarded as unauthorised and the provisions of regulation 28 (4) shall apply.

SPECIAL SICK LEAVE

37. (1) An employee or temporary employee who is absent from duty owing to an injury sustained in an accident arising out of and in the course of his duties or owing to an illness contracted in the course of and as a result of his duties may be granted special sick leave with full pay for the period he is incapacitated for his normal duties or, if the case falls within the scope of the Workmen's Compensation Act, 1941 (Act 30 of 1941), as amended, special sick leave with pay equal to the difference between full pay and the compensation payable to him in terms of that Act in the form of periodical payments: Provided that special sick leave with pay, in terms of this regulation, shall not be granted where the accident was caused by a third party, unless the employee or temporary employee either authorises the council to bring a claim in his name against the third party for damages suffered by him, or undertakes himself to bring a claim against the third party and to compensate the council for the damages suffered by it, as a result of the accident, from any amount that may be recovered.

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

(3) The provisions of regulation 36 (4), (5) and (6) shall apply *mutatis mutandis* to the granting of special sick leave.

SPECIAL LEAVE WITH FULL PAY

38. (1) Special leave with full pay may be granted to an employee or temporary employee—

(a) if he sits any examination of a recognised university within the Republic and any other examination which a council may indicate;

(b) if he is absent from duty as a result of segregation or isolation on medical instructions where he has been in contact with a person who has contracted, or is suspected of having contracted, an infectious or contagious disease: Provided that the granting of special leave under this paragraph shall be subject to the submission of a certificate by a registered medical practitioner indicating the period of and reason for segregation or isolation;

(c) if he is arrested or has to appear before a court on a criminal charge and he is subsequently acquitted or the charge is withdrawn;

(6) (a) Siekterverlof met of sonder besoldiging ten opsigte waarvan 'n sertifikaat in subregulasie (5) genoem, nie ingediend is nie, kan toegestaan word slegs vir altesaam 10 dae gedurende enige jaar eindigende op 31 Desember, en enige verdere afwesighede word gedeke deur die toestaan van vakansieverlof met volle besoldiging of, as die werknemer of tydelike werknemer geen vakansieverlof tot sy krediet het nie, van vakansieverlof sonder besoldiging.

(b) Die bepalings van hierdie subregulasie is nie van toepassing op tydperke van afwesigheid ten opsigte waarvan vrystelling kragtens subregulasie (5) (c) verleen is nie, en sodanige tydperke word ook nie ingerekken by die vasstelling van die 10 dae nie.

(7) Ondanks die indiening van 'n sertifikaat in subregulasie (5) bedoel, kan 'n raad weier om siekterverlof met besoldiging toe te staan ten opsigte van enige afwesigheid van diens waarop die sertifikaat betrekking het, en in so 'n geval word die afwesigheid as ongemagtig beskou en is die bepalings van regulasie 28 (4) van toepassing.

SPESIALE SIEKTEVERLOF

37. (1) Aan 'n werknemer of tydelike werknemer wat van diens afwesig is weens 'n besering wat voortspruit uit 'n ongeval wat in die loop van en as gevolg van sy diens plaasvind of weens 'n siekte wat in die loop van en as gevolg van sy diens opgedoen is, kan spesiale siekterverlof met volle besoldiging toegestaan word vir die tydperk wat hy nie geskik is om sy gewone pligte uit te voer nie of, indien die geval binne die bestek van die Ongevallewet, 1941 (Wet 30 van 1941), soos gewysig, val, spesiale siekterverlof met besoldiging gelykstaande met die verskil tussen volle besoldiging en die skadeloosstelling wat aan hom kragtens daardie Wet by wyse van periodieke uitkerings betaalbaar is: Met dien verstande dat spesiale siekterverlof met besoldiging kragtens hierdie regulasie nie toegestaan word waar die ongeval deur 'n derde party veroorsaak is nie, tensy die werknemer of tydelike werknemer of die raad magtig om namens hom 'n eis vir skade deur hom gely, teen die derde party in te stel, of onderneem om self 'n eis teen die derde party in te stel en om, uit enige bedrag wat verhaal word, die raad te vergoed vir die skade deur die raad gely as gevolg van die ongeval.

(2) Spesiale siekterverlof kragtens hierdie regulasie word nie toegestaan as die raad van oordeel is dat die ongeval aan die ernstige en opsetlike wangedrag van die werknemer of tydelike werknemer toe te skryf is nie.

(3) Die bepalings van regulasie 36(4), (5) en (6) is *mutatis mutandis* van toepassing op die toestaan van spesiale siekterverlof.

SPESIALE VERLOF MET VOLLE BESOLDIGING

38. (1) Spesiale verlof met volle besoldiging kan aan 'n werknemer of tydelike werknemer toegestaan word—

(a) indien hy 'n eksamen van 'n erkende universiteit binne die Republiek, en enige ander eksamen wat 'n raad aanwys, aflê;

(b) indien hy van diens afwesig is as gevolg van afsondering of isolasie ooreenkomsdig geneeskundige opdragte as hy in aanraking was met 'n persoon wat 'n besmetlike of aansteeklike siekte opgedoen of vermoedelik opgedoen het: Met dien verstande dat die toestaan van spesiale verlof kragtens hierdie paragraaf onderworpe is aan die indiening van 'n sertifikaat van 'n geregistreerde geneesheer wat die tydperk en oorsaak van afsondering of isolasie aandui.

(c) indien hy gevange geneem is of voor die hof moet verskyn op 'n aanklag van misdaad en later vrygespreek of die aanklag teruggetrek word;

- (d) when he is selected by a recognised amateur sports association to—
(i) take part, as a member of an organised sports group, in a sports tour outside the Republic; whether as a competitor, coach or manager; or
(ii) represent South Africa, and not merely a club or province, as a competitor, coach or manager at international sporting events within the Republic; or
(iii) accompany a foreign national team visiting the Republic, as a representative of the South African sports association organising the tour.
- (2) Special leave granted in terms of subregulation (1) may include any period actually and necessarily occupied in travelling for the purpose for which the leave is granted.

LEAVE FOR STUDY PURPOSES

39. Leave may be granted to an employee or temporary employee for study purposes on the basis and conditions approved by a council.

DAYS OF REST

40. (1) A day of rest shall not be regarded as leave and shall not be recorded as such in the leave register except where it falls within a period of approved leave.

(2) If an employee or temporary employee who is called upon to report for duty on a day of rest fails to do so, such day of rest shall be regarded as vacation leave without pay unless he is prevented from reporting for duty by circumstances which are acceptable to a council.

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

PAYMENT OF ALLOWANCES, ETC. DURING LEAVE

41. The continuance or cessation of the payment to an employee or temporary employee of allowances or remuneration other than salary shall be subject to the provisions of the regulations applicable thereto and directions issued by a council in connection therewith.

LEAVE THAT COUNTS FOR LEAVE PURPOSES

42. (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 a month shall count for the purposes of leave accrual. If the leave without pay exceeds the number of days mentioned herein—

(a) the month in which such excess occurs shall not be regarded as service for the purposes of regulation 32 (1); and

(b) the provision in respect of sick leave with full pay and sick leave with half pay that applies to an employee or temporary employee in terms of regulation 31 shall be reduced by one thirty-sixth in respect of each month in which such excess occurs, which reduction shall be made from the provision of the cycle in which the excess occurs or, if the available sick leave for the relative cycle has already been used, from the provision of the next succeeding cycle.

(2) Vacation leave which, in terms of subregulation (1), accrues during a period of vacation leave without pay or sick leave without pay shall not be granted to an employee

- (d) wanneer hy deur 'n erkende amateur-sportvereniging gekies word om—
(i) as lid van 'n georganiseerde sportgroep, hetsy as 'n deelnemer, afriger of bestuurder, aan 'n sporttoer buite die Republiek mee te doen; of
(ii) Suid-Afrika, en nie slegs 'n klub of provinsie nie, by internasionale sportwedstryde binne die Republiek as deelnemer, afriger of bestuurder te verteenwoordig; of
(iii) 'n buitelandse nasionale span wat die Republiek besoek, as verteenwoordiger van die Suid-Afrikaanse sportliggaam wat die toer reël, te vergesel.
(2) Spesiale verlof wat ooreenkomsdig subregulasie (1) toegestaan word, kan enige tydperk werklik en noodsaaklike wyls deurgebring met reise vir die doel waarvoor die verlof toegestaan word, insluit.

VERLOF VIR STUDIEDOELEINDES

39. Verlof kan vir studiedoeleindes op die grondslag en voorwaarde wat 'n raad bepaal, aan 'n werknemer of tydelike werknemer toegestaan word.

RUSDAE

40. (1) 'n Rusdag word nie geag verlof te wees nie en word nie in die verlofstaat as sodanig aangesteken nie, behalwe waar dit binne 'n tydperk van goedgekeurde verlofval.

(2) As 'n werknemer of tydelike werknemer aangesê word om hom op 'n rusdag vir diens aan te meld en hy in gebreke bly om dit te doen, word sodanige rusdag geag vakansieverlof sonder besoldiging te wees, tensy hy weens omstandighede wat vir 'n raad aanneemlik is, verhinder word om hom vir diens aan te meld.

(3) 'n Werknemer of tydelike werknemer word nie salaris of loon ten opsigte van 'n rusdag betaal nie, tensy hy kragtens sy diensvoorraades op besoldiging vir die dag geregting is.

BETALING VAN TOELAES, ENS., TYDENS VERLOF

41. Die voorstetting of staking van die betaling aan 'n werknemer of tydelike werknemer van toelaes of ander besoldiging as sy salaris is onderworpe aan die bepalings van die regulasies wat daarop van toepassing is en opdragte wat deur 'n raad daaromtrent uitgereik is.

VERLOF WAT VIR VERLOFDOELEINDES TEL

42. (1) Alle verlof, van watter aard ook al, met volle of gedeeltelike besoldiging, en vakansie en siekeverlof sonder besoldiging van altesaam hoosteens 15 dae in 'n maand, tel vir die doel van verlofaanwas. As die verlof sonder besoldiging die getal dae hierin vermeld, oorskry—

(a) word die maand waarin sodanige oorskryding plaasvind, nie as diens vir die doeindes van regulasie 32 (1) gereken nie; en

(b) word die voorsiening ten opsigte van siekeverlof met volle besoldiging en siekeverlof met halwe besoldiging wat kragtens regulasie 31 op 'n werknemer of tydelike werknemer van toepassing is, met een ses-en-derdigste verminder ten opsigte van elke maand waarin sodanige oorskryding plaasvind, en hierdie vermindering word afgetrek van die voorsiening vir die tydkring waarin die oorskryding voorkom, of, as diebeskikbare siekeverlof van die betrokke tydkring reedsgebruik is, van die voorsiening vir die eersvolgende tydkring.

(2) Vakansieverlof wat kragtens subregulasie (1) aanwas gedurende 'n tydperk van vakansieverlof sonder besoldiging of siekeverlof sonder besoldiging, word nie aan 'n

or temporary employee until he has resumed his duties after his absence on vacation or sick leave without pay, and then only in respect of absences after such resumption of duty.

(3) Vacation leave without pay and sick leave without pay shall count as service for the purposes of determining an employee's or temporary employee's leave group under regulation 31.

LEAVE TO COUNT FOR THE PURPOSES OF SALARY INCREMENTS

43. All leave, of whatever nature, whether with or without pay, shall count for the purposes of salary increments, unless a council directs otherwise.

LAPSE OF GRANTED LEAVE ON TERMINATION OF SERVICE

44. (1) Immediately an employee or temporary employee gives notice of resignation any leave with pay which at the time may already have been granted for a period or periods as from or after the date of such notice or, if the notice is undated, as from or after the date of notification is received by the council concerned, shall lapse and any absences from duty on or after the date referred to shall be regarded as vacation leave without pay: Provided that the provisions of this subregulation shall—

(a) apply only in respect of absences during an employee's or temporary employee's last month of service; and

(b) not apply to—

(i) sick leave;

(ii) special leave granted in terms of regulation 38 (1)

(b) or (c);

(iii) vacation leave granted in terms of regulation 35 (4); and

(iv) an employee or temporary employee whose contract of service or letter of appointment contains a clause expressly providing that his services may be terminated by 24 hours' notice on either side, but who nevertheless gives more than 24 hours' notice of resignation.

(2) (a) If an employee's or temporary employee's services terminate for any reason other than that mentioned in subregulation (1), any leave of absence which at that time may already have been granted to him for a period or periods after the date of termination of his service shall lapse.

(b) The period of service of an employee or temporary employee may not be extended in order to enable him to utilise leave that may have been granted to him.

LAPSE OF SICK LEAVE ON TERMINATION OF SERVICE

45. (1) If an employee or temporary employee retires from the service of a council, resigns or is dismissed, any sick leave standing to his credit on the date on which his services terminate shall lapse.

(2) If an employee or temporary employee referred to in subregulation (1) is reappointed, with or without a break in service, in a permanent or temporary capacity, such reappointment shall be regarded as a new appointment for all purposes of this regulation, his previous service shall not count as service for leave purposes, and sick leave that has lapsed in terms of subregulation (1) shall not be placed to his credit again.

werknaemers of tydelike werknaemers toegestaan voordat hy, ná sy afwesigheid met vakansie- of siekteleverlof sonder besoldiging, weer sy dienste hervat het nie, en dan slegs ten opsigte van afwesighede ná sodanige hervatting van diens.

(3) Vakansieverlof sonder besoldiging en siekteleverlof sonder besoldiging tel as diens vir die indeling van 'n werknaemers of tydelike werknaemers by 'n verlofgroep kragtens regulasie 31.

VERLOF TEL VIR SALARISVERHOGINGS-DOELEINDES

43. Alle verlof, van watter aard ook al, hetsy met of sonder besoldiging, tel, vir salarisverhogingsdoeleindes, tensy 'n raad anders gelas.

VERVAL VAN TOEGESTANE VERLOF BY BEËINDIGING VAN DIENS

44. (1) Sodra 'n werknaemers of tydelike werknaemers kennis gee van bedanking, verval enige verlof met besoldiging wat op daardie tydstip reeds toegestaan is vir 'n tydperk of tydperke vanaf of ná die datum van sodanige kennisgewing, of, indien die kennisgewing nie gedateer is nie, vanaf of ná die datum van ontvangs daarvan deur die betrokke raad, en word alle tydperke van afwesigheid van diens op of ná genoemde datum geag vakansieverlof sonder besoldiging te wees: Met dien verstande dat die bepalings van hierdie subregulasie—

(a) van toepassing is slegs ten opsigte van tydperke van afwesigheid gedurende die laaste maand van 'n werknaemers of tydelike werknaemers se diens; en

(b) nie van toepassing is nie op—

(i) siekteleverlof;

(ii) spesiale verlof wat kragtens regulasie 38 (1) (b) of

(c) toegestaan word;

(iii) vakansieverlof wat kragtens regulasie 35 (4) toegestaan word; en

(iv) 'n Werknaemers of tydelike werknaemers wie se dienskontrak of aanstellingsbrief 'n klousule bevat wat uitdruklik bepaal dat sy dienste met wedersydse kennisgewing van 24 uur beëindig kan word, maar wat desnieteenstaande langer as 24 uur kennis van sy bedanking gee.

(2) (a) Indien 'n werknaemers of tydelike werknaemers se dienste om enige ander rede eindig as dié in subregulasie (1) genoem, verval enige afwesigheidsverlof wat op daardie tydstip reeds aan hom toegestaan is vir 'n tydperk of tydperke ná die datum van sy diensbeëindiging.

(b) 'n Werknaemers of tydelike werknaemers se dienstydperk mag nie verleng word ten einde hom in staat te stel om gebruik te maak van verlof wat aan hom toegestaan is nie.

VERVAL VAN SIEKTEVERLOF BY BEËINDIGING VAN DIENS

45. (1) Indien 'n werknaemers of tydelike werknaemers uit die diens van 'n raad aftree, bedank of ontslaan word, verval enige siekteleverlof wat tot sy krediet is op die dag waarop sy dienste eindig.

(2) Indien 'n werknaemers of tydelike werknaemers in subregulasie (1) bedoel, met of sonder onderbreking van diens in 'n permanente of tydelike hoedanigheid heraangestel word, word sodanige heraanstelling vir alle doeleinades van hierdie regulasie as 'n nuwe aanstelling beskou, tel sy vorige diens nie as diens vir verlofdoeleinades nie, en word siekteleverlof wat ingevolge subregulasie (1) verval het, nie weer tot sy krediet geplaas nie.

LEAVE GRATUITY

46. (1) Upon the termination of service of an employee or temporary employee, for any reason determined by the Minister—

(a) in the case of an employee or temporary employee having an unbroken period of service of between six months and ten years, the number of days' vacation leave standing to his credit at the date of the termination of his services, up to a maximum of 90 days;

(b) in the case of an employee or temporary employee having an unbroken period of service exceeding 10 years, the number of days vacation leave standing to his credit at the date of termination of his services;

will be converted into cash and paid to him.

(2) If the services of an employee or temporary employee referred to in subregulation (1) are terminated as a result of his death—

(a) and he is survived by a widow or widows, the leave gratuity shall be paid to such widow or widows, in equal shares;

(b) and he is survived by a widow as well as by registered children from a dissolved marriage, who at the time of his death were wholly dependent on him—

(i) such widow; and

(ii) the children of such marriage—

shall be jointly entitled to the receipt of the portion of the leave gratuity that would have been payable to a widow if he has been survived by all his registered and unregistered wives (hereinafter called a widow's portion): Provided that when the registered children of a marriage which has been dissolved are entitled to a widow's portion, the amount of such widow's portion, divided by the number of such children, shall be paid to each child;

(c) and he is survived by a registered child from a dissolved marriage, who at the time of his death was fully dependent on him, the registered children from each such dissolved marriage shall be jointly entitled to a widow's portion of the leave gratuity and such widow's portion shall be paid in equal shares to such children;

(d) and he was not survived by a widow or wholly dependent child, the leave gratuity shall be paid into his estate irrespective of whether he is survived by any other wholly or partially dependent person than a widow or a wholly dependent child.

SERVICE BONUS

47. A service bonus not exceeding eight and one-third per cent of the annual salary or wage of an employee or temporary employee, as the case may be, as determined by a council on conditions approved by the Minister, shall be paid annually to employees and temporary employees on a day in December determined by the council.

DAILY RATES OF SUBSISTENCE ALLOWANCE

48. (1) Subject to the provisions of regulation 49, or unless accommodation or a subsistence allowance is otherwise provided or paid by a council, or where an employee or temporary employee during his absence from his headquarters stays at his home, the council may pay to an employee or temporary employee who is necessarily absent from his headquarters for a period of 24 hours or longer on official duty in the Republic, including the travelling time, subsistence allowances at the rates determined by the Minister.

VERLOFGRATIFIKASIE

46. (1) By beëindiging van die diens van 'n werknemer of tydelike werknemer, om enige rede deur die Minister bepaal—

(a) in die geval van 'n werknemer of tydelike werknemer met 'n ononderbroke dienstydperk van tussen ses maande en 10 jaar, die getal dae vakansieverlof wat tot sy krediet staan op die datum van die beëindiging van sy diens, tot 'n maksimum van 90 dae;

(b) in die geval van 'n werknemer of tydelike werknemer met 'n ononderbroke dienstydperk van meer as 10 jaar, die getal dae vakansieverlof wat tot sy krediet staan op die datum van die beëindiging van sy diens; in kontant omgesit en aan hom betaal.

(2) Indien 'n werknemer of tydelike werknemer bedoel in subregulasie (1), se diens as gevolg van sy dood beëindig word—

(a) en hy deur 'n weduwee of weduwees oorleef word, word die verlofgratifikasie aan sodanige weduwee of aan sodanige weduwees in gelyke dele betaal;

(b) en hy deur 'n weduwee sowel as geregistreerde kinders uit 'n huwelik wat ontbind is, wat ten tyde van sy dood ten volle van hom afhanglik was, oorleef word, is—

(i) sodanige weduwee; en

(ii) die kinders uit sodanige huwelik—

gesamentlik geregtig op die ontvangs van dié deel van die verlofgratifikasie wat aan 'n weduwee betaalbaar sou gewees het indien hy deur al sy geregistreerde en ongeregistreerde vrouens oorleef is (hierna 'n weduweesdeel genoem): Met dien verstande dat wanneer die geregistreerde kinders uit 'n huwelik wat ontbind is, geregtig is op 'n weduweesdeel, die bedrag van so 'n weduweesdeel gedeel deur die getal sodanige kinders, aan elke kind sal toeval;

(c) en hy deur 'n geregistreerde kind uit 'n huwelik wat ontbind is, wat ten tyde van sy dood ten volle van hom afhanglik was, oorleef word, is die geregistreerde kinders uit elke sodanige ontbinde huwelik gesamentlik geregtig op 'n weduweesdeel van die verlofgratifikasie en word sodanige weduweesdeel in gelyke dele aan of ten voordele van sodanige kinders betaal;

(d) en hy deur geen weduwee of ten volle afhanglike kind oorleef word nie, word die verlofgratifikasie in sy boedel inbetaal ongeag of hy deur 'n ander ten volle of gedeeltelik afhanglike as 'n weduwee of ten volle afhanglike kind oorleef word.

DIENSBONUS

47. 'n Diensbonus van hoogstens agt en een derde persent van 'n werknemer of tydelike werknemer se jaarlikse salaris of loon, na gelang van die geval, soos deur 'n raad bepaal en op voorwaardes deur die Minister goedgekeur, word jaarliks op 'n dag in Desember wat deur die raad bepaal word aan werknemers en tydelike werknemers betaal.

DAAGLIKSE TARIEWE VAN VERBLYFTOELAE

48. (1) Behoudens die bepalings van regulasie 49, of tensy herberg of 'n verblyftoelae op 'n ander manier deur 'n raad verskaf of betaal word, of waar 'n werknemer of tydelike werknemer tydens sy afwesigheid van sy hoofkwartier by sy huis tuisgaan, kan die raad aan 'n werknemer of tydelike werknemer wat vir 'n tydperk van 24 uur of langer, insluitende die reistyd, noodsaklike wyls binne die Republiek van sy hoofkwartier afwesig is in amptelike diens, 'n verblyftoelae betaal teen die tariewe wat deur die Minister bepaal is.

(2) Save where other special provision is made in these regulations or unless an accommodation or subsistence allowance is otherwise provided or paid by a council, the council may reimburse an employee or temporary employee who is absent from his normal place of work and his home for a period of less than 24 hours, on official duty in the Republic, for the reasonable actual expenditure necessarily incurred by him for accommodation.

MAXIMUM PERIOD IN RESPECT OF WHICH A SUBSISTENCE ALLOWANCE AND RATES SHALL BE PAYABLE

49. (1) A subsistence allowance shall be payable to an employee or temporary employee during periods of absence from his headquarters for a continuous period not exceeding six months in the same town or place.

(2) The duration of travelling of an employee or temporary employee to and from his destination shall not be taken in consideration for the calculation of the period of six months and for the purposes of subregulation (1) the continuity of a period of residence in the same town or place will not be considered to have been interrupted by an absence, for whatever reason, of less than one month.

INADEQUATE SUBSISTENCE ALLOWANCE

50. If the subsistence allowance is insufficient to cover the expenses that an employee or temporary employee incurs when he is absent from his normal place of duty on the service of a council, the council may refund to the employee the difference between the amount payable as a subsistence allowance in respect of the whole continuous period of such absence from his normal place of duty and the reasonable expenses actually and necessarily incurred by him on accommodation in respect of such period, on condition that—

(a) the council is satisfied that the accommodation of which the employee or temporary employee availed himself is commensurate with his status as an employee of the council;

(b) the relative claim is supported by receipts or other vouchers or, where such evidence is not available, by a sworn statement;

(c) items not covered by the definition of "accommodation" are excluded in calculating the amount that may be refunded;

(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 the cost of luxury bedding and a special mattress shall not be allowed.

PAYMENT OF SUBSISTENCE ALLOWANCE DURING PERIODS OF LEAVE

51. A subsistence allowance may be paid to an employee or temporary employee in respect of a period of sick leave, or special leave: Provided that—

(a) the employee or temporary employee does not return to his normal place of duty and actually and necessarily incurs expenditure on accommodation for himself during the period of his illness; and

(b) expenses in respect of hospitalisation shall not be regarded as expenditure on accommodation.

PAYMENT OF SUBSISTENCE ALLOWANCE ON APPOINTMENT

52. A subsistence allowance shall not be paid to a person on his first appointment in the service of a council in respect of his journey to the place where he is required to assume duty.

(2) Uitgesonderd waar ander spesiale voorsiening in hierdie regulasies gemaak word, of tensy herberg of 'n verblyftoelae op 'n ander manier deur 'n raad verskaf of betaal word, kan die raad aan 'n werknemer of tydelike werknemer wat vir 'n tydperk van minder as 24 uur binne die Republiek van sy gewone werkplek en sy tuiste afwesig is, in amptelike diens redelik werklike uitgawes terugbetaal wat hy noodsaaklikwys aan herberg aangegaan het.

MAKSIMUM TYDPERK TEN OPSIGTE WAARVAN VERBLYFTOELAE EN TARIEWE BETAAALBAAR IS

49. (1) 'n Verblyftoelae kan aan 'n werknemer of tydelike werknemer betaal word gedurende tydperke van afwesigheid van sy hoofkwartier vir 'n aaneenlopende tydperk van hoogstens 6 maande in dieselfde dorp of plek.

(2) Die tydsduur van 'n werknemer of tydelike werknemer se reis na en van sy bestemming word nie by die berekening van die tydperk van 6 maande in aanmerking geneem nie, en vir die doeleindes van subregulasie (1) word die aaneenlopendheid van 'n tydperk van verblyf in dieselfde dorp of plek nie geag deur 'n afwesigheid van minder as 1 maand, om watter rede ook al, onderbreek te word nie.

ONTOEREIKENDE VERBLYFTOELAE

50. Indien die verblyftoelae ontoereikend is om die uitgawe te dek wat 'n werknemer of tydelike werknemer moet aangaan wanneer hy in diens van die raad van sy normale werkplek afwesig is, kan die raad die verskil tussen die bedrag wat aan verblyftoelae betaalbaar is ten opsigte van die hele aaneenlopende tydperk van sodanige afwesigheid van sy normale werkplek en die redelike uitgawes wat hy werklik en noodwendig aan herberg ten opsigte van sodanige tydperk aangaan, aan hom terugbetaal, op voorwaarde dat—

(a) die raad oortuig is dat die herberg waarvan die werknemer of tydelike werknemer gebruik gemaak het, by sy status as werknemer van die raad pas;

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

(c) items wat nie deur die omskrywing van "herberg" gedeck word nie, uitgesluit word by die berekening van die bedrag wat terugbetaal kan word;

(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 die koste van luukse beddegoed en 'n spesiale matras nie toelaatbaar is nie.

BETALING VAN VERBLYFTOELAE GEDURENDE TYDPERKE VAN VERLOF

51. 'n Verblyftoelae kan aan 'n werknemer of tydelike werknemer betaal word ten opsigte van 'n tydperk van siekterlof of spesiale siekterlof: Met dien verstande dat—

(a) die werknemer of tydelike werknemer nie na sy normale werkplek terugkeer nie en werklik en noodwendig herberguitgawes ten opsigte van homself gedurende sodanige tydperk aangaan; en

(b) uitgawes aan hospitalisasie nie as herberguitgawes beskou word nie.

BETALING VAN VERBLYFTOELAE BY AANSTELLING

52. 'n Verblyftoelae word nie aan 'n persoon by sy eerste aanstelling in 'n raad se diens ten opsigte van sy reis na die plek waar hy moet diens aanvaar, betaal nie.

TRANSPORT FOR SELECTION

53. A person resident in the Republic and who is a candidate for appointment to a post in the service of a council may be granted such transport privileges as are determined by the council, to enable him to report for an interview.

TRANSPORT ON APPOINTMENT

54. (1) On the condition relating to means of transport and classes of travel prescribed in these regulations, a council may approve that a person residing in the Republic and being appointed to the service of the council in cases where it is not possible to recruit suitable candidates locally, be granted free transport for himself from the place where he was recruited to the place at which he is instructed to assume duty.

(2) For the purpose of this regulation transport includes conveyance by transport owned by a council or contract transport at the place of recruitment and the place of appointment or, if such transport is not available, conveyance by taxi between the residence and boarding or alighting point of the public means of transport by which the journey is undertaken.

(3) Subject to the provisions of subregulation (4), the household and personal effects of a person mentioned in subregulation (1) may, with the approval of the council, be conveyed at the expense of the council from the place where the person was recruited to the place where he has been instructed to assume duty, on the basis determined by the council.

(4) If an employee or temporary employee whose household and personal effects have been conveyed in terms of the provisions of subregulation (3) resigns or his services are terminated as a result of unsatisfactory service within six months of the date of his assumption of duty, he shall refund the expenditure incurred in respect of the conveyance of his household and personal effects to the council.

TRANSPORT FOR THE EXECUTION OF OFFICIAL DUTIES

55. (1) If a means of transport is put at the disposal of an employee or temporary employee by a council for the execution of his official duties, such employee or temporary employee shall drive such means of transport in accordance with the instructions of the council and he shall not be entitled to any additional remuneration over and above his normal remuneration.

(2) An employee or temporary employee shall not drive a means of transport unless he is in possession of an appropriate driver's licence and such driver's licence has been submitted to an employee or temporary employee designated by a council for registration.

(3) An employee or temporary employee referred to in subregulation (1) shall furnish such details and returns in respect of the use of a means of transport in the execution of his official duties as are required by the council and within the period determined by the council.

ECONOMY AND CONTROL

56. (1) No employee or temporary employee shall undertake a journey in the service of a council unless such journey has been approved by the council.

(2) An employee or temporary employee shall travel by the most economical means, as expeditiously as circumstances permit, and, subject to the provisions of regulation 58, by the shortest route.

VERVOER BY KEURING

53. Aan 'n persoon wat in die Republiek woonagtig is en wat 'n kandidaat is vir aanstelling in 'n pos in diens van 'n raad, kan sodanige vervoer voorregte as wat die raad bepaal, toegestaan word om hom in staat te stel om hom vir 'n onderhoud aan te meld.

VERVOER BY AANSTELLING

54. (1) Op die voorwaardes betreffende vervoermiddels en reisklasse wat in hierdie regulasie voorgeskryf word, kan 'n raad goedkeur dat aan 'n persoon wat in die Republiek woonagtig is en wat in die raad se diens aangestel word in gevalle waar dit nie moontlik is om gesikte kandidate plaaslik te werf nie, kosteloze vervoer vir homself toegestaan word vanaf die plek waar hy gewerf is tot by die plek waar hy aangesê is om diens te aanvaar.

(2) Vir die doeleindes van hierdie regulasie sluit vervoer in vervoer per raads- of kontrakvervoermiddels by sowel die plek van werving as die plek van aanstelling, of, as sodanige vervoer nie beskikbaar is nie, vervoer per taxi tussen die woning en die op- of afklimpunt van die openbare vervoermiddel waarmee die reis onderneem word.

(3) Behoudens die bepalings van subregulasie (4) kan die huishouding en persoonlike besittings van 'n persoon in subregulasie (1) bedoel, met die goedkeuring van die raad op koste van die raad vervoer word vanaf die plek waar die persoon gewerf is tot by die plek waar hy aangesê is om diens te aanvaar, op die grondslag deur die raad bepaal.

(4) Indien 'n werknemer of tydelike werknemer wie se huishouding en persoonlike besittings ingevolge die bepalings van subregulasie (3) vervoer is, bedank, of as sy dienste as gevolg van onbevredigende diens beëindig word binne ses maande na die datum van sy diensaarnaarding, betaal hy die koste wat ten opsigte van die vervoer van sy huishouding en persoonlike besittings aangegaan is, aan die raad terug.

VERVOER OM AMPTELIKE PLIGTE UIT TE VOER

55. (1) Indien 'n raad 'n vervoermiddel tot beskikking van 'n werknemer of tydelike werknemer stel vir die uitvoering van sy amptelike pligte, gebruik sodanige werknemer of tydelike werknemer sodanige vervoermiddel ooreenkomsdig die opdragte van die raad en is hy nie geregting op enige addisionele vergoeding bo en behalwe sy normale besoldiging nie.

(2) 'n Werknemer of tydelike werknemer bestuur nie 'n vervoermiddel nie tensy hy in besit is van die gepaste bestuurderslisensie en tensy sodanige bestuurderslisensie aan 'n werknemer of tydelike werknemer deur 'n raad aangewys, vir registrasie voorgelê is.

(3) 'n Werknemer of tydelike werknemer bedoel in subregulasie (1), verstrek sodanige besonderhede en opgawes met betrekking tot die gebruik van 'n vervoermiddel in die uitvoering van sy amptelike pligte as wat die raad vereis en binne die tydperk deur die raad bepaal.

BESUINIGING EN BEHEER

56. (1) Geen werknemer of tydelike werknemer onderneem 'n reis in die diens van 'n raad nie tensy sodanige reis deur die raad goedgekeur is.

(2) 'n Werknemer of tydelike werknemer reis met die mees ekonomiese vervoermiddelle, met so min versuum as wat omstandighede toelaat en, behoudens die bepalings van regulasie 58, met die kortste roete langs.

(3) If an employee or temporary employee has travelled in a manner involving greater expenditure on transport than was necessary, a council shall limit the amount payable to him in reimbursement for his travelling costs to what it would have cost had he observed the requirements of sub-regulation (2) and if the employee or temporary employee has so travelled at the expense of the council or by means of transport owned by the council he shall refund the expenditure unnecessarily incurred to the council, and each working day by which the normal travelling time has been exceeded shall be covered by vacation leave.

TRANSPORT EXPENSES

57. (1) Subject to the provisions of these regulations, a council may reimburse an employee or temporary employee who is required to travel on official duty for the cost of conveying himself and his necessary personal luggage, as well as for reasonable expenditure incurred in connection with taxi hire (if transport owned by the council is not available), portage fees and other incidental services.

(2) A council may grant an employee or temporary employee whose services terminate on grounds determined by the Minister and who has completed or would on attainment of the age of 60 years have completed not less than 10 years continuous service, conveyance, at the council's expense, for his personal effects (or those of his household in the event of his death), apart from the travelling privileges prescribed regulation 58, from his place of residence to a place in the Republic or a territory where he or his household wishes to reside, subject to such conditions as the Minister may approve.

MEANS OF TRANSPORT TO BE USED

58. (1) An employee or temporary employee who is required to travel on official duty shall travel by the cheapest public transport available.

(2) If an employee or temporary employee is required to travel on official duty and public transport is not available or its use is impracticable he shall use the means of transport determined by the council concerned.

(3) In an exceptional case a council may authorise an employee or temporary employee to perform an official journey by means of his privately owned transport if the council is satisfied that the council's interests will be better served, whether or not it is possible to perform the journey by means of transport owned by the council. Provided that if an employee or temporary employee uses his privately owned motor transport on official duty, he shall travel by such motor transport at his own risk in so far as this stipulation is not contrary to the provisions of the Workmen's Compensation Act, 1941 (Act 30 of 1941), as amended, or any other law.

ALLOWANCES FOR THE USE OF PRIVATELY OWNED TRANSPORT

59. A council shall pay to an employee or temporary employee who in terms of the provisions of regulation 58 (3) uses his privately owned motor transport to travel on official duty, the allowances paid by the State to public servants under similar conditions.

CLASS OF TRAVEL BY TRAIN

60. An employee or temporary employee who is required to travel on official duty by train shall travel in the class determined by the council concerned.

(3) Indien 'n werknemer of tydelike werknemer op 'n wyse gereis het wat groter vervoeruitgawes meegebring het as wat nodig was, beperk 'n raad die bedrag wat ter vereffening van sy reiskoste aan hom betaal kan word, tot wat dit sou gekos het indien hy die bepalings van subregulasie (2) nagekom het, en indien die werknemer of tydelike werknemer op die koste van die raad of met vervoer van die raad gereis het, betaal hy die uitgawes wat onnodig aangegaan is, aan die raad terug en word elke werkdag waarmee die normale reistyd oorskry is, deur vakansieverlof gedek.

VERVOERUITGAWES

57. (1) Behoudens die bepalings van hierdie regulasies, kan 'n raad aan 'n werknemer of tydelike werknemer van wie vereis word dat hy in ampelike diens moet reis, die onkoste verbonde aan die vervoer van hom en sy noedsaaklike persoonlike bagasie, asook redelike uitgawes wat in verband met taxi's (as vervoer van die raad nie beskikbaar is nie), kruiersloon en ander bykomende dienste aangegaan is, terugbetaal.

(2) 'n Raad kan aan 'n werknemer of tydelike werknemer wie se dienste eindig op gronde deur die Minister bepaal, en wat minstens 10 jaar aaneenlopende diens voltooi het of by bereiking van die ouderdom van 60 jaar sou voltooi het, vervoer ten opsigte van sy persoonlike besittings (of dié van sy huishouding, indien hy te sterwe sou kom), benewens reisvoordele voorgeskryf in regulasie 58, op raadskoste toestaan vanaf sy woonplek na 'n plek in die Republiek of 'n gebied waar hy of sy huishouding begerig is om te woon, onderworpe aan sodanige beperkings en voorwaardes as wat die Minister goedkeur.

VERVOERMIDDELS WAT GEBRUIK MOET WORD

58. (1) 'n Werknemer of tydelike werknemer wat in ampelike diens moet reis, reis met die goedkoopste beskikbare openbare vervoermiddel.

(2) Indien 'n werknemer of tydelike werknemer in ampelike diens moet reis en 'n openbare vervoermiddel nie beskikbaar is nie of die gebruik daarvan ondoenlik is, maak hy gebruik van die vervoer wat die Raad bepaal.

(3) In 'n buitengewone geval kan 'n raad 'n werknemer of tydelike werknemer magtig om 'n reis in ampelike diens met sy private motorvoertuig af te lê indien die raad oortuig is dat die raad se belangte beter daardeur gedien sal word, ongeag of dit moontlik is om die reis met vervoer van die raad af te lê. Met dien verstande dat indien 'n werknemer of tydelike werknemer sy private motorvoertuig gebruik om in ampelike diens te reis, hy met sodanige motorvoertuig op sy eie risiko reis vir sover hierdie bepaling nie strydig met die bepalings van die Ongevallewet, 1941 (Wet 30 van 1941), soos gewysig, of enige ander wetsbepalings is nie.

TOELAES VIR DIE GEBRUIK VAN PRIVATE MOTORVOERTUIG

59. 'n Raad betaal aan 'n werknemer of tydelike werknemer wat sy private motorvoertuig kragtens die bepalings van regulasie 58 (3) gebruik om in ampelike diens te reis, die toelaes wat die Staat in dieselfde omstandighede aan Staatsamptenare betaal.

KLAS WAARIN PER TREIN GEREIS WORD

60. 'n Werknemer of tydelike werknemer wat in ampelike diens per trein reis, reis in die klas deur die betrokke raad bepaal.

UNIFORMS AND PROTECTIVE CLOTHING

61. (1) If a council considers it necessary that an employee or temporary employee in the performance of his official duties should be clothed in a uniform, that he should wear badges with such uniform or that protective clothing should be provided, such uniforms, badges or protective clothing shall be provided by the council in accordance with a quota and subject to the conditions determined by the council.

(2) Uniforms, badges or protective clothing supplied to an employee or temporary employee shall remain the property of the council concerned and shall—

- (a) at all times be kept in a good, neat and satisfactory condition by the employee or temporary employee;
- (b) be replaced at the expense of the employee or temporary employee if stolen, lost or damaged through his negligence;
- (c) be replaced by the council;
- (d) be returned to the council on termination of service.

(3) (a) If a uniform, badge or item of protective clothing is damaged irreparably in the performance of official duties, in circumstances beyond the control of an employee or temporary employee, it shall be replaced at the expense of the council concerned.

(b) If a uniform, badge or item of protective clothing is damaged or destroyed by the wilful or negligent action of an employee or temporary employee or is lost or stolen, it shall be replaced at the expense of such employee or temporary employee by the council concerned.

(4) An employee or temporary employee to whom a uniform, badge or item of protective clothing has been issued shall at all times when on official duty be clothed in a neat, clean and complete uniform on which badges, if necessary, are properly displayed, or in such protective clothing.

(5) A council may in exceptional cases authorise the cleaning and repair of uniforms and protective clothing at the expense of the council.

(6) Details of all uniforms, badges and protective clothing issued shall be noted in a register kept by the council.

REGISTRATION OF WIVES AND CHILDREN

62. (1) Every employee or temporary employee shall give notice to the council concerned in writing of—

(a) the full names of each wife, whether he is married to such wife under civil law or by customary union, and such notice shall be accompanied by the marriage certificate or a certificate of registration of the customary union, and in the case of a customary union that is not registered, an affidavit by both parties to the union, to the effect that a customary union has been concluded;

(b) the full name, date of birth and sex of every child, including a legally adopted child, of such employee or temporary employee and the name of the mother of such child.

UNIFORMS EN BESKERMENDE OORKLERE

61. (1) Indien 'n raad dit noodsaaklik ag dat 'n werkneem van tydelike werkneem tydens die uitvoering van sy amptelike pligte in 'n uniform gekleed moet gaan, kentekens by sodanige uniform gedra moet word of van beskermende oorklere voorsien moet word, word sodanige uniform, kentekens of beskermende oorklere deur die raad aan hom voorsien ooreenkomsdig 'n kwota en onderworpe aan die voorwaarde deur die raad bepaal.

(2) Uniforms, kentekens of beskermende oorklere wat aan 'n werkneem van tydelike werkneem voorsien word, bly die eiendom van die raad en word—

- (a) te alle tye in 'n goeie, netjies en bevredigende toestand deur die werkneem van tydelike werkneem gehou;
- (b) op die koste van die werkneem van tydelike werkneem vervang indien dit deur sy nalatigheid gesteel word, verlore raak of deur sy nalatige toedoen beskadig word;
- (c) deur die raad vervang;
- (d) by diensbeëindiging aan die raad terugbesorg.

(3) (a) Indien 'n uniform, 'n kenteken of beskermende oorklere deur omstandighede buite die beheer van 'n werkneem van tydelike werkneem tydens die uitvoering van sy amptelike pligte onherstelbaar beskadig word, word dit op die koste van die betrokke raad deur die raad vervang.

(b) Indien 'n uniform, 'n kenteken of beskermende oorklere deur die opsetlike of nalatige toedoen van 'n werkneem van tydelike werkneem beskadig of verniel word of verlore raak of gesteel word, word dit op die koste van sodanige werkneem van tydelike werkneem deur die betrokke raad vervang.

(4) 'n Werkneem van tydelike werkneem aan wie 'n uniform, kenteken of beskermende oorklere uitgereik is, moet te alle tye wanneer hy in amptelike diens is, gekleed wees in 'n netjiese, skoon en volledige uniform waarop die kentekens, indien nodig, behoulik vertoon word, of in sodanige beskermende oorklere.

(5) 'n Raad kan in buitengewone omstandighede die skoonmaak en herstel van uniforms en beskermende oorklere op die koste van die raad magtig.

(6) Besonderhede van alle uniforms, kentekens en beskermende oorklere wat uitgereik word, word aangegetek in 'n register wat deur die raad gehou word.

REGISTRASIE VAN VROUENS EN KINDERS

62. (1) Elke werkneem van tydelike werkneem stel die betrokke raad skriftelik in kennis van—

(a) die volle name van elke vrou, hetsy hulle volgens siviele reg getroud is of 'n gebruiklike verbintenis aangaan het, en sodanige kennisgewing gaan vergesel van die betrokke huweliksertifikaat of sertifikaat van registrasie van die gebruiklike verbintenis of, in die geval van 'n gebruiklike verbintenis wat nie geregistreer is nie, beëdigde verklarings afgele deur beide partye tot die gebruiklike verbintenis, ten effekte dat hulle so 'n gebruiklike verbintenis aangegaan het;

(b) die volle naam, geboortedatum en geslag van elke kind, insluitende 'n wettig aangename kind, van so 'n werkneem van tydelike werkneem, en die naam van die moeder van so 'n kind.

(2) A council shall cause the information furnished in accordance with subregulation (1) to be noted in a register and only the persons so registered, shall be acknowledged, for the purpose of these regulations, as the wife or child of such employee or temporary employee.

(3) Every employee or temporary employee shall inform the council concerned in writing of—

(a) the dissolution of a customary union which he entered into with a registered wife;

(b) the dissolution by divorce of a civil marriage which he entered into with a registered wife;

(c) the death of a registered wife or child;

and each such notice shall be accompanied by an affidavit by the employee or temporary employee to the effect that the customary union has been dissolved whichever the case may be.

(4) A council shall cause the information furnished in accordance with subregulation (3) to be noted in the register referred to in subregulation (2) and shall cancel the registration of the wife or child concerned.

GENERAL

63. An employee or temporary employee shall—

(a) maintain the highest ethical and moral standards in the performance of his duties and shall execute such duties in an efficient, faithful, courteous, helpful and impartial manner, regardless of any personal views, and shall exercise care that all persons, claims and transactions in which he is involved in his capacity as an employee of a council are treated in a reasonable and fair manner;

(b) co-operate fully with other employees or temporary employees in the public interest and in the interests of the council concerned as a whole;

(c) be strictly honest in the handling of funds of the council concerned and in the protection of the council's property;

(d) by his attitude and irreproachable conduct at all times endeavour to influence the good name of the council favourably;

(e) when dealing with the public, conduct all personal and telephonic interviews and answer all correspondence in the official language which such person uses or prefers or best understands and make sure that he furnishes the correct information;

(f) if it becomes necessary, be of assistance temporarily, in any place and in any capacity that is consistent with his normal status and vocation.

64. An employee or temporary employee shall not—

(a) use any confidential information that he has acquired beforehand as a result of his position for personal gain or the personal gain of others, or publicly disclose or divulge to any person such confidential information in regard to a council's property, administration or business;

(b) take part in any transaction of a council in which he has any direct or indirect personal interest;

(c) use any property of a council for his own benefit or the benefit of others or permit or cause it to be used, or have it removed to some other place, except with the intention of using it elsewhere in the service of a council, or of safeguarding or storing it;

(2) 'n Raad laat die inligting wat ingevolge subregulasie (1) verstrek is, in 'n register aanteken, en slegs die persone wat aldus geregistreer is, word vir die doeleindes van hierdie regulasies erken as die vrou of kind van so 'n werknemer of tydelike werknemer.

(3) Elke werknemer of tydelike werknemer stel die betrokke raad skriftelik in kennis van—

(a) die ontbinding van 'n gebruiklike verbintenis wat hy met 'n geregistreerde vrouw aangegaan het;

(b) die ontbinding deur egskeiding van die siviellregtelike huwelik wat hy met 'n geregistreerde vrouw aangegaan het;

(c) die dood van 'n geregistreerde vrouw of kind;

en elke sodanige kennisgewing gaan vergesel van 'n beëdigde verklaring deur die werknemer of tydelike werknemer afgelê ten effekte dat die gebruiklike verbintenis ontbind is, of van die egskeidingsbevel of van die sterftesertifikaat, na gelang van die geval.

(4) 'n Raad laat die inligting wat ingevolge subregulasie (3) verstrek is, in die register in subregulasie (2) bedoel, aanteken, en kanselleer die registrasie van die betrokke vrouw of kind.

ALGEMEEN

63. 'n Werknemer of tydelike werknemer moet—

(a) by die uitvoering van sy pligte die hoogste etiese en sedelike standarde handhaaf en sodanige pligte op 'n bekwame, getroue, hoflike, hulpvaardige en onpartydige wyse vervul, ongeag enige persoonlike beskouings, en moet toesien dat alle persone, eise en transaksies waarvan hy in sy hoedanigheid van werknemer van 'n raad te doen het, billik en regverdig behandel word;

(b) met ander werknemers of tydelike werknemers ten volle saamwerk in die openbare belang en in die belang van die betrokke raad in sy geheel;

(c) stiptelik eerlik wees by die hantering van fondse van die betrokke raad en in verband met die bewaring van die eiendom van die raad;

(d) deur sy houding en onberispelike gedrag te alle tye poog om die goeie naam van die raad te bevorder;

(e) wanneer hy met 'n lid van die publiek te doen het, alle persoonlike of telefoniese onderhoude voer en korrespondensie beantwoord in die amptelike taal wat deur sodanige persoon gesig, verkieks of die beste verstaan word, en seker maak dat hy die juiste inligting verstrek;

(f) indien dit noodsaaklik is, tydelik behulpsaam wees op enige plek en in enige hoedanigheid wat strook met sy normale status en beroep.

64. 'n Werknemer of tydelike werknemer mag nie—

(a) enige voorafverkreë of vertroulike inligting wat hy as gevolg van sy posisie bekom het, om persoonlike gewin of die persoonlike gewin van andere gebruik nie, of enige sodanige vertroulike inligting betreffende 'n raad se eiendom, bestuur of aangeleenthede, openbaar maak of aan enige persoon bekend maak nie;

(b) aan enige verrigtinge van 'n raad waarby hy enige regstreekse of onregstreekse persoonlike belang het, deelneem nie;

(c) enige eiendom van 'n raad vir sy eie voordeel of ten bate van andere gebruik of toelaat of veroorsaak dat dit gebruik word nie, of dat dit na enige ander plek verwyn word nie, behalwe met die doel om dit elders in die diens van 'n raad te gebruik of om dit te bewaar of the bêre;

(d) perform any work or undertake to perform or be involved in any work for which payment is obtained without the prior authority of a council having been obtained in writing, except when it is on behalf of the council or when otherwise permitted in terms of these regulations, or instruct an employee or temporary employee in the council's service to perform any work for personal purposes, whether such person is remunerated therefor or not;

(e) without prior permission in writing from a council accept, receive or claim any payment of whatever nature—except any payment by the council—in consideration of the fact that he acted on behalf of the council in any capacity whatsoever or for services that have been rendered during working hours. Any offer in this connection shall be reported immediately to the council concerned;

(f) in public or in private conversation criticise, denounce or belittle a member of a council, or the policy, business or service of a council, or the business or service of another employee or temporary employee of a council;

(g) without the prior permission in writing of an employee or temporary employee designated by a council, discuss any matter concerning the council with any member of the council;

(h) without the prior permission in writing of a council, reside outside the area for which the council has been instituted;

(i) accept from, or accept on account of a person, firm or other body who or which, as far as he knows, is interested or appears to be interested in trading or in other transactions with a council or towards whom or which he must fulfil his duty, any favour or present, including excessive hospitality or entertainment, whether in the form of a service, a loan, thing or promise, so that in the execution of his duties he could thereby be easily influenced, or if—according to a reasonable person—he could in such manner be influenced or so that he would be under some moral obligation;

(j) favour or treat any person who expects or hopes to enjoy special treatment by reason of the fact that he occupies an important and influential position in the community, in a manner different from that in which he would treat an ordinary member of the public in similar circumstances.

65. (1) No employee or temporary employee may be involved directly or indirectly in any business, trade, profession or occupation, other than in the business of a council, without the prior permission of the council.

(2) Except in fulfilling his official duties, an employee or temporary employee may not actively participate in the election of members of a council, whether by means of public address or publications, or be a member of a committee aiming at furthering or preventing the election of a particular candidate.

(3) An employee or temporary employee shall not, without the prior permission of a council, have a direct or indirect financial interest or be directly or indirectly involved or share in the profits or benefits of any contract with or work which has been performed for or has still to be performed for the council: Provided that the aforementioned provisions shall not apply to—

(a) a contract that is made by a council or work that must be carried out (on behalf of a council) by a company which has been incorporated by law, solely for the reason that the spouse of such employee or temporary employee is a partner or business associate, a director, shareholder,

(d) sonder die voorafverkreeë skriftelike toestemming van 'n raad enige werk waarvoor vergoeding ontvang word, verrig of onderneem om dit te verrig of daarby betrokke wees nie, uitgesonderd ten behoeve van die raad of soos andersins deur hierdie regulasies toegelaat, of enige werk vir persoonlike doeleindes aan 'n werknemer of tydelike werknemer van die raad opdra nie, of sodanige persoon daarvoor besoldig word, al dan nie;

(e) enige vergoeding van watter aard ook al, uitgesonderd enige vergoeding deur die raad, sonder die voorafverkreeë skriftelike toestemming van die betrokke raad ontvang, aanneem of eis uit hoofde daarvan dat hy name die raad opgetree het, in watter hoedanigheid ook al, of ten opsigte van dienste wat gedurende werksure gelewer is nie, en 'n aanbod in hierdie verband moet onverwyld aan die betrokke raad gerapporteer word;

(f) in die openbaar of in private gesprekke 'n raadslid of die beleid, werksaamhede of diens van 'n raad, of die werksaamhede of diens van 'n ander werknemer of tydelike werknemer van 'n raad kritiseer, veroordeel of verkleine nie;

(g) sonder die voorafverkreeë skriftelike toestemming van 'n werknemer of tydelike werknemer deur 'n raad daartoe aangewys, enige aangeleentheid betreffende die raad met enige raadslid bespreek nie;

(h) sonder die voorafverkreeë skriftelike toestemming van 'n raad buite die gebied waarvoor die raad ingestel is, woon nie;

(i) van of ter wille van 'n persoon, firma of ander liggaam wat, sover hy weet, in handels- of ander transaksies met 'n raad belangstel of vermoedelik belangstel of teenoor wie hy sy pligte moet vervul, enige guns of geskenk, met inbegrip van oormatige gasvryheid of onthale, hetsy in die vorm van diens, 'n lening, ding of belofte, aanneem sodat hy by die uitvoering van sy pligte maklik daardeur beïnvloed of na die mening van 'n rede-like mens aldus beïnvloed sou kon word nie of sodat hy moreel onder enige verpligting staan nie;

(j) enige persoon wat verwag of hoop om spesiale behandeling te geniet vanweë die feit dat hy 'n belangrike of invloedryke posisie in die gemeenskap beklee, enigsins bevoordeel of anders behandel as wat hy 'n gewone lid van die publiek in dergelike omstandighede sou behandel nie.

65. (1) Geen werknemer of tydelike werknemer mag direk of indirek betrokke wees nie by enige besigheid, bedryf, professie of beroep, uitgesonderd by werksaamhede van 'n raad, behalwe met die voorafverkreeë toestemming van die raad.

(2) Uitgesonderd in die vervulling van sy amptelike pligte neem 'n werknemer of tydelike werknemer nie aktief deel aan die verkiesing van lede van 'n raad nie, hetsy deur openbare toesprake of geskrifte of deur lid te wees van 'n komitee wat die bevordering of voorkoming van die verkiesing van 'n besondere kandidaat ten doel het.

(3) 'n Werknemer of tydelike werknemer mag nie sonder die voorafverkreeë toestemming van 'n raad 'n regstreekse of onregstreekse geldelike belang hê by, of regstreeks of onregstreeks betrokke wees by, of deel in die winste of voordele van enige kontrak met of werk wat gedoen word of gedoen moet word vir die raad nie: Met dien verstande dat die voorafgaande bepalings nie van toepassing is nie ten opsigte van—

(a) 'n kontrak wat deur 'n raad aangegaan word met of werk wat ten behoeve van 'n raad uitgevoer word deur 'n maatskappy wat ingevolge wet as sodanig ingelyf is, bloot omrede van die feit dat sodanige werknemer of tydelike werknemer se gade 'n vennoot of sakevennoot,

stockholder, employee or agent of such company, if the benefits or profits derived from it are normally appropriated for the purpose of such company;

(b) the purchase of anything which is sold by a council by public auction or tender;

(c) the purchase by a council of anything at a public auction; or

(d) the supply of goods or the rendering of services that are normally supplied or rendered to the public by a council at a rate which has been determined by law or fixed by a resolution of the council.

RESIDENTIAL ADDRESSES AND TELEPHONE NUMBERS

66. An employee or temporary employee shall notify a council of his residential address and of his telephone number at home, if he has a telephone, and of any change therein.

MEDICAL EXAMINATIONS AND IMMUNISATION

67. (1) (a) A council may direct that an employee or temporary employee be subjected to a medical examination to determine whether any contamination with a contagious or communicable disease has occurred or that an employee or temporary employee and, on such conditions as may be determined by the council, a member of his household, be immunised against a contagious or communicable disease, in order to—

(i) prevent an epidemic; or

(ii) comply with international regulations:

Provided that an employee or temporary employee who does not make use of medical services on the grounds of religious or conscientious objections may, on application, be exempted from such examination or immunisation.

(b) The expenditure incurred for such an examination or immunisation shall be met from funds of the council.

(2) (a) A council may at any time require that an employee or temporary employee submit to an examination by a registered medical practitioner designated or a medical board constituted by the council.

(b) The expenditure incurred shall be met from funds of the council.

(c) The report of such medical practitioner or medical board shall be in the form determined by the council.

COMPLAINTS, GRIEVANCES AND REPRESENTATIONS BY EMPLOYEES OR TEMPORARY EMPLOYEES

68. (1) An employee or temporary employee who has a complaint, grievance or request arising from his duties may submit it in writing to his supervisor, who shall investigate the nature of such complaint, grievance or request immediately and act as he deems fit and inform the employee or temporary employee concerned of his decision or intended action, in writing: Provided that if the employee or temporary employee is not satisfied with the decision or intended action of such supervisor, he may request that the matter be referred to the council concerned.

(2) An employee or temporary employee may not address any representations concerning his position as an employee or temporary employee of a council to any member of the council in person or to any person other than his supervisor.

direkteur, aandeelhouer, effektehouer, werknemer of agent van sodanige maatskappy is, as die voordele of winste wat daaruit verkry word, gewoonlik vir die doelendes van sodanige maatskappy aangewend word;

(b) die aankoop van enigets wat deur 'n raad per openbare veiling of tender verkoop word;

(c) die aankoop deur 'n raad van enigets op 'n vandiese; of

(d) die lewering van goedere of dienste wat gewoonlik deur 'n raad aan die publiek verskaf of gelewer word teen 'n bedrag wat by wet of by besluit van die raad vasgestel word.

WOONADRESSE EN TELEFOONNOMMERS

66. 'n Werknemer of tydelike werknemer moet 'n raad in kennis stel van sy woonadres en van sy telefoonnummer tuis, as hy 'n telefoon het, en van enige verandering daarvan.

GENEESKUNDIGE ONDERSOEKE EN IMMUNISERING

67. (1) (a) 'n Raad kan gelas dat 'n werknemer of tydelike werknemer onderwerp word aan 'n geneeskundige ondersoek om vas te stel of enige besmetting met aansteeklike of oordraagbare siektes plaasgevind het, of dat 'n werknemer of tydelike werknemer en, op sodanige voorwaardes as wat die raad bepaal, 'n lid van sy huishouding geïmmuniseer word teen 'n aansteeklike of oordraagbare siekte, om—

(i) 'n epidemie te voorkom; of

(ii) aan internasionale voorskrifte te voldoen:

Met dien verstande dat 'n werknemer of tydelike werknemer wat vanweë geloofs- of gewetensbesware nie van geneeskundige dienste gebruik maak nie, op aansoek van sodanige ondersoek of immunisering vrygestel kan word.

(b) Die koste aangegaan ten opsigte van sodanige ondersoek of immunisering word uit fondse van die raad betaal.

(2) (a) 'n Raad kan te eniger tyd vereis dat 'n werknemer of tydelike werknemer hom onderwerp aan 'n ondersoek deur 'n geregistreerde geneesheer aangewys of 'n geneeskundige raad saamgestel deur die raad.

(b) Die koste verbonde aan sodanige ondersoek word uit fondse van die raad betaal.

(c) Die verslag van sodanige geneesheer of geneeskundige raad moet in die vorm deur die raad bepaal, wees.

KLAGTES, GRIEWE EN VERTOEË VAN WERKNEMERS OF TYDELIKE WERKNEMERS

68. (1) 'n Werknemer of tydelike werknemer wat 'n klage, grief of versoek het wat uit sy diens onstaan, kan dit skriftelik aan sy toesighouer voorlê, wat onverwyld die aard van sodanige klage, grief of versoek ondersoek en na sy goedunke handel en die betrokke werknemer of tydelike werknemer skriftelik van sy beslissing of beoogde optrede in kennis stel: Met dien verstande dat indien die werknemer of tydelike werknemer nie met die beslissing of beoogde optrede van sodanige toesighouer tevrede is nie, hy kan versoek dat die aangeleentheid na die betrokke raad verwys word.

(2) 'n Werknemer of tydelike werknemer rig geen vertoeë met betrekking tot sy hoedanigheid van werknemer of tydelike werknemer van 'n raad aan enige lid van die raad persoonlik of aan iemand anders as sy toesighouer nie.

69. In any instance where an employee or temporary employee in the execution of his official duties becomes involved in civil or criminal proceedings which may arise from any action that he has taken in good faith and without negligence, or has failed to take, it will be deemed that the council concerned has indemnified him against any claims or liability that may arise against him as a result of such litigation and that the council will undertake his defence and pay his legal costs in regard thereto.

70. (1) The issue of a process for debt, judgment or insolvency proceedings in which an employee or temporary employee is the defendant shall immediately and together with full particulars of the circumstances that led to the issue of such process be reported to the council concerned by such employee or temporary employee.

(2) If it is evident that an employee or temporary employee is in debt to an unreasonable extent, has become insolvent or assigned his estate for the benefit of his creditors or if a judgment for debt has been obtained against him in a court of law, he shall, if the council concerned so requires, furnish the council with a detailed and complete statement of his liabilities, together with an explanation as to how the liabilities were incurred and how he proposes to liquidate them.

MEMBERSHIP OF PENSION FUND

71. In compliance with the regulations promulgated in terms of the Pension Fund for Associated Institutions Act, 1963 (Act 41 of 1963)—

- an employee shall become a member of the pension fund for Associated Institutions with effect from the date of assumption of duty;
- a temporary employee shall become a member of the pension fund mentioned in paragraph (a) upon completion of two years' continuous full-time service after the date of assumption of duty.

DELEGATION OF POWERS

72. A council may delegate any powers conferred upon it in terms of the provisions of regulations 2, 9 (5), 10, 11 (6), 13 (4), 13 (7), 13 (8), 19, 26 (1), 28 (2), 28 (3), 48 (1), 52, 56 (1), 60 and 61 (2) and (3) to an employee: Provided that such employee must be in a supervisory capacity.

73. (1) A copy of these regulations shall be made available to an employee or temporary employee for inspection in the manner determined by a council.

(2) An employee or temporary employee shall acquaint himself thoroughly with the provisions of these regulations.

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No. R. 849

16 April 1981

REGULATIONS IN TERMS OF THE MARRIAGE ACT, 1961 (ACT 25 OF 1961)

I, Pieter Gerhardus Jacobus Koornhof, Minister of Co-operation and Development, by virtue of the powers vested in me by section 38, read with section 1 of the Marriage Act, 1961 (Act 25 of 1961), hereby amend Government Notice R. 115 of 28 January 1972 in accordance with the accompanying Schedule.

P. G. J. KOORNHOF, Minister of Co-operation and Development.

(File B1/2/5)

SCHEDULE

1. Substitute the following definition for the definition of "the Secretary" in regulation 2:

"the Director-General" means the Director-General: Co-operation and Development".

2. Substitute the word "Director-General" for the word "Secretary" wherever it occurs in the regulations.

3. Substitute the prefix "DSO" for the prefix "BA" to the form numbers wherever it occurs in the regulations and the Annexures.

No. R. 850

16 April 1981

REGULATIONS UNDER THE BIRTHS, MARRIAGES AND DEATHS REGISTRATION ACT, 1963 (ACT 81 OF 1963)

I, Pieter Gerhardus Jacobus Koornhof, Minister of Co-operation and Development, hereby, by virtue of the powers vested in me by sections 36 and 50 of the Births, Marriages and Deaths Registration Act, 1963 (Act 81 of 1963), amend Government Notice R. 2385, dated 19 December 1975 in accordance with the Schedules hereto.

P. G. J. KOORNHOF, Minister of Co-operation and Development.

(File B1/2/4)

SCHEDULE 1

1. In regulation 1—

(a) delete the definition "Provisional death certificate";

(b) insert the following definition after the definition of "deaths register":

"Director-General" means the Director-General: Co-operation and Development;".

2. Substitute the following for regulation 2 (1) (f):

"(f) to cause searches to be made in registers and to issue, on written application, certificates of registration of births, still-births, marriages and deaths;".

3. Substitute the following for regulation 7:

"7. (1) Any person who has in accordance with a provision of any law held an inquest or other inquiry into the death of a person or, if a summary trial has

No. R. 849

16 April 1981

REGULASIES KRAGTENS DIE HUWELIKSWET, 1961 (WET 25 VAN 1961)

Ek, Pieter Gerhardus Jacobus Koornhof, Minister van Samewerking en Ontwikkeling, kragtens die bevoegdheid my verleen by artikel 38, gelees met artikel 1 van die Huwelikswet, 1961 (Wet 25 van 1961), wysig hierby Goewermentskennisgewing R. 115 van 28 Januarie 1972 ooreenkomsdig bygaande Bylae.

P. G. J. KOORNHOF, Minister van Samewerking en Ontwikkeling.

(Lêer B1/2/5)

BYLAE

1. Vervang die woordomskrywing van "die Sekretaris" in regulasie 2 deur die volgende woordomskrywing:

"die Direkteur-generaal" die Direkteur-generaal: Samewerking en Ontwikkeling".

2. Vervang die woord "Sekretaris" waar dit ook al in die regulasies voorkom, deur die woord "Direkteur-generaal".

3. Vervang die voorvoegsel "BA" tot die vormnummers, waar dit ook al in die regulasies en die Aanhangsels voorkom, deur die voorvoegsel "DSO".

No. R. 850

16 April 1981

REGULASIES KRAGTENS DIE WET OP DIE REGISTRASIE VAN GEBOORTES, HUWELIKE EN STERFGEVALLE, 1963 (WET 81 VAN 1963)

No. R. 850

16 April 1981

REGULASIES KRAGTENS DIE WET OP DIE REGISTRASIE VAN GEBOORTES, HUWELIKE EN STERFGEVALLE, 1963 (WET 81 VAN 1963)

Ek, Pieter Gerhardus Jacobus Koornhof, Minister van Samewerking en Ontwikkeling, wysig hierby, kragtens die bevoegdheid my verleen by artikels 36 en 50 van die Wet op die Registrasie van Geboortes, Huwelike en Sterfgevalle, 1963 (Wet 81 van 1963), Goewermentskennisgewing R. 2385 van 19 Desember 1975 ooreenkomsdig bygaande Bylaes.

P. G. J. KOORNHOF, Minister van Samewerking en Ontwikkeling.

(Lêer B1/2/4)

BYLAE 1

1. In regulasie 1—

(a) skrap die woordomskrywing "voorlopige doodsertifikaat";

(b) voeg die volgende woordomskrywing in na die woordomskrywing van "die Wet":

"Direkteur-generaal"; die Direkteur-generaal: Samewerking en Ontwikkeling;".

2. Vervang regulasie 2 (1) (f) deur die volgende:

"(f) om registers te laat naseok en om op skriftelike aansoek sertifikate van registrasie van geboortes, doodgeboortes, huwelike en sterfgevalle uit te reik;".

3. Vervang regulasies 7 deur die volgende:

"7. (1) Iemand wat ooreenkomsdig 'n bepaling van 'n wet 'n geregtelike doodsondersoek of ander ondersoek na die dood van 'n persoon gehou het of, indien 'n summiere verhoor in 'n laer hof gehou is, die klerk

been held in a lower court, the clerk of the court concerned or, if a summary trial has been held in a superior court, the registrar of the division concerned, shall, in terms of section 13 of the Act, furnish the registrar with the particulars prescribed in Annexure 15 and the following additional particulars:

(a) In the case of death from natural causes, the nature of the disease so far as has been ascertained and, if a medical practitioner was a witness, as described by such medical practitioner.

(b) In the case of death from unnatural causes—

(i) if possible, whether the injury causing the death was inflicted with the purpose of committing homicide or suicide or was inflicted accidentally;

(ii) the nature of the injury;

(iii) the means whereby or instrument with which the injury was inflicted and the special circumstances, if any, under which the injury was sustained (for example whether the death was caused by machinery or whether it resulted from an accident involving a motor vehicle; if the death was due to burns or scalds, the circumstances and manner in which such burns or scalds were sustained; if due to poisoning, the name of the poison; if due to drowning, under what circumstances).

(c) If the body of the person has not been recovered the words "Body not recovered" shall be added to such particulars.

(2) (a) Any policeman referred to in section 13A (1) of the Act shall as soon as possible furnish the magistrate of the district in which the death occurred with the particulars prescribed in Annexure 4.

(b) On receipt of the said particulars the magistrate concerned shall, subject to the provisions of section 13A (2) of the Act, complete the form prescribed in Annexure 15, in duplicate, file one copy thereof with his records and hand the other copy to a funeral undertaker or other person mentioned in that section for the purpose of the provisional registration of the death.

(3) (a) On receipt of the form prescribed in Annexure 15 the registrar shall record the particulars therein contained in his deaths register, enter the words "Provisional notice" and the cause of the death as "being inquired into" against such entry, and file the said form with his records.

(b) After registration of the provisional notice of the death the registrar shall issue a burial order on the form prescribed in Annexure 16 to the said funeral undertaker or other person.

(4) On receipt of the information of a death on the form prescribed in Annexure 3 as referred to in section 13 of the Act, the registrar shall enter any additional particulars contained therein in his deaths register, delete the words "Provisional notice" against the said entry therein and transmit the form of information together with the relative form referred to in regulation 7 (3) (a) to the Director-General."

4. Substitute Schedule 2 for Annexure 3.

5. Substitute Schedule 3 for Annexure 4.

6. Substitute Schedule 4 for Annexure 8.

7. Substitute Schedule 5 for Annexure 16.

8. Delete Annexures 10 and 17.

9. Substitute the word "Director-General" for "Secretary" wherever it occurs in these regulations.

van die betrokke hof, of indien 'n summiere verhoor in 'n hoër hof gehou is, die griffier van die betrokke afdeeling, moet ingevolge artikel 13 van die Wet die besonderhede wat in Aanhangsel 15 voorgeskryf is, en die volgende bykomende besonderhede aan die registrateur verstrek:

(a) In die geval van dood weens natuurlike oorsake, die aard van die siekte vir sover dit vasgestel is, en indien 'n mediese praktisyn 'n getuie was, soos deur sodanige mediese praktisyn beskryf.

(b) In die geval van dood weens onnatuurlike oorsake:

(i) Indien moontlik, of die besering wat die dood veroorsaak het, toegedien is met die doel om te vermoor, selfmoord te pleeg, of per ongeluk;

(ii) die aard van die besering;

(iii) die middel of instrument waarmee die besering toegedien is en die besondere omstandighede, as daar is, waaronder die besering opgedoen is (byvoorbeeld of die dood deur masjinerie veroorsaak is, of die gevolg is van 'n ongeluk waarin 'n motorvoertuig betrokke was; indien deur brandwonde of skroeiwonde, die omstandighede waaronder en die wyse waarop dit opgedoen is; indien deur gif, die naam van die gif; indien deur verdrinking, in watter omstandighede).

(c) Indien die lyk van die persoon nie gevind is nie, moet die woorde "Lyk nie gevind nie" by sodanige besonderhede gevoeg word.

(2) (a) 'n Polisiebeampte bedoel in artikel 13A (1) van die Wet moet so gou doenlik die besonderhede voorgeskryf in Aanhangsel 4 aan die landdros van die distrik waarin die sterfgeval voorgekom het, verstrek.

(b) Na ontvangs van vermelde besonderhede moet die betrokke landdros, behoudens die bepalings van artikel 13A (2) van die Wet, die vorm voorgeskryf in Aanhangsel 15 in tweevoud invul, een kopie daarvan by sy rekords hou en die ander kopie aan 'n begrafnisondernemer of ander persoon in daardie artikel genoem, oorhandig vir voorlopige registrasie van die sterfgeval.

(3) (a) Na ontvangs van die vorm voorgeskryf in Aanhangsel 15 teken die registrateur die besonderhede daarin vervat in sy sterfgevalleregister aan, skryf hy die woorde "Voorlopige kennisgewing" by en teken hy die oorsaak van die dood as "Word ondersoek" teenoor sodanige inskrywing aan en hou hy gemelde vorm by sy rekords.

(b) Na registrasie van die voorlopige kennisgewing van die sterfgeval reik die registrateur aan voormelde begrafnisondernemer of ander persoon 'n begrafnisorder uit op die vorm voorgeskryf in Aanhangsel 16.

(4) Na ontvangs van die aangifte van 'n sterfgeval op die vorm voorgeskryf in Aanhangsel 3, soos bedoel in artikel 13 van die Wet, moet die registrateur enige bykomende besonderhede daarin vervat in sy sterfgevalleregister opteken, die woorde "Voorlopige kennisgewing" teenoor vermelde inskrywing daarin skrap en die vorm van aangifte, tesame met die betrokke vorm bedoel in regulasie 7 (3) (a) aan die Direkteur-generaal stuur".

4. Vervang Aanhangsel 3 deur Bylae 2.

5. Vervang Aanhangsel 4 deur Bylae 3.

6. Vervang Aanhangsel 8 deur Bylae 4.

7. Vervang Aanhangsel 16 deur Bylae 5.

8. Skrap Aanhangsel 10 en 17.

9. Vervang die woorde "Sekretaris" waar dit ook al in hierdie regulasies voorkom, deur die woorde "Direkteur-generaal".

10. Substitute the prefix "DSO" for "BA" wherever it occurs in the forms prescribed in the Annexures.
11. (1) Substitute the words "ABRIDGED CERTIFICATE OF REGISTRATION OF DEATH" for "ABRIDGED DEATH CERTIFICATE" in Annexure 9.
- (2) Substitute the words "ABRIDGED CERTIFICATE OF REGISTRATION OF MARRIAGE" for "ABRIDGED MARRIAGE CERTIFICATE" in Annexure 11.
- (3) Substitute the words "FULL CERTIFICATE OF REGISTRATION OF BIRTH" for "FULL BIRTH CERTIFICATE" in regulation 19 (1) (a) and Annexure 12.
- (4) Substitute the words "FULL CERTIFICATE OF REGISTRATION OF DEATH" for "FULL DEATH CERTIFICATE" in regulation 19 (1) (a) and Annexure 13.
- (5) Substitute the words "FULL CERTIFICATE OF REGISTRATION OF MARRIAGE" for "FULL MARRIAGE CERTIFICATE" in regulation 19 (1) (a) and Annexure 14.

DSO 676

SCHEDULE 2

"ANNEXURE 3

REPUBLIC OF SOUTH AFRICA
DEPARTMENT OF CO-OPERATION AND DEVELOPMENT
NOTIFICATION OF A DEATH OF A BLACK

Particulars of deceased

1. Surname.....
2. First names.....
3. Reference book/identity/passport number.....
4. (a) Date of birth.....
(b) Birth entry number.....
5. Sex.....
6. Marital status.....
7. Residential address.....

Particulars of death

8. Date of death.....
9. Place of death.....
10. Causes of death.....

11. Name of medical practitioner.....

Particulars of informant

12. Signature.....
13. Capacity.....
14. Address.....

FOR OFFICIAL USE ONLY

15. Date of receipt.....
16. Assistant Registrar

17. Date of registration.....
18. District.....
19. Registrar

20. Number.....
Checked..... "

DSO 699

SCHEDULE 3

"ANNEXURE 4

REPUBLIC OF SOUTH AFRICA
DEPARTMENT OF CO-OPERATION AND DEVELOPMENT

The South African Police
Place.....
Date.....

The Magistrate.....

10. Vervang die voorvoegsel "BA" waar dit ook al in die vorms voorgeskryf in die Aanhangsels voorkom, deur die voorvoegsel "DSO".

11. (1) Vervang die woorde "VERKORTE DOOD-SERTIFIKAAT" in Aanhangsel 9 deur "VERKORTE SERTIFIKAAT VAN REGISTRASIE VAN DOOD".

- (2) Vervang die woorde "VERKORTE HUWE-LIKSERTIFIKAAT" in Aanhangsel 11 deur "VERKORTE SERTIFIKAAT VAN REGISTRASIE VAN HUWELIK".

- (3) Vervang die woorde "VOLLEDIGE GEBOOR-TE-SERTIFIKAAT" in regulasie 19 (1) (a) en Aanhangsel 12 deur "VOLLEDIGE SERTIFIKAAT VAN REGISTRASIE VAN GEBORSTE".

- (4) Vervang die woorde "VOLLEDIGE DOOD-SERTIFIKAAT" in regulasie 19 (1) (a) en Aanhangsel 13 deur "VOLLEDIGE SERTIFIKAAT VAN REGISTRASIE VAN DOOD".

- (5) Vervang die woorde "VOLLEDIGE HUWE-LIKSERTIFIKAAT" in regulasie 19 (1) (a) en Aanhangsel 14 deur "VOLLEDIGE SERTIFIKAAT VAN REGISTRASIE VAN HUWELIK".

DSO 676

BYLAE 2

"AANHANGSEL 3

REPUBLIEK VAN SUID-AFRIKA

DEPARTEMENT VAN SAMEWERKING EN
ONTWIKKELING

AANGIFTE VAN 'N STERFGEVAL VAN 'N SWARTE

Besonderhede van oorledene

1. Van.....
2. Voornamne.....
3. Bewysboek-/identiteits-/paspoortnommer.....
4. (a) Geboortedatum.....
(b) Geboorte-inskrywingsnommer.....
5. Geslag.....
6. Huwelikstaat.....
7. Woonadres.....

Besonderhede van dood

8. Sterfdatum.....
9. Plek van afsterwe.....
10. Oorsake van dood.....

11. Naam van mediese praktsyn.....

Besonderhede van aangewer

12. Handtekening.....
13. Hoedanigheid.....
14. Adres.....

SLEGS VIR AMPTELIKE GEBRUIK

15. Datum van ontvangs.....
16. Assistent-registrateur

17. Datum van registrasie.....

18. Distrik.....

19. Registrateur

20. Nommer.....
Nagesien..... "

DSO 699

BYLAE 3

"AANHANGSEL 4

REPUBLIEK VAN SUID-AFRIKA

DEPARTEMENT VAN SAMEWERKING EN
ONTWIKKELING

Die Suid-Afrikaanse Polisie
Plek.....
Datum.....

Die Landdros.....

PARTICULARS IN RESPECT OF A BLACK WHO PRESUMABLY DIED FROM CAUSES OTHER THAN NATURAL CAUSES

The following particulars are furnished herewith in terms of section 13A of the Births, Marriages and Deaths Registration Act, 1963 (Act 81 of 1963):

1. Reference book/identity/passport number (if available).....
2. Surname.....
3. First names.....
4. Date of death.....
5. Sex.....
6. District of death.....
7. Date of birth (if not available, furnish estimated age).....

Official date stamp

Signature of Police Officer

Rank"

DSO 686

SCHEDULE 4

"ANNEXURE 8

REPUBLIC OF SOUTH AFRICA

DEPARTMENT OF CO-OPERATION AND DEVELOPMENT
ABRIDGED CERTIFICATE OF REGISTRATION OF BIRTH

Surname.....
First names.....
Date of birth.....
Place of birth.....
District of birth.....
Sex.....
Ethnic group.....
Entry number.....

Certified to be a true extract from the births register.

Place.....
Date.....

Director-General/Registrar"

DSO 749

SCHEDULE 5

"ANNEXURE 16

REPUBLIC OF SOUTH AFRICA

DEPARTMENT OF CO-OPERATION AND DEVELOPMENT
REMOVAL/BURIAL ORDER IN RESPECT OF A BLACK
(ACT 81 OF 1963)

Particulars of deceased

1. Reference book/identity/passport number (if available).....
2. Surname.....
3. First names.....
4. Age (if known).....
5. Sex.....
6. Home district.....
7. Cause of death.....

(as shown on for DSO 676 or DSO 725 or on a medical certificate).

8. Registration number in deaths register.....

I hereby authorise the burial of the body of the above-named Black person in the cemetery at.....

This authority also covers the removal of the body, if necessary, from or through any urban area to any other urban area or area for the purposes of burial.

Official date stamp

Registrar, Assistant Registrar or
Police Officer

Remarks.—This order must be produced to the Railway authorities if the body is conveyed by train, to a police officer if so requested, and to the person who buries the body or performs a funeral service in connection with its burial, and must be delivered to the custodian of the burial place.”.

BESONDERHEDE TEN OPSIGTE VAN 'N SWARTE WAT VERMOEDELIK AAN ANDER OORSAKE AS NATUURLIKE OORSAKE GESTERF HET

Onderstaande besonderhede word hierby verstrek ingevolge artikel 13A van die Wet op die Registrasie van Geboortes, Huwelike en Sterfgevalle, 1963 (Wet 81 van 1963):

1. Bewysboek-/identiteits-/paspoortnommer (indien beskikbaar).....
2. Van.....
3. Voorname.....
4. Sterfdatum.....
5. Geslag.....
6. Distrik van afsterwe.....
7. Geboortedatum (indien nie beskikbaar nie, verstrek geskatte ouderdom).....

Amptelike datumstempel

Handtekening van Polisiebeampte

Rang"

DSO 686

BYLAE 4

"AANHANGSEL 8

REPUBLIEK VAN SUID-AFRIKA
DEPARTEMENT VAN SAMEWERKING EN
ONTWIKKELING

VERKORTE SERTIFIKAAT VAN REGISTRASIE VAN
GEBORSTE

Van.....
Voorname.....
Geboortedatum.....
Plek van geboorte.....
Distrik van geboorte.....
Geslag.....
Etniese groep.....
Inskrywingsnommer.....

Gesertifiseer 'n ware uittreksel uit die geboorteregister te wees.

Plek.....
Datum.....

Direkteur-generaal/Registerateur"

DSO 749

BYLAE 5

"AANHANGSEL 16

REPUBLIEK VAN SUID-AFRIKA
DEPARTEMENT VAN SAMEWERKING EN
ONTWIKKELING

VERWYDERINGS-/BEGRAFNISORDER TEN OPSIGTE
VAN 'N SWARTE (WET 81 VAN 1963)

Besonderhede van oorledene

1. Bewysboek-/identiteits-/paspoortnommer (indien beskikbaar).....
2. Van.....
3. Voorname.....
4. Ouderdom (indien bekend).....
5. Geslag.....
6. Tuisdistrik.....
7. Oorsaak van dood.....

(soos aangegee op vorm DSO 676 of DSO 725 of op mediese sertifikaat).

8. Registrasioneerommer in sterfgevalleregister.....

Ek verleen hierby magtiging vir die begrawing van die lyk van bogemelde Swart persoon in die begraafplaas te.....

Hierdie magtiging dek ook die verwydering van die lyk, indien nodig, vanaf of deur enige stadsgebied na enige ander stadsgebied of gebied vir begrawingsdoeleindes.

Amptelike kantoorstempel

Registrateur, Assistant-registrateur
of Polisiebeampte

Opmerking.—Hierdie order moet aan die Spoorwegowerheid getoon word indien die lyk per spoor vervoer word, of aan 'n polisiebeampte indien aldus versoek, en aan die persoon wat die lyk begrawe of 'n lykdiens op die begrafnis waarneem en moet aan die bewaarder van die begraafplaas oorhandig word.”.

DEPARTMENT OF EDUCATION AND TRAINING

No. R. 803 16 April 1981
THE EDUCATION AND TRAINING ACT, 1979
(ACT 90 OF 1979)

REGULATIONS IN CONNECTION WITH THE CONSTITUTION, DUTIES, POWERS AND FUNCTIONS OF THE EXAMINATION BOARD AND COMMITTEES OF THE BOARD, THE CONDUCT OF EXAMINATIONS AND THE ISSUE OF DIPLOMAS AND CERTIFICATES

The Minister of Education and Training has in terms of section 44 of the Education and Training Act, 1979 (Act 90 of 1979), made the regulations contained in the Schedule hereto.

SCHEDULE

DEFINITIONS

1. In these regulations, unless the context otherwise indicates, any expression to which a meaning has been assigned in the Education and Training Act, 1979 (Act 90 of 1979), shall have the meaning so assigned thereto, and—

“candidate” shall mean any person whose application to enter for a specific examination has been accepted by the Director-General in terms of regulation 13 (6);

“examination” shall mean an examination referred to in section 44 (1) (o) read with section 35 (5) of the Act;

“Examination Board” shall mean the Examination Board referred to in section 35 (3) (a) of the Act;

“full-time pupil” shall mean a pupil who attends a day-school established or registered in terms of the Act on a full-time basis;

“invigilator” shall also mean a chief invigilator; and

“private candidate” shall mean any person who does not attend a day-school and who has entered for an examination.

EXAMINATION BOARD

Constitution, period of office and meetings

2. (1) The Examination Board shall consist of—

(a) one representative of each of such universities and other tertiary education institutions as the Minister may determine, which representatives shall be nominated by the council or other governing body of the university or other tertiary education institution concerned;

(b) two representatives nominated by the Joint Matriculation Board referred to in section 15 of the Universities Act, 1955 (Act 61 of 1955);

(c) one representative nominated by the Council for Education and Training referred to in section 4 of the Act;

(d) one teacher employed at a school nominated by each of two teachers’ associations recognised in terms of section 30 of the Act and determined by the Minister;

(e) one representative who shall be an inspector nominated by each of the inspectors’ associations determined by the Minister;

(f) one senior education officer nominated by each of the governments of the national states or independent states with which the Government of the Republic has agreed on representation in the Examination Board;

DEPARTEMENT VAN ONDERWYS EN OPLEIDING

No. R. 803 16 April 1981
DIE WET OP ONDERWYS EN OPLEIDING, 1979
(WET 90 VAN 1979)

REGULASIES IN VERBAND MET DIE SAMESTELLING, PLIGTE, BEVOEGDHEDEN EN WERKSAAMHEDEN VAN DIE EKSAMENRAAD EN KOMITEES VAN DIE RAAD, DIE AFNEEM VAN EKSAMENS EN DIE UITREIKING VAN DIPLOMAS EN SERTIFIKATE

Die Minister van Onderwys en Opleiding het kragtens artikel 44 van die Wet op Onderwys en Opleiding, 1979 (Wet 90 van 1979), die regulasies wat in die Bylae hiervan vervat is, uitgevarendig.

BYLAE

WOORDOMSKRYWING

1. In hierdie regulasies het enige uitdrukking waaraan daar in die Wet op Onderwys en Opleiding, 1979 (Wet 90 van 1979), ‘n betekenis geheg is, die betekenis wat aldus daaraan geheg is, en, tensy uit die samehang anders blyk, beteken—

“eksamen” ‘n eksamen bedoel in artikel 44 (1) (o) gelees met artikel 35 (5) van die Wet;

“Eksamenaad” die Eksamenaad bedoel in artikel 35 (3) (a) van die Wet;

“heeltydse leerling” ‘n leerling wat ‘n dagskool wat kragtens die Wet ingestel of geregistreer is, op ‘n heeltydse grondslag bywoon;

“kandidaat” ‘n persoon wie se aansoek om inskrywing vir ‘n bepaalde eksamen ingevolge regulasie 13 (6) deur die Direkteur-generaal aanvaar is;

“opsiener” ook ‘n hoofopsiener; en

“private kandidaat” iemand wat nie ‘n dagskool bywoon nie en as kandidaat vir ‘n eksamen ingeskryf is.

EKSAMENRAAD

Samestelling, ampstermyne en vergaderings

2. (1) Die Eksamenaad bestaan uit—

(a) een verteenwoordiger van elk van dié universiteite en ander tersiêre onderwysinrigtings wat die Minister bepaal, welke verteenwoordigers deur die raad of ‘n ander beheerliggaam van die betrokke universiteit of ander tersiêre onderwysinrigting benoem word;

(b) twee verteenwoordigers benoem deur die Gemeenskaplike Matrikulasiëraad bedoel in artikel 15 van die Wet op Universiteite, 1955 (Wet 61 van 1955);

(c) een verteenwoordiger benoem deur die Raad vir Onderwys en Opleiding bedoel in artikel 4 van die Wet;

(d) een onderwyser in diens by ‘n skool, benoem deur elk van twee onderwysersverenigings wat ingevolge artikel 30 van die Wet erken is en deur die Minister bepaal word;

(e) een verteenwoordiger, wat ‘n inspekteur moet wees, benoem deur elk van die inspekteursverenigings wat deur die Minister bepaal word;

(f) een senior onderwysbeampte benoem deur elk van die regerings van die nasionale state of onafhanklike state met wie Regering van die Republiek onderling oor verteenwoordiging in die Eksamenaad ooreengekom het;

(g) such senior education officers of the Department as the Minister may designate;

(h) not more than three other persons appointed by the Minister who shall all be persons who have distinguished themselves in the teaching profession or who have special knowledge with reference to any aspect of the duties, powers or functions of the Examination Board.

(2) The Minister shall appoint a chairman and vice-chairman from among the officers referred to in sub-regulation (1) (g).

(3) A member of the Examination Board shall hold office for a period of three years as from a date fixed in advance by the Director-General unless he submits his resignation in writing to the Director-General or vacates his office for any other reason before the expiry of such period.

(4) A casual vacancy on the Examination Board caused by the death of, or the vacation of his office by, a member shall with due regard to the provisions of subsection (1) be filled for the unexpired portion of the period of office of such member.

(5) The meetings of the Examination Board shall be held at such times and places as the Director-General may determine.

(6) The majority of the members of the Examination Board shall form a quorum for a meeting.

(7) The procedure at meetings of the Examination Board shall be as determined by the Examination Board.

(8) The secretarial work of the Examination Board shall be performed by officers of the Department designated for this purpose by the Director-General.

Duties, powers and functions of the Examination Board

3. (1) The Examination Board shall—

(a) advise the Minister with regard to—

- (i) the institution of courses referred to in section 35 (1) of the Act;
- (ii) the composition and structures of the courses instituted in terms of section 35 (1) of the Act;
- (iii) the requirements for admission to any course referred to in section 35 (1) of the Act;
- (iv) any other matter which the Minister may refer to the Examination Board; and

(b) advise the Director-General with regard to—

- (i) the contents of syllabuses referred to in section 35 (4) of the Act;
- (ii) requirements for the maintenance of examination standards;
- (iii) the steps which are necessary to ensure proper control over the conduct of examinations;
- (iv) the books, teaching aids and other material prescribed for the various courses, syllabuses and examinations; and
- (v) any other matter which the Director-General may refer to the Examination Board.

(2) Notwithstanding the provisions of subregulation (1), the Examination Board or any committee of the Examination Board shall not arrive at any decision or make any recommendation with regard to the composition and structure of any course, the contents of any syllabus or any book or other material in respect of—

- (a) the matriculation or senior certificate examination or any equivalent examination;

(g) dié senior onderwysbeamptes van die Departement wat deur die Minister benoem word;

(h) hoogstens drie ander persone wat die Minister aanstel en wat almal persone moet wees wat hulself onderskei het in die onderwysberoep of besondere kennis het van enige aspek rakende die pligte, bevoegdhede of werksaamhede van die Eksamenaad.

(2) Die Minister stel uit die beamptes bedoel in subregulasie (1) (g) 'n voorsitter en 'n vise-voorsitter van die Eksamenaad aan.

(3) 'n Lid van die Eksamenaad beklee sy amp vir 'n termyn van drie jaar vanaf 'n datum wat vooraf deur die Direkteur-generaal bepaal is, tensy hy voor verskyn van die termyn sy bedanking skriftelik by die Direkteur-generaal indien of sy amp om 'n ander rede ontruim.

(4) 'n Toevallige vakature in die Eksamenaad wat veroorsaak word deur die dood van, of die ontruiming van sy amp deur, 'n lid word met inagneming van die bepalings van subartikel (1) gevul vir die onverstreke gedeelte van die ampttermyn van die lid.

(5) Die vergaderings van die Eksamenaad word gehou op die tye en plekke wat die Direkteur-generaal bepaal.

(6) Die meerderheid van die lede van die Eksamenaad maak 'n kworum vir 'n vergadering uit.

(7) Die prosedure by vergaderings van die Eksamenaad is soos deur die Eksamenaad bepaal.

(8) Die sekretariële werk van die Eksamenaad word verrig deur beamptes van die Departement wat vir dié doel deur die Direkteur-generaal aangewys word.

Pligte, bevoegdhede en werksaamhede van die Eksamenaad

3. (1) Die Eksamenaad moet—

(a) die Minister van advies dien oor—

- (i) die instelling van kursusse bedoel in artikel 35 (1) van die Wet;
- (ii) die samestelling en strukture van die kursusse ingestel kragtens artikel 35 (1) van die Wet;
- (iii) die toelatingsvereistes vir 'n kursus bedoel in artikel 35 (1) van die Wet;
- (iv) enige ander aangeleentheid wat die Minister aan die Eksamenaad opdra; en

(b) die Direkteur-generaal van advies dien oor—

- (i) die inhoud van sillabusse bedoel in artikel 35 (4) van die Wet;
- (ii) vereistes vir die handhawing van eksamenstandaarde;
- (iii) die stappe wat nodig is om behoorlike beheer oor die afname van eksamens te verseker;
- (iv) die boeke, onderwyshulpmiddels en ander materiaal wat vir die verskillende kursusse, sillabusse en eksamens voorgeskryf word; en
- (v) enige ander aangeleentheid wat die Direkteur-generaal aan die Eksamenaad opdra.

(2) Ondanks die bepalings van subregulasie (1) neem die Eksamenaad of enige komitee van die Eksamenaad geen besluit en doen hy geen aanbeveling nie oor die samestelling en struktuur van 'n kursus, die inhoud van 'n sillabus of 'n boek of ander materiaal ten opsigte van—

- (a) die matrikulasie- of seniorsertifikaatskamern of 'n gelykwaardige eksamen; en

(b) any course or syllabus of any other education department in cases where such course or syllabus is used or applied with the approval of the Minister in schools under the control of the Department.

GENERAL COMMITTEE AND SUBJECT COMMITTEES OF EXAMINATION BOARD

Constitution of the General Committee

4. If the Minister establishes a committee of the Examination Board in terms of section 35 (3) (a) of the Act, which shall be known as the General Committee, such Committee shall consist of—

- (a) the chairman of the Examination Board who shall also be the chairman of the General Committee;
- (b) the chairman of each subject committee referred to in regulation 6; and
- (c) the senior education officers of the Department to be appointed by the Director-General.

Duties and powers of the General Committee

5. (1) The duties and powers of the General Committee of the Examination Board (if a General Committee is established) shall be to co-ordinate the functions of subject committees and to consider proposals of such committees and, subject to the provisions of sub-regulation (2), to make recommendations to the Examination Board.

(2) The Examination Board may generally or in a particular case entrust to the General Committee any duty or function related to any matter referred to in regulation 3 (1) and the Examination Board may, in respect of such matters as the Board may determine with the approval of the Director-General, authorise such Committee to submit recommendations or advice direct to the Minister or to the Director-General, as the case may be.

Constitution of subject committees

6. If the Minister establishes committees of the Examination Board in terms of section 35 (3) (a) of the Act, which shall be known as subject committees, each such committee shall consist of—

- (a) a chairman to be appointed by the Director-General; and
- (b) such other persons as the Director-General may appoint on account of their knowledge of a particular school subject.

Duties, powers and functions of subject committees

7. (1) A subject committee shall make recommendations to the Examination Board with regard to any matter referred to in regulation 3 (1) in respect of the school subject or school subjects for which the subject committee has been established.

(2) A subject committee shall be responsible for the screening and editing of the examination papers for the school subject or school subjects referred to in sub-regulation (1).

(3) A subject committee may make recommendations to the Director-General with regard to the appointment of examiners, moderators, assistant examiners and other persons necessary for the conduct of an examination and the marking of scripts in the school subject concerned.

(4) The Examination Board may, generally or in a particular case, entrust to a subject committee any duty or function relating to a matter referred to in sub-regulation (1) and the Examination Board may, in respect of such matters as the Board may determine

(b) enige kursus of sillabus van 'n ander onderwysdepartement in gevalle waar sodanige kursus of sillabus met die goedkeuring van die Minister in skole onder beheer van die Departement gebruik of toegepas word.

ALGEMENE KOMITEE EN VAKKOMITEES VAN DIE EKSAMENRAAD

Samestelling van die Algemene Komitee

4. Indien die Minister kragtens artikel 35 (3) (a) van die Wet 'n komitee van die Eksamenaad instel wat die Algemene Komitee heet, bestaan dié Komitee uit—

- (a) die voorsitter van die Eksamenaad, wat ook die voorsitter van die Algemene Komitee is;
- (b) die voorsitters van elke vakkomitee bedoel in regulasie 6; en
- (c) die senior onderwysbeamptes van die Departement wat die Direkteur-generaal aanstel.

Pligte en bevoegdhede van die Algemene Komitee

5. (1) Die pligte en bevoegdhede van die Algemene Komitee van die Eksamenaad (indien 'n Algemene Komitee ingestel word) is om die werkzaamhede van vakkomitees te koördineer en voorstelle van daardie komitees te oorweeg en, behoudens die bepalings van subregulasie (2), aanbevelings te doen by die Eksamenaad.

(2) Die Eksamenaad kan aan die Algemene Komitee in die algemeen of in 'n besondere geval enige plig of werkzaamheid wat betrekking het op 'n aangeleenthed vermeld in regulasie 3 (1) opdra en die Eksamenaad kan, ten opsigte van die aangeleenthede wat die Raad met die goedkeuring van die Direkteur-generaal bepaal, dié Komitee magtig om aanbevelings of advies direk aan die Minister, of die Direkteur-generaal, na gelang van die geval, voor te lê.

Samestelling van vakkomitees

6. Indien die Minister kragtens artikel 35 (3) (a) van die Wet komitees van die Eksamenaad instel wat vakkomitees heet, bestaan elke sodanige komitee uit—

- (a) 'n voorsitter, wat deur die Direkteur-generaal aangestel word; en
- (b) die ander persone wat deur die Direkteur-generaal aangestel word vanweë hul kennis van 'n besondere skoolvak.

Pligte, bevoegdhede en werkzaamhede van vakkomitees

7. (1) 'n Vakkomitee doen aanbevelings by die Eksamenaad oor enige aangeleenthed vermeld in regulasie 3 (1) ten opsigte van die skoolvak of skoolvakke waarvoor die vakkomitee ingestel is.

(2) 'n Vakkomitee is verantwoordelik vir die keuring en redigering van die eksamenvraestelle vir die skoolvak of skoolvakke bedoel in subregulasie (1).

(3) 'n Vakkomitee kan by die Direkteur-generaal aanbevelings doen met betrekking tot die aanstelling van eksaminatore, moderatore, hulpeksaminatore en ander persone wat vir die afneem van 'n eksamen en die nasien van antwoordboeke in die betrokke skoolvak nodig is.

(4) Die Eksamenaad kan in die algemeen of in 'n besondere geval aan 'n vakkomitee enige plig of werkzaamheid opdra wat betrekking het op 'n aangeleenthed bedoel in subregulasie (1), en die Eksamenaad kan ten opsigte van dié aangeleenthede wat die Raad

with the approval of the Director-General, authorise such subject committee to submit recommendations and advice direct to the Minister or Director-General, as the case may be.

(5) A subject committee shall advise the Director-General on the suitability for use in a school of any book, teaching aid or other material which the Director-General may refer to the committee.

Meetings and period of office of the General Committee and subject committees of the Examination Board

8. (1) The meetings of the General Committee and subject committees of the Examination Board shall be held at such times and places as the Director-General may determine.

(2) A member of the General Committee, other than the chairman, and a member of a subject committee shall hold office for a period of three years as from a date fixed in advance by the Director-General unless he dies before the expiry of the period or submits his resignation in writing to the Director-General: Provided that the Director-General may at any time in his discretion cancel the appointment of a member and appoint another person in his place for the unexpired portion of the period of office of the member who has vacated office.

CONDUCT OF EXAMINATIONS

Examiners and moderators

9. (1) The Director-General may appoint examiners and moderators for the setting of examination papers, for the marking of scripts and the allocation of marks to candidates on such conditions as he may determine at such appointment.

(2) An examiner appointed in terms of subregulation (1) shall, when the Director-General so requests in writing, set an examination paper in accordance with the requirements of the syllabus concerned before a date determined by the Director-General and stated in such request.

(3) In addition to the examination paper referred to in subregulation (2) an examiner shall draw up a detailed memorandum in which it is indicated how the marks for each answer should be allocated and in which, where feasible, a complete answer to every question is furnished.

(4) A moderator shall see to it that an examiner sets the examination paper and draws up the memorandum referred to in subregulations (2) and (3), respectively, in accordance with the requirements of the syllabus concerned and that the examination paper and memorandum referred to are submitted before the date determined by the Director-General in terms of subregulation (2).

(5) An examination paper referred to in subregulation (2) and a memorandum referred to in subregulation (3) shall be official documents and shall belong to the Department.

(6) An examiner and moderator referred to in subregulation (4) shall be jointly responsible for the proof-reading and correctness of the examination paper and memorandum concerned and also for the confidential handling thereof.

(7) The Director-General may, on the recommendation of a subject committee, examiner or moderator, appoint assistant examiners on such conditions as he may determine to assist the examiner with the marking of scripts and the other duties connected with the examination.

met die goedkeuring van die Directeur-generaal bepaal, die bedoelde vakkomitee magtig om aanbevelings of advies direk aan die Minister of Directeur-generaal, na gelang van die geval, voor te lê.

(5) 'n Vakkomitee moet die Directeur-generaal van advies dien oor die gesiktheid van enige boek, onderwyshulpmiddel of ander materiaal wat deur die Directeur-generaal vir gebruik in 'n skool na die komitee verwys word.

Vergaderings en ampstermy van die Algemene Komitee en vakkomitees van die Eksamenraad

8. (1) Die vergaderings van die Algemene Komitee en vakkomitees van die Eksamenraad word gehou op dié tye en plekke wat die Directeur-generaal bepaal.

(2) 'n Lid van die Algemene Komitee, behalwe die voorsitter, en 'n lid van 'n vakkomitee beklee sy amp vir 'n termyn van drie jaar vanaf 'n datum wat vooraf deur die Directeur-generaal bepaal is, tensy hy voor verstryking van die termyn te sterwe kom of sy bedanking skriftelik by die Directeur-generaal indien: Met dien verstande dat die Directeur-generaal te eniger tyd na goeddunke die aanstelling van 'n lid kan intrek en 'n ander persoon in sy plek vir die onverstreke gedeelte van die ampstermy van die lid wat sy amp ontruim het, kan aanstel.

AFNEEM VAN EKSAMENS

Eksaminateure en moderatore

9. (1) Die Directeur-generaal kan eksaminatore en moderatore vir die opstel van eksamenvraestelle, vir die nasien van eksamenantwoordboeke, en vir die toekenning van punte aan kandidate aanstel op die voorwaardes wat hy by sodanige aanstelling bepaal.

(2) 'n Eksaminator wat ingevolge subregulasie (1) aangestel is, moet wanneer hy skriftelik deur die Directeur-generaal daartoe versoek word, voor 'n datum deur die Directeur-generaal bepaal en in sodanige versoek vermeld, 'n eksamenvraestel opstel ooreenkomsdig die vereistes van die betrokke sillabus.

(3) Benewens die vraestel bedoel in subregulasie (2) moet die eksaminator 'n breedvoerige memorandum opstel waarin aangetoon word hoe die punte vir elke antwoord toegeken moet word en waarin, waar doenlik, 'n volledige antwoord op elke vraag verstrek word.

(4) 'n Moderator moet toesien dat 'n eksaminator die eksamenvraestel en memorandum bedoel in subregulasies (2) en (3) onderskeidelik ooreenkomsdig die vereistes van die betrokke sillabus opstel en dat bedoelde vraestel en memorandum voor die datum deur die Directeur-generaal ingevolge subregulasie (2) bepaal, ingedien word.

(5) 'n Eksamenvraestel bedoel in subregulasie (2) en 'n memorandum bedoel in subregulasie (3) is amptelike dokumente en behoort aan die Departement.

(6) 'n Eksaminateur en moderator bedoel in subregulasie (4) is medeverantwoordelik vir die proeflees en korrektheid van die betrokke eksamenvraestel en memorandum asook vir die vertroulike hantering daarvan.

(7) Die Directeur-generaal kan, op aanbeveling van 'n vakkomitee, eksaminator of moderator, hulpeksaminateure aanstel op die voorwaardes wat die Directeur-generaal bepaal, om die eksaminator behulpsaam te wees met die nasien van eksamenantwoordboeke en die ander pligte wat met die eksamen in verband staan.

(8) An examiner shall complete the marking of an examination before a date determined by the Director-General and shall submit the scripts and mark sheets to the Director-General so that they reach him before the date referred to.

(9) Examiners, moderators and assistant examiners shall be remunerated for their services in accordance with tariffs to be determined by the Minister with the concurrence of the Minister of Finance.

(10) The Director-General may at any time terminate the appointment of an examiner, moderator or assistant examiner if in his opinion such examiner, moderator or assistant examiner fails to or neglects to perform the duties or the functions assigned to him in terms of these regulations or to do so in good time, or if the Director-General is of the opinion that such examiner, moderator or assistant examiner has failed to comply with any condition of appointment or that the services of such examiner, moderator or assistant examiner has become redundant owing to reorganisation of functions.

Examination centres

10. Examinations shall be conducted at such places as the Director-General may approve as examination centres.

Chief invigilator and invigilators

11. (1) The Director-General shall appoint invigilators to exercise supervision at examinations and he may appoint a chief invigilator in respect of each examination centre to fulfil, in addition to supervision, such other duties as the Director-General may assign to him regarding the local control over examinations: Provided that if only one invigilator is appointed at a particular centre, such invigilator shall fulfil the duties of a chief invigilator.

(2) The Director-General shall issue instructions (in these regulations referred to as "examination instructions") to chief invigilators and invigilators in connection with the control of examination papers and examination scripts, supervision at examinations and action to be taken in the case of irregularities.

Dates and times of examinations

12. The date and time of an examination shall be determined by the Director-General and he may determine different dates and times for examinations for different examination papers.

Entry for an examination

13. (1) Any person who wishes to enter for an examination shall—

(a) apply on a form approved by the Director-General;

(b) pay the examination entry fees payable in terms of section 35 (6) of the Act, unless he is exempted from the payment thereof; and

(c) hand in the completed form referred to in paragraph (a) together with the money (if any) referred to in paragraph (b) at the school, referred to in subregulation (2), or the examination centre, referred to in subregulation (3), as the case may be, on or before a date determined by the Director-General.

(2) Any full-time pupil shall enter for an examination with the principal of the school where he has followed the course concerned.

(8) 'n Eksaminator moet die nasienwerk van 'n eksamen voor 'n datum wat die Direkteur-generaal bepaal, afhandel en die antwoordboeke en puntestate aan die Direkteur-generaal stuur sodat dit hom voor bedoelde datum bereik.

(9) Eksaminatore, moderatore en hulpeksaminatore word vir hulle dienste vergoed ooreenkomsdig die tariewe wat die Minister met die instemming van die Minister van Finansies bepaal.

(10) Die Direkteur-generaal kan die aanstelling van 'n eksaminator, moderator of hulpeksaminator te eniger tyd beëindig indien hy van mening is dat sodanige eksaminator, moderator of hulpeksaminator versuum om die pligte uit te voer of die werksaamhede te verrig of betyd uit te voer of te verrig wat ingevolge hierdie regulasies aan hom opgedra is, of indien die Direkteur-generaal van mening is dat sodanige eksaminator, moderator of hulpeksaminator enige aanstellingsvoorraarde nie nagekom het nie, of dat die dienste van sodanige eksaminator, moderator of hulpeksaminator as gevolg van herreëling van werksaamhede oortollig geword het.

Eksamensentrums

10. Eksamens word op dié plekke wat die Direkteur-generaal as eksamensentrums goedkeur, afgeneem.

Hooftopsiener en opsieners

11. (1) Die Direkteur-generaal moet opsieners vir toesighouding by die afneem van eksamens aanstel en hy kan ten opsigte van elke eksamensentrum 'n hoofopsiener aanstel om benewens toesig dié ander pligte uit te voer wat die Direkteur-generaal aan hom opdra in verband met die plaaslike beheer oor eksamens: Met dien verstande dat indien daar slegs een opsiener by 'n bepaalde sentrum aangestel word, sodanige opsiener die bedoelde pligte van 'n hoofopsiener moet uitoefen.

(2) Die Direkteur-generaal reik instruksies (in hierdie regulasies "eksameninstruksies" genoem) aan hoofopsieners en opsieners uit in verband met die beheer oor eksamenvraestelle en -antwoordboeke, toesighouding by die afneem van eksamens en optrede in die geval van onreëlmatighede.

Datums en tye van eksamens

12. Die datum en tyd van 'n eksamen word deur die Direkteur-generaal bepaal en hy kan verskillende datums en tye vir die afneem van eksamens vir verskillende vraestelle bepaal.

Inskrywing vir 'n eksamen

13. (1) Iemand wat vir 'n eksamen wil inskryf, moet—

(a) aansoek doen op 'n vorm deur die Direkteur-generaal goedgekeur;

(b) die eksameninskrywingsgelde wat ingevolge artikel 35 (6) van die Wet bepaal is, betaal, tensy hy van die betaling daarvan vrygestel is; en

(c) die voltooide vorm bedoel in paragraaf (a) te same met die geld (indien van toepassing) bedoel in paragraaf (b), by die skool bedoel in subregulasie (2) of die eksamensentrum bedoel in subregulasie (3), na gelang van die geval, indien voor of op 'n datum deur die Direkteur-generaal bepaal.

(2) 'n Heetydse leerling skryf vir 'n eksamen in by die prinsipaal van die skool waar hy die betrokke kursus gevolg het.

(3) Any prospective private candidate shall enter for an examination with the chief invigilator of an examination centre for private candidates which has been approved as such by the Director-General.

(4) Any full-time pupil who wants to enter for an examination conducted in terms of section 35 (5) of the Act shall qualify for entry for such examination if his name appears in the admission register of the school and he is entered for the standard or course concerned on the date referred to in subregulation (1).

(5) (a) No private candidate shall qualify for entry for the standard eight examination unless he produces evidence that he has obtained at least the standard five certificate.

(b) No private candidate shall qualify for entry for the standard 10 examination unless he produces evidence that he has obtained the standard eight certificate.

(6) The Director-General shall accept entries for the examinations concerned only from those persons who qualify as candidates therefor in terms of these regulations.

(7) The Director-General may cancel the entry of any full-time pupil if such candidate, after his entry has been accepted in terms of subregulation (6)—

(a) is suspended as a pupil from any school in terms of the Act due to misconduct or is expelled from the school concerned; or

(b) for whatever reason ceases to be a full-time pupil of the school concerned.

(8) The Director-General shall issue to each candidate who qualifies for entry in terms of this regulation and whose entry has been accepted by the Director-General an admission card indicating the candidate's examination number.

(9) A candidate shall write the examination for which his entry has been accepted in terms of subregulation (6) at such centre as the Director-General may determine.

(10) An invigilator at an examination centre may refuse any candidate admission to the examination room if such candidate can not produce the admission card referred to in subregulation (8) as proof of the validity of his entry.

Examination rules and examination instructions

14. (1) Any candidate shall strictly adhere to the examination rules which the Director-General may issue in terms of subregulation (2) as well as to any examination instruction referred to in regulation 11 (2) which the Director-General may make known to him through the invigilator.

(2) The Director-General may issue rules (in these regulations referred to as "examination rules") to a candidate in connection with the writing of an examination and such rules may refer to—

- (a) matters referred to in these regulations;
- (b) the execution of instructions of the invigilator;
- (c) times to report for an examination;
- (d) late reporting in the examination room;
- (e) objects which may be taken into the examination room;
- (f) the identification of a candidate and proof of entry for the examination; and
- (g) any other examination matter which the Director-General may deem necessary.

(3) 'n Voornemende private kandidaat skryf vir 'n eksamen in by die hoofopsiener van 'n eksamensentrum vir private kandidate wat as sodanig deur die Direkteur-generaal goedgekeur is.

(4) 'n Heeltydse leerling wat as kandidaat wil inskryf vir 'n eksamen wat afgeneem word kragtens artikel 35 (5) van die Wet, kwalifiseer vir inskrywing vir sodanige eksamen indien sy naam in die toelatingsregister van die skool verskyn en hy op die datum bedoel in subregulasie (1) ingeskryf is vir die betrokke standerd of kursus.

(5) (a) 'n Private kandidaat kwalifiseer nie vir inskrywing vir die standerd agt-eksamen nie tensy hy bewys lewer dat hy minstens die standerd vyf-eksamensertifikaat verwerf het.

(b) 'n Private kandidaat kwalifiseer nie vir inskrywing vir die standerd 10-eksamen nie tensy hy bewys lewer dat hy die standerd agt-eksamensertifikaat verwerf het.

(6) Die Direkteur-generaal aanvaar inskrywings vir die betrokke eksamens net van dié persone wat ingevolge hierdie regulasie as kandidate daarvoor kwalifiseer.

(7) Die Direkteur-generaal kan die inskrywing van 'n heeltydse leerling kanselleer indien die kandidaat, nadat sy inskrywing ingevolge subregulasie (6) aanvaar is—

(a) ingevolge die Wet weens wangedrag as leerling van 'n skool geskors of uit die betrokke skool ontslaan word; of

(b) om watter rede ook al ophou om 'n heeltydse leerling van die betrokke skool te wees.

(8) Die Direkteur-generaal reik aan elke kandidaat wat ooreenkomsdig hierdie regulasie vir inskrywing kwalifiseer, en wie se inskrywing deur die Direkteur-generaal aanvaar is, 'n toelatingskaart uit wat die kandidaat se eksamennummer toon.

(9) 'n Kandidaat skryf die eksamen waarvoor sy inskrywing ingevolge subregulasie (6) aanvaar is, by die sentrum wat die Direkteur-generaal bepaal.

(10) 'n Opsiener by 'n eksamensentrum kan 'n kandidaat toelating tot 'n eksamenlokaal weier indien sodanige kandidaat nie die toelatingskaart bedoel in subregulasie (8) as bewys van die geldigheid van sy inskrywing kan toon nie.

Eksamensreëls en -instruksies

14. (1) 'n Kandidaat moet die eksamenreëls wat die Direkteur-generaal ingevolge subregulasie (2) uitrek asook enige eksameninstruksie bedoel in regulasie 11 (2) wat die Direkteur-generaal deur middel van die opsiener aan hom bekend maak, stiptelik nakom.

(2) Die Direkteur-generaal kan reëls (in hierdie regulasies "eksamensreëls" genoem) in verband met die skryf van 'n eksamen aan 'n kandidaat uitrek, en sodanige reëls kan betrekking hê op—

- (a) aangeleenthede in hierdie regulasies vermeld;
- (b) die uitvoering van opdragte van die opsiener;
- (c) tye van aanmelding vir 'n eksamen;
- (d) laat aanmelding in die eksamenkamer;
- (e) voorwerpe wat in die eksamenkamer ingebring mag word;
- (f) die identifikasie van 'n kandidaat en bewys van inskrywing vir die eksamen; en
- (g) enige ander eksamenaangeleenthed wat die Direkteur-generaal nodig ag.

Absence owing to illness

15. (1) A candidate who, owing to illness, is prevented from writing an examination or any paper of such examination shall inform the chief invigilator or have him informed, in writing, of such illness before the start of the examination.

(2) The Director-General may refund to a candidate referred to in subregulation (1) the examination entry fee paid by him or such part thereof as the Director-General, with the concurrence of the Treasury, may determine: Provided that such candidate shall through the chief invigilator concerned submit an application for a refund of the examination fees referred to the Director-General not later than 30 days after the date on which the results of the examination were made known: Provided further that such application shall be substantiated by a certificate issued by a registered medical practitioner or dentist before the date on which the last paper of the examination concerned was written.

Opening of sealed envelopes containing examination papers and prohibition on unauthorised persons in examination room

16. (1) No person except the chief invigilator referred to in regulation 11 (1), or an invigilator by direction of the chief invigilator, shall open the sealed envelope containing the examination papers and the chief invigilator or the invigilator referred to shall open it only on the date and time fixed in terms of regulation 12 for the examination paper concerned in the presence of candidates in the examination room.

(2) No person, except the invigilators, the candidates for the examination concerned or any person authorised thereto by the Director-General shall be permitted in the examination room during the time fixed for the examination.

Irregularities by candidates

17. (1) If any candidate—

(a) unless otherwise provided by an authorised person for an examination, takes into the examination room or has in his possession while he is in the room, any book, memorandum, notes, card or other document or paper other than such as may be supplied to him by the invigilator, his admission card and identification document; or

(b) in any irregular manner helps or attempts to help another candidate, obtains or attempts to obtain help or communicates or attempts to communicate with any person (except the invigilator); or

(c) disregards the examination rules or examination instructions referred to in regulation 14 (1) [except those regarding a matter referred to in paragraphs (a) and (b)] and, after being warned by the invigilator, continues to disregard the rules and regulations referred to; or

(d) creates a disturbance in an examination room or behaves in an improper or unbecoming manner and refuses, after being warned by the invigilator, to stop the causing of the disturbance or his improper or unbecoming behaviour; or

(e) disregards the arrangements of the invigilator and, after being warned by the invigilator, continues to disregard the arrangements referred to;

the invigilator shall immediately bring such irregularity to the notice of the chief invigilator and the chief invigilator may, after he has confronted the candidate concerned with the alleged irregularity and has afforded

Afwesigheid weens siekte

15. (1) 'n Kandidat wat weens siekte verhinder word om 'n eksamen, of enige vraestel van sodanige eksamen, te skryf, moet die hoofopsiener skriftelik voor die aanvang van die eksamen van sodanige siekte in kennis stel of laat stel.

(2) Die Direkteur-generaal kan aan 'n kandidaat bedoel in subregulasie (1) die eksameninskrywingsgeld wat hy betaal het of die gedeelte daarvan wat die Direkteur-generaal met die instemming van die Tesourerie bepaal, terugbetaal: Met dien verstande dat sodanige kandidaat deur die betrokke hoofopsiener 'n aansoek om terugbetaling van bedoelde eksamengeld nie later nie as 30 dae na die datum waarop die uitslag van die eksamen bekend gemaak is, by die Direkteur-generaal moet indien: Met dien verstande voorts dat sodanige aansoek gestaaf moet word deur 'n sertifikaat uitgereik deur 'n geregistreerde mediese praktisyn of tandarts voor die datum waarop die laaste vraestel vir 'die betrokke eksamen geskryf is.

Oopmaak van verseë尔de koeverte met eksamenvraestelle, en verbod op ongemagtige persone in eksamenkamer

16. (1) Niemand, behalwe die hoofopsiener bedoel in regulasie 11 (1), of 'n opsiener in opdrag van die hoofopsiener, mag die verseë尔de koevert wat die eksamenvraestelle bevat, oopmaak nie, en bedoelde hoofopsiener of opsiener maak dit net op die datum en tyd wat ingevolge regulasie 12 vir die betrokke eksamenvraestel bepaal is, in teenwoordigheid van kandidate in die eksamenkamer oop.

(2) Niemand, uitgesonderd die opsieners, die kandidate vir die betrokke eksamen of 'n beample deur die Direkteur-generaal daartoe gemagtig, word tydens die tyd vir die eksamen bepaal in die eksamenkamer toegelaat nie.

Onreëلmatighede deur kandidate

17. (1) Indien 'n kandidaat—

(a) tensy anders vir 'n eksamen deur 'n bevoegde persoon bepaal, 'n boek, memorandum, aantekening, kaart of ander dokument of papier, uitgesonderd dié wat die opsiener aan hom verskaf, sy toelatingskaart en sy identiteitsdokument, in die eksamenkamer inneem of in sy besit het terwyl hy in die kamer is; of

(b) op 'n onreëلmatige wyse 'n ander kandidaat help of poog om te help, hulp verkry of poog om hulp te verskry, met 'n ander persoon (uitgesonderd die opsiener) in verbinding tree of poog om met enige persoon in verbinding te tree; of

(c) die eksamenreëls of -instruksies bedoel in regulasie 14 (1) [behalwe dié wat op 'n aangeleenthed bedoel in paragrawe (a) en (b) betrekking het] verontagsaam en, nadat hy deur die opsiener gewaarsku is, voortgaan om bedoelde reëls of instruksies te verontagsaam; of

(d) in 'n eksamenkamer 'n steurnis veroorsaak of hom op 'n onbehoorlike of onbetaamlike wyse gedra en weier om, nadat hy deur die opsiener gewaarsku is, die veroorsaking van die steurnis of sy onbehoorlike of onbetaamlike gedrag te staak; of

(e) die reëlings van die opsiener verontagsaam en nadat hy deur die opsiener gewaarsku is, voortgaan om bedoelde reëlings te verontagsaam;

moet die opsiener sodanige onreëلmatigheid onmiddellik onder die aandag van die hoofopsiener bring en die hoofopsiener kan, nadat hy die betrokke kandidaat met die beweerde onreëلmatigheid gekonfronteer het en

him the opportunity to present his side of the case in writing, or verbally, in the presence of an invigilator or other witness—

- (i) expel the candidate from the examination room;
- (ii) confiscate the candidate's script; or
- (iii) permit the candidate to continue with the examination;

and the chief invigilator shall, immediately after the examination, submit a complete report, together with the candidate's written statement (or, in the case of a verbal statement, the chief invigilator's written version thereof) and any other evidence regarding the matter, to the Director-General.

(2) Should the Director-General be of the opinion that a candidate or group of candidates has obtained an unfair advantage because—

- (a) the contents of a question paper for which a candidate or group of candidates has entered have become known to him or them prior to the date and time on which the examination is conducted; or
- (b) any of the provisions of subregulation (1) has been contravened; or
- (c) another person pretended to be the candidate concerned at the examination; or
- (d) some irregularity or other has occurred in connection with the writing of such examination or the handling of a script after such examination has been conducted;

the Director-General may take one or more of the following steps:

- (i) Prohibit the candidate or group of candidates from entering the examination room or from further writing the examination;
- (ii) refuse to recognise the results obtained by the candidate or group of candidates in the examination;
- (iii) refuse any person referred to admission to an examination for such period as the Director-General may determine;
- (iv) instruct that any success in a subject or an examination as a whole with which such candidate has been credited be cancelled; or
- (v) reject the examination script in respect of the subject concerned.

(3) The Director-General may require a candidate or group of candidates referred to in subregulation (1) to rewrite the examination as a whole or in part on such date, time and place as he may determine.

(4) The Director-General may, within three months after the cancellation of any success in terms of subregulation (2), by notice in writing require a person to whom a diploma or certificate has been issued on the grounds of such success to return such diploma or certificate to the Director-General for cancellation within three weeks of such notice for cancellation.

(5) Any person who fails to comply with a notice referred to in subregulation (4) shall be guilty of an offence and liable on conviction to a fine not exceeding R200 or in default of payment to imprisonment for a period not exceeding six months.

(6) Any person who in connection with an examination—

- (a) corruptly gives or agrees to give or offers any gift or consideration to any other person or corruptly accepts or obtains or agrees to accept or attempts to obtain from any other person for himself or for any other person any gift or consideration as an

in die geleentheid gestel het om sy kant van die saak skriftelik of mondeling in teenwoordigheid van 'n opsiener of 'n ander getui te stel—

- (i) die kandidaat by die eksamenkamer uitsit;
- (ii) op die kandidaat se eksamenantwoordboek beslag lê; of
- (iii) die kandidaat toelaat om met die eksamen voort te gaan;

en moet die hoofopsiener onmiddellik na afloop van die eksamen 'n volledige verslag tesame met die kandidaat se skriftelike verklaring (of, in die geval van 'n mondelinge verklaring, die skriftelike weergawe daarvan van die hoofopsiener) en enige ander bewyssuk oor die aangeleentheid aan die Direkteur-generaal voorlê.

(2) Indien die Direkteur-generaal van mening is dat 'n kandidaat of groep kandidate onregmatige voordeel verkry het deurdat—

- (a) die inhoud van 'n vraestel waarvoor die kandidaat of groep kandidate ingeskryf is, op die een of ander wyse aan hom of hulle bekend geword het voor die datum en tyd waarop die eksamen afgeneem word; of
- (b) enige bepaling van subregulasie (1) oortree is; of
- (c) 'n ander persoon hom by die eksamen as bedoelde kandidaat voorgedoen het; of
- (d) die een of ander onreëlmatigheid in verband met die skryf van 'n eksamen of behandeling van 'n antwoordboek na afloop van 'n eksamen voorgekom het;

kan die Direkteur-generaal een of meer van die volgende stappe doen:

- (i) Die kandidaat of groep kandidate verbied om die eksamenkamer te betree of om verder eksamen te skryf;
- (ii) weier om die punte deur die kandidaat of groep kandidate in die eksamen behaal, te erken;
- (iii) die betrokke persoon toelating tot 'n eksamen weier vir die tydperk wat die Direkteur-generaal bepaal;
- (iv) gelas dat enige sukses in 'n vak of 'n eksamen in sy geheel waarmee die kandidaat gekrediteer is, ingetrek word; of
- (v) die eksamenantwoordboek ten opsigte van die betrokke vak verwerp.

(3) Die Direkteur-generaal kan vereis dat 'n kandidaat of groep kandidate bedoel in subregulasie (1) die eksamen in die geheel of gedeeltelik herhaal op 'n datum, tyd en plek wat hy bepaal.

(4) Die Direkteur-generaal kan binne drie maande na die intrekking van enige sukses ingevolge subregulasie (2) die betrokke persoon aan wie 'n diploma of sertifikaat op grond van sodanige sukses uitgereik is, by skriftelike kennisgewing aansê om dié diploma of sertifikaat binne drie weke na bedoelde kennisgewing aan die Direkteur-generaal vir rojering terug te besorg.

(5) Iemand wat versuim om aan 'n kennisgewing bedoel in subregulasie (4) te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R200 of by wanbetaling met gevangenisstraf vir 'n tydperk van hoogstens ses maande.

(6) Iemand wat in verband met 'n eksamen—

- (a) op korrupte wyse 'n geskenk of vergoeding gee of toestem of aanbied om dit te gee aan iemand anders, of op 'n korrupte wyse van iemand anders 'n geskenk of vergoeding aanneem of verkry of toestem om dit aan te neem of poog om dit te verkry vir homself of vir iemand anders, as aansporing of

inducement or reward for the commission of any act calculated to obtain for or confer upon any candidate any unfair advantage; or

(b) commits any act calculated to obtain for or confer upon any candidate any unfair advantage;

shall be guilty of an offence and liable on conviction to a fine not exceeding R500 or in default of payment to imprisonment for a period not exceeding 12 months.

Consequences of suspension or expulsion from a school

18. (1) If a pupil who is a candidate in terms of the Act, is suspended or expelled from a school on account of misconduct after the examination has begun, the Director-General may take one or more of the following steps:

(a) Refuse to recognise the results obtained by the candidate in the examination; or

(b) prohibit the candidate from further writing the examination; or

(c) instruct that any success in any subject or examination with which the candidate was credited at such examination be cancelled.

(2) Subregulation (1) shall also apply to a candidate referred to in regulation 13 (7) whose entry has not been cancelled before the beginning of the examination.

Irregular possession of examination papers

19. (1) Unless specifically otherwise provided in these regulations, no person shall, prior to the date determined in terms of regulation 12 for the question paper concerned, have in his possession, buy, sell, reproduce or in whatever way copy or have copies made of the question paper referred to.

(2) Any person who contravenes the provisions of subregulation (1) shall be guilty of an offence and liable on conviction to a fine not exceeding R500 or in default of payment to imprisonment for a period not exceeding 12 months.

Examination scripts

20. (1) An examination script shall be the property of the Department and shall be put at the disposal of a candidate only during the period determined for the examination paper concerned.

(2) Examination scripts shall be kept by the Department for a period of at least 90 days after the results of the examination concerned were made available.

Re-marking of examination scripts

21. (1) Any candidate who fails a written examination or does not achieve the required standard or is of the opinion that he should have achieved a higher symbol in a subject, may apply to the Director-General for—

(a) have his examination scripts re-marked; or

(b) have his marks for a separate subject or subjects as well as his total marks verified.

(2) A decision by the Director-General after consideration of an application referred to in subregulation (1) in respect of the question whether a candidate failed or achieved a required standard or symbol shall be final and the Director-General shall not consider any further applications in this regard.

(3) An application referred to in subregulation (1) shall reach the Director-General within 30 days after the examination results are made known and shall be

beloning vir die verrigting van 'n handeling wat bereken is om vir of aan enige kandidaat 'n onregverdigde voordeel te verkry of te verleen; of

(b) 'n handeling verrig wat bereken is om vir of aan 'n kandidaat 'n onregverdigde voordeel te verkry of te verleen;

is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R500 of by wanbetaling met gevangenisstraf vir 'n tydperk van hoogstens 12 maande.

Gevolge van skorsing of uitsetting uit 'n skool

18. (1) Indien 'n leerling wat 'n kandidaat is, ingevolge die Wet weens wangedrag geskors of uit 'n skool ontslaan is nadat die eksamen 'n aanvang geneem het, kan die Direkteur-generaal een of meer van die volgende stappe doen:

(a) Weier om die punte deur die kandidaat in die eksamen behaal, te erken; of

(b) die kandidaat verbied om verder eksamen te skryf; of

(c) gelas dat enige sukses in 'n vak of 'n eksamen in sy geheel waarmee die kandidaat by sodanige eksamen gekrediteer is, ingetrek word.

(2) Subregulasie (1) is ook van toepassing op 'n kandidaat bedoel in regulasie 13 (7) wie se inskrywing nie voor die aanvang van die eksamen gekanselleer is nie.

Onreëlmatige besit van eksamenvraestelle

19. (1) Behalwe waar dit uitdruklik anders in hierdie regulasies bepaal word, mag niemand voor die datum en tyd wat ingevolge regulasie 12 vir die betrokke vraestel bepaal is, bedoelde vraestel in sy besit hê, dit koop, verkoop, reproduuseer of op welke wyse ook al kopieë daarvan maak of laat maak nie.

(2) Iemand wat die bepalings van subregulasie (1) oortree, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R500 of by wanbetaling met gevangenisstraf vir 'n tydperk van hoogstens 12 maande.

Eksamenantwoordboeke

20. (1) 'n Eksamenantwoordboek is die eiendom van die Departement en word alleenlik gedurende die tydperk wat vir die betrokke eksamenvraestel bepaal is, tot beskikking van 'n kandidaat gestel.

(2) Eksamenantwoordboeke moet vir 'n tydperk van minstens 90 dae na die uitslag van die betrokke eksamen deur die Departement bewaar word.

Hernasiën van eksamenantwoordboeke

21. (1) 'n Kandidaat wat in 'n skriftelike eksamen druipt of nie die vereiste standaard behaal het nie of van mening is dat hy 'n hoër simbool in 'n vak behoort te behaal het, kan by die Direkteur-generaal aansoek doen om—

(a) sy eksamenantwoordboeke te laat hernasiën; of
(b) sy punte vir 'n afsonderlike vak of vakke en sy puntetotaal te laat kontroleer.

(2) 'n Beslissing deur die Direkteur-generaal na oorweging van 'n aansoek bedoel in subregulasie (1) ten opsigte van die vraag of 'n kandidaat gedruip of 'n vereiste standaard of simbool behaal het, is finaal en die Direkteur-generaal oorweeg geen verdere aansoeke in dié verband nie.

(3) 'n Aansoek bedoel in subregulasie (1) moet die Direkteur-generaal bereik binne 30 dae nadat die eksamenuitslag bekend gemaak is en moet vergesel

accompanied by the examination fee for re-marking determined in terms of section 35 (6) of the Act.

Diplomas, certificates and statements

22. (1) A diploma or certificate, without any erasure or alteration on it, shall be issued free of charge by the Director-General to any candidate who has complied with all the examination requirements for such diploma or certificate: Provided that a candidate for the standard 10 examination who in the opinion of the Joint Matriculation Board complied with the conditions of exemption from the Matriculation examination, shall pay such fees (if any) for such certificate as the Minister may determine.

(2) No person, except the Director-General or an officer authorised by the Director-General to do so, acting in terms of this regulation, shall issue any diploma, certificate or statement referred to in subregulation (3) which indicates or purports to indicate that a person has passed an examination or successfully completed a course or subject of such an examination.

(3) If the original diploma or certificate is mislaid or destroyed or damaged, the Director-General may on receipt of an application on a form approved by the Director-General, and on payment of an amount determined in terms of section 35 (6) of the Act, state in writing that a person has passed an examination or successfully completed a course or subject of such an examination.

(4) Any diploma or certificate which has been amended or erroneously issued may be reclaimed, confiscated and cancelled by the Director-General.

(5) Any person who contravenes the provisions of subregulation (2), or any person who forges a diploma, certificate or a statement referred to in subregulation (3), shall be guilty of an offence and liable on conviction to fine not exceeding R500 or in default of payment to imprisonment not exceeding 12 months.

gaan van die eksamengeld vir hernasieling wat ingevolge artikel 35 (6) van die Wet bepaal is.

Diplomas, sertifikate en verklarings

22. (1) 'n Diploma of sertifikaat word, sonder enige uitwissing of verandering daarop, kosteloos deur die Direkteur-generaal uitgereik aan 'n kandidaat wat aan al die eksamenvereistes vir dié diploma of sertifikaat voldoen het. Met dien verstande dat 'n kandidaat vir die standerd 10-eksamen wat volgens die oordeel van die Gemeenskaplike Matrikulasiëraad voldoen het aan die voorwaardes van vrystelling van die Matrikulasiëksamens, die gelde (as daar is) vir sodanige sertifikaat moet betaal wat die Minister bepaal.

(2) Niemand, behalwe die Direkteur-generaal of 'n beampie deur die Direkteur-generaal daartoe gemagtig, wat kragtens hierdie regulasie handel, mag 'n diploma, sertifikaat of 'n verklaring bedoel in subregulasië (3), uitrek wat aandui of heet aan te dui dat iemand in 'n eksamen geslaag of 'n kursus of vak van so 'n eksamen met goeie gevolg afgelê het nie.

(3) Indien die oorspronklike diploma of sertifikaat verlore geraak het of vernietig of beskadig is, kan die Direkteur-generaal op aansoek op 'n vorm deur die Direkteur-generaal goedgekeur en teen betaling van 'n bedrag wat ingevolge artikel 35 (6) van die Wet bepaal is, skriftelik verklaar dat iemand 'n eksamen geslaag of 'n kursus of vak van so 'n eksamen met goeie gevolg afgelê het.

(4) Die Direkteur-generaal kan 'n sertifikaat of diploma wat gewysig is of foutief uitgereik is, terugvorder, daarop beslag lê en dit kanselleer.

(5) Iemand wat die bepalings van subregulasië (2) oortree of iemand wat 'n diploma, sertifikaat of 'n verklaring bedoel in subregulasië (3), vervals, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R500 of by wanbetaling met gevangenistraf vir 'n tydperk van hoogstens 12 maande.

DEPARTMENT OF FINANCE

No. R. 809 16 April 1981

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/748)

Under section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule 1 to the said Act is hereby amended to the extent set out in the Schedule hereto.

D. W. STEYN, Deputy Minister of Finance.

SCHEDULE

| I Tariff Heading | II Statistical Unit | III IV Rate of Duty | |
|---|------------------------|---------------------------|---------------|
| | | General | M.F.N. |
| 37.03 By the substitution for subheading No. 37.03.10 of the following: "37.03.10 Sensitised paper: .10 Unexposed, in rolls of a length exceeding 100 m and a width exceeding 1 000 mm .90 Other | | kg kg | free 7,5%" |

*Note.—*Specific provision is made for unexposed sensitised paper, in rolls of a length exceeding 100 m and a width exceeding 1 000 mm, and the rate of duty thereon is reduced from 7,5% to free.

DEPARTEMENT VAN FINANSIES

No. R. 809 16 April 1981

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/748)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae 1 by genoemde Wet hierby gewysig in die mate in die Bylae hiervan aangevoeg.

D. W. STEYN, Adjunk-minister van Finansies.

BYLAE

| I Tariefpos | II Statistiese Eenheid | III . IV Skaal van Reg | |
|--|---------------------------|---------------------------|--------|
| | | Algemeen | M.B.N. |
| 37.03 Deur subpos No. 37.03.10 deur die volgende te vervang: | | | |
| "37.03.10 Gevoelige papier: | | | |
| .10 Onbelig, in rolle met 'n lengte van meer as 100 m en 'n wydte van meer as 1 000 mm | kg | vry | |
| .90 Ander | kg | 7,5%" | |

Opmerking.—Spesifieke voorsiening word gemaak vir onbeligte gevoelige papier, in rolle met 'n lengte van meer as 100 m en 'n wydte van meer as 1 000 mm, en die skaal van reg daarop word van 7,5% na vry verlaag.

No. R. 808

16 April 1981

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/747)

Under section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule 1 to the said Act is hereby amended to the extent set out in the Schedule hereto.

D. W. STEYN, Deputy Minister of Finance.

No. R. 808

16 April 1981

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/747)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae 1 by genoemde Wet hierby gewysig in die mate in die Bylae hiervan aangevoeg.

D. W. STEYN, Adjunk-minister van Finansies.

SCHEDEULE

| I Tariff Heading | II Statistical Unit | III . IV Rate of Duty | |
|--|------------------------|--------------------------|--------|
| | | General | M.F.N. |
| 48.07 By the substitution for subheading No. 48.07.85 of the following: | | | |
| "48.07.85 Printing paper and writing paper, with a basis mass not exceeding 250 g/m ² , being paper of a kind suitable for printing or writing: | | | |
| .20 With a basis mass exceeding 65 g/m ² but not exceeding 214 g/m ² and of a value for duty purposes per 1 000 kg exceeding R265 but not exceeding R900 | kg | 20% | |
| .90 Other | kg | free" | |

Note.—The rates of duty on certain printing paper and writing paper are increased to 20%.

BYLAE

| I Tariefpos | II Statistiese Eenheid | III . IV Skaal van Reg | |
|--|---------------------------|---------------------------|--------|
| | | Algemeen | M.B.N. |
| 48.07 Deur subpos No. 48.07.85 deur die volgende te vervang: | | | |
| "48.07.85 Drukpapier en skryfpapier, met 'n basismassa van hoogstens 250 g/m ² , naamlik papier van 'n soort geskik vir druk- of skryfwerk: | | | |
| .20 Met 'n basismassa van meer as 65 g/m ² maar hoogstens 214 g/m ² en met 'n waarde vir belastingdoeleindes per 1 000 kg van meer as R265 maar hoogstens R900 | kg | 20% | |
| .90 Ander | kg | vry" | |

Opmerking.—Die skale van reg op sekere drukpapier en skryfpapier word na 20% verhoog.

No. R. 811

16 April 1981

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 3 (No. 3/661)

Under section 75 of the Customs and Excise Act, 1964, Schedule 3 to the said Act is hereby amended to the extent set out in the Schedule hereto.

D. W. STEYN, Deputy Minister of Finance.

No. R. 811

16 April 1981

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 3 (No. 3/661)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae 3 by genoemde Wet hierby gewysig in die mate in die Bylae hiervan aangetoon.

D. W. STEYN, Adjunk-minister van Finansies.

SCHEDULE

| I Item | II Tariff Heading and Description | III Extent of Rebate |
|-----------|---|-------------------------|
| 306.09 | By the substitution for paragraph (1) of tariff heading No. 29.31 of the following: “(1) Organo-sulphur compounds (excluding metallic compounds of dithiocarbamates or bis-dithiocarbamates), for use as active ingredients in the manufacture of pesticides | Full duty” |

Note.—The provision for a rebate of duty on metallic compounds of dithiocarbamates or bis-dithiocarbamates for use as active ingredients in the manufacture of pesticides, is withdrawn.

BYLAE

| I Item | II Tariefpos en Beskrywing | III Mate van Korting |
|-----------|---|-------------------------|
| 306.09 | Deur paragraaf (1) van tariefpos No. 29.31 deur die volgende te vervang: “(1) Organoswavelverbindinge (uitgesonderd metaalverbindinge van ditiokarbamate of bis-ditiokarbamate), vir gebruik as aktiewe bestanddele by die vervaardiging van plaagdoders | Volle reg” |

Opmerking.—Die voorsiening vir 'n korting op reg op metaalverbindinge van ditiokarbamate of bis-ditiokarbamate vir gebruik as aktiewe bestanddele by die vervaardiging van plaagdoders, word ingetrek.

No. R. 812

16 April 1981

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 3 (No. 3/662)

Under section 75 of the Customs and Excise Act, 1964, Schedule 3 to the said Act is hereby amended to the extent set out in the Schedule hereto.

D. W. STEYN, Deputy Minister of Finance.

No. R. 812

16 April 1981

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 3 (No. 3/662)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae 3 by genoemde Wet hierby gewysig in die mate in die Bylae hiervan aangetoon.

D. W. STEYN, Adjunk-minister van Finansies.

SCHEDULE

| I Item | II Tariff Heading and Description | III Extent of Rebate |
|-----------|---|-------------------------|
| 310.05 | By the substitution for paragraph (1) of tariff heading No. 48.07 of the following: “(1) Fancy printed paper; lace paper; enamel paper and paperboard; paper and paperboard coated with artificial plastic materials (excluding cellulose or derivatives thereof), unprinted | Full duty” |

Note.—The provision for a rebate of duty on certain coated paper and paperboard of a basis mass not exceeding 250 g/m², not waxed or printed, for the manufacture of boxes, bags and other packing containers, is withdrawn.

BYLAE

| I Item | II Tariefpos en Beskrywing | III Mate van Korting |
|-----------|--|-------------------------|
| 310.05 | Deur paragraaf (1) van tariefpos No. 48.07 deur die volgende te vervang: “(1) Sierbedrukte papier; kantpapier; emaljepapier en -papierbord; papier en papierbord met kunstplastiekstowwe (uitgesonderd cellulose of derivate daarvan) bestryk, onbedruk | Volle reg” |

Opmerking.—Die voorsiening vir 'n korting op reg op sekere bestrykte papier en papierbord met 'n basismassa van hoogstens 250 g/m², nie bewas of bedruk nie, vir die vervaardiging van dose, sakke en ander verpakkingshouers, word ingetrek.

No. R. 814

16 April 1981

No. R. 814

16 April 1981

CUSTOMS AND EXCISE ACT, 1964**AMENDMENT OF SCHEDULE 5 (No. 5/102)**

Under section 75 of the Customs and Excise Act, 1964, Schedule 5 to the said Act is hereby amended to the extent set out in the Schedule hereto.

D. W. STEYN, Deputy Minister of Finance.

DOEANE- EN AKSYNSWET, 1964**WYSIGING VAN BYLAE 5 (No. 5/102)**

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae 5 by genoemde Wet hierby gewysig in die mate in die Bylae hiervan aangetoon.

D. W. STEYN, Adjunk-minister van Finansies.

SCHEDULE

| I Item | II Tariff Heading and Description | III Extent of Drawback |
|-----------|--|--------------------------------------|
| 505.02 | By the substitution for item 505 02 of the following: “505.02 Mineral fuels, mineral oils and products of their distillation, bituminous substances and mineral waxes 25.32 Molybdenum disulphide, used in the manufacture of lubricating preparations 27.14 Petroleum bitumen, used in the manufacture of bituminous emulsions 28.35 Molybdenum disulphide, used in the manufacture of lubricating preparations | Full duty Full duty Full duty” |
| 506.10 | By the insertion after item 506 09 of the following: “506.10 Lubricating preparations 25.32 Molybdenum disulphide, used in the manufacture of lubricating preparations 28.35 Molybdenum disulphide, used in the manufacture of lubricating preparations | Full duty Full duty” |

Note.— Provision is made for a drawback of the full duty on molybdenum disulphide used in the manufacture of lubricating preparations for export.

BYLAE

| I Item | II Tariefpos en Beskrywing | III Mate van Teruggawe |
|-----------|--|--------------------------------------|
| 505.02 | Deur item 505 02 deur die volgende te vervang: „505.02 Mineraalbrandstowwe, mineraalolies en produkte uit die distillasie daarvan, bitumineuse stowwe en mineraalwasse 25.32 Molibdeendisulfied, gebruik by die vervaardiging van smeerpreparate 27.14 Petroleumbitumen, gebruik by die vervaardiging van bitumineuse emulsies 28.35 Molibdeendisulfied, gebruik by die vervaardiging van smeerpreparate | Volle reg Volle reg Volle reg” |
| 506.10 | Deur na item 506 09 die volgende in te voeg: „506.10 Smeerpreparate 25.32 Molibdeendisulfied, gebruik by die vervaardiging van smeerpreparate 28.35 Molibdeendisulfied, gebruik by die vervaardiging van smeerpreparate | Volle reg Volle reg” |

Opmerking.— Voorsiening word gemaak vir 'n teruggawe van die volle reg op molibdeendisulfied gebruik by die vervaardiging van smeerpreparate vir uitvoer.

No. R. 813

16 April 1981

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 4 (No. 4/275)

Under section 75 of the Customs and Excise Act, 1964, Schedule 4 to the said Act is hereby amended to the extent set out in the Schedule hereto.

D. W. STEYN, Deputy Minister of Finance.

No. R. 813

16 April 1981

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 4 (No. 4/275)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae 4 by genoemde Wet hierby gewysig in die mate in die Bylae hiervan aangetoon.

D. W. STEYN, Adjunk-minister van Finansies.

SCHEDULE

| I Item | II Tariff Heading and Description | III Extent of Rebate |
|-----------|---|-------------------------|
| 460.06 | <p>By the insertion after tariff heading No. 29.16 of the following: „29.31 Metallic compounds of dithiocarbamates or bis-dithiocarbamates, in such quantities and at such times as the Director-General: Industries, Commerce and Tourism may allow by specific permit</p> <p>By the substitution for tariff heading No. 38.11 of the following:</p> <ul style="list-style-type: none"> “(1) Herbicides with 2-methyl-4-chlorophenoxyacetic acid or 2,4-dichlorophenoxyacetic acid or their derivatives as active ingredient, in such quantities and at such times as the Director-General: Industries, Commerce and Tourism may allow by specific permit (2) Fungicides, with metallic compounds of dithiocarbamates or bis-dithiocarbamates as active ingredient, in such quantities and at such times as the Director-General: Industries, Commerce and Tourism may allow by specific permit | Full duty” |
| | | Full duty |
| | | Full duty” |

Note.—Provision is made for a rebate of the full duty on metallic compounds of dithiocarbamates or bis-dithiocarbamates and fungicides with these compounds as active ingredient, in such quantities and at such times as the Director-General: Industries, Commerce and Tourism may allow by specific permit.

BYLAE

| I Item | II Tariefpos en Beskrywing | III Mate van Korting |
|-----------|---|-------------------------|
| 460.06 | <p>Deur na tariefpos No. 29.16 die volgende in te voeg: „29.31 Metaalverbinding van ditiokarbamate of bis-ditiokarbamate, in die hoeveelhede en op die tye wat die Direkteur-generaal: Nywerheidswese, Handel en Toerisme by bepaalde permit toelaat</p> <p>Deur tariefpos No. 38.11 deur die volgende te vervang:</p> <ul style="list-style-type: none"> “(1) Plantdoders met 2 - metiel-4-chloorfenoksiasynsuur of 2,4 - dichloorfenoksiasynsuur of deriveerde daarvan as aktiewe bestanddeel, in die hoeveelhede en op die tye wat die Direkteur-generaal: Nywerheidswese, Handel en Toerisme by bepaalde permit toelaat (2) Swamddoders, met metaalverbindinge van ditiokarbamate of bis-ditiokarbamate as aktiewe bestanddeel, in die hoeveelhede en op die tye wat die Direkteur-generaal: Nywerheidswese, Handel en Toerisme by bepaalde permit toelaat | Volle reg” |
| | | Volle reg |
| | | Volle reg” |

Opmerking.—Voorsiening word gemaak vir 'n volle korting op reg op metaalverbindinge van ditiokarbamate of bis-ditiokarbamate en swamddoders met dié verbindinge as aktiewe bestanddeel, in die hoeveelhede en op die tye wat die Direkteur-generaal: Nywerheidswese, Handel en Toerisme by bepaalde permit toelaat.

No. R. 807

16 April 1981

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/746)

Under section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule 1 to the said Act is hereby amended to the extent set out in the Schedule hereto.

D. W. STEYN, Deputy Minister of Finance.

No. R. 807

16 April 1981

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/746)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae 1 by genoemde Wet hierby gewysig in die mate in die Bylae hiervan aangevoer.

D. W. STEYN, Adjunk-minister van Finansies.

SCHEDULE

| | I Tariff Heading | II Statistical Unit | III IV | |
|-------|--|------------------------|--|--------|
| | | | General | M.F.N. |
| 29.31 | By the insertion after subheading No. 29.31.88 of the following: “29.31.89 Metallic compounds of dithiocarbamates or bis-dithiocarbamates, not elsewhere specified or included in this heading” | kg | 20% or 180c per kg less 80%” | |
| 38.11 | By the substitution for subheading No. 38.11.45.20 of the following: “.30 With metallic compounds of dithiocarbamates or bis-dithiocarbamates as active ingredient .50 With other active ingredients, suitable for the preservation of wood, plants, trees or seed | kg | 20% or 180c per kg less 80%” free” | |

Notes—1. Specific provisions are made for certain metallic compounds of dithiocarbamates or bis-dithiocarbamates and for fungicides with metallic compounds of dithiocarbamates or bis-dithiocarbamates as active ingredient, and the rates of duty thereon are amended to 20% or 180c per kg less 80%.

2. Goods which comply with the requirements of item 460.22 may be allowed under rebate of duty under that item.

BYLAE

| | I Tariefpos | II Statistiese Eenheid | III IV | |
|-------|--|---------------------------|--|--------|
| | | | Skaal van Reg | |
| | | | Algemeen | M.B.N. |
| 29.31 | Deur na subpos No. 29.31.88 die volgende in te voeg: “29.31.89 Metaalverbindinge van ditiookarbamate of bis-ditiookarbamate, nie elders in hierdie pos vermeld of ingesluit nie” | kg | 20% of 180c per kg min 80%” | |
| 38.11 | Deur subpos No. 38.11.45.20 deur die volgende te vervang: “.30 Met metaalverbindinge van ditiookarbamate of bis-ditiookarbamate as aktiewe bestanddeel .50 Met ander aktiewe bestanddele, geskik vir die preser�ering van hout, plante, bone of saad | kg | 20% of 180c per kg min 80%” vry” | |

Opmerkings—1. Spesifieke voorseenings word gemaak vir sekere metaalverbindinge van ditiookarbamate of bis-ditiookarbamate en vir swamddoders met metaalverbindinge van ditiookarbamate of bis-ditiookarbamate as aktiewe bestanddeel, en die skaale van reg daarop word na 20% of 180c per kg min 80% gewysig.

2. Goedere wat aan die vereistes van item 460.22 voldoen kan by dié item met korting op reg toegelaat word.

No. R. 810

16 April 1981

No. R. 810

16 April 1981

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/749)

Under section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule 1 to the said Act is hereby amended to the extent set out in the Schedule hereto.

D. W. STEYN, Deputy Minister of Finance.

DOEANE- EN AKSYNSWET, 1964
WYSIGING VAN BYLAE 1 (No. 1/1/749)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae 1 by genoemde Wet hierby gewysig in die mate in die Bylae hiervan aangetoon.

D. W. STEYN, Adjunk-minister van Finansies.

SCHEDULE

| | I Tariff Heading | II Statistical Unit | III IV | |
|----------|--|------------------------|---|--------|
| | | | General | M.B.N. |
| 73.18 | By the substitution for subheadings Nos. 73.18.70 and 73.18.80 of the following: “73.18.70 Tubes and pipes and blanks therefor, seamless, not elsewhere provided for under this heading: .10 With an outside cross-sectional dimension not exceeding 50 mm | kg | 15% or 9 500c per 100 kg less 85% | |
| | .20 With an outside cross-sectional dimension exceeding 50 mm but not exceeding 170 mm | kg | 15% or 7 500c per 100 kg less 85% | |
| | .30 With an outside cross-sectional dimension exceeding 170 mm | kg | 10% plus 22c per 100 kg | |
| 73.18.80 | Tubes and pipes and blanks therefor, not seamless, not elsewhere provided for under this heading: .10 With an outside cross-sectional dimension not exceeding 170 mm | kg | 15% plus 22c per 100 kg or 3 272c per 100 kg less 85% | |
| | .20 With an outside cross-sectional dimension exceeding 170 mm | kg | 10% plus 22c per 100 kg” | |

Note.—Subheadings Nos. 73.18.70 and 73.18.80 are restated and the rates of duty on certain seamless tubes, pipes and blanks therefor, of iron or steel, are amended.

BYLAE

| | I Tariefpos | II Statistiese Eenheid | III IV | |
|----------|--|---------------------------|--|--------|
| | | | Skaal van Reg | |
| | | | Algemeen | M.B.N. |
| 73.18 | Deur subposte Nos. 73.18.70 en 73.18.80 deur die volgende te vervang: “73.18.70 Buise en pype en ru-stukke daarvoor, naatloos, nie elders in hierdie pos vermeld nie: .10 Met 'n buitedwarsdeursnee-afmeting van hoogstens 50 mm | kg | 15% of 9 500c per 100 kg min 85% | |
| | .20 Met 'n buitedwarsdeursnee-afmeting van meer as 50 mm maar hoogstens 170 mm | kg | 15% of 7 500c per 100 kg min 85% | |
| | .30 Met 'n buitedwarsdeursnee-afmeting van meer as 170 mm | kg | 10% plus 22c per 100 kg | |
| 73.18.80 | Buise en pype en ru-stukke daarvoor, nie naatloos nie, nie elders in hierdie pos vermeld nie: .10 Met 'n buitedwarsdeursnee-afmeting van hoogstens 170 mm | kg | 15% plus 22c per 100 kg of 3 272c per 100 kg min 85% | |
| | .20 Met 'n buitedwarsdeursnee-afmeting van meer as 170 mm | kg | 10% plus 22c per 100 kg” | |

Opmerking.—Subposte Nos. 73.18.70 en 73.18.80 word herskryf en die skale van reg op sekere naatlose buise, pype en ru-stukke daarvoor, van yster of staal, word gewysig.

DEPARTMENT OF HEALTH, WELFARE AND PENSIONS

No. R. 815

16 April 1981

THE SOUTH AFRICAN MEDICAL AND DENTAL COUNCIL

ESTABLISHMENT OF A PROFESSIONAL BOARD FOR OPTICAL DISPENSERS

Under the powers vested in me by section 15 (4) of the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act 56 of 1974), and after considering a recommendation by the South African Medical and Dental Council, I, Lourens Albertus Petrus Anderson Munnik, hereby establish a professional board to be known as the Professional Board for Optical Dispensers, which shall, subject to the provisions of section 15 (6) (a) and (c), consist of persons whose names appear on the register of optical dispensers kept in terms of section 32 of the said Act.

L. A. P. A. MUNNIK, Minister of Health, Welfare and Pensions.

No. R. 816

16 April 1981

THE SOUTH AFRICAN MEDICAL AND DENTAL COUNCIL

REGULATIONS REGARDING THE CONSTITUTION OF THE PROFESSIONAL BOARD FOR OPTICAL DISPENSERS

The Minister of Health, Welfare and Pensions, under the powers vested in him by section 15 (5) of the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act 56 of 1974), has made the regulations set out in the Schedule hereto.

SCHEDULE

1. In this Schedule, unless the context otherwise indicates—

“Act” means the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act 56 of 1974); “council” means the South African Medical and Dental Council; and

“professional board” means the Professional Board for Optical Dispensers established under Government Notice R. 815 of 16 April 1981.

2. The professional board shall consist of seven members and shall comprise the following:

(1) One person appointed by the council who shall be a member of the council.

(2) Five persons elected by the persons whose names appear on the register of optical dispensers kept under section 32 of the Act. The election shall be conducted by the council and members shall be elected for periods of five years, at the end of which period they shall vacate office: Provided that they shall be eligible for re-election.

(3) One person, appointed by the council, who shall be a medical practitioner or dentist and who shall have special knowledge of optical dispensing.

3. (1) A member of the professional board shall vacate his office—

(a) if he becomes insolvent or assigns his estate for the benefit of, or compounds with, his creditors; or

DEPARTEMENT VAN GESONDHEID, WELSYN EN PENSIÖENE

No. R. 815 16 April 1981

DIE SUID-AFRIKAANSE GENEESKUNDIGE EN TANDHEELKUNDIGE RAAD

INSTELLING VAN 'N BEROEPSRAAD VIR BRILOPMAKERS

Kragtens die bevoegdheid my verleen by artikel 15 (4) van die Wet op Geneeshere, Tandartse en Aanvullende Gesondheidsdiensberoep, 1974 (Wet 56 van 1974), en na oorweging van 'n aanbeveling van die Suid-Afrikaanse Geneeskundige en Tandheelkundige Raad stel ek, Lourens Albertus Petrus Anderson Munnik, hierby 'n beroepsraad in wat as die Beroepsraad vir Brilopmakers bekend sal staan en wat behoudens die bepalings van artikel 15 (6) (a) en (c) bestaan uit persone wie se name verkyn op die register van brilopmakers wat kragtens artikel 32 van genoemde Wet gehou word.

L. A. P. A. MUNNIK, Minister van Gesondheid, Welsyn en Pensioene.

No. R. 816

16 April 1981

DIE SUID-AFRIKAANSE GENEESKUNDIGE EN TANDHEELKUNDIGE RAAD

REGULASIES BETREFFENDE DIE SAMESTELLING VAN DIE BEROEPSRAAD VIR BRILOPMAKERS

Die Minister van Gesondheid, Welsyn en Pensioene het kragtens die bevoegdheid hom verleen by artikel 15 (5) van die Wet op Geneeshere, Tandartse en Aanvullende Gesondheidsdiensberoep, 1974 (Wet 56 van 1974), die regulasies in die Bylae hiervan uitgevaardig.

BYLAE

1. In hierdie Bylae, tensy uit die samehang anders blyk, beteken—

“beroepsraad” die Beroepsraad vir Brilopmakers ingevolge Goewermentskennisgiving R. 815 van 16 April 1981, ingestel;

“die Wet” die Wet op Geneeshere, Tandartse en Aanvullende Gesondheidsdiensberoep, 1974 (Wet 56 van 1974); en

“raad” die Suid-Afrikaanse Geneeskundige en Tandheelkundige Raad.

2. Die beroepsraad bestaan uit sewe lede en word soos volg saamgestel:

(1) Een persoon deur die raad aangewys wat 'n lid van die raad is;

(2) vyf persone verkies deur die persone wie se name verskyn op die register van brilopmakers wat ingevolge artikel 32 van die Wet gehou word. Sodanige verkiesing word deur die raad gehou en lede word verkies vir 'n tydperk van vyf jaar, na verloop van welke tydperk lede hulle amp ontruim: Met dien verstande dat sodanige lede herkiesbaar is;

(3) een persoon deur die raad aangewys wat 'n geneesheer of tandarts is en wat besondere kennis van die beroep brilopmaking dra.

3. (1) 'n Lid van die beroepsraad ontruim sy amp—

(a) as hy insolvent raak of van sy boedel afstand doen ten voordele van sy skuldeisers of met hulle 'n skikking aangaan; of

(b) if he is absent from more than two consecutive ordinary meetings of the professional board without the professional board's leave; or

(c) if he has been disqualified under the Act from carrying on his profession; or

(d) if as an elected member he notifies his resignation, in writing, to the professional board; or

(e) if as an appointed member he ceases to be eligible for the appointment or gives notice, in writing, to the council of his desire to resign office and his resignation is accepted.

(2) Every such vacancy and every vacancy caused by the death of a member shall be filled by appointment or election according as the member vacating office was appointed or elected, and every member so appointed or elected shall hold office only for the unexpired portion of that period for which the member vacating such office was appointed or elected.

4. The election of members of the professional board and every election to fill a casual vacancy shall be held *mutatis mutandis* in accordance with the provisions of regulations promulgated in terms of section 61 (1) (q) of the Act.

DEPARTMENT OF JUSTICE

No. R. 832

16 April 1981

SOUTH AFRICAN PRISONS SERVICE

AMENDMENT OF THE PRISON REGULATIONS

The State President has, under and by virtue of section 94 of the Prisons Act, 1959 (Act 8 of 1959), made the regulations in the Annexure hereto:

ANNEXURE

1. In this Annexure, unless the context otherwise indicates, the term "the Prison Regulations" means the Consolidated Prison Regulations, published under Government Notice R. 2080 of 31 December 1965, as amended by Government Notices R. 992 of 30 June 1967, R. 441 of 22 March 1968, R. 801 of 10 May 1968, R. 1865 of 11 October 1968, R. 2227 of 6 December 1968, R. 2325 of 20 December 1968, R. 1530 of 18 September 1970, R. 1979 of 13 November 1970, R. 557 of 8 April 1971, R. 1199 of 9 July 1971, R. 53 of 14 January 1972, R. 776 of 12 May 1972, R. 1476 of 25 August 1972, R. 384 of 16 March 1973, R. 922 of 30 May 1973, R. 2368 of 14 December 1973, R. 1842 of 11 October 1974, R. 1311 of 11 July 1975, R. 921 of 28 May 1976, R. 2261 of 3 December 1976, R. 173 of 11 February 1977, R. 607 of 15 April 1977, R. 966 of 3 June 1977, R. 967 of 3 June 1977, R. 968 of 3 June 1977, R. 1047 of 17 June 1977, R. 1199 of 23 June 1977, R. 1584 of 12 August 1977, R. 1731 of 2 September 1977, R. 2094 of 14 October 1977, R. 992 of 19 May 1978, R. 1759 of 1 September 1978, R. 1993 of 6 October 1978, R. 1994 of 6 October 1978, R. 2091 of 21 September 1979, R. 350 of 18 February 1980, R. 1091 of 30 May 1980 and R. 1434 of 11 July 1980.

2. Regulation 15 of the Prison Regulations is hereby amended—

(a) by the substitution for paragraph (a) (i) of sub-regulation (1) of the following paragraph:

"(i) who is alleged or suspected to be indisposed, sick, injured or suffering from ill-health, to submit himself to an examination by a medical officer or

(b) as hy van meer as twee agtereenvolgende gewone vergaderings van die beroepsraad sonder die toestemming van die beroepsraad afwesig is; of

(c) as hy ingevolge die Wet onbevoeg geword het om sy beroep te beoefen; of

(d) as hy, as 'n verkose lid, sy bedanking skriftelik meegeel aan die beroepsraad; of

(e) as hy, as aangewese lid, ophou om aanwysbaar te wees of skriftelik kennis gee aan die raad van sy wens om te bedank en sy bedanking aangeneem word.

(2) Elke sodanige vakature en elke vakature wat deur die dood van 'n lid ontstaan, word aangevul deur aanwysing of verkiesing na gelang die lid wat sodanige amp ontruim, aangewys of verkies is en elke aldus aangewese of verkose lid beklee sy amp slegs gedurende die onverstreke deel van die tydperk waarvoor die lid wat sodanige amp ontruim, aangewys of verkies is.

4. Die verkiesing van lede van die beroepsraad en elke verkiesing om 'n toevallige vakature aan te vul, word *mutatis mutandis* gehou ooreenkomsdig die bepplings van die regulasies uitgevaardig kragtens die bepplings van artikel 61 (1) (q) van die Wet.

DEPARTEMENT VAN JUSTISIE

No. R. 832

16 April 1981

SUID-AFRIKAANSE GEVANGENISDIENS

WYSIGING VAN GEVANGENISREGULASIES

Die Staatspresident het kragtens artikel 94 van die Wet op Gevangenis, 1959 (Wet 8 van 1959), die regulasies in die Bylae hiervan uitgevaardig:

BYLAE

1. In hierdie Bylae, tensy uit die samehang anders blyk, beteken die uitdrukking "die Gevangenisregulasies", die Gekonsolideerde Gevangenisregulasies, gepubliseer by Goewermentskennisgewing R. 2080 van 31 Desember 1965, soos gewysig deur Goewermentskennisgewings R. 992 van 30 Junie 1967, R. 441 van 22 Maart 1968, R. 801 van 10 Mei 1968, R. 1865 van 11 Oktober 1968, R. 2227 van 6 Desember 1968, R. 2325 van 20 Desember 1968, R. 1530 van 18 September 1970, R. 1979 van 13 November 1970, R. 557 van 8 April 1971, R. 1199 van 9 Julie 1971, R. 53 van 14 Januarie 1972, R. 776 van 12 Mei 1972, R. 1476 van 25 Augustus 1972, R. 384 van 16 Maart 1973, R. 922 van 30 Mei 1973, R. 2368 van 14 Desember 1973, R. 1842 van 11 Oktober 1974, R. 1311 van 11 Julie 1975, R. 921 van 28 Mei 1976, R. 2261 van 3 Desember 1976, R. 173 van 11 Februarie 1977, R. 607 van 15 April 1977, R. 966 van 3 Junie 1977, R. 967 van 3 Junie 1977, R. 968 van 3 Junie 1977, R. 1047 van 17 Junie 1977, R. 1199 van 23 Junie 1977, R. 1584 van 12 Augustus 1977, R. 1731 van 2 September 1977, R. 2094 van 14 Oktober 1977, R. 992 van 19 Mei 1978, R. 1759 van 1 September 1978, R. 1993 van 6 Oktober 1978, R. 1994 van 6 Oktober 1978, R. 2091 van 21 September 1979, R. 350 van 18 Februarie 1980, R. 1091 van 30 Mei 1980 en R. 1434 van 11 Julie 1980.

2. Regulasi 15 van die Gevangenisregulasies word hierby gewysig—

(a) deur paragraaf (a) (i) van subregulasi 1 deur die volgende paragraaf te vervang:

"(i) wat na beweer word of vermoedelik ongesteld, siek of beseer is of aan swak gesondheid ly, hom onderwerp aan 'n ondersoek deur 'n geneeskundige beampot of ander geregistreerde geneesheer

other registered medical practitioner or dentist indicated by the Commissioner or to undergo such examination in a nursing home or military or other hospital or to be admitted to any hospital or nursing home and to undergo medical or dental treatment there;";

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

"(b) The cost of such an examination, treatment or immunisation shall be met from public funds."

3. Regulation 16 of the Prison Regulations is hereby amended by the substitution for the expression "Secretary for Health" of the expression "Director-General: Health, Welfare and Pensions", where it occurs in sub-regulation (1).

4. Regulation 17 of the Prison Regulations and the headings thereof are substituted by the following regulation and headings:

"(C) Medical, dental and hospital treatment and supplementary health services: Members and their dependents"

Establishment of a medical scheme

17. (1) With effect from 1 April 1981 the South African Prisons Service Medical Scheme (hereinafter referred to as the Scheme) shall, subject to the provisions of this regulation and Regulations 18 and 19, be established to provide medical, dental and hospital treatment and supplementary health services (including drugs, dressings, medical comforts, aids and appliances, and transportation in the case of indisposition) for members and their dependents at public expense: Provided that—

(a) a member shall pay one-tenth of the cost of medical and dental treatment and supplementary health services, calculated in accordance with the tariff of fees or an approved tariff, and such treatment and services be given and rendered by persons registered with the South African Medical and Dental Council; and

(b) the Commissioner may frame such regulations, rules and conditions with regard to a particular member or members or any category of members as he may deem necessary or expedient for efficient administration or the achievement of the objects of the Scheme, and such regulations, rules and conditions shall be binding upon all such members of the Scheme.

Definitions

(2) For the purposes of this regulation, and unless inconsistent with the context—

(a) "member" means—

(i) a serving member of the Prisons Service;
(ii) a member referred to in subparagraph (i) who has retired or has been discharged from the Prisons Service with an annuity and/or a gratuity, unless otherwise directed by the Commissioner;

(iii) a member referred to in subparagraph (i) who has been discharged from the Prisons Service due to medical unfitness which, in the opinion of the Commissioner, arose in the course of and as a result of his duties; and

unless otherwise directed by the Commissioner—

(iv) a serving temporary warden appointed in terms of paragraph (a) of subregulation (1) of regulation 9;

of tandarts deur die Kommissaris aangewys of dat hy sodanige onderzoek ondergaan in 'n verpleeginrigting of militêre of ander hospitaal of in 'n hospitaal of verpleeginrigting opgeneem word en geneeskundige of tandheelkundige behandeling aldaar ondergaan;"

(b) deur paragraaf (b) van subregulasie (1) deur die volgende paragraaf te vervang:

"(b) Die koste van sodanige onderzoek, behandeling of immunisering word uit staatsfondse bestry."

3. Regulasie 16 van die Gevangenisregulasies word hierby gewysig deur die uitdrukking "Sekretaris van Gesondheid" waar dit in subregulasie (1) voorkom, deur die uitdrukking "Direkteur-generaal: Gesondheid, Welsyn en Pensioene" te vervang.

4. Regulasie 17 van die Gevangenisregulasies en die opskrifte daarvan word deur die volgende regulasie en opskrifte vervang:

"(C) Geneeskundige, tandheelkundige en hospitaalbehandeling en aanvullende gesondheidsdienste: Lede en hul afhanklikes"

Instelling van 'n mediese skema

17. (1) Met ingang van 1 April 1981 word die Suid-Afrikaanse Gevangenisdiens Mediese Skema (hierna die Skema genoem) ingestel om, behoudens die bepalings van hierdie regulasie en regulasies 18 en 19, geneeskundige, tandheelkundige en hospitaalbehandeling en aanvullende gesondheidsdienste, (met inbegrip van medisyne, verbandmiddels, geneeskundige geriewe, hulpmiddels en toestelle, en vervoer tydens ongesteldheid aan lede en hul afhanklikes, op staatskoste te voorsien: Met dien verstande dat—

(a) 'n lid een tiende van die koste vir geneeskundige en tandheelkundige behandeling en aanvullende gesondheidsdienste moet betaal, bereken volgens die geldetarieff of 'n goedgekeurde tarief, welke behandeling en dienste deur persone gelewer moet word wat by die Suid-Afrikaanse Mediese en Tandheelkundige Raad geregistreer is; en

(b) die Kommissaris sodanige voorskrifte, reëls en voorwaardes, wat hy vir die doeltreffende administrasie of die verwesenliking van die oogmerke van die Skema nodig of dienstig ag, kan bepaal met betrekking tot 'n bepaalde lid of lede of enige kategorie van lede en welke voorskrifte, reëls en voorwaardes op al sodanige lede van die Skema bindend is.

Woordomskrywing

(2) Vir die toepassing van hierdie regulasie en tensy uit die samehang anders blyk, beteken—

(a) "lid"—

(i) 'n dienende lid van die Gevangenisdiens;
(ii) 'n in subparagraph (i) bedoelde lid wat die diens van die Gevangenisdiens met jaargeld en/of 'n gratifikasie verlaat het of daaruit ontslaan is, tensy die Kommissaris anders gelas;

(iii) 'n in subparagraph (i) bedoelde lid wat weens mediese ongeskiktheid, wat volgens die oordeel van die Kommissaris in die loop van en as gevolg van sy diens ontstaan het, uit die Gevangenisdiens ontslaan is; en

tensy die Kommissaris anders gelas—

(iv) 'n dienende tydelike bewaarder wat kragtens paragraaf (a) van subregulasie (1) van regulasie 9 aangestel is;

(v) any member who, immediately prior to the repeal of Regulations 149 and 150, could lay claim to medical benefits in terms of the said regulation; and

(vi) a "dependents" as defined in paragraph (b);

(b) "dependent" means—

(i) the legally recognised wife or widow or a dependent child of a White, Indian or Coloured member referred to in paragraph (a) (i) and (ii); and unless otherwise directed by the Commissioner—

(ii) the legally recognised wife or widow or a dependent child of a White, Indian or Coloured member referred to in paragraph (a) (iii), (iv) and (v);

Provided that if such a widow remarries or the husband of such a remarried widow dies or if she is being divorced, she and any dependent child shall forfeit all the benefits and privileges accruing to them under this regulation, but if the Commissioner is of the opinion that such a child does not receive adequate medical, dental or hospital treatment because of financial circumstances or for any special or sufficient reason, he may, notwithstanding the remarriage of such widow, authorise such child's continued membership of the Scheme for as long as the child is a "dependent child", as contemplated in subregulation (3).

"Dependent child"

(3) For the purposes of this regulation "dependent child" in relation to any White, Indian or Coloured member aforesaid means such member's child, step-child or legally adopted child who is unmarried, who is permanently resident with such member and who is—

(a) under the age of 18 years and not in permanent gainful employment, including any form of vocational training to which remuneration is attached;

(b) eighteen years or older, is a full-time scholar or student at a school or other educational institution and, notwithstanding any bursaries, loans or merit awards received, is entirely dependent upon such member for his maintenance; or

(c) over the age of 18 years and, because of a physical or mental infirmity, entirely dependent upon such member for his maintenance:

Provided that—

(i) a child who temporarily resides 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 duties, to care personally for the child, shall be deemed to be permanently resident with such member;

(ii) in the event of the maintenance paid or payable in respect of a child by any person other than the member concerned or of any earnings or income of any nature whatsoever received by or on behalf of a child being insufficient, in the opinion of the Commissioner, to provide such child with the necessary maintenance, medical, dental and hospital treatment, such child shall be deemed to be entirely dependent upon such member;

(iii) the Commissioner may, notwithstanding the provisions of this subregulation, approve that the child of a member who is estranged from his wife, judicially separated or divorced, be deemed a dependent child if such member has been ordered by a competent court to pay maintenance for such child and also to bear the child's full medical expenses.

(v) enige lid wat, onmiddellik voor die herroeping van regulasies 149 en 150, op mediese voordele ingevolge bedoelde regulasies aanspraak kon maak; en

(vi) 'n "afhanklike" soos omskryf in paragraaf (b);

(b) "afhanklike"—

(i) die regtens erkende eggenote of weduwee of afhanklike kind van 'n in paragraaf (a) (i) en (ii) bedoelde Blanke, Indier of Kleurlinglid; en tensy die Kommissaris anders gelas—

(ii) die regtens erkende eggenote of weduwee of afhanklike kind van 'n in subparagraph (a) (iii), (iv) en (v) bedoelde Blanke, Indier of Kleurlinglid:

Met dien verstande dat indien sodanige weduwee hertrou, of 'n weduwee wat hertrou het se eggenoot te sterwe kom of as sy skei, sy en enige afhanklike kind al die voorregte en voordele wat uit hoofde van en kragtens hierdie regulasie verleen word, verbeur, maar indien die Kommissaris van oordeel is dat so 'n kind weens geldelike omstandighede of om 'n ander buiten gewone of afdoende rede nie voldoende geneeskundige, tandheelkundige of hospitaalbehandeling ontvang nie, en ondanks die hertrou van sodanige weduwee, magting kan verleen dat so 'n kind 'n lid van die Skema mag bly vir solank as wat hy aan die vereistes van 'n in subregulasië (3) bedoelde "afhanklike kind" voldoen.

Afhanklike kind

(3) Vir die toepassing van hierdie regulasie, beteken "afhanklike kind" met betrekking tot bedoelde Blanke, Indier en Kleurlinglid, genoemde lid se kind, stiefkind of regtens aangenome kind wat ongetroud is, permanent by die lid inwoon en wat—

(a) jonger as 18 jaar is en geen permanente lonende betrekking beklee nie, met inbegrip van enige vorm van beroepsopleiding waaraan besoldiging verbonde is;

(b) agtien jaar of ouer is, 'n voltydse skolier of student aan 'n skool of ander opvoedkundige inrigting is en afgesien van beurse, lenings of merietetoe-kennings ontvang, geheel en al van sodanige lid vir sy onderhoud afhanklik is;

(c) ouer as 18 jaar is en vanweë 'n geestelike of liggaaamlike gebrek geheel en al van sodanige lid vir sy onderhoud afhanklik is:

Met dien verstande dat—

(i) '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 werk saamhede, nie in staat is om die kind persoonlik te versorg nie, geag word permanent by sodanige lid in te woon;

(ii) 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 genoemde kind van die nodige onderhoud, geneeskundige, tandheelkundige en hospitaalbehandeling te voorsien, sodanige kind geag word geheel en al van sodanige lid afhanklik te wees;

(iii) die Kommissaris, ondanks die bepalings van hierdie subregulasië, goedkeuring kan verleen dat die kind van 'n lid, wat van sy eggenote vervreem is, of van tafel en bed geskei is of wat geskei is, indien bedoelde lid benewens 'n bedrag vir onderhoud, deur 'n bevoegde hof gelas is om ook die volle mediese onkoste van sodanige kind te dra, as 'n afhanklike kind beskou word.

Female member deemed to be unmarried

(4) For the purposes of this regulation a female member referred to in subparagraph (2) (a) shall be deemed to be unmarried and without children:

Provided that—

(a) if such female member is married and is perforce the sole breadwinner of her child, or if she is a widow, or a divorcee to whom a competent court has awarded the care and custody of her child and she is caring for her child, such child shall be deemed to be a dependent child as contemplated in sub-regulation (2) (b);

(b) maternity benefits on the basis applicable to the wife of a member of the Prisons Service may be granted by the Commissioner to a married female member who is perforce recognised as the sole breadwinner of her family.”.

5. Regulation 18 of the Prison Regulations and the headings thereof are substituted by the following regulation and headings:

“(D) Medical, dental and hospital treatment and supplementary health services

Extent of treatment

18. The treatment provided for in regulation 17 comprises—

(1) medical and dental examination and treatment by a medical or dental practitioner of the State, or by any other registered medical or dental practitioner of own choice at the tariff of fees determined from time to time, and examination and treatment by registered persons who render supplementary health services at the relevant tariff of fees or at a tariff approved by the Commissioner from time to time in consultation with the Director-General of Health, Welfare and Pensions: Provided that a registered person means a person who is registered with the South African Medical and Dental Council;

(2) the provisions of any medical preparation which is required for the treatment or prevention of an indisposition, disease or injury or the restoration of health and which is prescribed by a registered medical/dental practitioner, but shall not include—

(a) patent food, including baby food, except where supplied during hospitalisation;

(b) birthcontrol and slimming remedies, except where such remedies are justified on medical/clinical grounds;

(c) homeopathic and herbal remedies; and

(d) such preparation or class of preparations as the Commissioner may from time to time determine in consultation with the Director-General of Health, Welfare and Pensions;

(3) admission to, care and nursing in a military, public or private hospital or nursing or maternity home, as well as any medical or supplementary medical service rendered to a member whilst he is being cared for in such hospital or home;

(4) examination and treatment as an out-patient, or at the casualty department of any hospital, nursing institution or clinic;

Vroulike lid geag ongetroud te wees

(4) Vir die toepassing van hierdie regulasie word 'n in subregulasie (2) (a) bedoelde vroulike lid geag ongetroud en sonder kinders te wees:

Met dien verstande dat—

(a) indien bedoelde vroulike lid as 'n getroude vroulike lid noodsaklikerwys die enigste broodwinner van haar kind is, of 'n weduwee of 'n geskeide vrou is aan wie deur 'n bevoegde hof die sorg van haar kind toegeken is en sy sodanige kind versorg, word sodanige kind geag 'n afhanglike kind te wees soos in subregulasie (2) (b) bedoel;

(b) kraamvoordele op die grondslag soos van toepassing op die eggeneote van 'n lid van die Gevangenisdiens, deur die Kommissaris toegestaan kan word aan 'n getroude vroulike lid wat noodsaklikerwys as die enigste broodwinner van haar gesin erken word.”.

5. Regulasie 18 van die Gevangenisregulasies en die opskrifte daarvan word deur die volgende regulasie en opskrifte vervang:

“(D) Geneeskundige, tandheelkundige en hospitaalbehandeling en aanvullende gesondheidsdienste

Omvang van behandeling

18. Die omvang van die behandeling waarvoor daar in regulasie 17 voorsiening gemaak is, behels—

(1) geneeskundige en tandheelkundige ondersoek en behandeling of hulp deur 'n geneeskundige of tandheelkundige praktyk van die Staat, of deur 'n ander geregistreerde geneeskundige of tandheelkundige praktyk van eie keuse teen die geldetarief soos van tyd tot tyd bepaal en ondersoek en behandeling deur geregistreerde persone wat aanvullende gesondheidsdienste lewer teen die betrokke gelde of 'n deur die Kommissaris goedgekeurde tarief soos van tyd tot tyd bepaal in oorleg met die Direkteur-generaal van Gesondheid, Welsyn en Pensioene: Met dien verstande dat by 'n geregistreerde persoon 'n persoon bedoel word wat by die Suid-Afrikaanse Mediese en Tandheelkundige Raad, geregistreer is;

(2) die verskaffing van enige geneeskundige preparaat wat nodig is vir die behandeling of voorkoming van 'n ongesteldheid, siekte of besering of om die gesondheid te herstel en wat deur 'n geregistreerde geneeskundige/tandheelkundige praktyk voorgeskrif word, maar sluit nie die volgende in nie:

(a) Patentevoedsel, met inbegrip van babakos, behalwe waar dit gedurende hospitalisasie verskaf word;

(b) geboortebeperkings- en verslankingsmiddels, behalwe waar sodanige middels op mediese/kliniese gronde geregtig is;

(c) homopatiese en kruiemiddels; en

(d) sodanige preparaat of klas preparate as wat die Kommissaris van tyd tot tyd in oorleg met die Direkteur-generaal van Gesondheid, Welsyn en Pensioene bepaal;

(3) opname, versorging en verpleging in 'n militêre, openbare of privaat hospitaal of verpleeg- of kraam-inrigting, asook geneeskundige of aanvullende geneeskundige hulpdiens wat aan 'n lid gelewer word terwyl hy daarin versorg word;

(4) ondersoek en behandeling as 'n buitepasiënt of by die ongevalleafdeling van 'n hospitaal, verpleeg-inrigting of kliniek;

(5) the employment of a registered nurse or mid-wife, if a registered medical practitioner deems it necessary, at such tariff as may be approved from time to time by the South African Nursing Council; and

(6) subject to the approval of the Commissioner—

(a) the provision of medical and dental comforts, aids and appliances; and

(b) medical treatment and care in a hospital, institution or clinic in the case of addiction or alleged addiction to alcohol or any other drug.

A recommendation, examination or treatment by a registered medical or dental practitioner or person who renders supplementary health services shall be deemed to be a recommendation, examination or treatment referred to in this regulation: Provided that treatment for cosmetic reasons shall only be carried out with the prior approval of the Commissioner in consultation with the Director-General of Health, Welfare and Pensions.”.

6. Regulation 19 of the Prison Regulations and the headings thereof are substituted by the following regulation and headings:

“(E) Medical Advisory Board

Establishment of a Board

19. (1) A Medical Advisory Board (hereinafter referred to as “the Board”), consisting of such number of members with such terms of office as the Commissioner may from time to time determine, is hereby established.

Powers and functions of the Board

(2) The Board shall exercise such powers and perform such functions as may be assigned to it from time to time by the Commissioner.”.

7. Regulation 20 of the Prison Regulations and the headings thereof are substituted by the following regulation and headings:

“(F) Dependents of Black members

Allowance instead of medical treatment

20. Such medical allowance as may be determined from time to time by the Treasury may be paid from public funds in respect of the legally recognised wife, widow and dependent child(ren) of a serving or pensioned Black member.”.

8. Regulation 21 of the Prison Regulations and the headings thereof are substituted by the following regulation and headings:

“(G) Injuries arising out of and sustained in the course of duty

Medical, dental and hospital treatment

21. The cost of any medical, dental and hospital treatment or aid rendered under the circumstances referred to in regulation 36 (1) shall be met from public funds in accordance with the tariff laid down in terms of the Workmen’s Compensation Act, 1941, (Act 30 of 1941), as amended.”.

9. Regulation 22 of the Prison Regulations is hereby amended by the substitution for the words “section sixty-eight of the Government Service Pensions Act,

(5) indiensneming van ’n geregistreerde verpleegster of vroedvrou, indien ’n geregistreerde geneeskundige praktyk dit noodsaaklik ag, teen sodanige tarief as wat van tyd tot tyd deur die Suid-Afrikaanse Verpleegstersraad bepaal word; en

(6) onderworpe aan die goedkeuring van die Kommissaris—

(a) die verskaffing van geneeskundige en tandheelkundige geriewe, hulpmiddels en toestelle; en

(b) geneeskundige behandeling in ’n hospitaal, instigting of kliniek in die geval van verslawing, of beweerde verslawing aan alkohol of ’n ander verdowingsmiddel.

’n Aanbeveling, ondersoek of behandeling deur ’n geregistreerde geneeskundige of tandheelkundige praktyk of ’n persoon wat aanvullende gesondheidsdienste lewer, word geag ’n aanbeveling, ondersoek of behandeling te wees soos by hierdie regulasie bedoel: Met dien verstande dat behandeling om skoonheidsredes slegs met die voorafgaande goedkeuring van die Kommissaris in oorleg met die Direkteur-generaal van Gesondheid, Welsyn en Pensioene uitgevoer mag word.”.

6. Regulasie 19 van die Gevangenisregulasies en die opskrifte daarvan word deur die volgende regulasie en opskrifte vervang:

“(E) Mediese Adviesraad

Instelling van ’n Raad

19. (1) Daar word hierby ’n Mediese Adviesraad (hierna die “Raad” genoem) ingestel wat bestaan uit soveel persone en wie se dienstermyne strek vir sodanige tydperk as wat die Kommissaris van tyd tot tyd mag bepaal.

Bevoegdhede en werksaamhede van die Raad

(2) Die Raad oefen die bevoegdhede uit en vervul die pligte wat die Kommissaris van tyd tot tyd aan die Raad opdra.”.

7. Regulasie 20 van die Gevangenisregulasies en die opskrifte daarvan word deur die volgende regulasie en opskrifte vervang:

“(F) Afhanglikes van Swart lede

Toelae in plek van mediese behandeling

20. ’n Mediese toelae soos van tyd tot tyd deur die Tesourie bepaal kan ten opsigte van ’n dienende of gepensioeneerde Swart lid se regtens erkende eggenote, weduwee en afhanglike kind(ers) uit Staatsfondse betaal word.”.

8. Regulasie 21 van die Gevangenisregulasies en die opskrifte daarvan word deur die volgende regulasie en opskrifte vervang:

“(G) Beserings wat tydens diens ontstaan en in die loop daarvan plaasvind

Geneeskundige, tandheelkundige en hospitaalbehandeling

21. Die koste van enige geneeskundige, tandheelkundige en hospitaalbehandeling of hulp wat verleen word onder die omstandighede genoem in regulasie 36 (1), word uit Staatsfondse betaal teen ’n tarief bepaal ingevolge die bepalings van die Ongevallewet, 1941 (Wet 30 van 1941), soos gewysig.”.

9. Regulasie 22 van die Gevangenisregulasies word hierby gewysig deur die woorde “artikel agt-en-sestig van die Regeringsdienspensioenwet, 1955 (Wet 58 van

1955 (Act 58 of 1955), as amended" of the words "section 11 (1) of the General Pensions Act, 1979 (Act 29 of 1979), as amended.".

10. Regulation 23 of the Prison Regulations and the headings thereof are hereby deleted.

11. Regulation 24 of the Prison Regulations and the headings thereof are hereby deleted.

12. Regulation 149 of the Prison Regulations and the headings thereof are hereby deleted.

13. Regulation 150 of the Prison Regulations and the headings thereof are hereby deleted.

[Amendment 36]

1955), soos gewysig" deur die woorde "artikel 11 (1) van die Algemene Pensioenewet, 1979 (Wet 29 van 1979), soos gewysig" te vervang.

10. Regulasie 23 van die Gevangenisregulasies en die opskrifte daarvan word hierby geskrap.

11. Regulasie 24 van die Gevangenisregulasies en die opskrifte daarvan word hierby geskrap.

12. Regulasie 149 van die Gevangenisregulasies en die opskrifte daarvan word hierby geskrap.

13. Regulasie 150 van die Gevangenisregulasies en die opskrifte daarvan word hierby geskrap.

[Wysiging 36]

DEPARTMENT OF MANPOWER UTILISATION

No. R. 798 16 April 1981
WAGE ACT, 1957

AMENDMENT OF WAGE DETERMINATION 359.—CEMENT MANUFACTURING INDUSTRY, REPUBLIC OF SOUTH AFRICA

I, Stephanus Petrus Botha, Minister of Manpower Utilisation, hereby, in terms of section 15 (6) of the Wage Act, 1957, amend Wage Determination 359, Cement Manufacturing Industry, Republic of South Africa, published under Government Notice R. 620 of 11 April 1974, as amended by Government Notice R. 1056 of 26 May 1978, in accordance with the Schedule hereto and fix the second Monday after the date of publication of this notice as the date from which the said amendments shall be binding.

S. P. BOTHA, Minister of Manpower Utilisation.

1. Substitute the following for clause 3 (1) (a):

"(a) Employees other than casual employees:

SCHEDULE

In the Magisterial Districts of Alberton, Bellville, Benoni, Boksburg, Brakpan, The Cape, Durban, Germiston, Inanda, Johannesburg, Kempton Park, Kimberley, Klerksdorp, Krugersdorp, Nigel, Pine-town, Pretoria, Randfontein, Roodepoort, Simonstown, Springs and Wynberg and the municipal area of Port Elizabeth

In all other areas

| | During the first year after this amendment comes into force | Thereafter | During the first year after this amendment comes into force | Thereafter |
|---|---|------------|---|------------|
| Per week R | Per week R | Per week R | Per week R | Per week R |
| Artisan..... | 113,00 | 121,00 | 103,00 | 110,00 |
| Assistant compound manager..... | 75,00 | 80,00 | 70,00 | 74,00 |
| Assistant despatch clerk— | | | | |
| during the first six months of experience..... | 51,00 | 54,00 | 49,00 | 52,00 |
| thereafter..... | 57,00 | 60,00 | 55,00 | 58,00 |
| Assistant foreman..... | 95,00 | 102,00 | 85,00 | 92,00 |
| Blaster..... | 87,00 | 95,00 | 80,50 | 84,00 |
| Burner— | | | | |
| during the first six months of experience..... | 80,00 | 86,00 | 72,00 | 77,00 |
| during the second six months of experience..... | 88,00 | 94,50 | 79,00 | 85,00 |
| thereafter..... | 96,00 | 103,00 | 86,00 | 93,00 |

| | In the Magisterial Districts of Alberton, Bellville, Benoni, Boksburg, Brakpan, The Cape, Durban, Germiston, Inanda, Johannesburg, Kemptown Park, Kimberley, Klerksdorp, Krugersdorp, Nigel, Pierton, Pretoria, Randfontein, Roodepoort, Simonstown, Springs and Wynberg and the municipal area of Port Elizabeth | | In all other areas | |
|---|---|------------|---|------------|
| | During the first year after this amendment comes into force | Thereafter | During the first year after this amendment comes into force | Thereafter |
| | Per week R | Per week R | Per week R | Per week R |
| Clerk, female— | | | | |
| during the first year of experience..... | 44,54 | 49,62 | 41,54 | 43,85 |
| during the second year of experience..... | 49,85 | 55,62 | 46,38 | 49,62 |
| during the third year of experience..... | 55,15 | 61,62 | 51,23 | 55,38 |
| during the fourth year of experience..... | 60,46 | 67,62 | 56,08 | 61,15 |
| thereafter..... | 65,77 | 73,62 | 60,92 | 66,92 |
| Clerk, male— | | | | |
| during the first year of experience..... | 47,31 | 52,85 | 43,85 | 46,15 |
| during the second year of experience..... | 55,38 | 61,38 | 51,23 | 53,77 |
| during the third year of experience..... | 63,46 | 69,92 | 58,62 | 61,38 |
| during the fourth year of experience..... | 71,54 | 78,46 | 66,00 | 69,00 |
| during the fifth year of experience..... | 69,62 | 87,00 | 73,38 | 76,62 |
| thereafter..... | 87,69 | 95,54 | 80,77 | 84,23 |
| Compound manager..... | 100,00 | 107,00 | 70,00 | 74,50 |
| Driller..... | 87,00 | 95,00 | 80,50 | 84,00 |
| Driver of a motor vehicle, Class I, the unladen mass of which vehicle, together with the unladen mass of any trailers drawn by such vehicle— | | | | |
| (i) does not exceed 2 700 kg..... | 51,00 | 55,00 | 43,00 | 46,00 |
| (ii) exceeds 2 700 kg but not 4 500 kg..... | 60,50 | 64,50 | 51,00 | 55,00 |
| (iii) exceeds 4 500 kg..... | 70,00 | 74,50 | 59,00 | 63,50 |
| Driver of a motor vehicle, Class II, the unladen mass of which vehicle, together with the unladen mass of any trailers drawn by such vehicle— | | | | |
| (i) does not exceed 2 700 kg..... | 46,50 | 49,50 | 39,00 | 42,00 |
| (ii) exceeds 2 700 kg but not 4 500 kg..... | 51,00 | 55,00 | 43,00 | 46,50 |
| (iii) exceeds 4 500 kg..... | 56,00 | 60,00 | 47,00 | 51,00 |
| Excavator driver— | | | | |
| during the first six months of experience..... | 75,00 | 80,00 | 70,00 | 74,00 |
| thereafter..... | 79,00 | 84,00 | 73,00 | 77,00 |
| Foreman..... | 119,00 | 128,00 | 107,00 | 114,00 |
| Grade I employee— | | | | |
| during the first 12 months of experience..... | 44,50 | 47,50 | 37,50 | 40,50 |
| thereafter..... | 54,00 | 58,00 | 45,50 | 49,00 |
| Grade II employee— | | | | |
| during the first six months of experience..... | 40,50 | 43,00 | 34,00 | 36,80 |
| thereafter..... | 44,50 | 47,50 | 37,50 | 40,50 |
| Grade III employee..... | 40,50 | 43,00 | 34,00 | 36,80 |
| Grade IV employee..... | 39,00 | 41,50 | 32,80 | 35,40 |
| Handyman..... | 56,00 | 60,00 | 50,00 | 53,00 |
| Laboratory assistant— | | | | |
| during the first year of experience..... | 47,31 | 52,85 | 43,85 | 46,15 |
| during the second year of experience..... | 57,23 | 63,69 | 53,08 | 55,85 |
| during the third year of experience..... | 67,38 | 74,31 | 62,31 | 65,31 |
| during the fourth year of experience..... | 77,54 | 84,92 | 71,54 | 74,77 |
| thereafter..... | 87,69 | 95,54 | 80,77 | 84,23 |
| Labourer..... | 37,50 | 40,00 | 31,50 | 34,00 |
| Locomotive driver, uncertified..... | 79,00 | 84,00 | 73,00 | 77,00 |
| Locomotive driver, certified..... | 95,00 | 102,00 | 85,00 | 92,00 |
| Machine handyman..... | 65,00 | 70,00 | 58,00 | 61,00 |
| Miller— | | | | |
| during the first six months of experience..... | 84,00 | 90,00 | 77,00 | 80,00 |
| thereafter..... | 87,00 | 95,00 | 80,50 | 84,00 |
| Operator of earth-winning equipment, Class I..... | 62,60 | 66,80 | 52,60 | 56,80 |
| Operator of earth-winning equipment, Class II..... | 57,00 | 61,00 | 48,00 | 52,00 |
| Operator of service equipment..... | 51,00 | 55,00 | 43,00 | 46,50 |
| Plant operator— | | | | |
| during the first six months of experience..... | 84,00 | 90,00 | 77,00 | 80,00 |
| thereafter..... | 87,00 | 95,00 | 80,50 | 84,00 |
| Platelayer..... | 87,00 | 95,00 | 80,50 | 84,00 |
| Quarryman..... | 102,00 | 108,00 | 92,00 | 97,00 |
| Quarry overseer..... | 113,00 | 121,00 | 103,00 | 110,00 |
| Shunter..... | 79,00 | 84,00 | 73,00 | 77,00 |
| Employee not specifically mentioned elsewhere in this clause..... | 43,00 | 46,00 | 36,00 | 39,00* |

BYLAE

| | In die landdrosdistrikte Alberton, Bellville, Benoni, Boksburg, Brakpan, Die Kaap, Durban, Germiston, Inanda, Johannesburg, Kempton Park, Kimberley, Klerksdorp, Krugersdorp, Nigel, Pinetown, Pretoria, Randfontein, Roodepoort, Simonstad, Springs en Wynberg en die munisipale gebied van Port Elizabeth | In alle ander gebiede | | |
|---|---|-----------------------|--|---------------|
| | Gedurende die eerste jaar nadat hierdie wysiging van krag geword het | Daarna | Gedurende die eerste jaar nadat hierdie wysiging van krag geword het | Daarna |
| | Per week R | Per week R | Per week R | Per week R |
| Ambagsman..... | 113,00 | 121,00 | 103,00 | 110,00 |
| Arbeider..... | 37,50 | 40,00 | 31,50 | 34,00 |
| Assistent-kampongbestuurder..... | 75,00 | 80,00 | 70,00 | 74,00 |
| Assistent-versendingsklerk— | | | | |
| gedurende die eerste ses maande ondervinding..... | 51,00 | 54,00 | 49,00 | 52,00 |
| daarna..... | 57,00 | 60,00 | 55,00 | 58,00 |
| Assistent-voorman..... | 95,00 | 102,00 | 85,00 | 92,00 |
| Baanmeester..... | 87,00 | 95,00 | 80,50 | 84,00 |
| Bediener van diensuitrusting..... | 51,00 | 55,00 | 43,00 | 46,50 |
| Bediener van grondverskuiwingsuitrusting, Klas I..... | 62,60 | 66,80 | 52,60 | 56,80 |
| Bediener van grondverskuiwingsuitrusting, Klas II..... | 57,00 | 61,00 | 48,00 | 52,00 |
| Brander— | | | | |
| gedurende die eerste ses maande ondervinding..... | 80,00 | 86,00 | 72,00 | 77,00 |
| gedurende die tweede ses maande ondervinding..... | 88,00 | 94,50 | 79,00 | 85,00 |
| daarna..... | 96,00 | 103,00 | 86,00 | 93,00 |
| Boorman..... | 87,00 | 95,00 | 80,50 | 84,00 |
| Drywer van 'n motorvoertuig, Klas I, waarvan die onbelaste massa, tesame met die onbelaste massa van enige sleepwaens wat daardeur gesleep word— | | | | |
| (i) hoogstens 2 700 kg is..... | 51,00 | 55,00 | 43,00 | 46,00 |
| (ii) meer as 2 700 kg maar hoogstens 4 500 kg is..... | 60,50 | 64,50 | 51,00 | 55,00 |
| (iii) meer as 4 500 kg is..... | 70,00 | 74,50 | 59,00 | 63,50 |
| Drywer van 'n motorvoertuig, Klas II, waarvan die onbelaste massa, tesame met die onbelaste massa van enige sleepwaens wat daardeur gesleep word— | | | | |
| (i) hoogstens 2 700 kg is..... | 46,50 | 49,50 | 39,00 | 42,00 |
| (ii) meer as 2 700 kg maar hoogstens 4 500 kg is..... | 51,00 | 55,00 | 43,00 | 46,50 |
| (iii) meer as 4 500 kg is..... | 56,00 | 60,00 | 47,00 | 51,00 |
| Faktotum..... | 56,00 | 60,00 | 50,00 | 53,00 |
| Graafmasjienbediener— | | | | |
| gedurende die eerste ses maande ondervinding..... | 75,00 | 80,00 | 70,00 | 74,00 |
| daarna..... | 79,00 | 84,00 | 73,00 | 77,00 |
| Installasiebediener— | | | | |
| gedurende die eerste ses maande ondervinding..... | 84,00 | 90,00 | 77,00 | 80,00 |
| daarna..... | 87,00 | 95,00 | 80,50 | 84,00 |
| Kampongbestuurder..... | 100,00 | 107,00 | 70,00 | 74,50 |
| Klerk, man— | | | | |
| gedurende die eerste jaar ondervinding..... | 47,31 | 52,85 | 43,85 | 46,15 |
| gedurende die tweede jaar ondervinding..... | 55,38 | 61,38 | 51,23 | 53,77 |
| gedurende die derde jaar ondervinding..... | 63,46 | 69,92 | 58,62 | 61,38 |
| gedurende die vierde jaar ondervinding..... | 71,54 | 78,46 | 66,00 | 69,00 |
| gedurende die vyfde jaar ondervinding..... | 79,62 | 87,00 | 73,38 | 76,62 |
| daarna..... | 87,69 | 95,54 | 80,77 | 84,23 |
| Klerk, vrou— | | | | |
| gedurende die eerste jaar ondervinding..... | 44,54 | 49,62 | 41,54 | 43,85 |
| gedurende die tweede jaar ondervinding..... | 49,85 | 55,62 | 46,38 | 49,62 |
| gedurende die derde jaar ondervinding..... | 55,15 | 61,62 | 51,23 | 55,38 |
| gedurende die vierde jaar ondervinding..... | 60,46 | 67,62 | 56,08 | 61,15 |
| daarna..... | 65,77 | 73,62 | 60,92 | 66,92 |
| Klipgroefopsigter..... | 113,00 | 121,00 | 103,00 | 110,00 |
| Klipgroefwerker..... | 102,00 | 108,00 | 92,00 | 97,00 |
| Laboratoriumassistent— | | | | |
| gedurende die eerste jaar ondervinding..... | 47,31 | 52,85 | 43,85 | 46,15 |
| gedurende die tweede jaar ondervinding..... | 57,23 | 63,69 | 33,08 | 55,85 |
| gedurende die derde jaar ondervinding..... | 67,38 | 74,31 | 62,31 | 65,31 |
| gedurende die vierde jaar ondervinding..... | 77,54 | 84,92 | 71,54 | 74,77 |
| daarna..... | 87,69 | 95,54 | 80,77 | 84,23 |
| Masjiensfaktotum..... | 65,00 | 70,00 | 58,00 | 61,00 |
| Masjinis, ongediplomeerd..... | 79,00 | 84,00 | 73,00 | 77,00 |
| Masjinis, gediplomeerd..... | 95,00 | 102,00 | 85,00 | 92,00 |
| Meulenaar— | | | | |
| gedurende die eerste ses maande ondervinding..... | 84,00 | 90,00 | 77,00 | 80,00 |
| daarna..... | 87,00 | 95,00 | 80,50 | 84,00 |
| Rangeerdeer..... | 79,00 | 84,00 | 73,00 | 77,00 |
| Springstofwerker..... | 87,00 | 95,00 | 80,50 | 84,00 |
| Voorman..... | 119,00 | 128,00 | 107,00 | 114,00 |

| | | | |
|--|---|-----------------------|--|
| | In die landdrosdistrikte Alberton, Bellville, Benoni, Boksburg, Brakpan, Die Kaap, Durban, Germiston, Inanda, Johannesburg, Kempton Park, Kimberley, Klerksdorp, Krugersdorp, Nigel, Pinetown, Pretoria, Randfontein, Roodepoort, Simonstad, Springs en Wynberg en die munisipale gebied van Port Elizabeth | In alle ander gebiede | |
| | Gedurende die eerste jaar nadat hierdie wysiging van krag geword het | Daarna | Gedurende die eerste jaar nadat hierdie wysiging van krag geword het |
| | Per week R | Per week R | Per week R |
| Werknemer, Graad I— gedurende die eerste 12 maande ondervinding..... daarna..... | 44,50 54,00 | 47,50 58,00 | 37,50 45,50 |
| Werknemer, Graad II— gedurende die eerste ses maande ondervinding..... daarna..... | 40,50 44,50 | 43,00 47,50 | 34,00 37,50 |
| Werknemer, Graad III..... | 40,50 | 43,00 | 34,00 |
| Werknemer, Graad IV..... | 39,00 | 41,50 | 32,80 |
| Werknemer nie elders in hierdie klousule uitdruklik vermeld nie..... | 43,00 | 46,00 | 36,00 |
| | | | 35,40 39,00". |

2. In clause 4 (6) (d) substitute the expressions "R3,00", "R1,50", "R4,50", "R13,00", "R6,50" and "R19,50" for "R1,65", "R0,85", "R2,50", "R7,15", "R3,68" and "R10,83", respectively.

3. In clause 5 (10) (f) (iii) substitute the expression "R0,60" for "45c".

No. R. 835

16 April 1981

INDUSTRIAL CONCILIATION ACT, 1956

BUILDING AND MONUMENTAL MASONRY INDUSTRIES (TRANSVAAL). — EXTENSION OF MAIN AGREEMENT

I, Stephanus Petrus Botha, Minister of Manpower Utilisation, hereby, in terms of section 48 (4) (a) (i) of the Industrial Conciliation Act, 1956, extend the periods fixed in Government Notices R. 463 of 14 March 1980 and R. 2502 of 5 December 1980, by a further period ending 31 October 1981.

S. P. BOTHA, Minister of Manpower Utilisation.

No. R. 836

16 April 1981

INDUSTRIAL CONCILIATION ACT, 1956

BUILDING AND MONUMENTAL MASONRY INDUSTRIES (TRANSVAAL).—AMENDMENT OF MAIN AGREEMENT

I, Stephanus Petrus Botha, Minister of Manpower Utilisation, hereby—

(a) in terms of section 48 (1) (a) of the Industrial Conciliation Act, 1956, declare that the provisions of the Agreement (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Building and Monumental Masonry Industries, shall be binding, with effect from 1 May 1981 and for the period ending 31 October 1981, upon the employers' organisation and the trade unions which entered into the Amending Agreement and upon the employers and employees who are members of the said organisations or unions;

2. In klousule 4 (6) (d), vervang die uitdrukking "R1,65", "R0,85", "R2,50", "R7,15", "R3,68" en "R10,83" deur onderskeidelik "R3,00", "R1,50", "R4,50", "R13,00", "R6,50" en "R19,50".

3. In klousule 5 (10) (f) (iii), vervang die uitdrukking "45c" deur "R0,60".

No. R. 835

16 April 1981

WET OP NYWERHEIDSVERSOENING, 1956

BOU EN MONUMENTKLIPMESSELNYWERHEID (TRANSVAAL). — VERLENGING VAN HOOF-OOREENKOMS

Ek, Stephanus Petrus Botha, Minister van Mannekragbenutting, verleng hierby, kragtens artikel 48 (4) (a) (i) van die Wet op Nywerheidsversoening, 1956, die tydperke vasgestel in Goewermentskennisgewings R. 463 van 14 Maart 1980 en R. 2502 van 5 Desember 1980, met 'n verdere tydperk wat op 31 Oktober 1981 eindig.

S. P. BOTHA, Minister van Mannekragbenutting.

No. R. 836

16 April 1981

WET OP NYWERHEIDSVERSOENING, 1956

BOU- EN MONUMENTKLIPMESSELNYWERHEID (TRANSVAAL).—WYSIGING VAN HOOFOOREENKOMS

Ek, Stephanus Petrus Botha, Minister van Mannekragbenutting, verklaar hierby—

(a) kragtens artikel 48 (1) (a) van die Wet op Nywerheidsversoening, 1956, dat die bepalings van die Ooreenkoms (hierna die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en op die Bou- en Monumentklipmesselnywerheid betrekking het, met ingang van 1 Mei 1981 en vir die tydperk wat op 31 Oktober 1981 eindig, bindend is vir die werkgewersorganisasies en die vakverenigings wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasies of verenigings is;

(b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement, excluding those contained in clause 1 (1) (a), shall be binding, with effect from 1 May 1981 and for the period ending 31 October 1981, upon all employers and employees, other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Industries in the areas specified in clause 1 (1) (b) of the Amending Agreement; and

(c) in terms of section 48 (3) (a) of the said Act, declare that in the areas specified in clause 1 (1) (b) of the Amending Agreement and with effect from 1 May 1981 and for the period ending 31 October 1981, the provisions of the Amending Agreement, excluding those contained in clause 1 (1) (a), shall *mutatis mutandis* be binding upon all persons who are not employees and who are employed in the said Industries by the employers upon whom any of the said provisions are binding in respect of employees and upon those employers in respect of such persons in their employ.

S. P. BOTHA, Minister of Manpower Utilisation.

SCHEDULE

INDUSTRIAL COUNCIL FOR THE BUILDING INDUSTRY (TRANSVAAL)

AGREEMENT

in accordance with the provisions of the Industrial Conciliation Act, 1956, made and entered into by and between the

Master Builders' and Allied Trades Association (Witwatersrand)

Pretoria Master Builders' and Allied Trades Association
and the

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

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

Amalgamated Union of Building Trade Workers of South Africa

and the

White Building Workers' Union

(hereinafter referred to as the "employees" or the "trade unions"), of the other part,

being the parties to the Industrial Council for the Building Industry (Transvaal),

to amend the Main Agreement published under Government Notice R. 463 of 14 March 1980.

1. AREA AND SCOPE OF APPLICATION OF AGREEMENT

(1) The terms of this Agreement shall be observed in the Building and Monumental Masonry Industries—

(a) by all employers who are members of the employers' organisations and all employees who are members of the trade unions;

(b) (i) in the Magisterial Districts of Alberton, Balfour, Benoni, Boksburg, Brakpan, Delmas, Germiston, Heidelberg (Transvaal), Johannesburg, Nigel, Randburg, Randfontein (excluding that portion which falls outside a radius of 48,28 km of the General Post Office, Krugersdorp), Roodepoort, Springs and Wonderboom (excluding that portion which falls outside a radius of 32,18 km of the General Post Office, Pretoria); the area within a radius of 48,28 km from the General Post Office, Krugersdorp; the area within a radius of 32,18 km from the General Post Office, Vereeniging; the area within a radius of 32,18 km from the General Post Office, Pretoria (excluding that portion of the Black Area Uitvalgrond JQ 4341 which falls within the said radius); the areas within a radius of 16,09 km from the General Post Offices, Klerksdorp, Potchefstroom, Witbank and Middelburg (Transvaal) respectively; and in the Magisterial District of Kempton Park

(b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, uitgesonderd dié vervat in klousule 1 (1) (a), met ingang van 1 Mei 1981 en vir die tydperk wat op 31 Oktober 1981 eindig, bindend is vir alle ander werkgewers en werknemers as dié genoem in paragraaf (a) van hierdie kennisgewing, wat betrokke is by of in diens is in genoemde Nywerheid in die gebiede gespesifiseer in klousule 1 (1) (b) van die Wysigingsooreenkoms; en

(c) kragtens artikel 48 (3) (a) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, uitgesonderd dié vervat in klousule 1 (1) (a), met ingang van 1 Mei 1981 en vir die tydperk wat op 31 Oktober 1981 eindig, in die gebiede gespesifiseer in klousule 1 (1) (b) van die Wysigingsooreenkoms *mutatis mutandis* bindend is vir alle persone wat nie werknemers is nie en wat in diens is in genoemde Nywerheid by dié werkgewers vir wie enigeen van genoemde bepalings ten opsigte van werknemers bindend is en vir daardie werkgewers ten opsigte van sodanige persone in hul diens.

S. P. BOTHA, Minister van Mannekragbenutting.

BYLAE

NYWERHEIDSRAAD VIR DIE BOONYWERHEID (TRANSVAAL)

OOREENKOMS

ingevolge die Wet op Nywerheidsversoening, 1956, gesluit deur en aangegaan tussen die

Master Builders' and Allied Trades Association (Witwatersrand)

Pretoria Master Builders' and Allied Trades Association
en die

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

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

Amalgamated Union of Building Trade Workers of South Africa

en die

Blanke Bouwerkersvakbond

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

wat die partye is by die Nywerheidsraad vir die Bounywerheid (Transvaal),

om die Hooforeenkoms, gepubliseer by Goewermentskennisgewing R. 463 van 14 Maart 1980, te wysig.

1. GEBIED EN TOEPASSINGSBESTEK VAN OOREENKOMS

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

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

(b) (i) in die landdrostdistrikte Alberton, Balfour, Benoni, Boksburg, Brakpan, Delmas, Germiston, Heidelberg (Transvaal), Johannesburg, Nigel, Randburg, Randfontein (uitgesonderd daardie gedeelte wat buite 'n straal van 48,28 km vanaf die Hoofposkantoor, Krugersdorp, val), Roodepoort, Springs en Wonderboom (uitgesonderd daardie gedeelte wat buite 'n straal van 32,18 km vanaf die Hoofposkantoor, Pretoria, val); die gebied binne 'n straal van 48,28 km vanaf die Hoofposkantoor, Krugersdorp; die gebied binne 'n straal van 32,18 km vanaf die Hoofposkantoor, Vereeniging; die gebied binne 'n straal van 32,18 km vanaf die Hoofposkantoor, Pretoria (uitgesonderd daardie gedeelte van die Swart Gebied Uitvalgrond JQ 4341 wat binne genoemde straal val); die gebiede binne 'n straal van 16,09 km vanaf die Hoofposkantoor op onderskeidelik Klerksdorp, Potchefstroom, Witbank en Middelburg

(excluding that portion which falls outside a radius of 32,18 km from the General Post Office, Pretoria; and which, prior to the publication of Government Notice 551 of 29 March 1956, fell within the Magisterial District of Pretoria);

(ii) in the Magisterial District of Bethal (including that portion of the Magisterial District of Hoëveldrif which, prior to 1 March 1979, fell within the Magisterial District of Bethal) in respect of which the expression "Building Industry" shall—

(aa) not include the Iron, Steel, Engineering and Metallurgical Industries as defined in paragraph G of the Certificate of Registration of the National Industrial Council for the Iron, Steel, Engineering and Metallurgical Industry of South Africa; and

(ab) be subject to the provisions of Chapter V of the Determination by the Industrial Tribunal, dated 1 September 1978, in the matter between the Industrial Councils for the Furniture Manufacturing Industry, Transvaal and Natal, and the Industrial Councils for the Building Industry, Transvaal, Durban, and Pietermaritzburg and Northern Areas.

(2) Notwithstanding the provisions of subclause (1) (a), the terms of this Agreement shall—

(a) only apply to those classes of employees for whom wages are prescribed in the Main Agreement and to learner artisans;

(b) apply to apprentices only in so far as they are not inconsistent with the provisions of the Apprenticeship Act, 1944, or any contract entered into or any conditions fixed thereunder;

(c) apply to trainees only in so far as they are not inconsistent with the provisions of the Training of Artisans Act, 1951, or any conditions fixed thereunder;

(d) apply to "labour-only" contractors, working partners and working directors;

(e) not apply to university students and graduates in building science and construction supervisors, construction surveyors and other such persons doing practical work in the completion of their academic training.

2. CLAUSE 4.—WAGES

Substitute the following for subclause (1):

"(1) *General*.—No employer shall pay and no employee shall accept wages at rates lower than the following, read with the remaining provisions of this clause:

Skilled employee: R3,64 per hour."

3. CLAUSE 10.—WORK-DAYS AND HOURS OF WORK

In subclause (1) substitute the following for paragraph (c):

"(c) on Saturday (except the Saturday immediately preceding Ascension Day and such number of Saturdays immediately preceding the annual leave prescribed in clause 12 equal to the number of days in excess of 23 covered by the said annual leave), Sunday, New Year's Day, Founders' Day, Good Friday, Family Day, Ascension Day, the Friday immediately following Ascension Day, Republic Day, the public holiday 1 June 1981, Kruger Day, Day of the Vow, Christmas Day and Day of Goodwill or during the annual leave period prescribed in clause 12."

4. CLAUSE 12.—ANNUAL LEAVE AND PUBLIC HOLIDAYS

Substitute the following for subclause (1):

"(1) No work shall be performed in the Industry by employers and employees during the period stated hereunder:

Between 16h30 on 11 December 1981 and 07h30 on 4 January 1982 or on New Year's Day, Founders' Day, Good Friday, Family Day, Ascension Day, the Friday immediately following Ascension Day, Republic Day, the public holiday 1 June 1981, Kruger Day, Day of the Vow, Christmas Day and Day of Goodwill."

Signed at Johannesburg this 19th day of March 1981.

N. G. LEVEY, Chairman.

G. H. BEETGE, Vice-Chairman.

W. DE J. STAPELBERG, General Secretary.

(Transvaal); en in die landdrostdistrik Kempton Park (uitgesonderd daardie gedeelte wat buite 'n straal van 32,18 km vanaf die Hoofposkantoor, Pretoria, val en wat voor die publikasie van Goewermentskennisgewing 551 van 29 Maart 1956 binne die landdrostdistrik Pretoria gevall het);

(ii) in die landdrostdistrik Bethal (met inbegrip van daardie gedeelte van die landdrostdistrik Hoëveldrif wat voor 1 Maart 1979 binne die landdrostdistrik Bethal gevall het) ten opsigte waarvan die uitdrukking "Bounywerheid"—

(aa) nie die Yster-, Staal-, Ingenieurs- en Metallurgiese Nywerheid soos omskryf in paragraaf G van Registrasiesertifikaat van die Nasionale Nywerheidsraad vir die Yster-, Staal-, Ingenieurs- en Metallurgiese Nywerheid van Suid-Afrika omvat nie; en

(ab) onderworpe is aan die bepalings van Hoofstuk V van die Afbakeningsvassetting deur die Nywerheidshof, gedateer 1 September 1978, in die saak tussen die Nywerheidsrade vir die Meubelnywerheid, Transvaal en Natal, en die Nywerheidsrade vir die Bounywerheid, Transvaal, Durban, en Pietermaritzburg en Noordelike Gebiede.

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

(a) slegs van toepassing op dié klasse werknemers vir wie lone in die Hoofooreenkoms voorgeskryf word en op leerlingambagsmanne;

(b) van toepassing op vakleerlinge slegs vir sover dit nie met die Wet op Vakleerlinge, 1944, of met 'n kontrak wat daarkragtens aangegaan is of met voorwaardes wat daarkragtens gestel is, onbestaanbaar is nie;

(c) van toepassing op kwekelinge slegs vir sover dit nie met die Wet op Opleiding van Ambagsmanne, 1951, of met voorwaardes wat daarkragtens gestel is, onbestaanbaar is nie;

(d) van toepassing op "slegs arbeid" -kontrakteurs, werkende vennote en werkende direkteurs;

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

2. KLOUSULE 4.—LONE

Vervang subklousule (1) deur die volgende:

"(1) *Algemeen*.—Geen lone wat laer is as dié hieronder genoem, geles met die res van die bepalings van hierdie kloousule, mag deur 'n werkgever betaal en deur 'n werknemer aangeneem word nie:

Geskoolde werknemer: R3,64 per uur."

3. KLOUSULE 10.—WERKDAE EN WERKURE

In subklousule (1), vervang paragraaf (c) deur die volgende:

"(c) op Saterdag (behalwe die Saterdag onmiddellik voor Hemelvaartsdag en sodanige getal Saterdae onmiddellik voor die jaarlike verlof in kloousule 12 voorgeskryf gelykstaande met die getal dae waarmee genoemde jaarlike verlof 23 dae oorskry), Sondag, Nuwejaarsdag, Stigtingsdag, Goeie Vrydag, Gesinsdag, Hemelvaartsdag, die Vrydag onmiddellik na Hemelvaartsdag, Republiekdag, die openbare vakansiedag 1 Junie 1981, Krugerdag, Geloftedag, Kersdag en Welwillendehedsdag, of gedurende die jaarlike verloftyd wat in kloousule 12 voorgeskryf word."

4. KLOUSULE 12.—JAARLIKSE VERLOF EN OPENBARE VAKANSIEDAE

Vervang subklousule (1) deur die volgende:

"(1) Gedurende die typerk hieronder genoem, mag geen werk in die Nywerheid deur werkgewers en werknemers verrig word nie:

Tussen 16h30 op 11 Desember 1981 en 07h30 op 4 Januarie 1982 of op Nuwejaarsdag, Stigtingsdag, Goeie Vrydag, Gesinsdag, Hemelvaartsdag, die Vrydag onmiddellik na Hemelvaartsdag, Republiekdag, die openbare vakansiedag 1 Junie 1981, Krugerdag, Geloftedag, Kersdag en Welwillendehedsdag."

Getekend te Johannesburg op hede die 19de dag van Maart 1981.

N. G. LEVEY, Voorsitter.

G. H. BEETGE, Ondervorsitter.

W. DE J. STAPELBERG, Hoofsekretaris.

| | | | |
|---|---------------|---|---------------|
| No. R. 837 | 16 April 1981 | No. R. 837 | 16 April 1981 |
| INDUSTRIAL CONCILIATION ACT, 1956 | | WET OP NYWERHEIDSVERSOENING, 1956 | |
| BUILDING AND MONUMENTAL MASONRY INDUSTRIES (TRANSVAAL). — EXTENSION OF NON-ARTISAN AGREEMENT | | BOU- EN MONUMENTKLIPMESSELNYWERHEID (TRANSVAAL). — VERLENGING VAN NIE-AMBAGSMANOOREENKOMS | |
| I, Stephanus Petrus Botha, Minister of Manpower Utilisation, hereby, in terms of section 48 (4) (a) (i) of the Industrial Conciliation Act, 1956, extend the periods fixed in Government Notices R. 2359 of 26 October 1979 and R. 2505 of 5 December 1980, by a further period ending 31 October 1981. | | Ek, Stephanus Petrus Botha, Minister van Mannekragbenutting, verleng hierby, kragtens artikel 48 (4) (a) (i) van die Wet op Nywerheidsversoening, 1956, die tydperke, vasgestel in Goewermentskennisgewings R. 2359 van 26 Oktober 1979 en R. 2505 van 5 Desember 1980, met 'n verdere tydperk wat op 31 Oktober 1981 eindig. | |
| S. P. BOTHA, Minister of Manpower Utilisation. | | S. P. BOTHA, Minister van Mannekragbenutting. | |
| — | — | — | — |
| No. R. 838 | 16 April 1981 | No. R. 838 | 16 April 1981 |
| INDUSTRIAL CONCILIATION ACT, 1956 | | WET OP NYWERHEIDSVERSOENING, 1956 | |
| BUILDING AND MONUMENTAL MASONRY INDUSTRIES (TRANSVAAL). — AMENDMENT OF NON-ARTISAN AGREEMENT | | BOU- EN MONUMENTKLIPMESSELNYWERHEID (TRANSVAAL). — WYSIGING VAN NIE-AMBAGSMANOOREENKOMS | |
| I, Stephanus Petrus Botha, Minister of Manpower Utilisation, hereby— | | Ek, Stephanus Petrus Botha, Minister van Mannekragbenutting, verklaar hierby— | |
| (a) in terms of section 48 (1) (a) of the Industrial Conciliation Act, 1956, declare that the provisions of the Agreement (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Building and Monumental Masonry Industries, shall be binding, with effect from 1 May 1981 and for the period ending 31 October 1981, upon the employers' organisations and the trade unions which entered into the Amending Agreement and upon the employers and employees who are members of the said organisations or unions; | | (a) kragtens artikel 48 (1) (a) van die Wet op Nywerheidsversoening, 1956, dat die bepalings van die Ooreenkoms (hierna die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en op die Bou- en Monumentklipmesselnywerheid betrekking het, met ingang van 1 Mei 1981 en vir die tydperk wat op 31 Oktober 1981 eindig, bindend is vir die werkgewersorganisasies en die vakverenigings wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasies of verenigings is; | |
| (b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement, excluding those contained in clause 1 (1) (a), shall be binding, with effect from 1 May 1981 and for the period ending 31 October 1981, upon all employers and employees, other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Industries in the areas specified in clause 1 (1) (b) of the Amending Agreement; and | | (b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, uitgesonderd dié vervat in klousule 1 (1) (a), met ingang van 1 Mei 1981 en vir die tydperk wat op 31 Oktober 1981 eindig, bindend is vir alle ander werkgewers en werknemers as dié genoem in paragraaf (a) van hierdie kennisgiving, wat betrokke is by of in diens is in genoemde Nywerheid in die gebiede gespesifiseer in klousule 1 (1) (b) van die Wysigingsooreenkoms; en | |
| (c) in terms of section 48 (3) (a) of the said Act, declare that in the areas specified in clause 1 (1) (b) of the Amending Agreement and with effect from 1 May 1981 and for the period ending 31 October 1981 the provisions of the Amending Agreement, excluding those contained in clause 1 (1) (a), shall <i>mutatis mutandis</i> be binding upon all persons who are not employees and who are employed in the said Industries by the employers upon whom any of the said provisions are binding in respect of employees and upon those employers in respect of such persons in their employ. | | (c) kragtens artikel 48 (3) (a) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, uitgesonderd dié vervat in klousule 1 (1) (a), met ingang van 1 Mei 1981 en vir die tydperk wat op 31 Oktober 1981 eindig, in die gebiede gespesifiseer in klousule 1 (1) (b) van die Wysigingsooreenkoms <i>mutatis mutandis</i> bindend is vir alle persone wat nie werknemers is nie en wat in diens is in genoemde Nywerheid by dié werkgewers vir wie enigeen van genoemde bepalings ten opsigte van werknemers bindend is en vir daardie werkgewers ten opsigte van sodanige persone in hul diens. | |
| S. P. BOTHA, Minister of Manpower Utilisation. | | S. P. BOTHA, Minister van Mannekragbenutting. | |

SCHEDULE

INDUSTRIAL COUNCIL FOR THE BUILDING
INDUSTRY (TRANSVAAL)

AGREEMENT

in accordance with the provisions of the Industrial Conciliation Act, 1956, made and entered into by and between the

Master Builders' and Allied Trades Association
(Witwatersrand)

Pretoria Master Builders' and Allied Trades Association
and the

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

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

Amalgamated Union of Building Trade Workers of
South Africa

and the

White Building Workers' Union

(hereinafter referred to as the "employees" or the "trade unions"), of the other part,

being the parties to the Industrial Council for the Building Industry (Transvaal),

to amend the Non-Artisan Agreement published under Government Notice R. 2359 of 26 October 1979.

1. SCOPE OF APPLICATION OF AGREEMENT

(1) The terms of this Agreement shall be observed in the Building and Monumental Masonry Industries—

(a) by all employers who are members of the employers' organisations and all employees who are members of the trade unions;

(b) (i) in the Magisterial Districts of Alberton, Benoni, Boksburg, Brakpan [excluding any portion of the last-mentioned two Magisterial Districts which, prior to the publication of Government Notice 1779 of 6 November 1964, fell within the Magisterial District of Heidelberg (Transvaal) but outside a radius of 16,09 kilometres from the General Post Office, Heidelberg, and excluding any portion of the Magisterial District of Brakpan which, prior to the publication of Government Notice 498 of 1 April 1966, fell within the Magisterial District of Nigel but outside a radius of 16,09 kilometres from the General Post Office, Nigel, Germiston, Heidelberg (Transvaal) (excluding the area falling outside a radius of 16,09 kilometres from the General Post Office, Heidelberg), Johannesburg (excluding any portion which, prior to the publication of Government Notice 1383 of 11 September 1964, fell within the Magisterial District of Roodepoort but outside a radius of 48,28 kilometres from the General Post Office, Krugersdorp), Kempton Park (excluding any portion which, prior to the publication of Government Notice 551 of 29 March 1956, fell within the Magisterial District of Pretoria but outside a radius of 32,18 kilometres from the General Post Office, Pretoria), Nigel (excluding the area falling outside a radius of 16,09 kilometres from the General Post Office, Nigel), Randburg, Randfontein (excluding that portion which falls outside a radius of 48,28 kilometres of the General Post Office, Krugersdorp), Roodepoort, Springs and Wonderboom (excluding that portion which falls outside a radius of 32,18 kilometres of the General Post Office, Pretoria) and in the areas within a radius of 48,28 kilometres from the General Post Office, Krugersdorp, 32,18 kilometres from the General Post Offices, Vereeniging and Pretoria, respectively (excluding that portion of the Black Area Uitvalgrond JQ 4341 falling within the latter radius) and 16,09 kilometres from the General Post Offices, Klerksdorp, Middelburg (Transvaal), Potchefstroom and Witbank, respectively;

(ii) in the Magisterial District of Bethal (including that portion of the Magisterial District of Hoëveldrif which, prior to 1 March 1979, fell within the Magisterial District of Bethal) in respect of which the expression "Building Industry" shall—

(aa) not include the Iron, Steel, Engineering and Metallurgical Industries as defined in paragraph G of the Certificate of Registration of the National Industrial Council for the Iron, Steel, Engineering and Metallurgical Industry of South Africa; and

BYLAE

NYWERHEIDSRAAD VIR DIE BOUNYWERHEID
(TRANSVAAL)

OOREENKOMS

ingevolge die Wet op Nywerheidsversoening, 1956, gesluit deur en aangegaan tussen die

Master Builders' and Allied Trades Association
(Witwatersrand)

Pretoria Master Builders' and Allied Trades Association
en die

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

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

Amalgamated Union of Building Trade Workers of S.A.
en die

Blanke Bouwerkersvakbond

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

wat die partye is by die Nywerheidsraad vir die Bounywerheid (Transvaal),

om die Nie-ambagsmanooreenkoms, gepubliseer by Goewermentskennisgewing R. 2359 van 26 Oktober 1979, te wysig.

1. TOEPASSINGSBESTEK VAN OOREENKOMS

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

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

(b) (i) in die landdrosdistrikte Alberton, Benoni, Boksburg, Brakpan [uitgesonderd enige gedeelte van laasgenoemde twee landdrosdistrikte wat voor die publikasie van Goewermentskennisgewing 1779 van 6 November 1964 binne die landdrosdistrik Heidelberg (Transvaal) maar buite 'n straal van 16,09 kilometer vanaf die Hoofposkantoor, Heidelberg, gevall het, en uitgesonderd enige gedeelte van die landdrosdistrik Brakpan wat voor die publikasie van Goewermentskennisgewing 498 van 1 April 1966 binne die landdrosdistrik Nigel maar buite 'n straal van 16,09 kilometer vanaf die Hoofposkantoor, Nigel, gevall het], Germiston, Heidelberg (Transvaal) (uitgesonderd die gebied wat buite 'n straal van 16,09 kilometer vanaf die Hoofposkantoor, Heidelberg, val), Johannesburg (uitgesonderd enige gedeelte wat voor die publikasie van Goewermentskennisgewing 1383 van 11 September 1964 binne die landdrosdistrik Roodepoort maar buite 'n straal van 48,28 kilometer vanaf die Hoofposkantoor, Krugersdorp, gevall het), Kempton Park (uitgesonderd enige gedeelte wat voor die publikasie van Goewermentskennisgewing 551 van 29 Maart 1956 binne die landdrosdistrik Pretoria maar buite 'n straal van 32,18 kilometer vanaf die Hoofposkantoor, Pretoria, gevall het), Nigel (uitgesonderd die gebied wat buite 'n straal van 16,09 kilometer vanaf die Hoofposkantoor, Nigel, val), Randburg, Randfontein (uitgesonderd daardie gedeelte wat buite 'n straal van 48,28 kilometer vanaf die Hoofposkantoor, Krugersdorp, val), Roodepoort, Springs en Wonderboom (uitgesonderd daardie gedeelte wat buite 'n straal van 32,18 kilometer vanaf die Hoofposkantoor, Pretoria, val), en in die gebiede binne 'n straal van 48,28 kilometer vanaf die Hoofposkantoor, Krugersdorp, 32,18 kilometer vanaf die Hoofposkantoor van onderskeidelik Vereeniging en Pretoria (uitgesonderd daardie gedeelte van die Swart Gebied Uitvalgrond JQ 4341 wat binne laasgenoemde straal val), en 16,09 kilometer vanaf die Hoofposkantoor van onderskeidelik Krugersdorp, Middelburg (Transvaal), Potchefstroom en Witbank;

(ii) in die landdrosdistrik Bethal (met inbegrip van daardie gedeelte van die landdrosdistrik Hoëveldrif wat voor 1 Maart 1979 binne die landdrosdistrik Bethal gevall het) ten opsigte waarvan die uitdrukking "Bounywerheid"—

(aa) nie die Yster-, Staal-, Ingenieurs- en Metallurgiese Nywerheid soos omskryf in paragraaf G van die Registrasiesertifikaat van die Nasionale Nywerheidsraad vir die Yster-, Staal-, Ingenieurs- en Metallurgiese Nywerheid van Suid-Afrika omvat nie; en

(ab) be subject to the provisions of Chapter V of the Determination by the Industrial Tribunal, dated 1 September 1978, in the matter between the Industrial Councils for the Furniture Manufacturing Industry, Transvaal and Natal, and the Industrial Councils for the Building Industry, Transvaal, Durban, and Pietermaritzburg and Northern Areas.

(2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall only apply to employees for whom minimum wages are prescribed in clause 4 of the Non-Artisan Agreement.

2. CLAUSE 4.—WAGES

Substitute the following for subclause (1):

"(1) *General.*—No employer shall pay and no employee shall accept wages at rates lower than the following, read with the remaining provisions of this clause:

| | Per hour c |
|--|-----------------|
| (a) Assistant decorator/glazier..... | 329 |
| (b) Learner assistant decorator/glazier: | |
| (i) First training period..... | 154 |
| (ii) Second training period..... | 197 |
| (iii) Third training period..... | 261 |
| (c) Operative, Grade I..... | 275 |
| (d) Crane driver..... | 187 |
| (e) Driver of a mechanical vehicle the unladen mass of which, together with the unladen mass of any trailer(s) attached to or drawn by such vehicle, is over 4 500 kg..... | 160 |
| (f) Learner operative, Grade I..... | 154 |
| (g) Operative, Grade II..... | 154 |
| (h) Driver of a mechanical vehicle the unladen mass of which, together with the unladen mass of any trailer(s) attached to or drawn by such vehicle, is up to and including 4 500 kg..... | 125 |
| (i) Operative, Grade III, on construction work..... | 99 |
| (j) Operative, Grade III, not on construction work.. | 87 |
| (k) Employees in all other trades or occupations not elsewhere specified, excluding apprentices, artisans and trainees under the Training of Artisans Act, 1951, and employees for whom wages are prescribed in Part II..... | 93 |
| (l) Unskilled labourer, Area A on construction work | 93 |
| (m) Unskilled labourer, Area A not on construction work..... | 76 |
| (n) Unskilled labourer, Area B on construction work | 75 |
| (o) Unskilled labourer, Area B not on construction work..... | 59 |
| (p) Cleaner..... | 64 |
| (q) Employee engaged on patrolling premises and guarding property..... | R6,89 per day." |

3. CLAUSE 18.—ANNUAL LEAVE AND PUBLIC HOLIDAYS

Substitute the following for subclause (b):

"(b) between 17h00 on 11 December 1981 and 07h00 on 4 January 1982; or on New Year's Day, Founders' Day, Good Friday, Family Day, Ascension Day, the Friday immediately following Ascension Day, Republic Day, the public holiday 1 June 1981, Kruger Day, Day of the Vow, Christmas Day and Day of Goodwill.”

Signed at Johannesburg this 19th day of March 1981.

N. G. LEVEY, Chairman.

G. H. BEETGE, Vice-Chairman.

W. DE J. STAPELBERG, General Secretary.

(ab) onderworpe is aan die bepalings van Hoofstuk V van die Afbakeningsvasselling deur die Nywerheidshof, gedateer 1 September 1978, in die saak tussen die Nywerheidsrade vir die Meubelnywerheid, Transvaal en Natal, en die Nywerheidsrade vir die Bouwywerheid, Transvaal, Durban, en Pietermaritzburg en Noordelike Gebiede.

(2) Ondanks subklousule (1), is die bepalings van hierdie Ooreenkoms van toepassing slegs op die werknemers vir wie minimum lone in klousule 4 van die Nie-ambagsmanooreenkoms voorgeskryf word.

2. KLOUSULE 4.—LONE

Vervang subklousule (1) deur die volgende:

"(1) *Algemeen.*—Geen lone wat laer as die volgende is, gelces saam met die ander bepalings van hierdie klosule, mag deur 'n werkgever betaal en deur 'n werknemer aangeneem word nie:

| | Per uur c |
|---|------------------|
| (a) Assistent-versierder/-beglaser..... | 329 |
| (b) Leerling-assistent-versierder/-beglaser: | |
| (i) Eerste opleidingsperiode..... | 154 |
| (ii) Tweede opleidingsperiode..... | 197 |
| (iii) Derde opleidingsperiode..... | 261 |
| (c) Werksman, Graad I..... | 275 |
| (d) Kraandrywer..... | 187 |
| (e) Drywer van 'n meganiese voertuig waarvan die onbelaste massa, tesame met die onbelaste massa van 'n sleepwa of sleepwaens wat aan so 'n voertuig vas is of daardeur getrek word meer as 4 500 kg is.... | 160 |
| (f) Leerlingwerksman, Graad I..... | 154 |
| (g) Werksman, Graad II..... | 154 |
| (h) Drywer van 'n meganiese voertuig waarvan die onbelaste massa, tesame met die onbelaste massa van 'n sleepwa of sleepwaens wat aan so 'n voertuig vas is of daardeur getrek word hoogstens 4 500 kg is.. | 125 |
| (i) Werksman, Graad III op bouwerk..... | 99 |
| (j) Werksman, Graad III nie op bouwerk nie..... | 87 |
| (k) Werknemers in alle ander ambagte of beroepe nie elders vermeld nie, uitgesonderd vakleerlinge, ambagsmanne en kwekelinge ingevolge die Wet op Opleiding van Ambagsmanne, 1951, en werknekmers vir wie lone in Deel II voorgeskryf word..... | 93 |
| (l) Ongeskoolde arbeider, in Gebied A, op bouwerk.. | 93 |
| (m) Ongeskoolde arbeider, in Gebied A, nie op bouwerk nie..... | 76 |
| (n) Ongeskoolde arbeider, in Gebied B, op bouwerk.. | 75 |
| (o) Ongeskoolde arbeider, in Gebied B, nie op bouwerk nie..... | 59 |
| (p) Skoonmaker..... | 64 |
| (q) Werknemer wat persele patroolleer en eiendom bewaak..... | R6,89 per dag.". |

3. KLOUSULE 18.—JAARLIKSE VERLOF EN OPENBARE VAKANSIEDAE

Vervang subklousule (b) deur die volgende:

"(b) tussen 17h00 op 11 Desember 1981 en 07h00 op 4 Januarie 1982; of op Nuwejaarsdag, Stigtingsdag, Goeie Vrydag, Gesinsdag, Hemelvaartsdag, die Vrydag onmiddellik na Hemelvaartsdag, Republiekdag, die openbare vakansiedag 1 Junie 1981, Krugerdag, Geloftedag, Kersdag en Welwillendagsdag.”

Geteken te Johannesburg op hede die 19de dag van Maart 1981.

N. G. LEVEY, Voorsitter.

G. H. BEETGE, Ondervoorsitter.

W. DE J. STAPELBERG, Hoofsekretaris.

No. R. 839 16 April 1981

**INDUSTRIAL CONCILIATION ACT, 1956
BUILDING AND MONUMENTAL MASONRY INDUSTRIES (TRANSVAAL).—AMENDMENT OF HOLIDAY FUND AGREEMENT**

I, Stephanus Petrus Botha, Minister of Manpower Utilisation, hereby—

(a) in terms of section 48 (1) (a) of the Industrial Conciliation Act, 1956, declare that the provisions of the Agreement (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Building and Monumental Masonry Industries, shall be binding, with effect from 1 May 1981 and for the period ending 31 October 1981, upon the employers' organisations and the trade unions which entered into the Amending Agreement and upon the employers and employees who are members of the said organisations or unions;

(b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement, excluding those contained in clause 1 (1) (a), shall be binding, with effect from 1 May 1981 and for the period ending 31 October 1981, upon all employers and employees, other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Industries in the areas specified in clause 1 (1) (b) of the Amending Agreement.

S. P. BOTHA, Minister of Manpower Utilisation.

SCHEDULE

INDUSTRIAL COUNCIL FOR THE BUILDING INDUSTRY (TRANSVAAL)

AGREEMENT

in accordance with the provisions of the Industrial Conciliation Act, 1956, made and entered into by and between the

Master Builders' and Allied Trades Association (Witwatersrand)

Pretoria Master Builders' and Allied Trades Association and the

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

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

Amalgamated Union of Building Trade Workers of South Africa

and the

White Building Workers' Union

(hereinafter referred to as the "employees" or the "trade unions"), of the other part,

being the parties to the Industrial Council for the Building Industry (Transvaal),

to amend the Holiday Fund Agreement published under Government Notice R. 2356 of 26 October 1979.

1. AREA AND SCOPE OF APPLICATION OF AGREEMENT

(1) The terms of this Agreement shall be observed in the Building and Monumental Masonry Industries—

(a) by all employers who are members of the employers' organisations and all employees who are members of the trade unions;

(b) (i) in the Magisterial Districts of Alberton, Balfour, Benoni, Boksburg, Brakpan, Delmas, Germiston, Heidelberg (Transvaal), Johannesburg, Nigel, Randburg, Randfontein (excluding that portion which falls outside a radius of 48,28 km of the General Post Office, Krugersdorp, Roodepoort, Springs and Wonderboom (excluding that portion which falls outside a radius of 32,18 km of the General Post Office, Pretoria), the area within a radius of 48,28 km from the General Post Office, Krugersdorp;

No. R. 839

16 April 1981

WET OP NYWERHEIDSVERSOENING, 1956

BOU- EN MONUMENTKLIPMESSELNYWERHEID (TRANSVAAL).—WYSIGING VAN VAKANSIEFONDSOOREENKOMS

Ek, Stephanus Petrus Botha, Minister van Mannekragbenutting, verklaar hierby—

(a) kragtens artikel 48 (1) (a) van die Wet op Nywerheidsversoening, 1956, dat die bepalings van die Ooreenkoms (hierna die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en op die Bou- en Monumentklipmesselnywerheid betrekking het, met ingang van 1 Mei 1981 en vir die tydperk wat op 31 Oktober 1981 eindig, bindend is vir die werkgewersorganisasies en die vakverenigings wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasies of verenigings is; en

(b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, uitgesonderd dié vervat in klousule 1 (1) (a), met ingang van 1 Mei 1981 en vir die tydperk wat op 31 Oktober 1981 eindig, bindend is vir alle ander werkgewers en werknemers as dié genoem in paragraaf (a) van hierdie kennisgewing, wat betrokke is by of in diens is in genoemde Nywerheid in die gebiede gespesifiseer in klousule 1 (1) (b) van die Wysigingsooreenkoms.

S. P. BOTHA, Minister van Mannekragbenutting.

BYLAE

**NYWERHEIDSRAAD VIR DIE BOUNYWERHEID (TRANSVAAL)
OOREENKOMS**

ingevolge die Wet op Nywerheidsversoening, 1956, gesluit deur en aangegaan tussen die

Master Builders' and Allied Trades Association (Witwatersrand)

Pretoria Master Builders' and Allied Trades Association en die

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

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

Amalgamated Union of Building Trade Workers of South Africa
en die

Blanke Bouwerkersvakbond

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

wat die partye is by die Nywerheidsraad vir die Bounywerheid (Transvaal),

of die Vakansiefondsooreenkoms, gepubliseer by Goewernementskennisgewing R. 2356 van 26 Oktober 1979, te wysig.

1. GEBIED EN TOEPASSINGSBESTEK VAN OOREENKOMS

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

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

(b) (i) in die landdrostdistrikte Alberton, Balfour, Benoni, Boksburg, Brakpan, Delmas, Germiston, Heidelberg (Transvaal), Johannesburg, Nigel, Randburg, Randfontein uitgesonderd daardie gedeelte wat buite 'n straal van 48,28 km vanaf die Hoofposkantoor, Krugersdorp, val), Roodepoort, Springs en Wonderboom (uitgesonderd daardie gedeelte wat buite 'n straal van 32,18 km vanaf die Hoofposkantoor, Pretoria, val); die gebied binne 'n straal van

the area within a radius of 32,18 km from the General Post Office, Vereeniging; the area within a radius of 32,18 km from the General Post Office, Pretoria (excluding that portion of the Black Area Uitvalgrond JQ 4341 which falls within the said radius); the areas within a radius of 16,09 km from the General Post Offices, Klerksdorp, Potchefstroom, Witbank and Middelburg (Transvaal) respectively; and in the Magisterial District of Kempton Park (excluding that portion which falls outside a radius of 32,18 km from the General Post Office, Pretoria, and which, prior to the publication of Government Notice 551 of 29 March 1956, fell within the Magisterial District of Pretoria);

(ii) in the Magisterial District of Bethal (including that portion of the Magisterial District of Hoëveldrif which, prior to 1 March 1979, fell within the Magisterial District of Bethal) in respect of which the expression "Building Industry" shall—

(aa) not include the Iron, Steel, Engineering and Metallurgical Industries as defined in paragraph G of the Certificate of Registration of the National Industrial Council for the Iron, Steel, Engineering and Metallurgical Industry of South Africa; and

(ab) be subject to the provisions of Chapter V of the Determination by the Industrial Tribunal, dated 1 September 1978, in the matter between the Industrial Councils for the Furniture Manufacturing Industry, Transvaal and Natal, and the Industrial Councils for the Building Industry, Transvaal, Durban, and Pietermaritzburg and Northern Areas.

(2) Notwithstanding the provisions of subclause (1), this Agreement shall apply to—

(a) all employees for whom allowances are prescribed in the Holiday Fund Agreement and who are employed in the said Industries;

(b) all apprentices only in so far as they are not inconsistent with the provisions of the Apprenticeship Act, 1944, or any contract entered into or any conditions fixed thereunder;

(c) trainees in terms of the Training of Artisans Act, 1951, only in so far as they are not inconsistent with the provisions of that Act or any conditions fixed thereunder.

2. CLAUSE 14.—ANNUAL LEAVE AND SPECIFIED PUBLIC HOLIDAYS

In subclause (1), substitute the following for paragraph (b):

"(b) between 16h30 on 11 December 1981 and 07h30 on 4 January 1982; or on New Year's Day, Founders' Day, Good Friday, Family Day, Ascension Day, the Friday immediately following Ascension Day, Republic Day, the public holiday 1 June 1981, Kruger Day, Day of the Vow, Christmas Day and Day of Goodwill."

Signed at Johannesburg this 19th day of March 1981.

N. G. LEVEY, Chairman.

G. H. BEETGE, Vice-Chairman.

W. DE J. STAPELBERG, General Secretary.

No. 840

16 April 1981

INDUSTRIAL CONCILIATION ACT, 1956 BUILDING AND MONUMENTAL MASONRY INDUSTRIES (TRANSVAAL).—AMENDMENT OF BENEFIT FUND AGREEMENT

I, Stephanus Petrus Botha, Minister of Manpower Utilisation, hereby—

(a) in terms of section 48 (1) (a) of the Industrial Conciliation Act, 1956, declare that the provisions of the Agreement (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Building and Monumental Masonry Industries, shall be binding, with effect from 1 May 1981 and for the period ending 31 October 1981, upon the employers' organisations and the trade unions which entered into the Amending Agreement and upon the employers and employees who are members of the said organisations or unions; and

48,28 km vanaf die Hoofposkantoor, Krugersdorp; die gebied binne 'n straal van 32,18 km vanaf die Hoofposkantoor, Vereeniging; die gebied binne 'n straal van 32,18 km vanaf die Hoofposkantoor, Pretoria (uitgesonderd daardie gedeelte van die Swart Gebied Uitvalgrond JQ 4341 wat binne genoemde straal val); die gebiede binne 'n straal van 16,09 km vanaf die Hoofposkantoor op ondersteidelik Klerksdorp, Potchefstroom, Witbank en Middelburg (Transvaal); en in die landdrostdistrik Kempton Park (uitgesonderd daardie gedeelte wat buite 'n straal van 32,18 km vanaf die Hoofposkantoor, Pretoria, val en wat voor die publikasie van Goewermentskennisgewing 551 van 29 Maart 1956 binne die landdrostdistrik Pretoria gevall het); (ii) in die landdrostdistrik Bethal (met inbegrip van daardie gedeelte van die landdrostdistrik Hoëveldrif wat voor 1 Maart 1979 binne die landdrostdistrik Bethal gevall het) ten opsigte waarvan die uitdrukking "Bounywerheid"—

(aa) nie die Yster-, Staal-, Ingenieurs- en Metallurgiese Nywerheid soos omskryf in paragraaf G van die Registrasiessertifikaat van die Nasionale Nywerheidsraad vir die Yster-, Staal-, Ingenieurs- en Metallurgiese Nywerheid van Suid-Afrika omvat nie; en

(ab) onderworpe is aan die bepalings van Hoofstuk V van die Afbakeningsvasstelling deur die Nywerheidshof, gedateer 1 September 1978, in die saak tussen die Nywerheidsrade vir die Meubelnywerheid, Transvaal en Natal, en die Nywerheidsrade vir die Bounywerheid, Transvaal, Durban, en Pietermaritzburg en die Noordelike Gebiede.

(2) Ondanks subklousule (1), geld hierdie Ooreenkoms ten opsigte van—

(a) alle werknekmers vir wie toelaes in die Vakansiefondsooreenkoms voorgeskryf word en wat in genoemde Nywerhede in diens is;

(b) alle vakleerlinge slegs vir sover dit nie met die Wet op Vakleerlinge, 1944, of met 'n kontrak wat daarkragtens aangegaan of met voorwaardes wat daarkragtens gestel is, onbestaanbaar is nie;

(c) kwekelinge ingevolge die Wet op Opleiding van Ambagsmanne, 1951, slegs vir sover dit nie met daardie Wet of met voorwaardes wat daarkragtens gestel is, onbestaanbaar is nie.

2. KLOUSULE 14.—JAARLIKSE VERLOF EN GESPE-SIFISEERDE OPENBARE VAKANSIEDAE

In subklousule (1) vervang paragraaf (b) deur die volgende:

"(b) tussen 16h30 op 11 Desember 1981 en 07h30 op 4 Januarie 1982; of op die Nuwejaarsdag, Stigtingsdag, Goeie Vrydag, Gesinsdag, Hemelvaartsdag, die Vrydag onmiddellik na Hemelvaartsdag, Republiekdag, die openbare vakansiedag 1 Junie 1981, Krugerdag, Geloftedag, Kersdag en Welwillendehdsdag."

Geteken te Johannesburg op hede die 19de dag van Maart 1981.

N. G. LEVEY, Voorsitter.

G. H. BEETGE, Ondervorsitter.

W. DE J. STAPELBERG, Hoofsekretaris.

No. 840

16 April 1981

WET OP NYWERHEIDSVERSOENING, 1956

BOU- EN MONUMENTKLIPMESSELNYWERHEID (TRANSVAAL).—WYSIGING VAN BYSTANDSFONDSOOREENKOMS

Ek, Stephanus Petrus Botha, Minister van Mannekragbenutting verklaar hierby—

(a) kragtens artikel 48 (1) (a) van die Wet op Nywerheidsversoening, 1956, dat die bepalings van die Ooreenkoms (hierna die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en op die Bou- en Monumentklipmesselnywerheid betrekking het, met ingang van 1 Mei 1981 en vir die tydperk wat op 31 Oktober 1981 eindig, bindend is vir die werkgewersorganisasies en die vakverenigings wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknekmers wat lede van genoemde organisasies of verenigings is; en

(b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement, excluding those contained in clause 1 (1) (a), shall be binding, with effect from 1 May 1981 and for the period ending 31 October 1981, upon all employers and employees, other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Industries in the areas specified in clause 1 (1) (b) of the Amending Agreement.

S. P. BOTHA, Minister of Manpower Utilisation.

SCHEDULE

INDUSTRIAL COUNCIL FOR THE BUILDING INDUSTRY (TRANSVAAL)

AGREEMENT

in accordance with the provisions of the Industrial Conciliation Act, 1956, made and entered into by and between the

Master Builders' and Allied Trades Association (Witwatersrand)

Pretoria Master Builders' and Allied Trades Association and the

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

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

Amalgamated Union of Building Trade Workers of South Africa

and the

White Building Workers' Union

(hereinafter referred to as the "employees" or the "trade unions"), of the other part,

being the parties to the Industrial Council for the Building Industry (Transvaal),

to amend the Benefit Fund Agreement published under Government Notice R. 2357 of 26 October 1979.

1. AREA AND SCOPE OF APPLICATION OF AGREEMENT

(1) The terms of this Agreement shall be observed in the Building and Monumental Masonry Industries—

(a) by all employers who are members of the employers' organisations and all employees who are members of the trade unions;

(b) (i) in the Magisterial Districts of Alberton, Balfour, Benoni, Boksburg, Brakpan, Delmas, Germiston, Heidelberg (Transvaal), Johannesburg, Nigel, Randburg, Randfontein (excluding that portion which falls outside a radius of 48,28 km of the General Post Office, Krugersdorp), Roodepoort, Springs and Wonderboom (excluding that portion which falls outside a radius of 32,18 km of the General Post Office, Pretoria); the area within a radius of 48,28 km from the General Post Office, Krugersdorp; the area within a radius of 32,18 km from the General Post Office, Vereeniging; the area within a radius of 32,18 km from the General Post Office, Pretoria (excluding that portion of the Black Area Uitvalgrond JQ 4341 which falls within the said radius); the areas within a radius of 16,09 km from the General Post Offices, Klerksdorp, Potchefstroom, Witbank and Middelburg (Transvaal) respectively; and in the Magisterial District of Kempton Park (excluding that portion which falls outside a radius of 32,18 km from the General Post Office, Pretoria, and which, prior to the publication of Government Notice 551 of 29 March 1956, fell within the Magisterial District of Pretoria);

(ii) in the Magisterial District of Bethal (including that portion of the Magisterial District of Hoëveldrif which, prior to 1 March 1979, fell within the Magisterial District of Bethal) in respect of which the expression "Building Industry" shall—

(aa) not include the Iron, Steel, Engineering and Metallurgical Industries as defined in paragraph G of the Certificate of Registration of the National Industrial Council for the Iron, Engineering and Metallurgical Industry of South Africa; and

(b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, uitgesonderd dié vervat in klousule 1 (1) (a), met ingang van 1 Mei 1981 en vir die tydperk wat op 31 Oktober 1981 eindig, bindend is vir alle ander werkgewers en werknemers as dié genoem in paragraaf (a) van hierdie kennisgewing, wat betrokke is by of in diens is in genoemde Nywerheid in die gebiede gespesifiseer in klousule 1 (1) (b) van die Wysigingsooreenkoms.

S. P. BOTHA, Minister van Mannekragbenutting.

BYLAE

NYWERHEIDSRAAD VIR DIE BOUNYWERHEID (TRANSVAAL)

OOREENKOMS

ingevolge die Wet op Nywerheidsversoening, 1956, gesluit deur en aangegaan tussen die

Master Builders' and Allied Trades Association (Witwatersrand)

Pretoria Master Builders' and Allied Trades Association en die

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

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

Amalgamated Union of Building Trade Workers of South Africa
en die

Blanke Bouwerkervakbond

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

wat die partye is by die Nywerheidsraad vir die Bounywerheid (Transvaal),

om die Bystandsfondsooreenkoms, gepubliseer by Goewermentskennisgewing R.2357 van 26 Oktober 1979, te wysig.

1. GEBIED EN TOEPASSINGSBESTEK VAN OOREENKOMS

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

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

(b) (i) in die landdrosdistrikte Alberton, Balfour, Benoni, Boksburg, Brakpan, Delmas, Germiston, Heidelberg (Transvaal), Johannesburg, Nigel, Randburg, Randfontein (uitgesonderd daardie gedeelte wat buite 'n straal van 48,28 km vanaf die Hoofposkantoor, Krugersdorp, val), Roodepoort, Springs en Wonderboom (uitgesonderd daardie gedeelte wat buite 'n straal van 32,18 km vanaf die Hoofposkantoor Pretoria, val); die gebied binne 'n straal van 48,28 km vanaf die Hoofposkantoor, Krugersdorp; die gebied binne 'n straal van 32,18 km vanaf die Hoofposkantoor, Vereeniging; die gebied binne 'n straal van 32,18 km vanaf die Hoofposkantoor, Pretoria (uitgesonderd daardie gedeelte van die Swart Gebied Uitvalgrond JQ 4341 wat binne genoemde straal val; die gebiede binne 'n straal van 16,09 km vanaf die Hoofposkantoor op onderskeidelik Klerksdorp, Potchefstroom, Witbank en Middelburg (Transvaal); en in die landdrosdistrik] Kempton Park (uitgesonderd daardie gedeelte wat buite 'n straal van 32,18 km vanaf die Hoofposkantoor, Pretoria, val en wat voor die publikasie van Goewermentskennisgewing 551 van 29 Maart 1956 binne die landdrosdistrik Pretoria gevall het);

(ii) in die landdrosdistrik Bethal (met inbegrip van daardie gedeelte van die landdrosdistrik Hoëveldrif wat voor 1 Maart 1979 binne die landdrosdistrik Bethal gevall het) ten opsigte waarvan die uitdrukking "Bounywerheid"—

(aa) nie die Yster-, Staal-, Ingenieurs- en Metallurgiese Nywerheid soos omskryf in paragraaf G van die Registrasiesertifikaat van die Nasionale Nywerheidsraad vir die Yster-, Staal-, Ingenieurs- en Metallurgiese Nywerheid van Suid-Afrika omvat nie; en

(ab) be subject to the provisions of Chapter V of the Determination by the Industrial Tribunal, dated 1 September 1978, in the matter between the Industrial Councils for the Furniture Manufacturing Industry, Transvaal and Natal, and the Industrial Councils for the Building Industry, Transvaal, Durban and Pietermaritzburg and Northern Areas.

(2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall only apply to skilled employees.

2. CLAUSE 9A.—BUILDING INDUSTRY MILITARY SERVICE FUND (TRANSVAAL)

In subclause (3), insert the expression "or Police Act, 1958," after the expression "Defence Act, 1957."

Signed at Johannesburg this 19th day of March 1981.

N. G. LEVEY, Chairman.

G. H. BEETGE, Vice-Chairman.

W. DE J. STAPELBERG, General Secretary.

DEPARTMENT OF NATIONAL EDUCATION

No. R. 820

16 April 1981

UNIVERSITY OF THE WITWATERSRAND, JOHANNESBURG.—REGULATIONS

With the approval of the Minister of National Education, the Council of the University of the Witwatersrand, Johannesburg, has framed the Regulations set out in the Schedule hereto under section 17 (1) (b) of the Universities Act, 1955 (Act 61 of 1955).

SCHEDULE

1. In this Schedule, unless the context otherwise indicates, the expression "the regulations" mean the regulations published under Government Notice R. 1434 of 31 August 1962, as amended by Government Notices R. 892 of 10 June 1966, R. 620 of 18 April 1969, R. 1405 of 28 August 1970, R. 1696 of 22 September 1972, R. 1830 of 5 October 1973, R. 1824 of 26 September 1975, R. 239 of 18 February 1977, R. 269 of 17 February 1978 and R. 1316 of 27 June 1980.

2. The following new chapter is hereby inserted after regulation 17:

CHAPTER IV

REGULATIONS FOR THE EXECUTIVE COMMITTEE OF THE CONVOCATION

18. (1) The election of members of the executive committee of the Convocation in terms of statute 45 (1) (f) shall be by simple majority vote, the vote being recorded by placing an X on the voting paper against the name of each candidate preferred without an order of preference.

(2) A voting paper shall be invalid if the number of candidates for whom votes are recorded on it exceeds the number of vacancies.

(3) In the event of a vacancy occurring in the membership of the executive committee of the Convocation through the death, resignation or election to the Council of a member or through any other cause before the expiration of the period of office of the member concerned—

(a) the executive committee shall, in the case of a member elected thereto in terms of statute 45 (1) (f), fill such vacancy by the appointment of a member of the Convocation for the unexpired period of office of his predecessor; and

(ab) onderworpe is aan die bepalings van Hoofstuk V van die Afbakeningsvasselling deur die Nywerheidshof, gedateer 1 September 1978, in die saak tussen die Nywerheidsrade vir die Meubelnywerheid, Transvaal en Natal, en die Nywerheidsrade vir die Bouwlywerheid, Transvaal, Durban, en Pietermaritzburg en Noordelike Gebiede.

(2) Ondanks subklousule (1), is hierdie Ooreenkoms slegs op geskoonde werknemers van toepassing.

2. KLOUSULE 9A.—MILITÆREDIENSFONDS VAN DIE BOUNYWERHEID (TRANSVAAL)

In subklousule (3), na die uitdrukking "die Verdedigingswet, 1957," voeg die uitdrukking "of Polisiewet, 1958," in.

Geteken te Johannesburg op hede die 19de dag van Maart 1981.

N. G. LEVEY, Voorsitter.

G. H. BEETGE, Ondervoorsitter.

W. DE J. STAPELBERG, Hoofsekretaris.

DEPARTEMENT VAN NASIONALE OPVOEDING

No. R. 820

16 April 1981

UNIVERSITEIT VAN DIE WITWATERSRAND, JOHANNESBURG.—REGULASIES

Die Raad van die Universiteit van die Witwatersrand, Johannesburg, het met die goedkeuring van die Minister van Nasionale Opvoeding, kragtens artikel 17 (1) (b) van die Wet op Universiteite, 1955 (Wet 61 van 1955), die regulasies opgestel soos in die Bylae hiervan uiteengesit.

BYLAE

1. In hierdie Bylae, tensy uit die samehang anders blyk, beteken die uitdrukking "die Regulasies" die regulasies aangekondig by Goewermentskennisgewing R. 1434 van 31 Augustus 1962, soos gewysig by Goewermentskennisgewings R. 892 van 10 Junie 1966, R. 620 van 18 April 1969, R. 1405 van 28 Augustus 1970, R. 1696 van 22 September 1972, R. 1830 van 5 Oktober 1973, R. 1824 van 26 September 1975, R. 239 van 18 Februarie 1977, R. 269 van 17 Februarie 1978 en R. 1316 van 27 Junie 1980.

2. Die volgende nuwe hoofstuk word hierby na regulasie 17 ingevoeg:

HOOFTUK IV

REGULASIES VIR DIE UITVOERENDE KOMITEE VAN DIE KONVOKASIE

18. (1) Die verkiesing van lede van die uitvoerende komitee van die Konvokasie kragtens statut 45 (1) (f), geskied by wyse van 'n gewone meerderheid van stemme, en die stem word uitgebring deur 'n kruisie (X) te maak op die stembrief teenoor die naam van elke kandidaat aan wie die voorkeur gegee word sonder aanduiding van die orde waarin voorkeur gegee word.

(2) 'n Stembrief is ongeldig indien stemme daarop uitgebring word ten gunste van meer kandidate as die getal vakature.

(3) In geval van 'n vakature wat in die ledetal van die uitvoerende komitee van die Konvokasie ontstaan deur die dood, bedanking, of verkiesing tot die Raad van 'n lid, of deur ander oorsaak, voor die verstryking van die ampstermyn van die betrokke lid—

(a) in die geval van 'n lid daartoe verkies kragtens statut 45 (1) (f), moet die uitvoerende komitee sodanige vakature vul deur die aanstelling van 'n lid van die Konvokasie vir die onverstreke gedeelte van die ampstermyn van sy voorganger; en

(b) the body that appoints such a member shall, in the case of a member appointed thereto in terms of statute 45 (1) (g), (h) or (i), appoint a successor for the unexpired period of office of his predecessor.

19. (1) The members of the executive committee of the Convocation to be elected thereto in terms of statute 45 (1) (f) shall be elected *mutatis mutandis* in the manner prescribed in Chapter VI of the statutes for the election of members of the Council by the members of the Convocation.

(2) Every member of the executive committee of the Convocation to be appointed thereto in terms of statute 45 (1) (g), (h) or (i) shall be appointed in the manner determined by the body that appoints such member.

20. (1) Members of the executive committee of the Convocation elected thereto in terms of statute 45 (1) (f) shall hold office for three years, and members appointed thereto in terms of statute 45 (1) (g), (h) or (i) shall hold office for one year.

(2) Any member of the executive committee of the Convocation holding office in terms of statute 45 (1) (f), whether by election or by appointment, who is absent from three consecutive ordinary meetings of the executive committee without prior leave shall cease to be a member of the executive committee and his office shall be deemed to be vacated: Provided that the executive committee may at a meeting excuse the absence of a member from that meeting, in which event he shall, for the purpose of this subregulation, be deemed to have attended that meeting.

21. The executive committee may constitute subcommittees within its powers and functions and may appoint to any such subcommittees any member of the Convocation, whether he is a member of the executive committee or not.

22. (1) The meetings of the executive committee of the Convocation shall be convened by the chairman or, failing him, by the vice-chairman or, failing him, by the secretary: Provided that the chairman or, failing him, the vice-chairman or, failing him, the secretary shall convene a meeting at the written request of not less than one-third of the members of the executive committee, the object of the meeting being stated in the requisition.

(2) If the chairman is absent from any meeting of the executive committee, the vice-chairman shall preside, and if the vice-chairman is also absent, the members present shall appoint one of their number as chairman for that meeting.

(3) At meetings of the executive committee five members shall form a quorum.

(4) In every question the chairman shall have a deliberative vote and, in addition in the case of an equality of votes, a casting vote.

23. The executive committee of the Convocation shall exercise the following powers and functions:

(a) To administer the affairs of the Convocation.

(b) To discuss and, on behalf of the Convocation, to state its opinion upon any matters relating to the University or to the Convocation, including matters that may be referred to it by the Council.

(c) Subject to the consent and directions of the Council, to solicit and collect moneys from members of the Convocation or from other persons for purposes pertaining to the general interests of the University or to the special interests of the Convocation.

(b) in die geval van 'n lid daartoe aangestel kragtens statuut 45 (1) (g), (h) of (i), moet die liggaam wat sodanige lid aanstel, 'n opvolger aanstel vir die onverstreke gedeelte van die ampstermyn van sy voorganger.

19. (1) Die lede van die uitvoerende komitee van die Konvokasie wat daartoe verkies moet word kragtens statuut 45 (1) (f), word *mutatis mutandis* verkies op die wyse voorgeskryf in Hoofstuk VI van die statute vir die verkiesing van lede van die Raad deur die lede van die Konvokasie.

(2) Elke lid van die uitvoerende komitee van die Konvokasie wat daartoe aangestel moet word kragtens statuut 45 (1) (g), (h) of (i), word aangestel op die wyse wat bepaal word deur die liggaam wat sodanige lid aanstel.

20. (1) Lede van die uitvoerende komitee van die Konvokasie wat kragtens statuut 45 (1) (f) daartoe verkies word, beklee hul amp vir drie jaar en lede wat kragtens statuut 45 (1) (g), (h) of (i) daartoe aangestel word, beklee hul amp vir een jaar.

(2) 'n Lid van die uitvoerende komitee van die Konvokasie wat kragtens statuut 45 (1) (f) sy amp beklee, het sy deur verkiesing of aanstelling, wat van drie agtereenvolgende gewone vergaderings van die uitvoerende komitee afwesig is sonder dat verlof vooraf daartoe verkry is, verbeur sy lidmaatskap van die uitvoerende komitee en sy amp word as vakant beskou: Met dien verstande dat die uitvoerende komitee, by 'n vergadering, 'n lid se afwesigheid by daardie vergadering mag verskoon. In dié geval word die lid, vir doeinde van hierdie subregulasie, geag daardie vergadering by te gewoon het.

21. Die uitvoerende komitee kan onderkomitees binne sy bevoegdhede en funksies konstitueer en kan enige lid van die Konvokasie, het sy hy 'n lid van die uitvoerende komitee is al dan nie, tot enige sodanige subkomitees benoem.

22. (1) Die vergaderings van die uitvoerende komitee van die Konvokasie word belê deur die voorsitter of, so nie, deur die vise-voorsitter of, so nie, deur die sekretaris: Met dien verstande dat die voorsitter of, so nie, die vise-voorsitter of, so nie, die sekretaris, 'n vergadering moet belê op die skriftelike versoek, waarin die doel van die vergadering vermeld word, van minstens een derde van die lede van die uitvoerende komitee.

(2) Indien die voorsitter afwesig is van 'n vergadering van die komitee tree die vise-voorsitter as voorsitter op en indien die vise-voorsitter ook afwesig is, stel die lede wat aanwesig is iemand uit hul geledere aan om by daardie vergadering as voorsitter op te tree.

(3) By vergaderings van die uitvoerende komitee vorm vyf lede 'n kworum.

(4) In elke saak het die voorsitter 'n beraadslagende stem en, daarbenewens, by 'n staking van stemme, 'n beslissende stem.

23. Die uitvoerende komitee van die Konvokasie oefen die volgende bevoegdhede en funksies uit:

(a) Om die sake van die Konvokasie te administreer;

(b) om enige sake wat op die Universiteit of op die Konvokasie betrekking het, met inbegrip van sake wat die Raad na hom mag verwys, te bespreek en namens die Konvokasie sy mening daaroor uit te spreek;

(c) om, behoudens die goedkeuring en aanwysings van die Raad, gelde van lede van die Konvokasie, of van ander persone, te vra en in te samel vir doeinde wat betrekking het op die algemene belang van die Universiteit of die spesiale belang van die Konvokasie;

(d) To administer such funds as may be allocated to it from time to time by the Council, or as may be received by it from any other source.

(e) To appoint trustees to hold any such funds in trust.

(f) To open and operate on banking and building society accounts and to draw, make, accept, endorse, execute, discount, issue and negotiate promissory notes, bills of exchange, cheques and other negotiable or transferable instruments.

(g) To cause proper records to be kept of the proceedings of the Convocation and of the executive committee of the Convocation, as well as proper books of account and records of income and expenditure.

(h) Subject to the consent and directions of the Council, to employ such persons as it may consider necessary for the efficient conduct of its affairs.

(i) To extend recognition to and withdraw recognition from any particular organisation of a group of members of the Convocation.

(j) Generally to perform any act on behalf of the Convocation in furtherance of the interests of the University.

(d) om fondse wat die Raad van tyd tot tyd aan hom mag toewys of wat hy uit ander bronne mag ontvang, te administreer;

(e) om trustees aan te stel om sodanige fondse in trust te hou;

(f) om by banke en bougenootskappe rekeninge te open en daarop te werk en om promesses, wissels, tjeks en ander verhandelbare of oordraagbare stukke te trek, op te stel, te aksepteer, te endosseer, uit te voer, te diskonter, uit te reik en te verhandel;

(g) om behoorlik rekord te laat hou van die verrigtinge van die Konvokasie en van die uitvoerende komitee van die Konvokasie en om behoorlike rekeningboeke en opgawes van inkomste en uitgawes te laat byhou;

(h) om, behoudens die goedkeuring en aanwysings van die Raad, sodanige persone in diens te neem as wat dit nodig mag ag vir die doeltreffende afhandeling van sy sake;

(i) om erkenning te verleen aan en erkenning terug te trek van enige bepaalde organisasie van 'n groep lede van die Konvokasie; en

(j) om in die algemeen namens die Konvokasie enige handelinge te verrig ter bevordering van die belang van die Universiteit.

DEPARTMENT OF TRANSPORT

No. R. 851

16 April 1981

CORRECTION NOTICE

It is hereby notified that the amount of R2,50 in regulation 2 (b) and the amount of R4,45 in regulation 2 (e) in the English text of the Regulations promulgated under Government Notice R. 679 of 27 March 1981, are substituted for the amount of R2,90 and R45,45 respectively.

DEPARTEMENT VAN Vervoer

No. R. 851

16 April 1981

VERBETERINGSKENNISGEWING

Dit word hierby bekendgemaak dat die bedrag van R2,50 in regulasie 2 (b) en die bedrag van R4,45 in regulasie 2 (e) in die Engelse teks van die regulasies uitgevaardig by Goewermentskennisgewing R. 679 van 27 Maart 1981, vervang word met die bedrag van R2,90 en die bedrag van R45,45 respektiewelik.

AGROCHEMOPHYSICA

This publication is a continuation of the South African Journal of Agricultural Science Vol. 1 to 11, 1958-1968 and deals with Biochemistry, Biometry, Soil Science, Agricultural Engineering, Agricultural Meteorology and Analysis Techniques. Four parts of the journal are published annually.

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