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[No. 873.]

GOEWERMENTSKENNISGEWINGS.

DEPARTEMENT VAN ARBEID.

No. R. 1191.] [7 Augustus 1964.

LOONWET, No. 5 VAN 1957.

LOONVASSTELLING No. 253.

VLEISBEDRYF, KLEINER DORPE.

In opdrag van die Minister van Arbeid word hierby ingevolge subartikel (2) van artikel veertien van die Loonwet, 1957, bekendgemaak dat die Minister kragtens die bevoegdheid aan hom verleen by subartikel (1) van artikel veertien van genoemde Wet, die Vasstelling wat in die Bylae hiervan verskyn ten opsigte van die Vleisbedryf, Kleiner Dorpe, gemaak het en die 31ste dag van Augustus 1964, bepaal het as die datum waarop die bepaling van genoemde Vasstelling bindend word.

BYLAE.

1. GEBIED EN OMVANG VAN DIE VASSTELLING.

Hierdie Vasstelling is van toepassing op alle werknemers in die vleisbedryf en op die werkgewers van sodanige werknemers in die volgende gebiede:—

Kaaprovinsie.—Die munisipale gebiede van Aliwal-Noord, Beaufort-Wes, Burgersdorp, Caledon, Ceres, Cradock, De Aar, George, Graaff-Reinet, Gordonsbaai, Grahamstad, Hermanus, King William's Town, Knysna, Kokstad, Kuruman, Mafeking, Malmesbury, Middelburg, Montagu, Mosselbaai, Oudtshoorn, Paarl, Queenstown, Riversdal, Robertson, Somerset-Oos, Somerset-Wes, Stellenbosch, die Strand, Swellendam, Umtata, Upington, Vryburg, Wellington en Worcester.

Natal.—Die munisipale gebiede of dorpsbestuursgebiede, na gelang van die geval, van Dundee, Estcourt, Glencoe, Ladysmith, Newcastle en Vryheid;

Oranje-Vrystaat.—Die munisipale gebiede of dorpsbestuursgebiede, na gelang van die geval, van Bethlehem, Ficksburg, Harrismith, Kroonstad, Ladybrand, Odendaalsrus, Parys, Senekal, Sasolburg, Virginia en Welkom;

Transvaal.—Die munisipale gebiede, dorpsraadgebiede, gesondheidskomiteegebiede of plaaslike gebiedskomiteegebiede van die Gesondheidsraad vir Buite-Stedelike Gebiede, na gelang van die geval, van Barberton, Bethal, Brits, Carletonville, Christiana, Ermelo, Groblersdal, Heidelberg, Klerksdorp, Lichtenburg, Louis Trichardt, Lydenburg, Middelburg, Nelspruit, Nigel, Nylstroom, Orkney, Pietersburg, Piet Retief, Potchefstroom, Potgietersrus, Rustenburg, Standerton, Stilfontein, Tzaneen, Volksrust, Vanderbijlpark, Vereeniging, Waterval-Boven, Warmbad, Witbank, Witrivier en Zeerust en die plaas Zuurfontein No. 31;

Met dien verstande dat dit op werknemers in Naturelle-gebiede soos omskryf in artikel een (1) van die Wet op Nywerheidsversoening, 1956, nie van toepassing is nie.

2. WOORDOMSKRYWINGS.

(1) Tensy uit die samehang anders blyk, het iedere uitdrukking wat in hierdie Vasstelling gebruik en in die Loonwet, 1957, omskryf word, dieselfde betekenis as in dié Wet en, tensy strydig met die samehang, beteken—

(i) "algemene werker" 'n werknemer wat een of meer van die volgende werksaamhede of pligte uitvoer:—

(a) By afleweringsovertuie behulpsaam wees;

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GOVERNMENT NOTICES.

DEPARTMENT OF LABOUR.

No. R. 1191.] [7 August 1964.

WAGE ACT, No. 5 OF 1957.

WAGE DETERMINATION No. 253.

MEAT TRADE, SMALLER TOWNS.

By direction of the Minister of Labour it is hereby notified, in terms of sub-section (2) of section fourteen of the Wage Act, 1957, that the Minister, under the powers vested in him by sub-section (1) of section fourteen of the said Act, has made the Determination in the Schedule hereto in respect of the Meat Trade, Smaller Towns, and has fixed the 31st day of August, 1964, as the date from which the provisions of the said Determination shall be binding.

SCHEDULE.

1. AREA AND SCOPE OF DETERMINATION.

This Determination shall apply to all employees in the Meat Trade and to the employers of such employees in the following areas:—

Cape Province.—The municipal areas of Aliwal North, Beaufort West, Burgersdorp, Caledon, Ceres, Cradock, De Aar, George, Graaff-Reinet, Gordon's Bay, Grahamstown, Hermanus, King William's Town, Knysna, Kokstad, Kuruman, Mafeking, Malmesbury, Middelburg, Montagu, Mossel Bay, Oudtshoorn, Paarl, Queenstown, Riversdale, Robertson, Somerset East, Somerset West, Stellenbosch, Strand, Swellendam, Umtata, Upington, Vryburg, Wellington and Worcester.

Natal.—The municipal areas or town board areas, as the case may be, of Dundee, Estcourt, Glencoe, Ladysmith, Newcastle and Vryheid.

Orange Free State.—The municipal areas or village management board areas, as the case may be, of Bethlehem, Ficksburg, Harrismith, Kroonstad, Ladybrand, Odendaalsrus, Parys, Senekal, Sasolburg, Virginia and Welkom.

Transvaal.—The municipal areas, town board areas, health committee areas or local area committee areas of the Peri-Urban Areas Health Board, as the case may be, of Barberton, Bethal, Brits, Carletonville, Christiana, Ermelo, Groblersdal, Heidelberg, Klerksdorp, Lichtenburg, Louis Trichardt, Lydenburg, Middelburg, Nelspruit, Nigel, Nylstroom, Orkney, Pietersburg, Piet Retief, Potchefstroom, Potgietersrus, Rustenburg, Standerton, Stilfontein, Tzaneen, Volksrus, Vanderbijlpark, Vereeniging, Waterval-Boven, Warmbaths, Witbank, White River and Zeerust and the farm Zuurfontein No. 31:

Provided that it shall not apply to employees in Native areas as defined in section one (1) of the Industrial Conciliation Act, 1956.

2. DEFINITIONS.

(1) Unless the context otherwise indicates, any expression which is used in this Determination and which is defined in the Wage Act, 1957, has the same meaning as in that Act and unless inconsistent with the context—

(i) "Area A" means the areas of Carletonville, Klerksdorp, Nigel, Orkney, Paarl, Sasolburg, Somerset West, Stellenbosch, Stilfontein, Strand, Vanderbijlpark,

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- (b) vleis, gerei, materiale, huide of velle dra, verskuif, toedraai of opstapel; of vleis sout;
- (c) persele, voertuie, gerei, gereedskap of masjinerie skoonmaak;
- (d) lewende diere skoonmaak of karkasse afwas;
- (e) die kontant by k.b.a.-verkope invorder of skriftelike bestellings aanneem;
- (f) rantsoene gaarmaak of tee of ander dergelike drank maak of ronddien;
- (g) afval, derms, huide of velle skoonmaak, meet, sout of sorteer;
- (h) vleis*vir maal opsnij, bene skoonmaak, vleismeule voer of leegmaak, of worsomhulsels oopvou;
- (i) die horings verwyder van karkasse;
- (j) goedere, briewe of boodskappe op 'n ander wyse aflewer as deur middel van 'n motorvoertuig deur homself bestuur;
- (k) lewende hawe voer, water gee, oppas, aanja of versorg;
- (l) diere in- of uitspan;
- (m) karkasse ophys of sleep op 'n ander wyse as deur middel van meganiese kragtoestelle;
- (n) pluimvee doodmaak, pluk of skoonmaak, of vis skoonmaak;
- (o) goedere, vleis of lewende hawe op- of aflaai;
- (p) vure maak of stook, of vuilgoed of as verwyder;
- (q) deure van koelkamers oop- of toemaak;
- (r) voertuie, uitgesonderd motorvoertuie, olie of smeer;
- (s) wors of polonies toebeind, sopvleis opsaag, bene in stukke kap, vet opsnij of uitsmelt, of vet deur masjiene stuur; (xxxii)
- (ii) „bedryfsinrigting” ’n perseel waarop of in verband waarmee een of meer werknemers in die vleisbedryf in diens is; (xxvii)
- (iii) „bestuurder van ’n motorvoertuig” ’n werknemer wat ’n motorvoertuig bestuur, en by die toepassing van hierdie woordoms krywing omvat die uitdrukking „’n motorvoertuig bestuur” alle tyd waarin bestuur word en alle tyd wat die bestuurder bestee aan werk in verband met die voertuig of die vraag en alle tyd waarin hy verplig is om op sy pos gereed te bly om te bestuur; (xxv)
- (iv) „blokman” ’n werknemer, uitgesonderd ’n verkoopster of ’n blokman graad II, wat in ’n bedryfsinrigting vleis bedoel vir verkoop in die kleinhandel opsnij, of wat in ’n kleinhandelslaghuis klante bedien en bestellings mag opmaak en enige ander pligte in sodanige slaghuis mag uitvoer; (vii)
- (v) „blokman, gekwalifiseerd,” ’n blokman met minstens vyf jaar ondervinding; (viii)
- (vi) „blokman, ongekwalifiseerd,” ’n blokman met minder as vyf jaar ondervinding; (ix)
- (vii) „blokman graad II” ’n werknemer wat karkasse uitmekaarmaak of wat onder die algemene toesig van ’n gekwalifiseerde blokman vleis opsnij vir verkoop aan nie-Blankes en wat vleis uitsluitend aan nie-Blankes mag verkoop; (x)
- (viii) „blokman graad II, gekwalifiseerd,” ’n blokman graad II met minstens een jaar ondervinding; (xi)
- (ix) „blokman graad II, ongekwalifiseerd,” ’n blokman graad II met minder as een jaar ondervinding; (xii)
- (x) „deeltydse bestuurder van ’n motorvoertuig” ’n werknemer wat in die reël ander werk verrig as om ’n motorvoertuig te bestuur maar wat op meer as twee dae in enige week ’n motorvoertuig altesaam hoogstens drie uur op so ’n dag bestuur, en by die toepassing van hierdie woordoms krywing omvat die uitdrukking „’n motorvoertuig bestuur” alle tyd waarin bestuur word en alle tyd wat die bestuurder, terwyl hy in die beheer van die voertuig is, aan werk in verband met die voertuig of die vraag bestee; (xxxvi)
- (xi) „deeltydse slagman” ’n slagman wat by die week of maand hoogstens vyf-en-twintig gewone werkeure in ’n week in diens is; (xxxvii)
- (xii) „Distrik A” die gebiede Carletonville, Klerksdorp, Nigel, Orkney, Sasolburg, Stilfontein, Vanderbijlpark, Vereeniging, Welkom en die plaas Zuurfontein No. 31, soos in klousule 1 beskryf; (xxi)
- (xiii) „Distrik B” die gebiede Grahamstad, Kroonstad, Odendaalsrus, Paarl, Pietersburg, Potchefstroom, Queens-town, Rustenburg, Somerset-Wes, Stellenbosch, Strand, Virginia, Witbank en Worcester, soos in klousule 1 beskryf; (xxii)
- (xiv) „Distrik C” die gebiede Aliwal-Noord, Barberton, Beaufort-Wes, Bethal, Bethlehem, Brits, Burgersdorp, Cradock, De Aar, Dundee, Ermelo, Estcourt, Ficksburg, George, Graaff-Reinet, Harrismith, Heidelberg, Hermanus, King William’s Town, Knysna, Kuruman, Ladysmith, Lichtenburg, Middelburg (Kaap), Middelburg (Transvaal), Mosselbaai, Nelspruit, Newcastle, Oudtshoorn, Parys, Potgietersrus, Standerton, Umtata, Upington, Volksrust, Vryburg, Vryheid, Warmbad, Wellington en Witrivier, soos in klousule 1 beskryf; (xxiii)
- Vereeniging, Welkom, Worcester and the farm Zuurfontein No. 31 as described in clause 1; (xviii)
- (ii) “Area B” means the areas of Kroonstad, Potchefstroom, Wellington and Witbank as described in clause 1; (xix)
- (iii) “Area C” means the areas of Caledon, Ceres, George Gordon’s Bay, Hermanus, Knysna, Malmesbury, Montagu, Mossel Bay, Odendaalsrus, Oudtshoorn, Riversdale, Robertson, Swellendam and Virginia as described in clause 1; (xx)
- (iv) “Area D” means the areas of Beaufort West, Bethal, Bethlehem, Brits, Cradock, De Aar, Ermelo, Graaff-Reinet, Grahamstown, Harrismith, Heidelberg, King William’s Town, Ladysmith, Lichtenburg, Middelburg (Cape), Middelburg (Transvaal), Nelspruit, Newcastle, Parys, Pietersburg, Queenstown, Rustenburg, Standerton, Upington, Volksrust, Vryburg and Warmbaths as described in clause 1; (xxi)
- (v) “Area E” means the areas of Aliwal North, Barberton, Burgersdorp, Dundee, Estcourt, Ficksburg, Glencoe, Kuruman, Lydenburg, Mafeking, Nylstroom, Potgietersrus, Senekal, Somerset East, Tzaneen, Vryheid and White River as described in clause 1; (xxii)
- (vi) “Area F” means the areas of Christiana, Groblersdal, Kokstad, Ladybrand, Louis Trichardt, Piet Retief, Umtata, Waterval-Boven and Zeerust as described in clause 1; (xxiii)
- (vii) “blockman” means an employee (other than a saleswoman or blockman grade II) who, in any establishment, cuts up meat intended for sale by retail or who, in a retail butcher’s shop, serves customers and who may make up orders and perform any other duties in such butcher’s shop; (iv)
- (viii) “blockman, qualified,” means a blockman who has had not less than five years’ experience; (v)
- (ix) “blockman, unqualified,” means a blockman who has had less than five years’ experience; (vi)
- (x) “blockman grade II” means an employee who breaks down carcasses or who, under the general supervision of a qualified blockman, cuts up meat for sale to non-Europeans and who may sell meat exclusively to non-Europeans; (vii)
- (xi) “blockman grade II, qualified,” means a blockman grade II, who has had not less than one year’s experience; (viii)
- (xii) “blockman grade II, unqualified,” means a blockman grade II, who has had less than one year’s experience; (ix)
- (xiii) “boiler attendant” means an employee who maintains the water level and steam pressure in a boiler and who may make, maintain or draw the fire in such boiler; (xxiv)
- (xiv) “casual employee” means an employee who is employed by the same employer on not more than three days in any week; (xxxiv)
- (xv) “chargehand” means an employee who is in charge of a group of general workers; (xxxvii)
- (xvi) “clerk” means an employee who is engaged in writing, typing, filing, operating a calculating or punch card machine or in any other form of clerical work and includes a cashier and a telephone switchboard operator, but does not include any other class of employee defined elsewhere in this clause, notwithstanding the fact that clerical work may form a portion of such employee’s duties; (xxvi)
- (xvii) “clerk, male, qualified,” means a male clerk who has had not less than five years’ experience; (xxvii)
- (xviii) “clerk, male, unqualified,” means a male clerk who has had less than five years’ experience; (xxviii)
- (xix) “clerk, female, qualified,” means a female clerk who has had not less than four years’ experience; (xxix)
- (xx) “clerk, female, unqualified,” means a female clerk who has had less than four years’ experience; (xxx)
- (xxi) “District A” means the areas of Carletonville, Klerksdorp, Nigel, Orkney, Sasolburg, Stilfontein, Vanderbijlpark, Vereeniging, Welkom and the farm Zuurfontein No. 31 as described in clause 1; (xii)
- (xxii) “District B” means the areas of Grahamstown, Kroonstad, Odendaalsrus, Paarl, Pietersburg, Potchefstroom, Queenstown, Rustenburg, Somerset West, Stellenbosch, Strand, Virginia, Witbank and Worcester as described in clause 1; (xiii)
- (xxiii) “District C” means the areas of Aliwal North, Barberton, Beaufort West, Bethal, Bethlehem, Brits, Burgersdorp, Cradock, De Aar, Dundee, Ermelo, Estcourt, Ficksburg, George, Graaff-Reinet, Harrismith, Heidelberg, Hermanus, King William’s Town, Knysna, Kuruman, Ladysmith, Lichtenburg, Middelburg (Cape), Middelburg (Transvaal), Mossel Bay, Nelspruit, Newcastle, Oudtshoorn, Parys, Potgietersrus, Standerton, Umtata, Upington, Volksrust, Vryburg, Vryheid, Warmbaths, Wellington and White River as described in clause 1; (xiv)

- (xv) „Distrik D” al die gebiede in klousule 1 beskryf en nie in die omskrywing van „Distrik A”, „Distrik B” en „Distrik C” vermeld nie; (xxiv)
- (xvi) „eerste blokman” ’n gekwalifiseerde blokman wat in beheer is van ’n bedryfsinrigting waarin minstens een ander gekwalifiseerde blokman in diens is; (xxix)
- (xvii) „eie gewig” die gewig van ’n motorvoertuig of ’n sleepwa soos aangegee in ’n lisensie of sertifikaat ten opsigte van die motorvoertuig of sleepwa uitgereik deur ’n owerheid wat by wet die bevoegdheid het om ten opsigte van motorvoertuie lisensies uit te reik: Met dien verstande dat in die geval van ’n twee- of driewielige motorvoertuig (uitgesonderd ’n voorhaker) die eie gewig gaag word hoogstens 1,000 lb. te wees; (liii)
- (xviii) „Gebied A” die gebiede Carletonville, Klerksdorp, Nigel, Orkney, Paarl, Sasolburg, Somerset-Wes, Stellenbosch, Stilfontein, Strand, Vanderbijlpark, Vereeniging, Welkom, Worcester en die plaas Zúurfontein No. 31, soos in klousule 1 beskryf; (i)
- (xix) „Gebied B” die gebiede Kroonstad, Potchefstroom, Wellington en Witbank, soos in klousule 1 beskryf; (ii)
- (xx) „Gebied C” die gebiede Caledon, Ceres, George, Gordonsbaai, Hermanus, Knysna, Malmesbury, Montagu, Mosselbaai, Odendaalsrus, Oudtshoorn, Riversdal, Robertson, Swellendam en Virginia, soos in klousule 1 beskryf; (iii)
- (xxi) „Gebied D” die gebiede Beaufort-Wes, Bethal, Bethlehem, Brits, Cradock, De Aar, Ermelo, Graaff-Reinet, Grahamstad, Harrismith, Heidelberg, King William’s Town, Ladysmith, Lichtenburg, Middelburg (Kaap), Middelburg (Transvaal), Nelspruit, Newcastle, Parys, Pietersburg, Queenstown, Rustenburg, Standerton, Upington, Volksrust, Vryburg en Warmbad, soos in klousule 1 beskryf; (iv)
- (xxii) „Gebied E” die gebiede Aliwal-Noord, Barberton, Burgersdorp, Dundee, Estcourt, Ficksburg, Glencoe, Kuruman, Lydenburg, Mafeking, Nylstroom, Potgietersrus, Senekal, Somerset-Oos, Tzaneen, Vryheid en Wit-rivier, soos in klousule 1 beskryf; (v)
- (xxiii) „Gebied F” die gebiede Christiana, Groblersdal, Kokstad, Ladybrand, Louis Trichardt, Piet Retief, Umtata, Waterval-Boven en Zeerust, soos in klousule 1 beskryf; (vi)
- (xxiv) „ketelbediener ’n werknemer wat die waterpeil en die stoomdruk in ’n stoomketel in stand hou en wat die vuur in so ’n ketel mag maak, stook of uithaal; (xiii)
- (xxv) „kleinhandelslaghuus” ’n bedryfsinrigting of ’n gedeelte daarvan waarin of waarop die handel in vleis by kleinhandelsmaat gedryf word; (xxxix)
- (xxvi) „klerk” ’n werknemer wat skryf-, tik- of liasseerwerk doen of ’n reken- of ponskaartmasjien bedien of enige ander vorm van klerklike werk verrig en omvat dit ook ’n kassier en ’n skakelbordtelefonis maar geen ander klas werknemer wat elders in hierdie klousule omskryf word nie, al maak klerklike werk ook deel uit van sodanige werknemer se pligte; (xvi)
- (xxvii) „klerk, man, gekwalifiseerd,” ’n manlike klerk met minstens vyf jaar ondervinding; (xvii)
- (xxviii) „klerk, man, ongekwalifiseerd,” ’n manlike klerk met minder as vyf jaar ondervinding; (xviii)
- (xxix) „klerk, vrou, gekwalifiseerd,” ’n vroulike klerk met minstens vier jaar ondervinding; (xix)
- (xxx) „klerk, vrou, ongekwalifiseerd,” ’n vroulike klerk met minder as vier jaar ondervinding; (xx)
- (xxxi) „korttyd” ’n tydelike vermindering van die getal gewone werkers te wyte aan ’n slappe in die bedryf of ’n tekort aan voorrade, of aan die feit dat die masjinerie of installasie buite werking is of dat die geboue onbruikbaar is of dreig om dit te word; (xliiv)
- (xxxii) „lewende hawe” enige bul, os, koei, vers, tollie, kalf, skaap, lam, bok, vark, perd, donkie, wildsbok of enige ander viervoetige dier bedoel vir menslike verbruik en sluit pluimvee in; (xxxii)
- (xxxiii) „loon” die geldbedrag wat ingevolge klousule 3 (1) aan ’n werknemer betaalbaar is ten opsigte van sy gewone werkers soos in klousule 5 voorgeskryf: Met dien verstande—
- (i) dat indien ’n werkgewer ’n werknemer ten opsigte van sodanige gewone werkers gereeld ’n hoër bedrag betaal as dié in klousule 3 (1) voorgeskryf, dit sodanige hoër bedrag beteken;
- (ii) dat die eerste voorbehoudsbepaling nie so uitgelê word dat dit enige beloning raak of omvat wat ’n werknemer wat in diens is op ’n grondslag waarvoor in klousule 9 voorsiening gemaak word, ontvang het bo en behalwe die bedrag wat hy sou ontvang het as hy nie op sodanige grondslag in diens was nie; (liv)
- (xxiv) „District D” means all the areas described in clause 1 and not mentioned in the definitions “District A”, “District B” and “District C”; (xv)
- (xxv) “driver of a motor vehicle” means an employee who is engaged in driving a motor vehicle, and for the purpose of this definition the expression “driving a motor vehicle” includes all periods of driving and any time spent by the driver on work connected with the vehicle or the load, and all periods during which he is obliged to remain on duty in readiness to drive; (iii)
- (xxvi) “emergency work” means any work which, owing to unforeseen circumstances such as fire, storm, accident, epidemic, act of violence, theft or breakdown of plant or machinery, must be done without delay and any work connected with the loading and unloading of trucks or vehicles of the South African Railways and Harbours; (xxxvi)
- (xxvii) “establishment” means any premises in or in connection with which one or more employees are employed in the meat trade; (ii)
- (xxviii) “experience” means—
- (a) in relation to a clerk, the total period or periods of employment which an employee has had as a clerk in any trade or in the service of the State;
- (b) in relation to a smallgoodsman or bacon curer, blockman, blockman grade II, saleswoman or slaughterman, the total period or periods of employment which an employee has had as a smallgoodsman or bacon curer, blockman, blockman grade II, saleswoman or slaughterman, respectively, in the meat trade; (xxxviii)
- (xxix) “first blockman” means a qualified blockman in charge of an establishment in which at least one other qualified blockman is employed; (xvi)
- (xxx) “foreman slaughterman” means an employee who is in charge of and supervises the work of slaughtermen and slaughterman’s assistants; (ii)
- (xxxi) “general worker” means an employee who is engaged in one or more of the following operations or duties:—
- (a) Assisting on delivery vehicles;
- (b) carrying, moving, wrapping or stacking meat, utensils, materials, hides or skins; or salting meat;
- (c) cleaning premises, vehicles, utensils, implements or machinery;
- (d) cleaning live animals or washing carcasses;
- (e) collecting cash in the case of c.o.d. sales or accepting written orders;
- (f) cooking rations or making or serving tea or other similar beverages;
- (g) cleaning, measuring, salting or sorting offal, guts, hides or skins;
- (h) cutting up meat for mincing, cleaning bones, feeding or emptying mincing machines, or unfolding sausage casings;
- (i) de-horning of carcasses;
- (j) delivering goods, letters or messages otherwise than by means of driving a motor vehicle;
- (k) feeding, watering, herding, driving or tending livestock;
- (l) harnessing or unharnessing animals;
- (m) hoisting or dragging carcasses otherwise than by means of power-driven mechanical appliances;
- (n) killing, plucking or cleaning poultry, or cleaning fish;
- (o) loading or unloading goods, meat or livestock;
- (p) making or maintaining fires, or removing refuse or ash;
- (q) opening or closing doors of cold storage chambers;
- (r) oiling or greasing vehicles other than motor vehicles;
- (s) tying sausages or polonies, sawing up soup meat, chopping up bones, cutting up or melting fat, or putting fat through machines; (i)
- (xxxii) “livestock” means any bull, bullock, cow, heifer, tollie, calf, sheep, lamb, goat, pig, horse, donkey, game or other quadruped intended for human consumption and includes poultry; (xxxii)
- (xxxiii) “meat” means meat intended for human consumption and includes game, horse meat, donkey meat, rabbit meat and poultry; (xlix)
- (xxxiv) “meat trade” means—
- (a) the slaughtering of livestock;
- (b) the handling, preparation, preservation, sale or distribution of meat by any person who, in terms of section twenty-one of Proclamation No. 265 of 1945, published in terms of section twenty-two of the Marketing Act, 1937 (Act No. 26 of 1937), is required to be registered with the Livestock and Meat Industries Control Board or who is required to hold a wholesale or retail butcher’s licence in terms of Item 6 of Part I of the Second Schedule to the Licences Act, 1962 (Act No. 44 of 1962); and includes all operations incidental to or consequent on any of the aforesaid activities; (i)

- (xxxiv) „los werknemer” ’n werknemer wat hoogstens drie dae in enige week by dieselfde werkgewer in diens is; (xiv)
- (xxxv) „motorvoertuig” ’n kragaaangedrewe voertuig wat gebruik word vir die vervoer van goedere, met inbegrip van lewende hawe, en omvat dit ook ’n voorhaker en ’n trekker; (xxxv)
- (xxxvi) „noodwerk” alle werk wat weens onvoorsiene omstandighede soos brand, storm, ongeluk, epidemie, geweld, daad, diefstal of ’n defek by die installasie of masjinerie sonder versuim verrig moet word, en alle werk in verband met die laai of aflaai van spoorwaens of voertuie van die Suid-Afrikaanse Spoorweë en Hawens; (xxvii)
- (xxxvii) „onderbaas” ’n werknemer wat oor ’n groep algemene werkers in beheer is; (xv)
- (xxxviii) „ondervinding” —
- (a) wat ’n klerk betref, die totale tydperk of tydperke diens wat ’n werknemer as klerk in enige bedryfstak of in die diens van die Staat gehad het;
- (b) met betrekking tot ’n worsmaker of spekbereier, ’n blokman, ’n blokman graad II, ’n verkoopster of ’n slagman, die totale tydperk of tydperke diens wat ’n werknemer as worsmaker of spekbereier, blokman, blokman graad II, verkoopster of slagman, onderskeidelik, in die vleisbedryf gehad het; (xxviii)
- (xxxix) „Senior besturende, professionele of administratiewe werknemer” ’n werknemer wat deur sy werkgewer belas is met werk wat die verantwoordelikheid meebring om by die uitvoering van die bedryfsinrigting se werksaamhede besluite van professionele of administratiewe aard te neem; (xliii)
- (xli) „slagman” ’n werknemer wat lewende hawe slag of bloedlaai en karkasse afslag of dresseer; (xlv)
- (xlii) „slagman, gekwalifiseer,” ’n slagman met minstens een jaar ondervinding; (xlv)
- (xliii) „slagman, ongekwalifiseer,” ’n slagman met minder as een jaar ondervinding; (xlvii)
- (xliv) „slagmansassistent” ’n werknemer wat onder die toesig van ’n voorman-slagman of ’n slagman sodanige slagman met die afslag of dresseer van karkasse help en wat skape of kalwers mag doodmaak of afval by die slagplaas verkoop; (xlviii)
- (xlv) „sleepwa” enige vervoermiddel wat deur ’n motorvoertuig getrek word; (lii)
- (xlv) „stukwerk” ’n stelsel waarvolgens ’n werknemer se beloning op die hoeveelheid gedane werk gebaseer word; (xxxviii)
- (xlvii) „verkoopster” ’n vroulike werknemer wat in ’n klein-handelslaghuis klante bedien of bestellings opmaak en wat te dien einde vleis mag afweeg, verwerkte vleis in skyfies of stukke mag sny, of vleis wat vooraf deur ’n blokman vir verkoop in die kleinhandel opgesny is, met ’n mes of hoe ook al verder mag verdeel; (xi)
- (xlviii) „verkoopster, gekwalifiseer,” ’n verkoopster met minstens vier jaar ondervinding; (xli)
- (xlviii) „verkoopster, ongekwalifiseer,” ’n verkoopster met minder as vier jaar ondervinding; (xlii)
- (xlix) „vleis” ’n vleis wat vir menslike verbruik bedoel is en omvat ook wilds-, perde-, donkie- en konynvleis asook pluimvee; (xxxiii)
- (l) „Vleisbedryf” —
- (a) die slag van lewende hawe;
- (b) die hantering, voorbereiding, preservering, verkoop of distribusie van vleis deur enige persoon van wie ingevolge artikel een-en-twintig van Proklamasie No. 265 van 1945, gepubliseer ingevolge artikel twee-en-twintig van die Bemarkingswet, 1937 (Wet No. 26 van 1937), vereis word om by die Raad van Beheer oor die Vee- en Vleisnywerheid geregistreer te wees of van wie dit vereis word om ’n groothandel- of kleinhandelslagterslisensie ingevolge item 6 van Deel I van die Tweede Bylae van die Wet op Lisensies, 1962 (Wet No. 44 van 1962), te hou;
- en omvat alle werksaamhede wat met enigeen van voormelde bedrywighede in verband staan of daaruit voort-spruit; (xxxiv)
- (li) „voorman-slagman” ’n werknemer wat in beheer is en toesig hou oor die werk van slagmanne en slagmans-assistente; (xxx)
- (lii) „wag” ’n werknemer wat persele of eiendom bewaak; (lv)
- (liii) „worsmaker of spekbereider” ’n werknemer wat verantwoordelik is vir en werksaam by die maak van wors, polonies, sult of enige ander vleisproduk bestem vir menslike gebruik, of die gaarmaak of preservering van vleis of die bereiding van spek; (xlix)
- (liv) „worsmaker of spekbereider, gekwalifiseer,” ’n worsmaker of spekbereier met minstens vyf jaar ondervinding; (l)
- (xxxv) „motor vehicle” means a mechanically propelled vehicle used for conveying goods, including livestock, and includes a mechanical horse and a tractor; (xxxv)
- (xxxvi) „part-time driver of a motor vehicle” means an employee who is ordinarily engaged on duties other than driving a motor vehicle but who on more than two days in any week is engaged in driving a motor vehicle for not more than three hours in the aggregate on any such day, and for the purpose of this definition the expression “driving a motor vehicle” includes all periods of driving and any time spent by the driver, while in charge of the vehicle, on work connected with the vehicle or the load; (x)
- (xxxvii) „part-time slaughterman” means a slaughterman who is employed by the week or month for not more than twenty-five ordinary hours of work in any week; (xi)
- (xxxviii) „piece-work” means any system under which an employee’s remuneration is based on the quantity of work done (xlv)
- (xxxix) „retail butcher’s shop” means any establishment or portion thereof in or upon which the business of selling meat by retail is carried on; (xxv)
- (xl) „saleswoman” means a female employee who, in a retail butcher’s shop, is engaged in serving customers or making up orders and who may for these purposes weigh meat, slice or cut processed meat, or, by cutting or otherwise, divide meat previously cut up by a blockman for sale by retail; (xlv)
- (xli) „saleswoman, qualified,” means a saleswoman who has had not less than four years’ experience; (xlvii)
- (xlii) „saleswoman, unqualified,” means a saleswoman who has had less than four years’ experience; (xlviii)
- (xliii) „senior managerial, professional or administrative employee” means an employee who is charged by his employer with the performance of work entailing responsibility for taking decisions of a professional or administrative character in the conduct of the activities of an establishment; (xxxix)
- (xliv) „short-time” means a temporary reduction in the number of ordinary hours of work owing to slackness of trade, shortage of supplies or a general breakdown of machinery or plant or an actual or threatened breakdown of buildings; (xxxi)
- (xlv) „slaughterman” means an employee who is engaged in killing or bleeding livestock and in flaying or dressing carcasses; (xli)
- (xlvii) „slaughterman, qualified,” means a slaughterman who has had not less than one year’s experience; (xli)
- (xlvii) „slaughterman, unqualified,” means a slaughterman who has had less than one year’s experience; (xlii)
- (xlviii) „slaughterman’s assistant” means an employee who under the supervision of a foreman slaughterman or a slaughterman, assists such slaughterman in flaying or dressing carcasses and who may kill sheep or calves or sell off at the abattoirs; (xliii)
- (xlix) „smallgoodsman or bacon curer” means an employee who is responsible for and engaged in making sausages, polonies, brawn or any other meat product intended for human consumption or cooking or preserving meat or curing bacon; (liii)
- (i) „smallgoodsman or bacon curer, qualified,” means a smallgoodsman or bacon curer who has had not less than five years’ experience; (liv)
- (ii) „smallgoodsman or bacon curer, unqualified,” means a smallgoodsman or bacon curer who has had less than five years’ experience; (lv)
- (lii) „trailer” means any conveyance drawn by a motor vehicle; (xlv)
- (liii) „unladen weight” means the weight of any motor vehicle or trailer as recorded in a licence or certificate issued in respect of such vehicle or trailer by any authority empowered by law to issue licences in respect of motor vehicles: Provided that in the case of a two or three-wheeled motor vehicle (other than a mechanical horse) the unladen weight shall be deemed not to exceed 1,000 lb.; (xvii)
- (liv) „wage” means the amount of money payable to an employee in terms of clause 3 (1) in respect of his ordinary hours of work as prescribed in clause 5: Provided—
- (i) that where an employer regularly pays an employee in respect of such ordinary hours of work an amount higher than that prescribed in clause 3 (1), it means such higher amount;
- (ii) that the first proviso shall not be so construed as to refer to or include any remuneration which an employee who is employed on any basis provided for in clause 9, received over and above the amount which he would have received if he had not been employed on such basis; (xxxiii)

(iv) „worsmaker of spekbereier, ongekwalifiseerd,” ’n worsmaker of spekbereier met minder as vyf jaar ondervinding; (li)

(2) By die toepassing van hierdie Vastelling word ’n werknemer geag in dié klas te wees waarin hy uitsluitend of hoofsaaklik werk.

3. BELONING.

(1) Die minimum loon wat ’n werkgewer aan elkeen van sy werknemers in ondergenoemde klasse moet betaal word hieronder uiteengesit:—

(a) *Werknemers uitgesonderd los werknemers—*

(i)

(iv) “watchman” means an employee who is engaged in guarding premises or property. (lii)

(2) For the purpose of this Determination an employee shall be deemed to be in that class in which he is wholly or mainly engaged.

3. REMUNERATION.

(1) The minimum wage which an employer shall pay to each member of the undermentioned classes of his employees shall be as set out hereunder:—

	In Distrik A.	In Distrik B.	In Distrik C.	In Distrik D.
	Per week.	Per week.	Per week.	Per week.
	R	R	R	R
Eerste blokman.....	24.80	24.80	22.00	22.00
Blokman.....				
Worsmaker of spekbereier } gekwalifiseerd.....	22.80	22.80	20.00	20.00
Blokman.....				
Worsmaker of spekbereier } ongekwalifiseerd:—				
Gedurende die eerste jaar ondervinding.....	8.00	8.00	7.00	7.00
Gedurende die tweede jaar ondervinding.....	11.00	11.00	9.75	9.75
Gedurende die derde jaar ondervinding.....	14.00	14.00	12.50	12.50
Gedurende die vierde jaar ondervinding.....	17.00	17.00	15.25	15.25
Gedurende die vyfde jaar ondervinding.....	20.00	20.00	18.00	18.00
Klerk, vrou } gekwalifiseerd.....	15.69	13.85	12.69	11.54
Verkoopster } ongekwalifiseerd:—				
Klerk, vrou } ongekwalifiseerd:—				
Verkoopster } ongekwalifiseerd:—				
Gedurende die eerste jaar ondervinding.....	8.54	7.85	7.38	6.92
Gedurende die tweede jaar ondervinding.....	10.32	9.35	8.70	8.08
Gedurende die derde jaar ondervinding.....	12.12	10.85	10.04	9.23
Gedurende die vierde jaar ondervinding.....	13.90	12.35	11.37	10.38
Klerk, man, gekwalifiseerd.....	23.07	21.23	19.62	18.46
Klerk, man ongekwalifiseerd:—				
Gedurende die eerste jaar ondervinding.....	9.23	8.31	7.85	7.38
Gedurende die tweede jaar ondervinding.....	12.00	10.85	10.15	9.58
Gedurende die derde jaar ondervinding.....	14.77	13.38	12.46	11.77
Gedurende die vierde jaar ondervinding.....	17.55	15.92	14.77	13.97
Gedurende die vyfde jaar ondervinding.....	20.31	18.46	17.08	16.15
Voorman-slagman.....	22.80	22.80	20.00	20.00
Bestuurder van ’n motorvoertuig waarvan die eie gewig tesame met die eie gewig van enige sleepwa of sleepwaens wat deur sodanige voertuig getrek word—				
(i) hoogstens 1,000 lb. is.....	9.00	8.50	8.25	8.00
(ii) oor 1,000 lb. maar hoogstens 6,000 lb. is.....	12.90	12.00	11.00	10.00
(iii) oor 6,000 lb. is.....	15.70	14.50	13.25	12.20
Deeltydse bestuurder van ’n motorvoertuig.....	9.00	8.50	8.25	8.00

(a) *Employees other than casual employees—*

(i)

	In District A.	In District B.	In District C.	In District D.
	Per Week.	Per Week.	Per Week.	Per Week.
	R	R	R	R
First blockman.....	24.80	24.80	22.00	22.00
Blockman.....				
Smallgoodsman or bacon curer } qualified.....	22.80	22.80	20.00	20.00
Blockman.....				
Smallgoodsman or bacon curer } unqualified:—				
During the first year of experience.....	8.00	8.00	7.00	7.00
During the second year of experience.....	11.00	11.00	9.75	9.75
During the third year of experience.....	14.00	14.00	12.50	12.50
During the fourth year of experience.....	17.00	17.00	15.25	15.25
During the fifth year of experience.....	20.00	20.00	18.00	18.00
Clerk, female } qualified.....	15.69	13.85	12.69	11.54
Saleswoman... } unqualified:—				
Clerk, female } unqualified:—				
Saleswoman... } unqualified:—				
During the first year of experience.....	8.54	7.85	7.38	6.92
During the second year of experience.....	10.32	9.35	8.70	8.08
During the third year of experience.....	12.12	10.85	10.04	9.23
During the fourth year of experience.....	13.90	12.35	11.37	10.38
Clerk, male, qualified.....	23.07	21.23	19.62	18.46
Clerk, male, unqualified:—				
During the first year of experience.....	9.23	8.31	7.85	7.38
During the second year of experience.....	12.00	10.85	10.15	9.58
During the third year of experience.....	14.77	13.38	12.46	11.77
During the fourth year of experience.....	17.55	15.92	14.77	13.97
During the fifth year of experience.....	20.31	18.46	17.08	16.15
Foreman slaughterman.....	22.80	22.80	20.00	20.00
Driver of a motor vehicle the unladen weight of which together with the unladen weight of any trailer or trailers drawn by such vehicle—				
(i) does not exceed 1,000 lb.....	9.00	8.50	8.25	8.00
(ii) exceeds 1,000 lb. but does not exceed 6,000 lb.....	12.90	12.00	11.00	10.00
(iii) exceeds 6,000 lb.....	15.70	14.50	13.25	12.20
Part-time driver of a motor vehicle.....	9.00	8.50	8.25	8.00

(ii)

					In gebied E.		In Gebied F.	
	In Gebied A.	In Gebied B.	In Gebied C.	In Gebied D.	Gedurende die eerste twaalf maande ná hierdie vasstelling bindend word.	Daarná.	Gedurende die eerste twaalf maande ná hierdie vasstelling bindend word.	Daarná.
	Per week.	Per week.	Per week.	Per week.	Per week.	Per week.	Per week.	Per week.
	R	R	R	R	R	R	R	R
Ketelbediener								
Onderbaas.....	6.50	6.00	5.75	5.25	4.50	4.90	4.30	4.75
Wag.....								
Blokman graad II								
Slagman.....	7.50	7.00	6.75	6.25	5.50	5.90	5.30	5.75
Blokman graad II								
Slagman.....	6.00	5.50	5.25	4.75	4.00	4.40	3.80	4.25
Gedurende die eerste ses maande onder- vinding	6.75	6.25	6.00	5.50	4.75	5.15	4.55	5.00
Gedurende die tweede ses maande onder- vinding	6.00	5.50	5.25	4.75	4.00	4.40	3.80	4.25
Deeltydse slagman.....	4.80	4.40	4.20	3.80	3.30	3.60	3.20	3.40
Algemene werker, vrou.....	6.00	5.50	5.25	4.75	4.10	4.40	4.00	4.25
Algemene werker, man, 18 jaar oud of ouer	4.50	4.10	3.95	3.55	3.10	3.40	3.00	3.20
Slagmansassistent.....	6.50	6.00	5.75	5.25	4.50	4.90	4.30	4.75
Algemene werker, man, onder 18 jaar oud...								
Werknemer wat nie elders in hierdie sub-klausule uitdruklik vermeld word nie								

(ii)

					In Area E.		In Area F.	
	In Area A.	In Area B.	In Area C.	In Area D.	During the first twelve months after this Determination becomes binding.	Thereafter.	During the first twelve months after this Determination becomes binding.	Thereafter.
	Per Week.	Per Week.	Per Week.	Per Week.	Per Week.	Per Week.	Per Week.	Per Week.
	R	R	R	R	R	R	R	R
Boiler attendant.								
Chargehand.....	6.50	6.00	5.75	5.25	4.50	4.90	4.30	4.75
Watchman.....								
Blockman grade II								
Slaughterman.....	7.50	7.00	6.75	6.25	5.50	5.90	5.30	5.75
Blockman grade II..								
Slaughterman.....	6.00	5.50	5.25	4.75	4.00	4.40	3.80	4.25
During the first six months of experience	6.75	6.25	6.00	5.50	4.75	5.15	4.55	5.00
During the second six months of experience	6.00	5.50	5.25	4.75	4.00	4.40	3.80	4.25
Part-time slaughterman.....	4.80	4.40	4.20	3.80	3.30	3.60	3.20	3.40
General worker, female.....	6.00	5.50	5.25	4.75	4.10	4.40	4.00	4.25
General worker, male, 18 years of age or over	4.50	4.10	3.95	3.55	3.10	3.40	3.00	3.20
Slaughterman's assistant.....	6.50	6.00	5.75	5.25	4.50	4.90	4.30	4.75
General worker, male, under 18 years of age								
Employee not elsewhere in this sub-clause specifically mentioned								

(b) *Los werknemers.*—'n Los werknemer moet vir elke dag of gedeelte van 'n dag diens minstens een-vyfde betaal word van die weekloon voorgeskryf vir 'n werknemer in dieselfde gebied en van dieselfde geslag, wat dieselfde klas werk verrig as wat van die los werknemer vereis word: Met dien verstande dat, as die werkgewer vereis dat sy los werknemer die werk verrig van 'n klas werknemer vir wie 'n loon teen 'n stygende skaal voorgeskryf word, die uitdrukking „weekloon” beteken die weekloon voorgeskryf vir 'n gekwalifiseerde werknemer van dié klas, en voorts met dien verstande dat, as die werkgewer vereis dat sy los werknemer 'n tydperk van hoogstens vier opeenvolgende ure op enige dag werk, sy loon met hoogstens vyftig persent verminder mag word.

(2) *Kontrakbasis.*—By die toepassing van hierdie klousule moet die dienskontrak van 'n werknemer, uitgesonderd 'n los werknemer, op 'n weeklikse grondslag berus en, behoudens die bepalings van klousule 4 (6), moet 'n werknemer vir 'n week minstens die volle weekloon betaal word wat in subklousule (1), gelees met subklousule (3), vir 'n werknemer van sy klas in die gebied waarin hy werk voorgeskryf word en wel ongeag die vraag of hy in so 'n week die maksimum getal gewone werkure wat ingevolge klousule 5 vir hom geld, dan wel minder, gewerk het.

(b) *Casual Employees.*—A casual employee shall be paid in respect of every day or part of a day of employment not less than one-fifth of the weekly wage prescribed for an employee in the same area and of the same sex who performs the same class of work as the casual employee is required to do: Provided that, where the employer requires a casual employee to perform the work of a class of employee for whom wages on a rising scale are prescribed the expression “weekly wage” shall mean the weekly wage prescribed for a qualified employee of that class and provided further that where the employer requires a casual employee to work for a period of not more than four consecutive hours on any day, his wage may be reduced by not more than fifty per cent.

(2) *Basis of Contract.*—For the purpose of this clause the contract of employment of an employee, other than a casual employee, shall be on a weekly basis, and, save as provided in clause 4 (6), an employee shall be paid in respect of a week not less than the full weekly wage prescribed in sub-clause (1), read with sub-clause (3), for an employee of his class in the area in which he works, whether he has in that week worked the maximum number of ordinary hours of work applicable to him in terms of clause 5 or less.

(3) *Differensiële loon.*—'n Werkgewer wat vereis of toelaat dat 'n lid van een klas van sy werknemers langer as altesaam een uur op enige dag, hetsy benewens sy eie werk of in die plek daarvan, werk verrig van 'n ander klas waarvoor hetsy—

(a) 'n hoër loon as dié van sy eie klas, of

(b) 'n stygende loonskaal wat uitloop op 'n hoër loon as dié van sy eie klas,

in subklousule (1) voorgeskryf word, moet vir dié dag aan so 'n werknemer as volg betaal—

(i) in die geval in paragraaf (a) vermeld, minstens die dagloon bereken teen die hoër tarief, en

(ii) in die geval in paragraaf (b) vermeld, minstens die dagloon bereken op die kerf in die stygende skaal net bo die loon wat die werknemer vir sy gewone werk ontvang het.

Met dien verstande—

(i) dat die bepalings van hierdie subklousule nie geld wanneer die verskil tussen die klasse ingevolge subklousule (1) op ouderdom, ondervinding of geslag berus nie;

(ii) dat, tensy in 'n skriftelike kontrak tussen 'n werkgewer en sy werknemer uitdruklik anders bepaal word, niks in hierdie Vasstelling só uitgelê mag word dat dit 'n werkgewer belet om te vereis dat 'n werknemer 'n ander klas werk verrig waarvoor die voorgeskrewe loon dieselfde of laer is as dié wat vir so 'n werknemer voorgeskryf word nie.

(4) *Loonberekening.*—(a) Die dagloon van 'n werknemer, uitgesonderd 'n los werknemer, is sy weekloon gedeel deur—

(i) vyf, as hy 'n werkweek van vyf dae het;

(ii) ses, in die geval van enige ander werknemer.

(b) Die maandloon van 'n werknemer is vier en 'n derde maal sy weekloon.

(c) Die uurloon van 'n werknemer, uitgesonderd 'n los werknemer, is sy weekloon gedeel deur die getal van die gewone weeklikse werkure wat in klousule 5 vir 'n werknemer van sy klas voorgeskryf word.

(5) *Fietstoelae.*—'n Werkgewer wat vereis of toelaat dat 'n werknemer in die uitvoering van sy pligte sy eie fiets gebruik, moet hom, benewens enige ander beloning aan hom verskuldig, 'n toelae betaal van minstens R0.40 per week, of, as hy 'n los werknemer is, minstens R0.08 per dag.

4. BETALING VAN BELONING.

(1) *Werknemers uitgesonderd los werknemers.*—Behoudens die bepalings van klousule 6 (4), moet iedere bedrag verskuldig aan 'n werknemer, uitgesonderd 'n los werknemer, weekliks in kontant of, as die werknemer daartoe instem, maandeliks in kontant of per tjek betaal word gedurende die werkure op die dag waarop die bedryfsinrigting so 'n werknemer gewoonlik betaal, of by diensbeëindiging, as dit voor die gewone betaaldag geskied, en sodanige bedrag moet in 'n kovert of houer wees waarop aangegee word, of wat vergesel gaan van 'n staat wat aantoon—

(a) die werkgewer se naam;

(b) die werknemer se naam of sy nommer in die betaalstaat en sy beroep;

(c) die getal gewone werkure wat die werknemer gewerk het;

(d) die getal ure wat die werknemer oortyd gewerk het;

(e) die werknemer se loon;

(f) die besonderhede omtrent enige ander beloning ter sake van die werknemer se diens;

(g) die besonderhede omtrent enige bedrae wat afgetrek is;

(h) die werklike bedrag wat aan die werknemer betaal word; en

(i) die tydperk waarvoor die betaling geskied;

en die kovert of houer waarop hierdie inligting aangegee word of sodanige staat word die eiendom van die werknemer.

(2) *Los werknemer.*—'n Werkgewer moet die beloning wat aan 'n los werknemer verskuldig is, by die beëindiging van sy diens aan hom in kontant betaal.

(3) *Premies.*—Geen bedrag mag regstreeks of onregstreeks vir die indiensneming of opleiding van 'n werknemer aan 'n werkgewer betaal of deur hom aangeneem word nie.

(4) *Koop van goedere.*—'n Werkgewer mag nie vereis dat sy werknemer van hom of van enige winkel, plek of persoon deur hom aangewys goedere koop nie.

(5) *Kos en inwoning.*—Behoudens die bepalings van die Natu-
relle (Stadsgebiede) Konsolidasiewet, 1945, mag 'n werkgewer nie vereis dat sy werknemer by hom of by enige ander persoon of plek deur hom aangewys, eet of inwoon of eet en inwoon nie.

(6) *Aftrekkings.*—'n Werkgewer mag sy werknemer geen boetes opleë of bedrae van sy werknemer se beloning aftrek nie: Met dien verstande dat hy die volgende kan aftrek:—

(a) Met die skriftelike toestemming van sy werknemer, 'n bedrag vir 'n vakansie-, siektebystands-, versekerings-, spaar-, voorsorg- of pensioenfonds, of vir ledegeld van vakverenigings;

(b) behoudens andersluidende bepalings in hierdie Vasstelling, telkens wanneer 'n werknemer om 'n ander rede as op las of versoek van sy werkgewer uit sy werk afwesig is, 'n bedrag eweredig aan die tydperk van sy afwesigheid en bereken op grondslag van die loon wat so 'n werknemer ten tyde van sodanige afwesigheid vir sy gewone werkure ontvang het;

(3) *Differential Wage.*—An employer who requires or permits a member of one class of his employees to perform for longer than one hour in the aggregate on any day, either in addition to his own work or in substitution therefor, work of another class for which either—

(a) a wage higher than that of his own class, or

(b) a rising scale of wages terminating in a wage higher than that of his own class,

is prescribed in sub-clause (1), shall pay to such employee in respect of that day—

(i) in the case referred to in paragraph (a), not less than the daily wage calculated at the higher rate, and,

(ii) in the case referred to in paragraph (b), not less than the daily wage calculated on the notch in the rising scale immediately above the wage which the employee was receiving for his ordinary work:

Provided—

(i) that the provisions of this sub-clause shall not apply where the difference between classes in terms of sub-clause (1) is based on age, experience or sex;

(ii) that, unless expressly otherwise provided in a written contract between an employer and his employee, nothing in this Determination shall be so construed as to preclude an employer from requiring an employee to perform work of another class for which class the same or a lower wage is prescribed than that prescribed for such employee.

(4) *Calculation of Wages.*—(a) The daily wage of an employee, other than a casual employee, shall be his weekly wage divided by—

(i) five, in the case of an employee who works a five-day week;

(ii) six, in the case of any other employee.

(b) The monthly wage of an employee shall be four and a third times his weekly wage.

(c) The hourly wage of an employee, other than a casual employee, shall be his weekly wage divided by the number of the ordinary weekly hours of work prescribed in clause 5 for an employee of his class.

(5) *Bicycle Allowance.*—An employer who requires or permits an employee to use his own bicycle in the performance of his duties shall pay him, in addition to any other remuneration due to him, an allowance of not less than R0.40 per week, or, if he is a casual employee, not less than R0.08 per day.

4. PAYMENT OF REMUNERATION.

(1) *Employees Other than Casual Employees.*—Save as provided in clause 6 (4), any amount due to an employee, other than a casual employee, shall be paid in cash weekly or, with the consent of the employee, in cash or by cheque monthly during the hours of work on the usual pay day of the establishment for such employee or on termination of employment if this takes place before the usual pay day, and such amount shall be contained in an envelope or container, on which shall be recorded or which shall be accompanied by a statement showing—

(a) the employer's name;

(b) the employee's name or pay roll number and occupation;

(c) the number of ordinary hours of work worked by the employee;

(d) the number of overtime hours worked by the employee;

(e) the employee's wage;

(f) the details of any other remuneration arising out of the employee's employment;

(g) the details of any deductions made;

(h) the actual amount paid to the employee; and

(i) the period in respect of which payment is made;

and such envelope or container on which these particulars are recorded or such statement shall become the property of the employee.

(2) *Casual Employee.*—An employer shall pay the remuneration due to a casual employee in cash on termination of his employment.

(3) *Premiums.*—No payment shall be made to or accepted by an employer, either directly or indirectly, in respect of the employment or training of an employee.

(4) *Purchase of Goods.*—An employer shall not require his employee to purchase any goods from him or from any shop, place or person nominated by him.

(5) *Board and Lodging.*—Save as provided in the Natives (Urban Areas) Consolidation Act, 1945, an employer shall not require his employee to board or lodge or board and lodge with him or with any person or at any place nominated by him.

(6) *Deductions.*—An employer shall not levy any fines against his employee nor shall he make any deductions from his employee's remuneration: Provided that he may make the following:—

(a) With the written consent of his employee, a deduction for holiday, sick benefit, insurance, savings, provident or pension funds, or subscriptions to trade unions;

(b) except where otherwise provided in this Determination, whenever an employee is absent from work, other than on the instructions or at the request of his employer, a deduction proportionate to the period of his absence and calculated on the basis of the wage which such employee was receiving in respect of his ordinary hours of work at the time of such absence;

- (c) iedere bedrag wat 'n werkgewer regtens of op bevel van 'n bevoegde hof verplig of toegelaat word om af te trek;
- (d) wanneer 'n werknemer daarmee instem, of ingevolge die Naturelle (Stadsgebiede) Konsolidasiewet, 1945 verplig word, om kos en inwoning of kos of inwoning van sy werkgewer aan te neem, 'n bedrag hoogstens gelyk aan onderstaande bedrae—

Per week. Per maand.

	R	R
(i) Kos.....	0.60	2.60
(ii) Inwoning.....	0.20	0.87
(iii) Kos en inwoning.....	0.80	3.47

- (e) wanneer die gewone werkure in klousule 5 voorgeskryf weens korttyd verminder word, 'n bedrag gelyk aan die werknemer (uitgesonderd 'n los werknemer) se uurloon vir elke uur van sodanige vermindering: Met dien verstande—
- (i) dat geen aftrekking ten opsigte van korttyd wat deur 'n slapte in die bedryf of 'n tekort aan voorrade ontstaan, geskied nie, tensy die werkgewer sy werknemer op die vorige werkdag kennis gegee het van sy voorneme om die gewone werkure te verminder.
- (ii) dat ten opsigte van korttyd weens die feit wat die masjinerie of installasie buite werking is, of die geboue onbruikbaar is of dreig om dit te word, geen aftrekking geskied vir die eerste uur waarin daar nie gewerk word nie, tensy die werkgewer sy werknemer op die vorige dag kennis gegee het dat daar geen werk sal wees nie;
- (f) met die skriftelike toestemming van 'n werknemer, iedere bedrag wat 'n werkgewer aan 'n munisipale raad of ander plaaslike bestuur betaal het aan huur van 'n huis, of aan huisvesting in 'n tehuis, wat die werknemer in 'n lokasie of Naturelledorp onder die beheer van so 'n raad of ander plaaslike bestuur bewoon.

5. WERKURE, GEWONE EN OORTYD, EN DIE BETALING VIR OORTYD.

(1) *Gewone werkure.*—'n Werkgewer mag nie vereis of toelaat dat 'n werknemer, uitgesonderd 'n los werknemer of 'n deeltydse slagman, meer gewone werkure werk nie as—

- (a) in die geval van 'n werknemer met 'n werkweek van ses dae—

- (i) ses-en-veertig in enige week van Maandag tot en met Saterdag; en
- (ii) behoudens die bepalings van subparagraaf (i) hiervan, agt op 'n dag, tensy die ure op een dag hoogstens vyf is, wanneer die ure op enigen van die orige dae tot agt en 'n half verleng kan word;

- (b) in die geval van 'n werknemer met 'n werkweek van vyf dae—

- (i) ses-en-veertig in enige week van Maandag tot en met Saterdag; en
- (ii) behoudens die bepalings van subparagraaf (i) hiervan, nege en 'n kwart op enige dag.

- (2) 'n Werkgewer mag nie vereis of toelaat—

- (a) dat 'n los werknemer meer gewone werkure as agt en 'n half op 'n dag werk nie;
- (b) dat 'n deeltydse slagman meer gewone werkure as vyf op 'n dag en vyf-en-twintig in 'n week van Maandag tot en met Saterdag werk nie.

(3) *Etenspouse.*—'n Werkgewer mag nie vereis of toelaat dat 'n werknemer meer as vyf uur aaneen werk sonder 'n etenspouse van minstens een uur waarin sodanige werknemer nie verplig of toegelaat mag word om enige werk te verrig nie, en dié pouse word geag geen deel van die gewone werkure of oortyd te vorm nie. Met dien verstande—

- (i) dat, behalwe wanneer voorbehoudsbepalings (iv) en (v) van toepassing is, werktye wat onderbreek word deur pouses van minder as 'n uur, geag word aaneen te loop;
- (ii) dat, as sodanige pouse langer as drie uur is, die tyd bo drie uur geag word gewone werkure of oortyd te wees;
- (iii) dat 'n bestuurder van 'n motorvoertuig wat in sodanige pouse geen ander werk verrig as om 'n beheer oor die voertuig te wees of te bly nie, by die toepassing van hierdie subklousule geag word in dié pouse nie te gewerk het nie;
- (iv) dat 'n werkgewer met sy werknemer kan ooreenkom om die duur van sodanige etenspouse tot uiters 'n halfuur te verkort, en in dié geval en nadat die werkgewer 'n weergawe van dié ooreenkoms by die Afdelingsinspekteur, Departement van Arbeid, van sy gebied ingedien het, kan die etenspouse aldus verkort word;
- (v) dat ten opsigte van Saterdag die werkgewer sodanige pouse tot uiters 'n halfuur kan verkort.

(4) *Werkure moet opeenvolgend wees.*—Behoudens die bepalings van subklousule (3), moet alle werkure van 'n werknemer op iedere dag op mekaar volg.

(5) *Oortyd.*—Alle tyd behalwe op 'n Sondag, wat 'n werknemer langer as die getal gewone werkure in subklousules (1) en (2) voorgeskryf gewerk het, is oortyd.

(6) *Beperking van oortyd.*—'n Werkgewer mag nie vereis of toelaat dat 'n werknemer langer oortyd werk nie as—

- (a) wat 'n los werknemer betref, twee uur op 'n dag;
- (b) wat enige ander werknemer betref, tien uur in 'n week.

- (c) a deduction of any amount which an employer by law or order of any competent court is required or permitted to make;

- (d) whenever an employee agrees or is required in terms of the Natives (Urban Areas) Consolidation Act, 1945, to accept board and lodging or board or lodging with his employer, a deduction not exceeding the amounts specified hereunder—

Per Week. Per Month.

	R	R
(i) Board.....	0.60	2.60
(ii) Lodging.....	0.20	0.87
(iii) Board and lodging.....	0.80	3.47

- (e) whenever the ordinary hours of work prescribed in clause 5 are reduced on account of short-time, a deduction to the amount of the employee's (other than a casual employee's) hourly wage in respect of each hour of such reduction: Provided—

- (i) that no deduction shall be made in the case of short-time arising out of slackness of trade or shortage of supplies, unless the employer has given his employee notice on the previous work day of his intention to reduce the ordinary hours of work;

- (ii) that no deduction shall be made in the case of short-time owing to a general breakdown of plant or machinery or an actual or threatened breakdown of buildings, in respect of the first hour not worked, unless the employer has given his employee notice on the previous day that no work will be available;

- (f) with the written consent of an employee, a deduction of any amount which an employer has paid to any municipal council or other local authority in respect of the rent of any house or accommodation in any hostel occupied by such employee in any location or Native village under the control of such council or other local authority.

5. HOURS OF WORK, ORDINARY AND OVERTIME, AND PAYMENT FOR OVERTIME.

(1) *Ordinary Hours of Work.*—An employer shall not require or permit an employee, other than a casual employee or part-time slaughterman, to work more ordinary hours of work than—

- (a) in the case of an employee who works a six-day week—

- (i) forty-six in any week from Monday to Saturday, inclusive; and
- (ii) subject to sub-paragraph (i) hereof, eight on any day, unless the hours on one day do not exceed five, in which case the hours on any of the other days may be extended to eight and one-half;

- (b) in the case of an employee who works a five-day week—

- (i) forty-six in any week from Monday to Saturday, inclusive; and
- (ii) subject to sub-paragraph (i) hereof, nine and one-quarter on any day.

- (2) An employer shall not require or permit—

- (a) a casual employee to work more ordinary hours of work than eight and one-half on any day;
- (b) a part-time slaughterman to work more ordinary hours of work than five on any day and twenty-five in any week from Monday to Saturday, inclusive.

(3) *Meal Intervals.*—An employer shall not require or permit an employee to work for more than five hours continuously without a meal interval of not less than one hour during which interval such employee shall not be required or permitted to perform any work, and such interval shall be deemed not to be part of the ordinary hours of work or overtime: Provided—

- (i) that periods of work interrupted by intervals of less than one hour, except when provisos (iv) and (v) apply, shall be deemed to be continuous;

- (ii) that, if such interval be longer than three hours, any period in excess thereof shall be deemed to be ordinary hours of work or overtime;

- (iii) that a driver of a motor vehicle who during such interval does no work other than being or remaining in charge of the vehicle shall be deemed for the purposes of this sub-clause not to have worked during such interval;

- (iv) that an employer may agree with his employee to reduce the period of such meal interval to not less than half an hour, and in that event and after the employer has lodged a statement of such agreement with the Divisional Inspector, Department of Labour, for his area, the meal interval may be so reduced;

- (v) that in respect of a Saturday the employer may reduce such interval to not less than half an hour.

(4) *Hours of Work to be Consecutive.*—Save as provided in sub-clause (3), all hours of work of an employee on any day shall be consecutive.

(5) *Overtime.*—All time worked, other than on a Sunday, in excess of the number of ordinary hours of work prescribed in sub-clauses (1) and (2) shall be overtime.

(6) *Limitation of Overtime.*—An employer shall not require or permit an employee to work overtime for more than—

- (a) in the case of a casual employee, two hours on any day;
- (b) in the case of any other employee, ten hours in any week.

(7) *Vroulike werknemers.*—Ondanks andersluidende bepalings in hierdie klousule, mag 'n werkgewer nie vereis of toelaat dat 'n vroulike werknemer—

- (a) tussen 6-uur nm. en 6-uur vm. werk nie;
- (b) op meer as vyf dae in 'n week ná 1-uur nm. werk nie;
- (c) meer as twee uur oortyd op 'n dag werk nie, behalwe dat 'n werknemer met 'n werkweek van vyf dae op 'n Saterdag tot vier uur oortyd mag werk;
- (d) op meer as drie opeenvolgende dae in 'n week oortyd werk nie;
- (e) op meer as sestig dae in 'n jaar oortyd werk nie;
- (f) ná voltooiing van haar gewone werkure meer as een uur op 'n dag oortyd werk nie, tensy hy—
 - (i) sodanige werknemer voor die middag kennis daarvan gegee het; of
 - (ii) sodanige werknemer van 'n behoorlike ete voorsien en haar genoeg tyd gelaat het om dit te nuttig voordat sy met die oortydwerk moet begin; of
 - (iii) sodanige werknemer minstens R0.25 betyds betaal het om haar in staat te stel om 'n ete te verkry en te nuttig voordat die oortydwerk begin.

(8) *Betaling vir oortydwerk.*—'n Werkgewer moet 'n werknemer wat oortyd werk, betaal teen 'n tarief van minstens—

- (a) wat 'n los werknemer betref, een en 'n derde maal sy gewone loon ten opsigte van die hele tydperk wat sodanige werknemer op enige dag aldus gewerk het;
- (b) wat enige ander werknemer betref, een en 'n derde maal sy gewone loon ten opsigte van die hele tydperk wat sodanige werknemer altesaam in enige week aldus gewerk het.

(9) *Voorbehoudsbepalings.*—(a) Die bepalings van hierdie klousule geld nie vir 'n senior besturende, professionele of administratiewe werknemer indien en terwyl so 'n werknemer 'n gereelde loon teen 'n tarief van minstens R140 per maand ontvang nie asook nie vir 'n wag of 'n werknemer wat lewende hawe versorg, voer, water gee, oppas of aanja nie.

(b) Die bepalings van subklousules (3), (4) en (6) geld nie vir 'n werknemer onderwyl hy noodwerk verrig nie.

6. JAARLIKSE VERLOF.

(1) Behoudens die bepalings van subklousule (2), moet 'n werkgewer aan sy werknemer, uitgesonderd 'n los werknemer, op iedere voltooide tydperk van twaalf maande in sy diens toestaan—

- (a) in die geval van 'n werknemer wat lewende hawe versorg, voer, water gee, oppas of aanja, of 'n wag, een-en-twintig opeenvolgende kalenderdae verlof;
 - (b) in die geval van iedere ander werknemer, veertien opeenvolgende kalenderdae verlof,
- en moet hy so 'n werknemer ten opsigte van sodanige verlof betaal—

- (i) wat 'n werknemer in paragraaf (a) vermeld betref, 'n bedrag van minstens drie maal die weekloon waartoe hy vanaf die eerste dag van die verlof geregtig is;
- (ii) wat 'n werknemer in paragraaf (b) vermeld betref, 'n bedrag van minstens twee maal die weekloon waartoe hy vanaf die eerste dag van die verlof geregtig is;

Met dien verstande dat by die toepassing van hierdie klousule die weekloon van 'n werknemer wat stukwerk verrig, bereken word op die grondslag uiteengesit in artikel twintig (5) (a) van die Wet op Fabriek, Masjinerie en Bouwerk, 1941.

(2) Die verlof voorgeskryf in subklousule (1) moet toegestaan word op 'n tyd wat die werkgewer bepaal: Met dien verstande—

- (i) dat, as sodanige verlof nie eerder toegestaan is nie, dit, behoudens die bepalings van subklousule (3), só toegestaan word dat dit begin binne vier maande ná voltooiing van die twaalf maande diens waarop dit betrekking het; of dat, as die werkgewer en die werknemer voor die verstryking van gemelde tydperk van vier maande skriftelik daartoe ooreengekom het, die werkgewer sodanige verlof aan die werknemer toestaan vanaf 'n datum hoogstens twee maande ná verloop van die gemelde tydperk van vier maande;
- (ii) dat die tydperk van verlof nie saamval met siekteverlof wat ingevolge klousule 7 toegestaan is of, tensy die werknemer dit versoek en die werkgewer skriftelik daartoe instem, met enige tydperk van militêre opleiding ingevolge die Verdedigingswet, 1957, nie;
- (iii) dat, as 'n openbare vakansiedag binne die tydperk van sodanige verlof val, daar vir elke sodanige vakansiedag nog 'n werkdag by gemelde tydperk as verdere verloftyd gevoeg en vir elke sodanige bygevoegde dag aan die werknemer 'n bedrag van minstens sy dagloon betaal word;
- (iv) dat 'n werkgewer al die dae geleentheidsverlof wat op die skriftelike versoek van sy werknemer met volle betaling aan hom toegestaan is gedurende die tydperk van twaalf maande diens waarop die verloftyd betrekking het, van sodanige tydperk van verlof kan aftrek.

(3) (a) Op die skriftelike versoek van sy werknemer kan 'n werkgewer die verlof oor 'n tydperk van hoogstens vier-en-twintig maande diens laat ooploop: Met dien verstande—

- (i) dat so 'n werknemer sodanige versoek doen binne vier maande ná afloop van die eerste tydperk van twaalf maande diens waarop die verlof betrekking het, en

(7) *Female Employees.*—Notwithstanding anything to the contrary contained in this clause, an employer shall not require or permit a female employee to work—

- (a) between 6 o'clock p.m. and 6 o'clock a.m.;
- (b) after 1 o'clock p.m., on more than five days a week;
- (c) overtime for more than two hours on any day, except that an employee who works a five-day week may work up to four hours overtime on a Saturday;
- (d) overtime on more than three consecutive days in any week;
- (e) overtime on more than sixty days in any year;
- (f) overtime after completion of her ordinary hours of work for more than one hour on any day unless he has—
 - (i) before midday given notice thereof to such employee; or
 - (ii) provided such employee with an adequate meal and allowed her sufficient time to have it before she has to commence overtime; or
 - (iii) paid such employee not less than R0.25 in sufficient time to enable her to obtain and have a meal before overtime is due to commence.

(8) *Payment for Overtime.*—An employer shall pay an employee who works overtime at a rate of not less than—

- (a) in the case of a casual employee, one and one-third times his ordinary wage in respect of the total period so worked by such employee on any day;
- (b) in the case of any other employee, one and one-third times his ordinary wage in respect of the total period so worked by such employee in any week.

(9) *Savings.*—(a) The provisions of this clause shall not apply to a senior managerial, professional or administrative employee if and for so long as such an employee is in receipt of a regular wage at a rate of not less than R140 per month nor to a watchman or an employee engaged in tending, feeding, watering, herding or driving livestock.

(b) The provisions of sub-clauses (3), (4) and (6) shall not apply to an employee while he is engaged on emergency work.

6. ANNUAL LEAVE.

(1) Subject to the provisions of sub-clause (2), an employer shall grant to his employee, other than a casual employee, in respect of each completed period of twelve months of employment with him—

- (a) in the case of an employee engaged in tending, feeding, watering, herding or driving livestock, or a watchman, twenty-one consecutive calendar days' leave,
- (b) in the case of every other employee, fourteen consecutive calendar days' leave,

and shall pay such employee in respect of such leave—

- (i) in the case of an employee referred to in paragraph (a), an amount of not less than three times the weekly wage to which he is entitled as from the first day of the leave;
- (ii) in the case of an employee referred to in paragraph (b), an amount of not less than double the weekly wage to which he is entitled as from the first day of the leave:

Provided that for the purpose of this clause the weekly wage of any employee who is engaged on piece-work shall be calculated on the basis set out in section twenty (5) (a) of the Factories, Machinery and Building-Work Act, 1941.

(2) The leave prescribed in sub-clause (1) shall be granted at a time to be fixed by the employer: Provided—

- (i) that, if such leave has not been granted earlier, it shall, save as provided in sub-clause (3), be granted so as to commence within four months after the completion of the twelve months of employment to which it relates or, if the employer and employee have agreed thereto in writing before the expiration of the said period of four months, the employer shall grant such leave to the employee as from a date not later than two months after the expiration of the said period of four months;
- (ii) that the period of leave shall not be concurrent with sick leave granted in terms of clause 7 nor, unless the employee so requests and the employer agrees in writing, with any period of military training under the Defence Act, 1957;
- (iii) that if a public holiday falls within the period of such leave, another work day shall, for each such holiday, be added to the said period as a further period of leave and the employee shall be paid an amount of not less than his daily wage in respect of each such day added;
- (iv) that an employer may set off against such period of leave any days of occasional leave granted on full pay to his employee at his employee's written request during the period of twelve months of employment to which the period of leave relates.

(3) (a) At the written request of an employee, an employer may permit the leave to accumulate over a period of not more than twenty-four months of employment: Provided—

- (i) that such request is made by such employee not later than four months after the expiry of the first period of twelve months of employment to which the leave relates, and

(ii) dat die werkgewer die datum van ontvangs van sodanige versoek daarop aanbring en dit onderteken en die versoek minstens drie jaar bewaar vanaf sodanige datum of vanaf die datum van afloop van die eerste tydperk van twaalf maande diens waarop die verlof betrekking het, en wel vanaf die jongste van die twee datums.

(b) Die bepalings van subklousule (2) geld *mutatis mutandis* vir die verlof in hierdie subklousule bedoel.

(4) *Verlofbeloning*.—Die beloning ten opsigte van die verlof voorgeskryf in subklousule (1), gelees met subklousule (3), moet uiterlik op die laaste werkdag voor die aanvangsdatum van die verlof betaal word.

(5) Aan 'n werknemer wie se dienskontrak gedurende enige dienstermyn van twaalf maande beëindig word voordat die verlof tydperk voorgeskryf in subklousule (1) ten opsigte van so 'n termyn opgeloopt het, moet by sodanige diensbeëindiging, bewens enige ander beloning wat aan hom verskuldig mag wees, vir elke voltooide maand van sodanige dienstermyn 'n bedrag betaal word van minstens—

- (a) wat 'n werknemer in paragraaf (a) van subklousule (1) vermeld betref, een vierde van die weekloon, en,
- (b) wat 'n werknemer in paragraaf (b) van subklousule (1) vermeld betref, een sesde van die weekloon,

wat hy onmiddellik voor die datum van sodanige diensbeëindiging ontvang het: Met dien verstande dat 'n werkgewer ten opsigte van enige verlof wat hy ingevolge die vierde voorbehoudsbepaling in subklousule (2) aan 'n werknemer toegestaan het, 'n eweredige bedrag kan aftrek, en met dien verstande voorts dat 'n werknemer—

- (i) wat sy diens verlaat sonder om die kennis te gee wat by klousule 12 voorgeskryf word, tensy die werkgewer van sodanige kennisgewing afgesien het of die werknemer die werkgewer in plaas van die opsegging betaal het; of
- (ii) wat sy diens sonder regsgeldige rede verlaat; of
- (iii) wat deur sy werkgewer sonder kennisgewing ontslaan word om 'n rede wat vir sodanige ontslag sonder opsegging regtens genoegsaam is,

tot geen betaling uit hoofde van hierdie subklousule geregtig is nie.

(6) 'n Werknemer wat geregtig geword het tot 'n tydperk van verlof voorgeskryf in subklousule (1), gelees met subklousule (3), en wie se dienskontrak eindig voordat sodanige verlof toegestaan is, moet by sodanige diensbeëindiging die bedrag betaal word wat hy ten opsigte van die verlof sou ontvang het as die verlof op die datum van diensbeëindiging aan hom toegestaan was.

(7) By die toepassing van hierdie klousule word die uitdrukking „diens” geag oor elke tydperk te omvat ten opsigte waarvan 'n werkgewer ingevolge klousule 12 'n werknemer betaal in stede van kennis van diensbeëindiging te gee en teweens alle tydperke waarin 'n werknemer afwesig is—

- (a) met verlof ingevolge hierdie klousule;
- (b) met siekteverlof ingevolge klousule 7;
- (c) op las of versoek van sy werkgewer;
- (d) vir militêre opleiding ingevolge die Verdedigingswet, 1957,

en wel tot 'n totaal in enige jaar van hoogstens tien weke ten opsigte van punte (a), (b) en (c), plus hoogstens vier maande van enige tydperk van militêre opleiding wat hy in dié jaar ondergaan het, en die diens word geag te begin—

- (i) in die geval van 'n werknemer wat voor die inwerking-treding van hierdie Vasstelling tot 'n tydperk van jaarlikse verlof ingevolge enige wet geregtig geword het, op die datum waarop so 'n werknemer die vorige maal geregtig geword het tot verlof ingevolge so 'n wet;
- (ii) in die geval van 'n werknemer wat voor die datum van inwerking-treding van hierdie Vasstelling in diens was en vir wie enige wet gegeld het wat vir jaarlikse verlof voorsiening maak maar wat nog nie tot 'n tydperk van verlof ingevolge daarvan geregtig geword het nie, op die aanvangsdatum van sodanige diens;
- (iii) in die geval van enige ander werknemer, op die datum waarop so 'n werknemer by sy werkgewer in diens getree het of op die datum van die inwerking-treding van hierdie Vasstelling, en wel op die jongste van die twee datums.

7. SIEKTEVERLOF.

(1) Behoudens die bepalings van subklousule (2), moet 'n werkgewer aan sy werknemer, uitgesonderd 'n los werknemer, wat weens ongeskiktheid van die werk afwesig is, die volgende toestaan—

- (a) in die geval van 'n werknemer wat 'n werkweek van vyf dae het, altesaam minstens twintig werkdade, en
- (b) in die geval van iedere ander werknemer, altesaam minstens vier-en-twintig werkdade,

siekteverlof gedurende elke tydkring van vier-en-twintig opeenvolgende maande diens by hom, en moet hy so 'n werknemer vir elke tydperk van afwesigheid ingevolge hierdie subklousule minstens die loon betaal wat hy sou ontvang het as hy gedurende so 'n tydperk gewerk het: Met dien verstande—

- (i) dat gedurende die eerste vier-en-twintig opeenvolgende maande diens 'n werknemer nie tot meer siekteverlof met volle betaling geregtig is nie as, wat 'n werknemer met 'n werkweek van vyf dae betref, een werkdag ten opsigte van elke voltooide tydperk van vyf weke diens en, wat enige ander werknemer betref, een werkdag ten opsigte van elke voltooide maand diens;

(ii) that the date of the receipt of such request is endorsed on the request over his signature by the employer, who shall retain such request for a period of not less than three years from such date or the date of the expiry of the first period of twelve months of employment to which the leave relates, whichever is the later.

(b) The provisions of sub-clause (2) shall *mutatis mutandis* apply to the leave referred to in this sub-clause.

(4) *Leave Remuneration*.—The remuneration in respect of the leave prescribed in sub-clause (1), read with sub-clause (3), shall be paid not later than the last work day before the date of commencement of the leave.

(5) An employee whose contract of employment is terminated during any period of twelve months of employment before the period of leave prescribed in sub-clause (1) in respect of that period has accrued, shall, upon such termination, and in addition to any other remuneration which may be due to him, be paid in respect of each completed month of such period of employment an amount of not less than—

- (a) in the case of an employee referred to in paragraph (a) of sub-clause (1), one-fourth, and,
- (b) in the case of an employee referred to in paragraph (b) of sub-clause (1), one-sixth,

of the weekly wage he was receiving immediately before the date of such termination: Provided that an employer may make a proportionate deduction in respect of any period of leave granted to an employee in terms of the fourth proviso to sub-clause (2) and provided further that an employee—

- (i) who leaves his employment without having given the notice prescribed in clause 12, unless the employer has waived such notice or the employee has paid the employer in lieu of notice; or
- (ii) who leaves his employment without cause recognised by law as sufficient; or
- (iii) who is dismissed by his employer without notice for any cause recognised by law as sufficient for such dismissal without notice,

shall not be entitled to any payment by virtue of this sub-clause.

(6) An employee who has become entitled to a period of leave prescribed in sub-clause (1), read with sub-clause (3), and whose contract of employment terminates before such leave has been granted, shall upon such termination be paid the amount he would have received in respect of the leave, had the leave been granted to him as at the date of the termination.

(7) For the purpose of this clause the expression “employment” shall be deemed to include any period in respect of which an employer, in terms of clause 12, pays an employee in lieu of notice and also any period or periods during which an employee is absent—

- (a) on leave in terms of this clause;
- (b) on sick leave in terms of clause 7;
- (c) on the instructions or at the request of his employer;
- (d) undergoing military training in pursuance of the Defence Act, 1957,

amounting in the aggregate in any year to not more than ten weeks in respect of items (a), (b) and (c), plus up to four months of any period of military training undergone in that year, and employment shall be deemed to commence—

- (i) in the case of an employee who had before the coming into force of this Determination become entitled to a period of annual leave in terms of any law, on the date on which such employee last became entitled to such leave under such law;
- (ii) in the case of an employee who was in employment before the coming into force of this Determination and to whom any law providing for annual leave applied but who had not become entitled to a period of leave in terms thereof, on the date on which such employment commenced;
- (iii) in the case of any other employee, on the date on which such employee entered his employer's service or on the date of the coming into force of this Determination, whichever is the later.

7. SICK LEAVE.

(1) Subject to the provisions of sub-clause (2), an employer shall grant to his employee, other than a casual employee, who is absent from work through incapacity—

- (a) in the case of an employee who works a five-day week, not less than twenty work days, and
- (b) in the case of every other employee, not less than twenty-four work days,

sick leave in the aggregate during each cycle of twenty-four consecutive months of employment with him, and shall pay such employee in respect of any period of absence in terms of this sub-clause not less than the wage he would have received had he worked during such period: Provided—

- (i) that in the first twenty-four consecutive months of employment an employee shall not be entitled to sick leave on full pay at a rate of more than, in the case of an employee who works a five-day week, one work day in respect of each completed period of five weeks of employment and, in the case of any other employee, one work day in respect of each completed month of employment;

- (ii) dat hierdie klousule nie geld vir 'n werknemer op wie se skriftelike versoek 'n werkgever bydraes, minstens, gelyk aan dié wat die werknemer self daarin stort, betaal aan enige fonds of organisasie wat die werknemer aanwys en wat aan die werknemer waarborg dat aan hom by ongeskiktheid in die omstandighede in hierdie klousule vermeld, altesaam minstens die ekwivalent van sy loon vir twintig of vier-en-twintig werkdade, al na gelang van die geval, in elke tydkring van vier-en-twintig maande diens betaal sal word, behalwe dat gedurende die eerste vier-en-twintig maande waarin die werknemer bydraes stort, die gewaarborgde tarief nie die koers van aanwas soos uiteengesit in die eerste voorbehoudsbepaling van hierdie subklousule te bowe hoef te gaan nie;
- (iii) dat, indien 'n werkgever ingevolge enige wet gelde vir hospitaal- of mediese behandeling ten opsigte van 'n werknemer moet betaal, en sodanige gelde wel betaal, die aldus betaalde bedrag afgetrek kan word van die bedrag wat ingevolge hierdie klousule ten opsigte van afwesigheid weens ongeskiktheid verskuldig is;
- (iv) dat, indien 'n werkgever by enige ander wet verplig word om 'n werknemer sy volle loon te betaal ten opsigte van enige tydperk van ongeskiktheid waarvoor hierdie klousule voorsiening maak, die bepalings van hierdie klousule nie geld nie.

(2) Voordat 'n werkgever enige bedrag betaal wat 'n werknemer kragtens hierdie klousule eis ten opsigte van enige afwesigheid uit sy werk—

- (a) vir 'n tydperk wat oor meer as drie kalenderdae strek; of
- (b) op die werkdag onmiddellik voor of die werkdag onmiddellik ná 'n Sondag of 'n openbare vakansiedag,

kan hy vereis dat die werknemer 'n sertifikaat voorlê wat deur 'n geregistreerde mediese praktisyn geteken is en wat die aard en duur van die werknemer se ongeskiktheid aangee.

(3) Wanneer 'n werknemer gedurende die eerste tydkring van vier-en-twintig maande diens by dieselfde werkgever weens ongeskiktheid 'n langer tydperk afwesig is as die siekteverlof wat hom ten tyde van sodanige ongeskiktheid toekom, is hy geregtig tot betaling vir slegs dié siekteverlof wat hom dan toekom; maar sy werkgever moet, as hy dit nie reeds gedoen het nie, by afloop van gemelde tydkring, of by diensbeëindiging voor sodanige afloop, hom ten opsigte van dié langer tydperk van afwesigheid weens ongeskiktheid uitbetaal vir sover die siekteverlof wat by sodanige afloop of beëindiging aan hom toekom, nog nie gebruik is nie.

(4) By die toepassing van hierdie klousule—

(a) word die uitdrukking „diens” geag ook enige tydperk of tydperke te omvat waarin die werknemer afwesig is—

- (i) met verlof ingevolge klousule 6,
- (ii) op las of versoek van sy werkgever,
- (iii) met siekteverlof ingevolge subklousule (1),
- (iv) vir militêre opleiding ingevolge die Verdedigingswet, 1957,

en wel tot 'n totaal in enige jaar van hoogstens tien weke ten opsigte van punte (i), (ii) en (iii), plus hoogstens vier maande van enige tydperk van militêre opleiding wat hy in dié jaar ondergaan het, en enige tydperk van diens by dieselfde werkgever onmiddellik voor die datum van die inwerkingtreding van hierdie Vasstelling word by die toepassing van hierdie klousule geag diens ingevolge hierdie Vasstelling te wees, en alle siekteverlof wat met volle betaling aan so 'n werknemer gedurende so 'n tydperk toegestaan is, word geag ingevolge hierdie Vasstelling toegestaan te wees;

(b) beteken „ongeskiktheid” die onvermoë om te werk weens siekte of besering, behalwe as dit veroorsaak is deur—

- (i) 'n werknemer se eie wangedrag; of
- (ii) 'n ongeluk binne die bedoeling van die Ongevallewet, 1941.

8. OPENBARE VAKANSIEDAE EN SONDAG.

(1) Behoudens die bepalings van klousule 4 (6), moet 'n werkgever aan 'n werknemer wat op 'n openbare vakansiedag nie werk nie, minstens sy weekloon betaal vir die week waarin so 'n dag val: Met dien verstande dat as 'n werknemer op die werkdag onmiddellik voor en die werkdag onmiddellik ná 'n openbare vakansiedag uit sy werk afwesig is en nie op betaling ten opsigte van sodanige werkdade geregtig is nie, hy ten opsigte van sodanige openbare vakansiedag nie op betaling geregtig is nie.

(2) Wanneer 'n werknemer op 'n openbare vakansiedag werk, moet sy werkgever hom, behoudens die bepalings van klousule 4 (6), vir die week waarin so 'n dag val, minstens sy weekloon betaal, plus 'n bedrag bereken teen 'n tarief van minstens sy gewone loon ten opsigte van die hele tydperk wat hy op sodanige dag gewerk het: Met dien verstande dat, as vereis of toegelaat word dat die werknemer minder as vier uur op so 'n dag werk, hy geag word vier uur te gewerk het.

(3) Vergoeding vir werk op 'n Sondag.—Wanneer 'n werknemer op 'n Sondag werk, moet sy werkgever of—

(a) die werknemer—

- (i) indien hy aldus 'n tydperk van hoogstens vier uur werk, minstens sy dagloon betaal;

(ii) that this clause shall not apply to an employee at whose written request an employer makes contributions, at least equal to those made by the employee, to any fund or organisation nominated by the employee, which fund or organisation guarantees to the employee in the event of his incapacity in the circumstances set out in this clause the payment to him of not less than in the aggregate the equivalent of his wage for twenty or twenty-four work days, as the case may be, in each cycle of twenty-four months of employment, except that during the first twenty-four months of the payment of contributions by the employee the guaranteed rate need not exceed the rate of accrual set out in the first proviso to this sub-clause;

(iii) that where an employer is by any law required to pay fees for hospital or medical treatment in respect of an employee, and pays such fees, the amount so paid may be set off against the payment due in respect of absence owing to incapacity in terms of this clause;

(iv) that, if in respect of any period of incapacity covered by this clause an employer is required by any other law to pay to an employee his full wages, the provisions of this clause shall not apply.

(2) An employer may, as a condition precedent to the payment by him of any amount claimed in terms of this clause by an employee in respect of any absence from work—

(a) for a period covering more than three consecutive calendar days; or

(b) on the work day immediately preceding or the work day immediately succeeding a Sunday or a public holiday;

require the employee to produce a certificate signed by a registered medical practitioner stating the nature and duration of the employee's incapacity.

(3) Where, during the first cycle of twenty-four months of employment with the same employer, an employee is absent owing to incapacity for a period in excess of any sick leave accrued at the time of such incapacity, he shall be entitled to be paid only in respect of such leave as has so accrued; but his employer shall, if he has not previously done so, at the expiry of the said cycle of employment or on termination of employment before such expiry pay him in respect of such excess period of absence owing to incapacity to the extent to which sick leave, accrued at such expiry or termination, had not been taken.

(4) For the purpose of this clause the expression—

(a) “employment” shall be deemed to include any period or periods during which an employee is absent—

- (i) on leave in terms of clause 6;
- (ii) on the instructions or at the request of his employer;
- (iii) on sick leave in terms of sub-clause (1);
- (iv) undergoing military training in pursuance of the Defence Act, 1957;

amounting in the aggregate in any year to not more than ten weeks in respect of items (i), (ii) and (iii), plus up to four months of any period of military training undergone in that year, and any period of employment which an employee has had with the same employer immediately before the date of the coming into operation of this Determination shall for the purpose of this clause be deemed to be employment under this Determination, and any sick leave on full pay granted to such an employee during such period shall be deemed to have been granted under this Determination;

(b) “incapacity” means inability to work owing to any sickness or injury other than that caused by—

- (i) an employee's own misconduct; or
- (ii) an accident within the meaning of the Workmen's Compensation Act, 1941.

8. PUBLIC HOLIDAYS AND SUNDAYS.

(1) Subject to the provisions of clause 4 (6), if an employee does not work on a public holiday his employer shall pay him for the week in which such day falls not less than his weekly wage: Provided that, if an employee is absent from work on the work day immediately preceding and the work day immediately succeeding any public holiday and is not entitled to payment in respect of such work days, he shall not be entitled to payment in respect of such public holiday.

(2) Whenever an employee works on a public holiday his employer shall, save as provided in clause 4 (6), pay him for the week in which such day falls not less than his weekly wage, plus an amount calculated at a rate not less than his ordinary wage in respect of the total period worked by him on such day: Provided that where such an employee is required or permitted to work for less than four hours on such day, he shall be deemed to have worked for four hours.

(3) Compensation for Work on a Sunday.—Whenever an employee works on a Sunday, his employer shall either—

(a) pay the employee—

- (i) if he so works for a period not exceeding four hours, not less than his daily wage;

(ii) indien hy aldus 'n tydperk van meer as vier uur werk, teen 'n tarief van minstens dubbel sy gewone loon betaal ten opsigte van die hele tydperk wat hy op sodanige Sondag werk, of minstens dubbel sy dagloon, watter ook al die meeste is; of

(b) die werknemer teen 'n tarief van een en 'n derde maal sy gewone loon betaal ten opsigte van die hele tydperk wat hy op sodanige Sondag werk en hom binne sewe dae vanaf dié Sondag een dag verlof toestaan en hom ten opsigte daarvan minstens sy dagloon betaal: Met dien verstande dat, as vereis of toegelaat word dat sodanige werknemer minder as vier uur op bedoelde Sondag werk, hy geag word vier uur te gewerk het.

(4) Die bepalings van hierdie klousule is nie op 'n senior besturende, professionele of administratiewe werknemer van toepassing indien en terwyl sodanige werknemer 'n gereelde loon teen 'n tarief van minstens R180 per maand ontvang, asook nie op 'n los werknemer, 'n wag of 'n werknemer wat lewende hawe versorg, voer, water gee, oppas of aanja nie.

9. STUKWERK.

(1) Ná minstens een week kennisgewing aan sy werknemer kan 'n werkgever 'n stukwerkstelsel invoer en, behoudens die bepalings van klousule 4 (6), moet die werkgever 'n werknemer wat volgens so 'n stukwerkstelsel werk, beloon teen die tarief wat volgens dié stelsel geld: Met dien verstande dat die werkgever, ongeag die hoeveelheid gedane werk, die werknemer minstens die volgende betaal—

(a) in die geval van 'n ander werknemer as 'n los werknemer, vir elke week waarin stukwerk verrig word, die bedrag wat hy so 'n werknemer vir dié week sou moet betaal het as hy hom 'n tydloon betaal het;

(b) in die geval van 'n los werknemer, vir elke dag waarop stukwerk verrig word, die bedrag wat hy so 'n werknemer vir daardie dag sou moet betaal het as hy hom 'n tydloon betaal het.

(2) 'n Werkgever moet 'n lys van die tariewe vermeld in subklousule (1) op 'n opvallende plek in sy bedryfsinrigting aangeplak hou.

(3) 'n Werkgever wat voornemens is om 'n bestaande stukwerkstelsel of dié tariewe wat daarvolgens geld af te skaf of te wysig, moet aan die betrokke werknemers minstens een kalendermaand kennis van sodanige voorneme gee: Met dien verstande dat 'n werkgever en sy werknemer oor 'n langer termyn van kennisgewing kan ooreenkom en dan moet die werkgever minstens die ooreengekome kennis gee.

(4) Ondanks andersluidende bepalings in hierdie klousule, hoef 'n werkgever 'n los werknemer geen kennis te gee van sy voorneme om 'n stukwerkstelsel in te voer of af te skaf of te wysig nie.

10. VERBOD OP INDIENSNEEMING.

'n Werkgever mag niemand onder die ouderdom van vyftien jaar in diens neem nie.

11. UNIFORMS, OORPAKKE EN BESKERMENDE KLERE.

'n Werkgever moet alle uniforms, oorpakke, rubberstewels of ander beskermende klere wat hy vereis dat sy werknemer dra of wat enige wet hom verplig om aan sy werknemer te verskaf, gratis verskaf en in bruikbare en sindelike toestand hou; en alle sodanige uniforms, oorpakke, rubberstewels of ander beskermende klere bly die eiendom van die werkgever: Met dien verstande dat 'n werkgever kan vereis dat 'n werknemer sodanige uniform, oorpak of beskermende klere was, en dan moet die werkgever so 'n werknemer 'n toelae van minstens R0.15 per week betaal.

12. BEÏNDIGING VAN DIENSKONTRAK.

(1) 'n Werkgever of sy werknemer, uitgesonderd 'n los werknemer, wat die dienskontrak wil beëindig, moet—

(a) gedurende die eerste vier weke diens, minstens een werkdag kennis gee;

(b) ná die eerste vier weke diens, minstens 'n week kennis gee; dat hy die dienskontrak wil beëindig, of 'n werkgever of 'n werknemer kan die kontrak sonder opsegging beëindig deur, in plaas van opsegging aan die werknemer of aan die werkgever, al na gelang van die geval, minstens die volgende te betaal—

(i) in die geval van een werkdag opsegging, die bedrag van die dagloon wat die werknemer ten tyde van sodanige beëindiging ontvang;

(ii) in die geval van 'n week opsegging, die bedrag van die weekloon wat die werknemer ten tyde van sodanige beëindiging ontvang;

Met dien verstande dat hierdeur onaangetas gelaat word—

(i) die reg van 'n werkgever of sy werknemer om op regsgeldige grond die kontrak sonder opsegging te beëindig;

(ii) 'n skriftelik ooneenkoms tussen 'n werkgever en sy werknemer waarin voorsiening gemaak word vir 'n opseggings-termyn wat vir beide partye ewe lank is en langer is as dié wat hierdie klousule voorskryf;

(iii) die werking van verbeurings of boetes wat regens van toepassing kan wees op 'n werknemer wat sy diens verlaat;

(ii) if he so works for a period exceeding four hours, at a rate not less than double his ordinary wage in respect of the total period worked by him on such Sunday, or not less than double his daily wage, whichever is the greater; or

(b) pay him at a rate of not less than one and one-third times his ordinary wage in respect of the total period worked by him on such Sunday and grant him within seven days of such Sunday one day's leave and pay him in respect thereof not less than his daily wage: Provided that where such an employee is required or permitted to work for less than four hours on such Sunday, he shall be deemed to have worked for four hours.

(4) The provisions of this clause shall not apply to a senior managerial, professional or administrative employee if and for so long as such an employee is in receipt of a regular wage at a rate of not less than R180 per month nor to a casual employee, a watchman or an employee who is engaged in tending, feeding, watering, herding or driving livestock.

9. PIECE-WORK.

(1) An employer may, after at least one week's notice to his employee, introduce any piece-work system and, save as provided in clause 4 (6), the employer shall pay such employee, who is employed on such piece-work system, remuneration at the rates applicable under such system: Provided that, irrespective of the quantity of work done, the employer shall pay such employee not less than—

(a) in the case of an employee other than a casual employee, in respect of each week in which piece-work is performed, the amount which he would have been required to pay such employee for that week had he been remunerated on the basis of time worked;

(b) in the case of a casual employee, in respect of each day on which piece-work is performed, the amount which he would have been required to pay such employee for that day had he been remunerated on the basis of time worked.

(2) An employer shall keep posted up in a conspicuous place in his establishment a schedule of the rates referred to in sub-clause (1).

(3) An employer who intends to cancel or amend any piece-work system in operation or the rates applicable thereunder shall give his employee employed on such system not less than one month's notice of such intention: Provided that an employer and his employee may agree on a longer period of notice, in which case the employer shall give not less than the period of notice agreed upon.

(4) Notwithstanding anything to the contrary in this clause, an employer need not give a casual employee notice of his intention to introduce any piece-work system or to cancel or amend it.

10. PROHIBITION OF EMPLOYMENT.

An employer shall not employ any person under the age of fifteen years.

11. UNIFORMS, OVERALLS AND PROTECTIVE CLOTHING.

An employer shall supply and maintain in serviceable and clean condition, free of charge, any uniform, overall, gumboots or other protective clothing which he requires his employee to wear or which by any law he is compelled to provide for his employee and any such uniform, overall, gumboots or other protective clothing shall remain the property of the employer: Provided that an employer may require an employee to launder any such uniform, overall or protective clothing, in which event the employer shall pay such employee an allowance of not less than R0.15 every week.

12. TERMINATION OF CONTRACT OF EMPLOYMENT.

(1) An employer or his employee, other than a casual employee, who desires to terminate the contract of employment, shall give—

(a) during the first four weeks of employment, not less than one work day's,

(b) after the first four weeks of employment, not less than one week's,

notice of termination of contract, or an employer or employee may terminate the contract without notice by paying the employee or paying the employer, as the case may be, in lieu of such notice not less than—

(i) in the case of one work day's notice, the amount of the daily wage which the employee is receiving at the time of such termination;

(ii) in the case of a week's notice, the amount of the weekly wage which the employee is receiving at the time of such termination:

Provided that this shall not affect—

(i) the right of an employer or an employee to terminate the contract without notice for any cause recognised by law as sufficient;

(ii) any written agreement between an employer and his employee which provides for a period of notice of equal duration on both sides and for longer than that prescribed in this clause;

(iii) the operation of any forfeitures or penalties which by law may be applicable in respect of an employee who deserts:

Met dien verstande voorts dat, indien die loon van 'n werknemer teen die datum van die beëindiging reeds weens korttyd verminder is en die werkgewer hom betaal in plaas van sy diens op te sê, die uitdrukking „ten tyde van sodanige beëindiging ontvang” geag word te beteken „ten tyde van sodanige beëindiging sou ontvang het as geen aftrekkings weens korttyd gedoen was nie”.

(2) Indien daar ingevolge die tweede voorbehoedsbepaling van subklousule (1) 'n ooreenkoms bestaan, moet die betaling in plaas van opsegging eweredig wees aan die ooreengekome opseggingstermyn.

(3) Die opsegging in subklousule (1) voorgeskryf kan op enige werkdag geskied: Met dien verstande—

- (i) dat die opseggingstermyn nie mag saamval met en die opsegging nie mag geskied gedurende 'n werknemer se afwesigheid met verlof ingevolge klousule 6 of enige tydperk van militêre opleiding wat 'n werknemer ondergaan ingevolge die Verdedigingswet, 1957, nie;
- (ii) dat gedurende 'n werknemer se afwesigheid met siekteverlof ooreenkomstig klousule 7 opsegging nie mag geskied nie.

(4) Ondanks andersluidende bepalings in hierdie Vasstelling kan 'n werkgewer in die geval waarin 'n werknemer sy dienskontrak beëindig deur sy diens sonder opsegging te verlaat of sonder om sy werkgewer in plaas van opsegging te betaal uit enige geld wat hy sodanige werknemer uit hoofde van enige bepalings van hierdie Vasstelling skuld, aan homself 'n bedrag toeëien van hoogstens dié wat sodanige werknemer hom in plaas van opsegging sou moes betaal het.

13. DIENSSERTIFIKAAT.

Wanneer 'n dienskontrak om 'n ander rede as diensverlating beëindig word, moet die werkgewer aan die betrokke werknemer, uitgesonderd 'n los werknemer, 'n dienssertifikaat gee wat in hoofsaak die vorm het wat in die Bylae tot hierdie Vasstelling voorgeskryf word en waarin die volle naam van die werkgewer en van sy werknemer, die beroep van die werknemer, die aanvangs- en die beëindigingsdatum van die kontrak en die werknemer se weekloon op die datum van sodanige beëindiging aangegee word.

BYLAE.

Ek/Ons (a) _____ wat sake
doen in die Vleisbedryf te _____

verklaar hierby dat
in my/ons (a) diens was van die _____
dag van _____ 19 _____ tot die _____
dag van _____ 19 _____ as (b) _____
By diens beëindiging was sy/haar (a) loon _____
rand _____
sent per week.

(Handtekening van werkgewer of gemagtigde
verteenwoordiger.)

Datum _____

- (a) Skrap wat nie van toepassing is nie.
- (b) Meld die betrekking waarin die werknemer uitsluitend of hoofsaaklik in diens was, bv., blokman, algemene werker.

No. R. 1194.] [7 Augustus 1964.
WET OP OORLOGSMAATREËLS, 1940.

OPSKORTING VAN BETALING VAN LEWENS-
KOSTETOELAE BETAALBAAR INGEVOLGE
OORLOGSMAATREËL No. 43 VAN 1942, SOOS
GEWYSIG.

VLEISBEDRYF, KLEINER DORPE.

Ek, ALFRED ERNEST TROLLIP, Minister van Arbeid, skort hierby kragtens subregulasie (1) van regulasie 4 van die regulasies wat by Oorlogsmaatreël No. 43 van 1942, soos gewysig, gepubliseer is, die toepassing van genoemde regulasies op ten opsigte van alle werknemers vir wie lone voorgeskryf word in klousule 3 van die Loonvasstelling vir die Vleisbedryf, Kleiner Dorpe, wat by Goewermentskennisgewing No. R. 1191 van 7 Augustus 1964, gepubliseer is.

A. E. TROLLIP,
Minister van Arbeid.

Provided further that where the wage of an employee at the date of termination has been reduced by deductions in respect of short-time, the expression “is receiving at the time of such termination” shall, when an employer pays an employee in lieu of notice, be deemed to mean “would have received at the time of such termination if no deductions had been made in respect of short-time”.

(2) Where there is an agreement in terms of the second proviso to sub-clause (1), the payment in lieu of notice shall correspond to the period of notice agreed upon.

(3) The notice prescribed in sub-clause (1) may be given on any work day: Provided—

- (i) that the period of notice shall not run concurrently with nor shall notice be given during an employee's absence on leave granted in terms of clause 6 or any period of military training which an employee is undergoing in pursuance of the Defence Act, 1957;
- (ii) that notice shall not be given during an employee's absence on sick leave granted in terms of clause 7.

(4) Notwithstanding anything to the contrary in this Determination, where an employee terminates his contract of employment by leaving his employment without notice or without paying his employer in lieu of notice, his employer may appropriate to himself, from any moneys which he owes to such employee by virtue of any provisions of this Determination, an amount of not more than that which such employee would have had to pay him in lieu of notice.

13. CERTIFICATE OF SERVICE.

An employer shall upon termination of the contract of employment, other than through the desertion of an employee, furnish his employee, other than a casual employee, with a certificate of service, substantially in the form prescribed in the Schedule to this Determination, showing the full names of the employer and his employee, the occupation of the employee, the date of commencement and the date of termination of the contract and the employee's weekly wage at the date of such termination.

SCHEDULE.

I/We (a) _____ carrying
on business in the Meat Trade at _____

hereby certify that
was employed by me/us (a) from the _____
day of _____ 19 _____ to the _____
day of _____ 19 _____ in the occupation of (b) _____
At the termination of employment his/her (a) wage was _____
rand _____ cents per week.

(Signature of Employer or Authorised
Representative.)

Date _____

- (a) Delete whichever inapplicable.
- (b) State occupation in which employee was wholly or mainly engaged, e.g., blockman, general worker.

No. R. 1194.] [7 August 1964.
WAR MEASURES ACT, 1940.

SUSPENSION OF PAYMENT OF COST OF LIVING
ALLOWANCES PAYABLE UNDER WAR
MEASURE No. 43 OF 1942, AS AMENDED.

MEAT TRADE, SMALLER TOWNS.

I, ALFRED ERNEST TROLLIP, Minister of Labour, hereby in terms of sub-regulation (1) of regulation 4 of the regulations published under War Measure No. 43 of 1942, as amended, suspend the operation of the said regulations in respect of all employees for whom wages are prescribed in clause 3 of the Wage Determination for the Meat Trade, Smaller Towns, published under Government Notice No. R. 1191 of the 7th August, 1964.

A. E. TROLLIP,
Minister of Labour.

No. R. 1195.] [7 Augustus 1964.
WET OP FABRIEKE, MASJINERIE EN BOUWERK,
1941, SOOS GEWYSIG.

VLEISBEDRYF, KLEINER DORPE.

Ek, ALFRED ERNEST TROLLIP, Minister van Arbeid, verklaar hierby kragtens subartikel (1) van artikel *twee-entwintig* van die Wet op Fabriek, Masjinerie en Bouwerk, 1941, soos gewysig, dat die bepalings van die Vastelling vir die Vleisbedryf, Kleiner Dorpe, gepubliseer by Goewermentskennisgewing No. R. 1191 van 7 Augustus 1964, oor die algemeen nie vir die werknemers wie se werkure en beloning ten opsigte van oortyd, openbare feesdae en werk op Sondae en openbare feesdae daarby gereël word, minder gunstig as die desbetreffende bepalings van genoemde Wet is nie.

A. E. TROLLIP,
Minister van Arbeid.

No. R. 1195.] [7 August 1964.
FACTORIES, MACHINERY AND BUILDING
WORK ACT, 1941, AS AMENDED.

MEAT TRADE, SMALLER TOWNS.

I, ALFRED ERNEST TROLLIP, Minister of Labour, hereby in terms of sub-section (1) of section *twenty-two* of the Factories, Machinery and Building Work Act, 1941, as amended, declare the provisions of the Determination for the Meat Trade, Smaller Towns, published under Government Notice No. R. 1191 of the 7th August, 1964, on the whole to be not less favourable to the employees whose hours of work and remuneration in respect of overtime, public holidays and work on Sundays and public holidays are regulated thereby than the relative provisions of the said Act.

A. E. TROLLIP,
Minister of Labour.

INHOUD.

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