

EXTRAORDINARY



BUITENGEWONE

REPUBLIC OF SOUTH AFRICA
GOVERNMENT GAZETTE

STAATSKOERANT
VAN DIE REPUBLIEK VAN SUID-AFRIKA

REGULATION GAZETTE No. 1026

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[No. 2179

PROCLAMATION

*by the State President of the
Republic of South Africa*

No. R. 292, 1968

EXTRADITION AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA AND THE GOVERNMENT OF THE KINGDOM OF SWAZILAND ENTERED INTO IN TERMS OF THE PROVISIONS OF THE EXTRADITION ACT, 1962 (ACT No. 67 OF 1962)

The Extradition Agreement contained in the Annexure hereto, entered into with the Government of the Kingdom of Swaziland, is hereby published in accordance with section 2 (3) (a) of the Extradition Act, 1962 (Act No. 67 of 1962).

Given under my Hand and the Seal of the Republic of South Africa at Bloemfontein on this Twenty-fourth day of September, One thousand Nine hundred and Sixty-eight.

J. J. FOUCHÉ,
State President.

By Order of the State President-in-Council.

P. C. PELSER.

ANNEXURE

EXTRADITION AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA AND THE GOVERNMENT OF THE KINGDOM OF SWAZILAND

The Government of the Republic of South Africa and the Government of the Kingdom of Swaziland, with the authority and consent of the Government of the United Kingdom of Great Britain and Northern Ireland;

Desiring to regulate by mutual agreement the relations between the Republic of South Africa and the Kingdom of Swaziland in the sphere of extradition of criminals;

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PROKLAMASIE

*van die Staatspresident van die Republiek van
Suid-Afrika*

No. R. 292, 1968

UITLEWERINGSOOREENKOMS TUSSEN DIE REGERING VAN DIE REPUBLIEK VAN SUID-AFRIKA EN DIE REGERING VAN DIE KONINKRYK VAN SWAZILAND AANGEGAAN INGEVOLGE DIE BEPALINGS VAN DIE WET OP UITLEWERING, 1962 (WET No. 67 VAN 1962)

Die Uitleweringsooreenkoms vervat in die Bylae hiervan aangeaan met die Regering van die Koninkryk van Swaziland word hierby ooreenkomstig die bepalings van artikel 2 (3) (a) van die Wet op Uitlewering, 1962 (Wet No. 67 van 1962), afgekondig.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Bloemfontein, op hede die Vier-en-twintigste dag van September Eenduisend Negehoenderd Agt-en-sestig.

J. J. FOUCHÉ,
Staatspresident.

Op las van die Staatspresident-in-rade.

P. C. PELSER.

BYLAE

„UITLEWERINGSOOREENKOMS TUSSEN DIE REGERING VAN DIE REPUBLIEK VAN SUID-AFRIKA EN DIE REGERING VAN DIE KONINKRYK VAN SWAZILAND

Die Regering van die Republiek van Suid-Afrika en die Regering van die Koninkryk van Swaziland handelende met die magtiging en toestemming van die Regering van die Verenigde Koninkryk van Groot-Brittanje en Noord-Ierland;

Het uit 'n begeerte om by wyse van onderlinge ooreenkoms voorsiening te maak vir die verhoudings tussen die Republiek van Suid-Afrika en die Koninkryk van Swaziland op die gebied van die uitlewering van oortreders;

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Have agreed as follows:—

ARTICLE 1

OBLIGATION TO EXTRADITE

(1) The Contracting Parties undertake to extradite to each other, subject to the provisions and conditions laid down in this Agreement, all persons against whom the competent authorities of the requesting Party are proceeding for an offence referred to in Article 2, of this Agreement and committed within the territory of the requesting Party or on the high seas on board a vessel or on an aircraft, registered in the territory of that Party or who are wanted by the said authorities for the carrying out of a sentence for such an offence and who shall be found within the territory of the requested Party.

(2) Notwithstanding paragraph (1) of this Article surrender shall be refused—

(a) in the case of a person whose return is sought so that he may be tried in the territory of the requesting Party for an offence cognisable by its courts, if, in the opinion of the court issuing the return order, there is insufficient evidence which would justify his committal for trial were the offence one cognisable by the courts of the requested Party; or

(b) in the case of a person whose return is sought so that he may serve a sentence imposed upon him by the courts of the requesting Party, if, in the opinion of the court issuing the return order, there is insufficient evidence to identify him as the person upon whom such sentence was imposed.

ARTICLE 2

EXTRADITABLE OFFENCES

(1) Extradition shall be granted in respect of offences which are offences under the laws of the requesting Party and of the requested Party and which are under both those laws punishable by a maximum sentence of imprisonment for a period of six months or more or by a more severe penalty. Where extradition is requested in respect of a person convicted and sentenced in respect of such an offence in the territory of the requesting Party for the purposes of enforcing such sentence or the balance of such sentence extradition shall be granted irrespective of the period of the sentence imposed.

(2) If the request for extradition relates to more than one separate offence the punishment for some of which is less than that prescribed in paragraph (1) of this Article the requested Party may in its discretion grant extradition for the latter offences also.

ARTICLE 3

POLITICAL OFFENCES

A person claimed shall not be extradited if the offence for which his extradition is requested is regarded by the requested Party as one of a political character, or if he satisfies the requested Party that the request for his extradition has in fact been made with a view to try or punish him for an offence of a political character.

Soos volg ooreengekom:—

ARTIKEL 1

VERPLIGTING OM UIT TE LEWER

(1) Die Kontrakterende Partye onderneem om aan mekaar uit te lewer, behoudens die bepalings en voorwaardes in hierdie Ooreenkoms neergelê, alle persone wat die bevoegde owerhede van die Party van wie die versoek uitgaan, vervolg weens 'n misdryf waarna in Artikel 2 van hierdie Ooreenkoms verwys word en wat gepleeg is binne die gebied van die Party van wie die versoek uitgaan of op die oop see aan boord van 'n vaartuig of op 'n vliegtuig, geregistreer in die gebied van daardie Party, of wat deur gemelde owerhede vir die uitvoering van 'n vonnis vir so 'n misdryf gesoek word en wat in die gebied van die Party tot wie die versoek gerig is, gevind word.

(2) Nieteenstaande paragraaf (1) van hierdie Artikel word uitlewering geweier—

(a) in die geval van 'n persoon wie se terugsending verlang word sodat hy in die gebied van die Party van wie die versoek uitgaan vir 'n misdryf beregbaar deur sy houe verhoor kan word, indien volgens die mening van die hof wat die bevel vir terugsending uitreik daar onvoldoende getuienis is wat sy verwysing vir verhoor sou regverdig indien die misdryf deur die houe van die Party tot wie die versoek gerig word, beregbaar was; of

(b) in die geval van 'n persoon wie se terugsending verlang word sodat hy 'n vonnis wat hom deur die houe van die Party van wie die versoek uitgaan opgelê is, kan uitdien, indien volgens die mening van die hof wat die bevel vir terugsending uitreik daar onvoldoende getuienis is om hom as die persoon wat sodanige vonnis opgelê was, te identifiseer.

ARTIKEL 2

UITLEWERINGS MISDRYWE

(1) Uitlewering word toegestaan ten opsigte van die misdrywe wat misdrywe is ingevolge die wette van die Party van wie die versoek uitgaan en van die Party tot wie die versoek gerig is, en wat ingevolge beide daardie wette strafbaar is met 'n maksimum vonnis van gevangenisstraf vir 'n tydperk van ses maande of meer of met 'n swaarder straf. Waar uitlewering versoek word ten opsigte van 'n persoon wat weens so 'n misdryf in die gebied van die Party van wie die versoek uitgaan skuldig bevind en gevonnis is, vir doeleindes van die uitvoering van sodanige vonnis of die oorblywende gedeelte van sodanige vonnis word uitlewering ongeag die tydperk van die opgelegde vonnis toegestaan.

(2) Indien die versoek om uitlewering betrekking het op meer as een afsonderlike misdryf, die straf vir sommige waarvan minder is as dié voorgeskryf in paragraaf (1) van hierdie Artikel, kan die Party tot wie die versoek gerig is in sy diskresie ook uitlewering vir laasgenoemde misdrywe toestaan.

ARTIKEL 3

POLITIEKE MISDRYWE

'n Opgeëiste persoon word nie uitgelewer nie indien die misdryf waarvoor sy uitlewering versoek word, deur die Party tot wie die versoek gerig word as van 'n politieke aard beskou word, of indien hy die Party tot wie die versoek gerig word oortuig dat die versoek om sy uitlewering in werklikheid gedoen is met die doel om hom weens 'n misdryf van 'n politieke aard te verhoor of te straf.

ARTICLE 4 MILITARY OFFENCES

Extradition for offences under military law which are not offences under ordinary criminal law is excluded from the application of this Agreement.

ARTICLE 5 FISCAL OFFENCES

Extradition shall be granted in accordance with the provisions of this Agreement for offences in connection with taxes, duties, customs and exchange, only if the Contracting Parties have so decided by Exchange of Notes in respect of any such offence or category of offences.

ARTICLE 6 CAPITAL PUNISHMENT

Extradition may be refused if under the law of the requesting Party the offence for which extradition is requested is punishable by death and if the death penalty is not provided for such offence by the law of the requested Party.

ARTICLE 7 PENDING PROCEEDINGS FOR THE SAME OFFENCE

The requested Party may refuse to extradite the person claimed if the competent authorities of such Party are proceeding against him in respect of the offence or offences for which extradition is requested.

ARTICLE 8 NON BIS IN IDEM

Extradition shall not be granted if final judgment has been passed by the competent authorities of the requested Party upon the person claimed in respect of the offence or offences for which extradition is requested. Extradition may be refused if the competent authorities of the requested Party have decided either not to institute or to terminate proceedings in respect of the same offence or offences.

ARTICLE 9 LAPSE OF TIME

Extradition shall not be granted when the person claimed has, according to the law of either the requesting or the requested Party, become immune by reason of lapse of time from prosecution or punishment for the offence for which extradition is requested.

ARTICLE 10 THE REQUEST AND SUPPORTING DOCUMENTS

(1) The request shall be in writing and shall be communicated through the diplomatic channel.

(2) The request shall be supported by—

(a) if the person claimed is a person accused, the original or a certified copy of a warrant of arrest or court order having the same effect and issued in accordance with the law of the requesting Party and *prima facie* evidence of the commission of the offence by such person;

(b) if the person claimed is a person convicted the original or a certified copy of the record of the conviction and enforceable sentence and a statement showing how much of the sentence has not been carried out;

ARTIKEL 4 MILITÊRE MISDRYWE

Uitlewering weens misdrywe ingevolge militêrereg wat nie misdrywe ingevolge die gewone strafreg is nie is van die toepassing van hierdie Ooreenkoms uitgesluit.

ARTIKEL 5 FISKALE MISDRYWE

Uitlewering word alleenlik in ooreenstemming met die bepalings van hierdie Ooreenkoms weens misdrywe in verband met belastinge, regte, doeane en valuta toegestaan indien die Kontrakterende Partye deur die Wisseling van Notas ten opsigte van enige sodanige misdryf of kategorie van misdrywe aldus ooreengekom het.

ARTIKEL 6 DOODSTRAF

Uitlewering kan geweier word indien die misdryf waarvoor uitlewering versoek word kragtens die wet van die Party van wie die versoek uitgaan met die dood strafbaar is en as die wet van die Party tot wie die versoek gerig word nie vir die doodstraf vir sodanige misdryf voorsiening maak nie.

ARTIKEL 7 HANGENDE VERRIGTINGE VIR DIESELFDE MISDRYF

Die Party tot wie die versoek gerig word, kan weier om die opgeëiste persoon uit te lewer indien die bevoegde owerhede van daardie Party hom vervolg weens die misdryf of misdrywe ten opsigte waarvan uitlewering aangevra word.

ARTIKEL 8

NON BIS IN IDEM

Uitlewering word nie toegestaan nie indien finale uitspraak deur die bevoegde owerhede van die Party tot wie die versoek gerig word, gegee is teen die opgeëiste persoon weens die misdryf of misdrywe ten opsigte waarvan sy uitlewering versoek word. Uitlewering kan geweier word indien die bevoegde owerhede van die Party tot wie die versoek gerig word, besluit het om, ten opsigte van dieselfde misdryf of misdrywe, of nie 'n vervolging in te stel nie of die vervolging te staak.

ARTIKEL 9 VERLOOP VAN TYD

Uitlewering word nie toegestaan nie indien die opgeëiste persoon ingevolge die wet van of die Party van wie die versoek uitgaan of die Party tot wie die versoek gerig word, weens die verloop van tyd vry is van vervolging of straf ten opsigte van die misdryf waarvoor uitlewering versoek word.

ARTIKEL 10

DIE VERSOEK EN STAWENDE DOKUMENTE

(1) Die versoek moet op skrif wees en langs die diplomatieke kanaal gerig word.

(2) Die versoek word gestaaf deur—

(a) indien die opgeëiste persoon 'n beskuldigde is, die oorspronklike of 'n gesertifiseerde afskrif van 'n lasbrief tot inhegtenisneming of hofbevel met dieselfde uitwerking en uitgereik in ooreenstemming met die wet van die Party van wie die versoek uitgaan, en *prima facie* getuienis van die pleging van die misdryf deur sodanige persoon;

(c) a statement of the offences for which extradition is requested. The time and place of their commission, their legal descriptions and a reference to the relevant legal provisions shall be set out as accurately as possible;

(d) a copy of the relevant enactments or, where this is not possible, a statement of the relevant law; and

(e) as accurate a description as possible of the person claimed, together with any other information which will help to establish his identity.

ARTICLE 11

DOCUMENTS RELATING TO EVIDENCE

The authorities of the requested Party shall admit as evidence in any proceedings for extradition any deposition, statement on oath or affirmation taken in the territory of the requesting Party, any record of a conviction, any warrant, and a copy or translation of the aforesaid documents, if it is authenticated—

(a) in the case of a warrant, by being signed, or in the case of any other original document by being certified, by a judge, magistrate or other competent officer of the requesting Party or, in the case of a copy or translation, by being certified to be a true copy or translation of the original, and

(b) in each case either by the oath of some witness or by being sealed with the official seal of the Minister of Justice or other competent authority of the requesting Party, or in such manner as may be permitted by the law of the requested Party.

ARTICLE 12

SUPPLEMENTARY INFORMATION

If the information communicated by the requesting Party is found to be insufficient to allow the requested Party to make a decision in pursuance of this Agreement, the latter Party shall request the necessary supplementary information and may fix a time limit for the receipt thereof.

ARTICLE 13

RULE OF SPECIALITY

A person extradited shall in no case be kept in custody or proceeded against in the territory of the requesting Party for any offence committed prior to his surrender other than an extraditable offence established by the facts in respect of which his extradition has been granted, or on account of any other matters arising prior to his surrender, nor shall he be extradited by that Party to a third State, until he has been restored, or until the expiration of forty-five days after he has had an opportunity of returning, to the territory of the requested Party.

ARTICLE 14

PROVISIONAL ARREST

(1) In case of urgency the competent authorities of the requesting Party may request the provisional arrest of any person sought. The competent authorities of the requested Party shall decide the matter in accordance with its law.

(b) indien die opgeëiste persoon alreeds skuldig bevind is, die oorspronklike of 'n gesertifiseerde afskrif van die rekord van die skuldigbevinding en uitvoerbare vonnis en 'n verklaring wat aandui welke gedeelte van die vonnis nog nie uitgevoer is nie;

(c) 'n uiteensetting van die misdrywe waarvoor uitlewering versoek word. Die tyd en plek van die pleging daarvan, die wetsomskrywings daarvan, en 'n verwysing na die betrokke wetsbepalings moet so korrek as moontlik uiteengesit word;

(d) 'n afskrif van die tersaaklike wetsvoorskrifte of, waar dit nie moontlik is nie, 'n uiteensetting van die tersaaklike regsvoorskrif; en

(e) so 'n noukeurige beskrywing as moontlik van die opgeëiste persoon tesame met enige ander inligting wat sal help om sy identiteit vas te stel.

ARTIKEL 11

DOKUMENTE IN VERBAND MET GETUIENIS

Die owerhede van die Party tot wie die versoek gerig word, laat tydens enige uitleweringsverrigtinge as getuienis toe enige getuienis, beëdigde of plegtige verklaring geneem in die gebied van die Party van wie die versoek uitgaan, enige rekord van 'n skuldigbevinding, enige lasbrief, en 'n afskrif of vertaling van voornoemde stukke, indien dit gewaarmerk is—

(a) in die geval van 'n lasbrief, deurdat dit onderteken is, of in die geval van enige ander oorspronklike dokument deurdat dit gesertifiseer is, deur 'n regter, landdros of ander bevoegde beampte van die Party van wie die versoek uitgaan of, in die geval van 'n afskrif of vertaling, deurdat dit as 'n ware afskrif of vertaling van die oorspronklike gesertifiseer is, en

(b) in elke geval of deurdat dit deur die een of ander getuie geattesteer is, of deurdat dit met die amptelike seël van die Minister van Justisie of ander bevoegde owerheid van die Party van wie die versoek uitgaan, gesêel is,

of op sodanige manier as wat deur die wet van die Party tot wie die versoek gerig word, toegelaat mag word.

ARTIKEL 12

AANVULLENDE INLIGTING

Indien gevind word dat die inligting wat deur die Party van wie die versoek uitgaan, voorgelê is, onvoldoende is om die Party tot wie die versoek gerig word in staat te stel om 'n besluit ooreenkomstig hierdie Ooreenkoms te neem, moet laasgenoemde Party die nodige aanvullende inligting versoek en kan hy 'n tydsbeperking vir die ontvangs daarvan bepaal.

ARTIKEL 13

BEPERKING VAN STAPPE TEEN UITGELEWERDE PERSOON

'n Uitgelewerde persoon word in geen geval in die gebied van die Party van wie die versoek uitgaan in hegtenis gehou of vervolg weens enige misdryf voor sy uitlewering gepleeg, behalwe 'n uitlewerbare misdryf daar gestel deur die feite ten opsigte waarvan sy uitlewering toegestaan is of weens enige ander aangeleenthede wat ontstaan het voor sy uitlewering nie, en hy word ook nie aan 'n derde Staat uitgelewer nie alvorens hy teruggestuur is of voor die verstryking van vyf-en-veertig dae nadat hy geleentheid gehad het om na die gebied van die Party van wie die versoek uitgaan terug te keer.

ARTIKEL 14

VOORLOPIGE INHEGTENISNEMING

(1) In dringende gevalle kan die bevoegde owerhede van die Party van wie die versoek uitgaan, die voorlopige inhegtenisneming van die persoon wat gesoek word, ver-

(2) The request for provisional arrest shall state that one of the documents mentioned in subparagraph (2) (a) or (b) of Article 10 of this Agreement exists and that it is intended to send a request for extradition. It shall also state for what offence extradition will be requested and when and where such offence was committed and shall so far as possible give a description of the person sought.

(3) A request for provisional arrest shall be sent to the competent authorities of the requested Party either through the diplomatic channel or direct by post or telegraph or by any other means affording evidence in writing or accepted by the requested Party. The requesting authority shall be informed without delay of the result of its request.

(4) The provisional arrest of the person claimed shall be terminated upon the expiration of thirty days from the date of his arrest if the request for his extradition shall not have been received. However, this provision shall not prevent the re-arrest or extradition of the person claimed if the request for his extradition is received subsequently.

ARTICLE 15

CONFLICTING REQUESTS

If extradition is requested concurrently by one of the Parties and by another State or States, either for the same offence or for different offences, the requested Party shall make its decision having regard to all the circumstances and especially the relative seriousness and place of commission of the offences, the respective dates of the requests, the nationality of the person claimed and possibility of subsequent extradition to another State.

ARTICLE 16

APPEAL

A person claimed shall not be extradited until the expiration of fifteen days from the date on which he has been held judicially to be liable to extradition or, if an appeal has been lodged or proceedings for a writ of *habeas corpus* or *de homine libero exhibendo* brought, until after the final decision of any competent court has been given.

ARTICLE 17

SURRENDER OF THE PERSON TO BE EXTRADITED

(1) The requested Party shall inform the requesting Party by the means mentioned in paragraph (1) of Article 10 of this Agreement of its decision with regard to the extradition.

(2) Reasons shall be given for any complete or partial rejection.

(3) If the request is agreed to, the requesting Party shall be informed of the place and date of surrender and of the length of time for which the person claimed was detained with a view to surrender.

(4) If the person claimed has not been taken over on the appointed date, he may be released after the expiry of forty-five days. The requested Party may refuse to extradite him thereafter for the same offence.

soek. Die bevoegde owerhede van die Party tot wie die versoek gerig word, beslis oor die aangeleentheid ooreenkomstig sy wet.

(2) Die versoek om voorlopige inhegtenisneming moet aandui dat een van die dokumente genoem in subparagraaf (2) (a) of (b) van Artikel 10 van hierdie Ooreenkoms bestaan en dat die voorneme is om 'n versoek om uitlewering te stuur. Dit moet ook meld vir watter misdryf uitlewering versoek sal word en wanneer en waar sodanige misdryf gepleeg is en moet, sover moontlik, 'n beskrywing van die persoon wat gesoek word, bevat.

(3) 'n Versoek om voorlopige inhegtenisneming word gerig aan die bevoegde owerhede van die Party tot wie die versoek gerig word, hetsy langs die diplomatieke kanaal of direk per pos of telegram of op enige ander wyse wat getuienis op skrif daarstel of wat deur die Party tot wie die versoek gerig word, aanvaar word. Die owerheid van wie die versoek uitgaan, word sonder versuim van die uitslag van sy versoek verwittig.

(4) Die voorlopige inhegtenisneming van die opgeëiste persoon word beëindig na verstryking van dertig dae vanaf die datum van sy inhegtenisneming indien die versoek om sy uitlewering dan nog nie ontvang is nie. Hierdie bepaling verhinder egter nie die her-inhegtenisneming of uitlewering van die opgeëiste persoon indien die versoek om sy uitlewering daarna ontvang word nie.

ARTIKEL 15

BOTSENDE VERSOEKE

Indien uitlewering terselfdertyd deur een van die Partye en deur 'n ander Staat of State versoek word, hetsy weens dieselfde misdryf of weens verskillende misdrywe, neem die Party tot wie die versoek gerig word sy besluit met inagneming van al die omstandighede en veral die relatiewe erns en plek van pleging van die misdrywe, die onderskeie datums van die versoeke, die nasionaliteit van die opgeëiste persoon en die moontlikheid van latere uitlewering aan 'n ander Staat.

ARTIKEL 16

APPEL

'n Opgeëiste persoon word nie uitgelewer voor die verstryking van vyftien dae vanaf die datum waarop hy geregtelik bevind is onderhewig te wees aan uitlewering, of, as 'n appèl aanhangig gemaak is of verrigtinge vir 'n bevel *habeas corpus* of *de homine libero exhibendo* ingestel is, voor die finale beslissing van enige bevoegde hof gegee is nie.

ARTIKEL 17

OORHANDIGING VAN DIE PERSOON WAT UITGELEWER MOET WORD

(1) Die Party tot wie die versoek gerig word, stel die Party van wie die versoek uitgaan, op die wyse genoem in paragraaf (1) van Artikel 10 van hierdie Ooreenkoms van sy besluit insake die uitlewering in kennis.

(2) Redes vir enige algehele of gedeeltelike weiering word verstrek.

(3) Indien die versoek toegestaan word, word die Party van wie die versoek uitgaan, in kennis gestel van die plek en datum van oorhanding en van die tydperk wat die opgeëiste persoon met die oog op sy uitlewering aangehou is.

(4) Indien die opgeëiste persoon nie op die bepaalde datum oorgeneem is nie kan hy na verstryking van vyf-en-veertig dae vrygelaat word. Die Party tot wie die versoek gerig word, kan daarna weier om hom weens dieselfde misdryf uit te lewer.

ARTICLE 18

POSTPONED OR CONDITIONAL SURRENDER

(1) The requested Party may, after making its decision on the request for extradition, postpone the surrender of the person claimed in order that he may be proceeded against by that Party for an offence other than that for which extradition is requested or if he has already been convicted, in order that he may serve his sentence in the territory of that Party.

(2) The requested Party may, instead of postponing surrender, surrender the person claimed to the requesting Party in accordance with conditions to be determined by mutual agreement between the Parties.

ARTICLE 19

HANDING OVER OF PROPERTY

(1) The requested Party shall, in so far as its law permits and at the request of the requesting Party, seize and hand over to the latter property—

(a) which may be required as evidence at his trial for the offence; and

(b) which has been acquired as a result of the offence.

(2) The property mentioned in paragraph (1) of this Article shall be handed over even if extradition, having been granted, cannot be carried out owing to the death or escape of the person claimed.

(3) When the said property is liable to seizure or confiscation in the territory of the requested Party, the latter may, in connection with pending criminal proceedings, temporarily retain it or hand it over to the requesting Party on condition that it be returned.

(4) Any rights which the requested Party or third parties may have acquired in the said property shall remain unaffected. Where these rights exist, the property shall be returned without charge to the requested Party as soon as possible after the trial, unless such rights have been waived.

ARTICLE 20

TRANSIT

(1) Transit through the territory of either Contracting Party shall be granted to the other Contracting Party in respect of the extradition of any person from a third State in accordance with the following provisions:

(a) A request for transit shall be submitted in the manner prescribed in paragraph (1) of Article 10 of this Agreement.

(b) The provisions and conditions laid down in this Agreement shall *mutatis mutandis* apply to such a request as if it were a request for the extradition of the person concerned.

(c) The Party requested to grant transit may require the production of the documents mentioned in paragraph (2) of Article 10 of this Agreement.

(d) If the person claimed is to be transported by aircraft through the territory of either Contracting Party, the following provisions shall apply:—

(i) If no intermediate landing is to be made, the requesting Party shall notify the Contracting Party over whose territory the flight is to be made and shall confirm that a

ARTIKEL 18

UITGESTELDE OF VOORWAARDELIKE OORHANDIGING

(1) Die Party tot wie die versoek gerig word, kan, nadat sy besluit rakende die versoek om uitlewering geneem is, die oorhandiging van die opgeëiste persoon uitstel sodat daardie Party hom weens 'n ander misdryf as dié waarvoor uitlewering versoek is, kan vervolg of, indien hy alreeds skuldig bevind is, sodat hy sy vonnis kan utdien in die gebied van daardie Party.

(2) Die Party tot wie die versoek gerig word, kan, in plaas van oorhandiging uit te stel, die opgeëiste persoon ooreenkomstig voorwaardes wat by wyse van onderlinge ooreenkoms tussen die Partye bepaal moet word, aan die Party van wie die versoek uitgaan, uitlewer.

ARTIKEL 19

OORHANDIGING VAN EIENDOM

(1) Die Party tot wie die versoek gerig word, moet, vir sover sy wet dit toelaat en op versoek van die Party van wie die versoek uitgaan, beslag lê op en aan laasgenoemde oorhandig eiendom—

(a) wat as getuienis benodig mag word by sy verhoor weens die misdryf; en

(b) wat as gevolg van die misdryf bekom is.

(2) Die eiendom in paragraaf (1) van hierdie Artikel bedoel, word oorhandig selfs indien uitlewering, reeds toegestaan, as gevolg van die dood of ontsnapping van die opgeëiste persoon nie bewerkstellig kan word nie.

(3) Indien genoemde eiendom in die gebied van die Party tot wie die versoek gerig word, onderworpe is aan beslaglegging of verbeurdverklaring, kan laasgenoemde dit, met betrekking tot strafregtelike stappe wat nog hangende is, tydelik behou of dit oorhandig aan die Party van wie die versoek uitgaan op voorwaarde dat dit terugbesorg word.

(4) Enige regte wat die Party tot wie die versoek gerig word of derde partye in genoemde eiendom verkry het, bly onaangetas. As hierdie regte bestaan, word die eiendom so gou moontlik na die einde van die verhoor kosteloos aan die Party tot wie die versoek gerig is, terugbesorg tensy van sodanige regte afstand gedoen is.

ARTIKEL 20

DEURGANG

(1) Deurgang deur die gebied van een van die Kontrakterende Partye in verband met die uitlewering van enige persoon vanaf 'n derde Staat, word aan die ander Kontrakterende Party ooreenkomstig die volgende bepalinge toegestaan:—

(a) 'n Versoek om deurgang word op die wyse voorgeskryf in paragraaf (1) van Artikel 10 van hierdie Ooreenkoms voorgelê.

(b) Die bepalinge en voorwaardes voorgeskryf in hierdie Ooreenkoms geld *mutatis mutandis* ten opsigte van sodanige versoek asof dit 'n versoek om uitlewering van die betrokke persoon was.

(c) Die Party wat versoek word om deurgang te verleen, kan die voorlegging van die dokumente genoem in paragraaf (2) van Artikel 10 van hierdie Ooreenkoms vereis.

(d) Indien die opgeëiste persoon met 'n vliegtuig oor die gebied van een van die Kontrakterende Partye vervoer moet word, is die volgende bepalinge van toepassing:—

(i) Indien geen tussenlanding gedoen moet word nie, stel die Party van wie die versoek uitgaan die Kontrakterende Party oor wie se gebied die vlug gedoen moet word

warrant of arrest or a conviction and enforceable sentence exists and shall give an assurance that in view of the facts known to it and considering the documents in its possession there is no reason why transit in accordance with this Agreement should be refused. In the case of an unscheduled intermediate landing the notification concerning the use of air transport shall have the effect of a request for provisional arrest as provided for in Article 14 of this Agreement and the requesting Party shall submit a formal request for extradition.

(ii) If an intermediate landing is to be made the provisions of subparagraphs (a), (b) and (c) of this paragraph shall apply.

(2) Any right of transit arising from the operation of paragraph (1) of this Article shall be exercised in accordance with such conditions as the requested Party may prescribe.

ARTICLE 21

LANGUAGES TO BE USED

(1) Where the Republic of South Africa is the requested Party, the documents to be produced shall be accompanied by certified translations into Afrikaans or English if the originals are not in one of these languages.

(2) Where Swaziland is the requested Party, the documents to be produced shall be accompanied by certified translations into English or siSwati if the originals are not in one of these languages.

ARTICLE 22

EXPENSES

(1) Expenses incurred in the territory of the requested Party by reason of the arrest detention and maintenance of the person claimed shall be borne by that Party.

(2) The requested Party shall bear the expenses occasioned by the conveyance of the person claimed to its frontier or port of embarkation while expenses occasioned by the transportation of such person from that frontier or port to the territory of the requesting Party shall be borne by the latter Party.

(3) Expenses incurred by reason of transit through the territory of a Party requested to grant transit shall be borne by the requesting Party.

ARTICLE 23

DEFINITIONS

For the purposes of this Agreement the expression—

(a) "sentence" means a sentence imposed by a court and includes an order of a court for detention of a criminal lunatic and an order of a court for detention in a reformatory and an approved school; and

(b) "conviction" shall include a judgment passed upon a person in a criminal case in his absence where by reason of such person's conduct at the trial, the judicial officer presiding thereat has ruled that the remainder of the trial may proceed in the absence of such person, but not otherwise.

in kennis en bevestig dat 'n lasbrief tot inhegtenisneming of 'n skuldigbevinding en uitvoerbare vonnis bestaan en gee die versekering dat op grond van die feite bekend aan hom en by oorweging van die dokumente in sy besit, daar geen rede bestaan waarom deurgang in ooreenstemming met hierdie Ooreenkoms geweier behoort te word nie. In die geval van 'n nie-vasgestelde tussenlanding het die kennisgewing rakende die gebruik van lugvervoer, die uitwerking van 'n versoek om voorlopige inhegtenisneming soos bepaal in Artikel 14 van hierdie Ooreenkoms, en die Party van wie die versoek uitgaan, lê 'n formele versoek om uitlewering voor.

(ii) Indien 'n tussenlanding gedoen moet word, is die bepalings van sub-paragrafe (a), (b) en (c) van hierdie paragraaf van toepassing.

(2) Enige reg van deurgang wat voortspruit uit hoofde van paragraaf (1) van hierdie Artikel word uitgeoefen ooreenkomstig sodanige voorwaardes as wat die Party tot wie die versoek gerig word, mag voorskryf.

ARTIKEL 21

TALE WAT GEBRUIK MOET WORD

(1) Waar die Republiek van Suid-Afrika die Party is tot wie die versoek gerig word, gaan die dokumente wat voorgelê moet word, vergesel van gesertifiseerde vertalings in Afrikaans of Engels indien die oorspronklikes nie in een van dié tale is nie.

(2) Waar Swaziland die Party is aan wie die versoek gerig word, gaan die dokumente wat voorgelê moet word, vergesel van gesertifiseerde vertalings in Engels of siSwati indien die oorspronklikes nie in een van dié tale is nie.

ARTIKEL 22

UITGAWES

(1) Uitgawes aangegaan in die gebied van die Party tot wie die versoek gerig word op grond van die inhegtenisneming, aanhouding en onderhoud van die opgeëiste persoon word deur daardie Party gedra.

(2) Die Party tot wie die versoek gerig word, dra die uitgawes veroorsaak deur die vervoer van die opgeëiste persoon na sy grens of hawe waar aan boord gegaan word, terwyl uitgawes veroorsaak deur die vervoer van genoemde persoon vanaf daardie grens of hawe na die gebied van die Party van wie die versoek uitgaan, deur laasgenoemde Party gedra word.

(3) Uitgawes aangegaan op grond van deurgang deur die gebied van 'n Party wat versoek is om deurgang toe te staan, word deur die Party van wie die versoek uitgaan, gedra.

ARTIKEL 23

WOORDBEPALINGS

Vir die doeleindes van hierdie Ooreenkoms—

(a) beteken die uitdrukking "vonnis" 'n vonnis deur 'n hof opgelê en sluit dit in 'n bevel van 'n hof vir aanhouding van 'n kriminele kranksinnige en 'n bevel van 'n hof vir aanhouding in 'n verbeteringskool en 'n goedgekeurde skool; en

(b) sluit die uitdrukking "skuldigbevinding" in 'n uitspraak uitgebring ten opsigte van 'n persoon in sy afwesigheid, indien die regterlike beampte weens sodanige persoon se gedrag by die verhoor besluit het dat die oorblywende gedeelte van die verhoor in die afwesigheid van sodanige persoon kan voortgaan, maar nie andersins nie.

ARTICLE 24

APPLICATION OF THE AGREEMENT

This Agreement shall apply to offences committed and sentences imposed before or after the date on which it comes into force.

ARTICLE 25

ENTRY INTO FORCE

This Agreement shall enter into force on the thirtieth day after the date of its signature.

ARTICLE 26

TERMINATION

This Agreement shall terminate six months after written notice of denunciation has been given by either Contracting Party to the other.

IN WITNESS WHEREOF the undersigned, being duly authorised thereto by the Contracting Government, have signed this Agreement.

DONE in duplicate in the English and Afrikaans languages, both texts being equally authentic, provided that if there is any uncertainty concerning the interpretation of the Agreement, the English text shall prevail.

For the Government of the Republic of South Africa: Cape Town, this fourth day of September 1968.

P. C. PELSER.

For the Government of the Kingdom of Swaziland: Mbabane, this fifth day of September 1968.

M. J. DLAMINI.

ARTIKEL 24

TOEPASSING VAN DIE OOREENKOMS

Hierdie Ooreenkoms geld ten opsigte van misdrywe gepleeg en vonnisse opgelê voor of na die datum waarop dit in werking tree.

ARTIKEL 25

INWERKINGTREDING

Hierdie Ooreenkoms tree in werking op die dertigste dag na die datum van sy ondertekening.

ARTIKEL 26

BEËINDIGING

Hierdie Ooreenkoms eindig ses maande na skriftelike kennisgewing van opsegging deur een Kontrakterende Party aan die ander.

TEN BEWYSE WAARVAN die ondergetekendes, behoorlik daartoe gemagtig deur die Kontrakterende Regerings, hierdie Ooreenkoms onderteken het.

GEDOEN in tweevoud in die Engelse en Afrikaanse tale, beide tekste synde van gelyke krag, met dien verstande dat die Engelse teks geld indien daar enige onsekerheid in verband met die vertolking van die Ooreenkoms is.

Vir die Regering van die Republiek van Suid-Afrika: Kaapstad, hede die vierde dag van September 1968.

P. C. PELSER.

Vir die Regering van die Koninkryk van Swaziland: Mbabane, hede die vyfde dag van September 1968.

M. J. DLAMINI."

GOVERNMENT NOTICES

DEPARTMENT OF BANTU ADMINISTRATION AND DEVELOPMENT

No. R. 1797 4 October 1968
BANTU SERVICES LEVY ACT, 1952 (ACT No. 64 OF 1952).—AMENDMENT OF GOVERNMENT NOTICE No. R. 2042 DATED 11 DECEMBER 1964: EXEMPTION FROM PAYMENT OF CONTRIBUTIONS

I, Pieter Gerhardus Jacobus Koornhof, Deputy Minister of Bantu Administration and Education, hereby amend, on behalf of the Minister of Bantu Administration and Development under and by virtue of the powers vested in him by section 3 (3) of the Bantu Services Levy Act, 1952 (Act No. 64 of 1952), Government Notice No. R. 2042 dated 11 December 1964 by the insertion after paragraph (b) (iv) of the following:—

"(v) the township, situate on the farm Nyamasaan, District of Nelspruit, Transvaal, as defined in the Schedule to Government Notice No. 1390 dated 9 August 1968".

P. G. J. KOORNHOF,

Deputy Minister of Bantu Administration and Education.

(File A6/1455)

GOEWERMENSKENNISGEWINGS

DEPARTEMENT VAN BANTOE-ADMINISTRASIE EN -ONTWIKKELING

No. R. 1797 4 Oktober 1968
WET OP HEFFINGS VIR BANTOEDIENSTE, 1952 (WET No. 64 VAN 1952).—WYSIGING VAN GOEWERMENSKENNISGEWING No. R. 2042 VAN 11 DESEMBER 1964: VRYSTELLING VAN DIE BETALING VAN BYDRAES

Ek, Pieter Gerhardus Jacobus Koornhof, Adjunk-minister van Bantoe-administrasie en -onderwys, wysig hierby, namens die Minister van Bantoe-administrasie en -ontwikkeling kragtens die bevoegdheid hom verleen by artikel 3 (3) van die Wet op Heffings vir Bantoe-dienste, 1952 (Wet No. 64 van 1952), Goewermenskennisgewing No. R. 2042 van 11 Desember 1964 deur na paragraaf (b) (iv) die volgende in te voeg:—

"(v) die dorp, geleë op die plaas Nyamasaan, distrik Nelspruit, Transvaal, soos omskryf in die Bylae van Goewermenskennisgewing No. 1390 van 9 Augustus 1968".

P. G. J. KOORNHOF,

Adjunk-Minister van Bantoe-administrasie en -onderwys.

(Lêer A6/1455)

DEPARTEMENT VAN FINANSIES

No. R. 1793

4 Oktober 1968

EXCHANGE CONTROL REGULATIONS.— DEFINITION OF STERLING AREA

Paragraph 1 of Government Notice No. R. 1112 of the 1st December 1961, as amended by Government Notice No. R. 1208 of the 27th July 1962, No. R. 1604 of the 18th October 1963, No. 2038 of the 23rd December 1966, No. R. 987 of the 30th May 1968 and No. R. 1238 of the 19th July 1968, is hereby further amended by the substitution for the subparagraph beginning with "The United Kingdom" and ending with "..... except Canada and Rhodesia," of the following subparagraph:—

"The United Kingdom, the Channel Islands and the Isle of Man, the Commonwealth of Australia, Barbados, Botswana, Ceylon, the Republic of Cyprus, the Gambia, Ghana, Guyana, Iceland, India (including Sikkim), the Republic of Ireland, Jamaica, the Hashemite Kingdom of Jordan, Kenya, the State of Kuwait, Lesotho, the United Kingdom of Libya, Malawi, Malaysia, Malta, Mauritius, New Zealand, Nigeria, Pakistan, Sierra Leone, Singapore, the People's Republic of Southern Yemen, Swaziland, the United Republic of Tanzania, Trinidad and Tobago, Uganda, Western Samoa, Zambia, any protectorate, protected state or trust territory within the meaning of the British Nationality Acts, 1948 and 1958, and any British dominion not mentioned before except Canada and Rhodesia."

DEPARTMENT OF HEALTH

No. R. 1761

4 Oktober 1968

THE SOUTH AFRICAN NURSING COUNCIL AMENDMENT OF THE REGULATIONS FOR THE TRAINING AND EXAMINATION FOR THE CERTI- FICATE IN ORTHOPAEDIC NURSING

The Minister of Health, in terms of section 11 (1) of the Nursing Act, 1957 (Act No. 69 of 1957), has approved of the following amendments to the regulations for the training and examination for the certificate in orthopaedic nursing, made by the South African Nursing Council and published under Government Notice No. R. 950 of the 28th June 1963, as amended by Notices Nos. R. 395 of the 20th March 1964 and R. 1328 of the 2nd September 1966:—

(1) Regulation 2

Substitute the following regulation for the existing regulation:—

"2. (1) An institution or group of institutions shall not be approved of as a training school unless—

(a) proof is furnished to the satisfaction of the council that facilities exist for the training of students in the subjects prescribed in these regulations;

(b) all members of the nursing staff, other than the nurse in charge of the orthopaedic operating theatre, who take part in the training of students are registered nurses against whose names an additional qualification in orthopaedic nursing is registered and the nurse in charge of the orthopaedic operating theatre is a registered nurse against whose name an additional qualification in operating theatre technique is registered;

DEPARTMENT OF FINANCE

No. R. 1793

4 Oktober 1968

DEVIESBEHEERREGULASIES.—OMSKRY- WING VAN STERLINGGEBIED

Paragraaf 1 van Goewermentskennisgewing No. R. 1112 van 1 Desember 1961, soos gewysig by Goewermentskennisgewing No. R. 1208 van 27 Julie 1962, No. R. 1604 van 18 Oktober 1963, No. R. 2038 van 23 Desember 1966, No. R. 987 van 30 Mei 1968 en No. R. 1238 van 19 Julie 1968, word hierby verder gewysig deur die subparagraaf wat begin met „Die Verenigde Koninkryk" en wat eindig met „..... uitsondering van Kanada en Rhodesië." deur die volgende subparagraaf te vervang:—

„Die Verenigde Koninkryk, Die Kanaaleilande en die eiland Man, die Australiese Gemenebes, Barbados, Botswana, Ceylon, Die Republiek Ciprus, die Gambië, Ghana, Guiana, Ysland, Indië (insluitende Sikkim), die Republiek Ierland, Jamaïka, die Hasjimitiese Koninkryk van Jordanië, Kenia, die Staat Koeweit, Lesotho, die Verenigde Koninkryk van Libië, Malawi, Maleisië, Malta, Mauritius, Nieu-Seeland, Nigerië, Pakistan, Sierra Leone, Singapoer, Die Volksrepubliek van Suidelike Jemen, Swaziland, die Verenigde Republiek van Tanzanië, Trinidad en Tobago, Uganda, Wes-Samoa, Zambië, enige protektoraat, beskermde staat of trustgebied binne die raamwerk van die „British Nationality"-wette, 1948 en 1958, en enige Britse dominium nie voorheen genoem nie, met uitsondering van Kanada en Rhodesië."

DEPARTEMENT VAN GESONDHEID

No. R. 1761

4 Oktober 1968

DIE SUID-AFRIKAANSE VERPLEEGSTERSRAAD. WYSIGING VAN DIE REGULASIES VIR DIE OPLEIDING EN EKSAMINEER VIR DIE SERTIFI- KAAT IN ORTOPEDIËSE VERPLEGING

Die Minister van Gesondheid het, kragtens artikel 11 (1) van die Wet op Verpleging, 1957 (Wet No. 69 van 1957), sy goedkeuring geheg aan die volgende wysigings van die regulasies vir die opleiding en eksamineer vir die sertifikaat in ortopediese verpleging, wat deur die Suid-Afrikaanse Verpleegstersraad gemaak is en gepubliseer is by Goewermentskennisgewing No. R. 950 van 28 Junie 1963, soos gewysig deur Kennisgewings Nos. R. 395 van 20 Maart 1964 en R. 1328 van 2 September 1966:—

(1) Regulasie 2

Vervang die bestaande regulasie met die volgende regulasie:—

„2. (1) 'n Inrigting of 'n groep inrigtings word nie as 'n opleidingskool goedgekeur nie, tensy—

(a) bewys gelewer word tot tevredeheid van die raad dat fasiliteite bestaan vir die opleiding van leerlinge in die onderwerpe wat in hierdie regulasies voorgeskryf word;

(b) alle lede van die verpleegpersoneel, behalwe die verpleegster/verpleër in beheer van die ortopediese operasiesaal, wat 'n aandeel in die opleiding van leerlinge het, geregistreerde algemene verpleegsters/verpleërs is teenoor wie se naam 'n addisionele kwalifikasie in ortopediese verpleging geregistreer is en die verpleegster of verpleër in beheer van die ortopediese operasiesaal, 'n geregistreerde verpleegster/verpleër is teenoor wie se naam 'n addisionele kwalifikasie in operasiesaaltegniek geregistreer is;

(c) a registered general nurse is designated to the council as the person in charge of the training school. In the case of a training school for males only, a registered general nurse (male) may be so designated. The person designated shall be responsible to and shall satisfy the council that every student receives adequate instruction in the subjects prescribed in these regulations;

(d) the council, or a person deputed thereto by the council, shall have the right to inspect the training school at any time and to call for such information as may be deemed necessary;

(e) the council shall at all times have the right to call for such information from a training school as it may deem fit and to point out any matter in which its requirements appear to be insufficiently met, or any matter which in its opinion adversely affects the training of students, and to withhold, suspend or withdraw approval in any case which remains unsatisfactory.

(2) Notwithstanding the requirements set out in paragraph (1), the council may, at its discretion, approve of an institution or of a group of institutions as a training school although such an institution or group of institutions does not comply with the said requirements. Such approval may be granted for such period and upon such conditions as the council may determine.

(3) Any approval given by the council may, at its discretion, be varied or amended."

(2) Regulation 3 (a)

Substitute the following paragraph for the existing paragraph:—

"(a) The period of training shall be two hundred (200) days in all (excluding days off) which shall be completed within a period of not more than fifteen (15) months, unless the council determines otherwise."

(3) Regulation 4

Delete the heading and the regulation.

(4) Regulation 5

Substitute the following regulation for the existing regulation:—

"5. (1) Every student shall—

(a) attend a course of lectures and demonstrations on the subjects prescribed in the syllabus in regulation 6. All lecturers and demonstrators shall hold qualifications approved of by the council;

(b) undergo practical training in the following departments for at least the periods specified (excluding off-duty).

The periods of training need not be continuous:—

Wards: Sixty (60) days.

Out-patients: Twenty (20) days.

Plaster Theatre: Thirty (30) days.

Theatre: Thirty (30) days.

Domiciliary visiting and aftercare: Twenty (20) days.

(2) Students may undergo training on night duty for a period of not more than sixty (60) nights in all (excluding nights off).

(3) Male students shall be trained only on male patients and may nurse only male patients."

(5) Regulation 6

Substitute the following regulation for the existing regulation:—

"6. The syllabus shall be as follows:—

(1) Anatomy and Physiology.

(2) Social and Psychological Aspects.

(c) 'n geregistreerde algemene verpleegster by die raad aangedui word as die persoon in beheer van die opleidingskool. In die geval van 'n opleidingskool wat slegs manspersone oplei, kan 'n geregistreerde algemene verpleër aldus aangedui word. Die aangeduide persoon is aan die raad verantwoordelik en moet die raad tevrede stel dat elke leerling toereikende onderrig in die onderwerpe wat in hierdie regulasies voorgeskryf word, ontvang;

(d) die raad, of 'n persoon daartoe afgevaardig deur die raad, die reg het om te eniger tyd die opleidingskool te inspekteer en om inligting aan te vra wat nodig geag mag word;

(e) die raad te eniger tyd die reg het om enige inligting wat nodig geag word, van 'n opleidingskool aan te vra en op enige saak waar sy vereistes blykbaar nie behoorlik nagekom word nie of om op enige saak wat na sy mening die opleiding van leerlinge benadeel, te wys en om in enige geval wat onbevredigend bly, sy goedkeuring te weerhou, op te hef of in te trek.

(2) Nieteenstaande die vereistes vervat in paragraaf (1), kan die raad, na goeddunke, 'n inrigting of 'n groep inrigtings as 'n opleidingskool goedkeur, al voldoen die inrigting of groep inrigtings nie aan genoemde vereistes nie. Hierdie goedkeuring kan vir 'n tydperk en op sulke voorwaardes waarop die raad mag besluit, verleen word.

(3) Goedkeuring deur die raad verleen, kan na sy goeddunke verander of gewysig word."

(2) Regulاسie 3 (a)

Vervang die bestaande paragraaf met die volgende paragraaf:—

"(a) Die opleidingstydperk is tweehonderd (200) dae, allesinsluitend (diensvry dae uitgesonderd) en moet binne 'n tydperk van nie langer as vyftien (15) maande nie, voltooi word, tensy die raad anders bepaal."

(3) Regulاسie 4

Skrap die opskrif en die regulاسie.

(4) Regulاسie 5

Vervang die bestaande regulاسie met die volgende regulاسie:—

"5. (1) Elke leerling moet—

(a) 'n kursus lesings en demonstrasies oor die onderwerpe in die leerplan in regulاسie 6 voorgeskryf, bywoon. Alle dosente en demonstrateurs moet in besit wees van kwalifikasies deur die raad goedgekeur;

(b) praktiese opleiding in die volgende afdelings deurloop vir minstens die aangeduide tydperke (diensvry tot uitgesonderd). Die opleidingstydperke hoef nie aaneenlopend te wees nie:—

Sale: Sestig (60) dae.

Buitepasiente: Twintig (20) dae.

Gipsteater: Dertig (30) dae.

Operasiesaal: Dertig (30) dae.

Tuisbesoeke en nasorg: Twintig (20) dae.

(2) Leerlinge mag opleiding op nagdiens deurloop vir 'n tydperk van hoogstens sestig (60) nagte, allesinsluitend (behalwe diensvry nagte).

(3) Leerlingverpleërs moet slegs op manspasiente opgelei word en mag slegs manspasiente verpleeg."

(5) Regulاسie 6

Vervang die bestaande regulاسie met die volgende regulاسie:—

"6. Die leerplan is soos volg:—

(1) Anatomie en Fisiologie.

(2) Sosiale en Sielkundige Aspekte.

- (a) The effect of deformities, whether congenital or acquired, on patients, both children and adults.
- (b) Psychological Preparation of the patient for treatment.
- (c) The attitude of the orthopaedic nurse towards patients.
- (d) the role of occupational therapy.
- (e) Rehabilitation and Employment.
- (3) Bacteriology.
- (4) Surgical Aspects.
- (5) Deformities and Diseases, both congenital and acquired.
- (6) Orthopaedic Nursing. (The emphasis must be on nursing care and health education.)
- (7) Social Welfare Services and Benefits."

(6) Regulation 7

Substitute the following regulations for the existing regulation:—

"7. The examination shall consist of two portions, each carrying fifty (50) per cent of the aggregate marks of the examination, being—

- (a) a written examination of three (3) hours' duration;
- (b) an oral and practical examination."

(7) Regulation 14

Substitute the following regulation for the existing regulation:—

"14. Moderators and examiners shall be appointed by the council."

(8) These amendments shall also apply in the territory.

No. R. 1774 4 October 1968
APPLICATION OF PART III OF ACT No. 45 OF 1965 TO CERTAIN LOCAL AUTHORITY AREAS

The Minister of Health, in terms of section 14 (1) of the Atmosphere Pollution Prevention Act, 1965 (Act No. 45 of 1965), and after consultation with the Minister of Economic Affairs, declares the provisions of Part III of the said Act to be applicable to the area of jurisdiction of the Town Council of Roodepoort with effect from the date of publication hereof.

No. R. 1775 4 October 1968

The following notice was published in *Government Gazette* No. 2117 dated 5 July 1968:—

No. 1172. 5 July 1968.

EXTENSION OF DEFINITION FOR NOXIOUS OR OFFENSIVE GAS.—ATMOSPHERIC POLLUTION PREVENTION ACT, 1965 (ACT No. 45 OF 1965).

The Minister of Health declares, in terms of section 1 (1) (xvii) of the Atmospheric Pollution Prevention Act, 1965 (Act No. 45 of 1965), the following to be noxious or offensive gases:—

Fumes containing iron, nickel, aluminium, magnesium, molybdenum, titanium, tungsten, selenium, potassium, sodium, silicon and calcium; phosphorous and its compounds; carbon monoxide, acetylene and benzene; amines, pyridine and its derivatives; polycyclic hydrocarbons; smoke, grit and dust.

- (a) Die uitwerking van misvorms, hetsy aangebore of verworwe, op pasiënte, kinders sowel as volwassenes.
- (b) Sielkundige voorbereiding van die pasiënt vir behandeling.
- (c) Die houding van die ortopediese verpleegster teenoor pasiënte.
- (d) Die rol van beroepsterapie.
- (e) Rehabilitasie en Indiënsneming.

(3) Bakteriologie.

(4) Chirurgiese Aspekte.

(5) Misvormings en Siektetoestande, aangebore sowel as verworwe.

(6) Ortopediese Verpleging. (Die klem moet op verpleegsorg en gesondheidsopvoeding val.)

(7) Maatskaplike Welsynsdienste en Voordele."

(6) Regulasie 7

Vervang die bestaande regulasie met die volgende regulasie:—

"7. Die eksamen bestaan uit twee dele, wat elk vyftig (50) persent van die totale puntetal vir die eksamen tel, nl.—

- (a) 'n skriftelike eksamen wat drie (3) uur duur;
- (b) 'n mondelinge en praktiese eksamen."

(7) Regulasie 14

Vervang die bestaande regulasie met die volgende regulasie:—

"Moderatore en eksaminatore word deur die raad aangestel."

(8) Hierdie wysigings is ook in die gebied van toepassing.

No. R. 1774 4 Oktober 1968
TOEPASSING VAN DEEL III VAN WET No. 45 VAN 1965 OP GEBIEDE VAN SEKERE PLAASLIKE OWERHEDE

Die Minister van Gesondheid verklaar kragtens artikel 14 (1) van die Wet op Voorkoming van Lugbesoedeling, 1965 (Wet No. 45 van 1965), en na oorlegpleging met die Minister van Ekonomiese Sake, dat die bepalings van Deel III van genoemde Wet met ingang van die datum van publikasie hiervan van toepassing is op die regsgebied van die Stadsraad van Roodepoort.

No. R. 1775 4 Oktober 1968

Die volgende kennisgewing is in *Staatskoerant* No. 2117 van 5 Julie 1968 gepubliseer:—

No. 1172. 5 Julie 1968.

UITBREIDING VAN WOORDOMSKRYWING VAN SKADELIKE OF HINDERLIKE GAS.—WET OP VOORKOMING VAN LUGBESOEDLING, 1965 (WET No. 45 VAN 1965).

Die Minister van Gesondheid verklaar, kragtens artikel 1 (1) (xvii) van die Wet op Voorkoming van Lugbesoedeling, 1965 (Wet No. 45 van 1965), die volgende tot skadelike of hinderlike gase:—

Dampe bevattende yster, nikkel, aluminium, magnesium, molibdeen, titanium, wolfram, seleen, kalium, natrium, silikon en kalsium; fosfor en sy verbindings; koolstofmonoksied, asetileen en benseen; amiene, piridien en sy derivatie; polisikliese koolwaterstowwe; rook, grit en stof.

No. R. 1776

4 October 1968

The following notice was published in *Government Gazette* No. 2130 dated 19 July 1968:—

No. 1231.

19 July 1968.

DECLARATION OF CONTROLLED AREA UNDER PART II OF ACT No. 45 OF 1965.

The Minister of Health, in terms of section 8 (a) of the Atmospheric Pollution Prevention Act, 1965 (Act No. 45 of 1965), and after consultation with the Minister of Economic Affairs, declares Part II of the said Act to be applicable to the whole of the Republic with effect from the date of publication hereof.

No. R. 1777

4 October 1968

The following notice was published in *Government Gazette* No. 2117 dated 5 July 1968:

No. 1173.

5 July 1968.

INCLUSION OF PROCESSES IN THE SECOND SCHEDULE TO THE ATMOSPHERIC POLLUTION PREVENTION ACT, 1965 (ACT No. 45 OF 1965).

The Minister of Health, in terms of section 1 (2) of the Atmospheric Pollution Prevention Act, 1965 (Act No. 45 of 1965), declares the following processes to be included in the Second Schedule to the Act:—

30. *Iron works and steel works.*—That is to say, processes in which—

(a) iron or ferro-alloys are produced in a blast furnace and in which raw materials for use in blast furnaces are handled or prepared; or

(b) iron ores for use in blast furnaces are calcined or sintered; or

(c) iron or steel is melted in air or rotary furnaces, fired by coal or oil, or in cupolas employing a heated air blast, or in electric arc furnaces; or

(d) steel is produced, melted or refined in Bessemer, tropaenas, open hearth or electric arc furnaces; or

(e) oxygen or air enriched with oxygen is used for the refining of iron or for the production, shaping or finishing of steel; or

(f) ferro-alloys are made by processes giving rise to fume.

31. *Copper works.*—That is to say, processes in which—

(a) by the application of heat—

(i) copper is extracted from any ore or concentrate or from any material containing copper or its compounds; or

(ii) molten copper is refined; or

(iii) copper or copper alloy swarf is degreased; or

(iv) copper alloys are recovered from scrap, fabricated metal, swarf or residues by processes designed to reduce the zinc content; or

(b) copper or copper alloy is melted and cast in moulds the internal surfaces of which have been coated with grease-bound or oil-bound dressings. Provided that this paragraph shall not apply to works in which the aggregate casting capacity does not exceed 10 tons per day.

32. *Aluminium works.*—That is to say, processes in which—

(a) aluminium is produced by means of an electrolytic furnace from its oxide; or

No. R. 1776

4 Oktober 1968

Die volgende kennisgewing is in *Staatskoerant* No. 2130 van 19 Julie 1968 gepubliseer:—

No. 1231.

19 Julie 1968.

VERKLARING VAN BEHEERDE GEBIED ONDER DEEL II VAN WET No. 45 VAN 1965.

Die Minister van Gesondheid verklaar kragtens artikel 8 (a) van die Wet op Voorkoming van Lugbesoedeling, 1965 (Wet No. 45 van 1965), en ná oorlegpleging met die Minister van Ekonomiese Sake, dat Deel II van genoemde Wet met ingang van die datum van publikasie hiervan op die hele Republiek van toepassing is.

No. R. 1777

4 Oktober 1968

Die volgende kennisgewing is in *Staatskoerant* No. 2117 van 5 Julie 1968 gepubliseer:—

No. 1173.

5 Julie 1968.

INSLUITING VAN PROSESSE BY DIE TWEDE BYLAE TOT DIE WET OP VOORKOMING VAN LUGBESOEDLING, 1965 (WET No. 45 VAN 1965).

Die Minister van Gesondheid verklaar, kragtens artikel 1 (2) van die Wet op Voorkoming van Lugbesoedeling, 1965 (Wet No. 45 van 1965), dat die volgende prosesse by die Tweede Bylae van genoemde Wet ingesluit word:—

30. *Yster- en staalwerke.*—Dit wil sê prosesse waarby—

(a) yster of ferrolegering in 'n hoogoond geproduseer word en waarby grondstowwe vir gebruik in hoogoond gehanteer of voorberei word; en

(b) ysterertse vir gebruik in hoogoond uitgebrand of gesinter word; of

(c) Yster of staal in lug- of draaioond wat met steenkool of olie gestook word, of in koepeloond waarin daar 'n verwarmde lugstraal gebruik word, of in elektriese boogoond gesmelt word; of

(d) staal in Bessemer-, tropaena- of opeherdoond of in elektriese boogoond geproduseer, gesmelt of geraffineer word; of

(e) suurstof of suurstofverrykte lug vir ysterraffinerings of vir die produksie, profilerings of afwerking van staal gebruik word; of

(f) ferrolegering vervaardig word deur prosesse wat damp laat ontstaan.

31. *Koperwerke.*—Dit wil sê, prosesse waarby—

(a) deur die aanwending van hitte—

(i) koper uit enige erts of konsentraat of uit enige stof wat koper of sy verbindings bevat, geëkstraheer word; of

(ii) gesmelte koper geraffineer word; of

(iii) koper- of koperlegeringsnysels ontgries word; of

(iv) koperlegerings deur prosesse wat bedoel is om die sinkgehalte te reduceer, uit skroot, verwerkte metaal, snysels of residu herwin word; of

(b) koper of koperlegering gesmelt en in vorms gegiet word waarvan die binnevlakke met smeersels bedek is wat met ghries of olie aangemaak is. Met dien verstande dat hierdie paragraaf nie van toepassing is nie op werke waarvan die gesamentlike gietvermoë nie 10 ton per dag oorskry nie.

32. *Aluminiumwerke.*—Dit wil sê, prosesse waarby—

(a) aluminium deur middel van 'n elektrolitiese oond uit sy oksied geproduseer word; of

(b) aluminium swarf is degreased by the application of heat; or

(c) aluminium or aluminium alloys are recovered from aluminium or aluminium alloy scrap, fabricated metal, swarf, skimmings, drosses or other residues by melting; or

(d) aluminium is recovered from slag; or

(e) molten aluminium or aluminium alloys are treated by any process involving the evolution of chlorine or its compounds.

33. *Producer gas works*.—That is to say, processes in which producer gas is made from coal and in which raw producer gas is transmitted or used.

34. *Gas and coke works*.—That is to say, processes (not being producer gas works) in which—

(a) coal, oil or mixtures of coal or oil with other carbonaceous materials or products of petroleum refining or natural gas or methane from coal mines or gas derived from fermentation of carbonaceous materials, are handled or prepared for carbonisation or gasification or reforming and in which these materials are subsequently carbonised or gasified or reformed; or

(b) water gas is produced or purified; or

(c) coke or semi-coke is produced and quenched, cut, crushed or graded; or

(d) gases derived from any process mentioned in paragraph (a) are subjected to purification processes.

35. *Ceramic works*.—That is to say, processes in which—

(a) pottery products (including domestic earthenware and china, sanitary ware, electrical porcelain and glazed tiles) are made in intermittent kilns fired by coal or oil; or

(b) heavy clay or refractory goods are fired by coal or oil in

(i) intermittent kilns; or

(ii) continuous grate-fired kilns, not being tunnel kilns; or

(iii) any kiln in which a reducing atmosphere is essential; or

(c) salt glazing of any earthenware or clay material is carried on.

36. *Lime works*.—That is to say, processes in which calcium carbonate or calcium-magnesium carbonate is burnt through the agency of coal or oil.

37. *Sulphate reduction works*.—That is to say, processes in which metallic sulphates are reduced to the corresponding sulphides by heating with carbonaceous matter.

38. *Caustic soda works*.—That is to say, processes in which—

(a) either concentrated solutions of caustic soda or fused caustic soda are produced in heated vessels; or

(b) black liquor produced in the manufacture of paper is calcined in the recovery of caustic soda.

39. *Chemical incineration works*.—That is to say, processes for the destruction by burning of wastes produced in the course of organic chemical reactions which occur during the manufacture of materials for the fabrication of plastics and fibres, and works for the destruction by burning chemical wastes containing combined chlorine, fluorine, nitrogen, phosphorus or sulphur.

(b) aluminiumsnysels deur die aanwending van hitte ontgries word; of

(c) aluminium of aluminiumlegering uit aluminium- of aluminiumlegeringskroot, verwerkte metaal, -snysels, -afskuimsels, -metaalskuim of ander -residu deur smeltting herwin word; of

(d) aluminium uit slag herwin word; of

(e) gesmelte aluminium of aluminiumlegering behandel word deur enige proses waarby chloor of sy verbindings ontstaan.

33. *Vervaardiging van generatorgas*.—Dit wil sê, prosesse waarby generatorgas uit steenkool gemaak word en waarby rou generatorgas oorgebring of gebruik word.

34. *Vervaardiging van gas en kooks*.—Dit wil sê prosesse (uitgesonderd die vervaardiging van generatorgas) waarby—

(a) steenkool, olie of mengsels van steenkool of olie met ander koolstofhoudende stowwe of met die produkte van petroleumraffinerie of met aardgas of met metaan uit steenkoolmyne of met gas wat uit die gisting van koolstofhoudende stowwe ontstaan, vir verkoeling, vergassing of omvorming gehanteer of voorberei word, en waarby hierdie stowwe vervolgens verkool, vergas of omgevorm word; of

(b) watergas geproduseer of gesuiwer word; of

(c) kooks of halfkooks vervaardig en geblus, gesny, vergruis of gegradeer word; of

(d) gasse wat ontstaan het uit enige proses wat in paragraaf (a) genoem is, suiweringsprosesse ondergaan.

35. *Keramiekwerke*.—Dit wil sê prosesse waarby—

(a) erdewerk (met inbegrip van huishoudelike erdeware en porselein, sanitêre ware, elektriese porselein en glasuurteëls) in onderbroke oonde vervaardig word wat met steenkool of olie gestook word; of

(b) swaar klei- of vuurvaste ware met steenkool of olie gebak word in—

(i) onderbroke oonde; of

(ii) roosterdeurlooppoele, uitgesonderd tonneloode; of

(iii) enige oond waarin 'n reduserende atmosfeer noodsaaklik is; of

(c) enige erdeware of kleigoed soutgeglasuur word.

36. *Kalkwerke*.—Dit wil sê, prosesse waarby kalsium-karbonaat of kalsium-magnesium-karbonaat deur middel van steenkool of olie gebrand word.

37. *Sulfaatreduksiewerke*.—Dit wil sê, prosesse waarby metaalsulfate deur verhitting met koolstofhoudende stof tot die ooreenkomstige sulfiede gereduseer word.

38. *Seepsodawerke*.—Dit wil sê prosesse waarby—

(a) of gekonsentreerde seepsodaoplossings of gesmelte seepsoda in verwarmede houers geproduseer word; of

(b) ferroasetaat wat by papiervervaardiging geproduseer word, by die herwinning van seepsoda gekalsineer word.

39. *Chemiese verbrandingswerke*.—Dit wil sê, prosesse vir die vernietiging deur verbranding van afval wat tydens organiese chemiese reaksies ontstaan wat by die vervaardiging van stowwe vir die fabrikasie van plastiek en vesels voorkom, asook prosesse vir die vernietiging deur verbranding van chemiese afval wat gemengde chloor, fluoor, stikstof, fosfor of swael bevat.

40. *Beryllium works*.—That is to say, processes in which—

(a) any ore or concentrate or any material containing beryllium or its compounds is treated for the production of beryllium or its alloys or its compounds; or

(b) any material containing beryllium or its alloys or its compounds is treated, processed or fabricated in any manner giving rise to dust or fume.

41. *Selenium works*.—That is to say, processes in which—

(a) any ore or concentrate or any material containing selenium or its compounds is treated for the production of selenium or its alloys or its compounds; or

(b) any material containing selenium or its alloys or its compounds other than as colouring matter, is treated, processed or fabricated in any manner giving rise to dust or fume.

42. *Phosphorus works*.—That is to say, processes in which—

(a) phosphorus is made; or

(b) yellow phosphorus is used in any chemical or metallurgical process.

43. *Ammonia works*.—That is to say, processes in which ammonia is—

(a) made; or

(b) used in the ammonia-soda process; or

(c) used in the manufacture of carbonate, nitrate or phosphate of ammonia or urea.

44. *Hydrogen cyanide works*.—That is to say, processes in which hydrogen cyanide is made or is used in any chemical manufacturing process.

45. *Acetylene works*.—That is to say, processes in which acetylene is made and used in any chemical manufacturing process.

46. *Amines works*.—That is to say, processes in which methylamine or ethylamine is made.

47. *Calcium carbide works*.—That is to say, processes in which calcium carbide is made.

48. *Aldehyde works*.—That is to say, processes in which formaldehyde or acetaldehyde or acrolein or the methyl, ethyl or propyl derivatives of acrolein are made.

49. *Anhydride works*.—That is to say, processes in which acetic, maleic or phthalic anhydrides or the corresponding acids are made.

50. *Chromium works*.—That is to say, processes in which any chrome ore or concentrate is treated for the production therefrom of chromium compounds or chromium metal is made by dry processes giving rise to fume.

51. *Magnesium works*.—That is to say, processes in which magnesium or any compound of magnesium is made by dry processes giving rise to fume.

52. *Cadmium works*.—That is to say, processes in which metallic cadmium is recovered or cadmium alloys are made or any compound of cadmium is made by dry processes giving rise to fume.

53. *Manganese works*.—That is to say, processes in which manganese or its alloys or any compound of manganese is made by dry processes giving rise to fume.

54. *Metal recovery works*.—That is to say, processes in which metal is recovered from any form of scrap material which includes combustible components.

40. *birilliumwerke*.—Dit wil sê, prosesse waarby—

(a) enige erts of konsentraat of enige stof wat berillium of sy verbindings bevat 'n proses ondergaan waarby berillium of sy legerings of verbindings geproduseer word; of

(b) enige stof wat berillium of sy legerings of verbindings bevat op enige wyse wat stof of damp laat ontstaan behandel, verwerk of vervaardig word.

41. *Seleenwerke*.—Dit wil sê, prosesse waarby—

(a) enige erts of konsentraat of enige stof wat seleen of sy verbindings bevat 'n proses ondergaan waarby seleen of sy legerings of verbindings geproduseer word; of

(b) enige stof wat seleen of sy legerings of verbindings bevat (behalwe in die vorm van kleurstof) behandel, verwerk of gefabriseer word op enige wyse wat stof of damp laat ontstaan.

42. *Fosforwerke*.—Dit wil sê, prosesse waarby—

(a) fosfor vervaardig word; of

(b) geel fosfor in enige chemiese of metallurgiese proses gebruik word.

43. *Ammoniakwerke*.—Dit wil sê, prosesse waarby ammoniak—

(a) vervaardig word; of

(b) in die ammoniak-sodaproces gebruik word; of

(c) in die vervaardiging van ammonium- of ureum-karbonaat, -nitraat of -fosfaat gebruik word.

44. *Die vervaardiging van siaanwaterstof*.—Dit wil sê, prosesse waarby siaanwaterstof vervaardig of by enige chemiese vervaardigingsproses gebruik word.

45. *Die vervaardiging van asetileen*.—Dit wil sê, prosesse waarby asetileen vervaardig en by enige chemiese vervaardigingsproses gebruik word.

46. *Die vervaardiging van amiene*.—Dit wil sê, prosesse waarby metielamien of etielamien vervaardig word.

47. *Die vervaardiging van kalsiumkarbid*.—Dit wil sê, prosesse waarby kalsiumkarbid vervaardig word.

48. *Aldehydwerke*.—Dit wil sê, prosesse waarby formaldehid of asetaldehid of akrolein of die metiel-, etiel- of propiolderivate van akrolein vervaardig word.

49. *Die vervaardiging van anhidried*.—Dit wil sê, prosesse waarby asynsuur-, maleiensuur of ftalaanhydriede of die ooreenkomstige sure vervaardig word.

50. *Chroomverwerking*.—Dit wil sê, prosesse waarby enige chroomerts of -konsentraat behandel word om chroomverbinding daaruit te laat ontstaan of waarby chroommetaal vervaardig word deur droë metodes wat damp laat ontstaan.

51. *Die vervaardiging van magnesium*.—Dit wil sê, prosesse waarby magnesium of enige magnesiumverbinding vervaardig word deur droë metodes wat damp laat ontstaan.

52. *Die vervaardiging van kadmium*.—Dit wil sê, prosesse waarby metaalkadmium herwin of kadmiumlegerings of enige kadmiumverbinding vervaardig word deur droë metodes wat damp laat ontstaan.

53. *Die vervaardiging van mangaan*.—Dit wil sê, prosesse waarby mangaan of sy legerings of enige mangaanverbinding vervaardig word deur droë metodes wat damp laat ontstaan.

54. *Die herwinning van metaal*.—Dit wil sê, prosesse waarby metaal uit enige vorm van skrootmateriaal, wat brandbare samestellende dele bevat, herwin word.

No. R. 1778 4 October 1968

The following notice was published in *Government Gazette* No. 1452 dated 27 May 1966:—

No. 819.] [27 May 1966.

INCLUSION OF PROCESS IN THE SECOND SCHEDULE TO THE ATMOSPHERIC POLLUTION PREVENTION ACT, 1965 (ACT No. 45 OF 1965).

The Minister of Health, in the exercise of the powers conferred upon him by section one (2) of the Atmospheric Pollution Prevention Act, 1965 (Act No. 45 of 1965), hereby declares the following process to be included in the Second Schedule to the Act, as Item No. 29:—

Power Stations.—That is to say, processes in which—

- (a) solid fuel is burned to raise steam for the generation of electricity for distribution to the public or for purposes of public transport;
- (b) boilers burning a total of not less than 45,000 lb. of coal per hour are used to raise steam for the supply of energy for purposes other than those mentioned in (a) above.

DEPARTMENT OF INLAND REVENUES

No. R. 1762 4 October 1968

ADHESIVE REVENUE STAMPS OF THE REPUBLIC OF SOUTH AFRICA.—ISSUE OF NEW SERIES—DEMONETIZATION OF OLD SERIES

1. Adhesive revenue and penalty stamps of the following denominations have been approved by the Minister for use under the Stamp Duties Act, 1968 (Act No. 77 of 1968), with effect from 1 October 1968:—

Revenue stamps

2c, 5c, 10c, 15c, 20c, 25c, 30c, 50c, R1, R1½, R1½, R2, R4, R10, R20, R50, R100, R200.

Penalty revenue stamps

5c, 10c, 20c, 25, 50c, R1, R2, R10.

2. The stamps of this new series are of a new design and replace the stamps of the following series:—

(a) The issue notified by Government Notice No. 552 dated 2 April 1931;

(b) the issue made on 1 April 1938 and bearing a reproduction of the head of King George VI of England;

(c) the issue known as the “Bantam Series” made during the period March 1943 to September 1944 and bearing a reproduction of the head of King George VI of England;

(d) the issue of a different design made in November 1946 and bearing a reproduction of the head of King George VI of England;

(e) the issue made in August 1954 and bearing a reproduction of the head of Queen Elizabeth II of England;

(f) all issues bearing a reproduction of the South African coat of arms and made for the first time in December 1955.

No. R. 1778 4 Oktober 1968

Die volgende kennisgewing is in *Staatkoerant* No. 1452 van 27 Mei 1966 gepubliseer:—

No. 819.] [27 Mei 1966.

INSLUITING VAN PROSES BY DIE TWEDE BYLAE TOT DIE WET OP VOORKOMING VAN LUGBESOEDILING, 1965 (WET No. 45 VAN 1965).

Die Minister van Gesondheid, kragtens die bevoegdhede hom verleen by artikel een (2) van die Wet op Voorkoming van Lugbesoedeling, 1965 (Wet No. 45 van 1965), verklaar hierby dat die volgende proses ingesluit word by die Tweede Bylae tot genoemde Wet, as Item No. 29:—

Kragentrales.—Dit wil sê, prosesse waarby—

- (a) soliede brandstof verbruik word vir die verkryging van stoom om elektrisiteit op te wek vir verspreiding aan die publiek of vir openbare vervoer;
- (b) stoomketels wat nie minder nie as 45,000 lb. steenkool per uur verbrand, gebruik word om stoom te verkry vir die verskaffing van energie vir doeleindes behalwe dié in (a) hierbo genoem.

DEPARTEMENT VAN BINNELANDSE INKOMSTE

No. R. 1762 4 Oktober 1968

INKOMSTE-PLAKSEËLS VAN DIE REPUBLIEK VAN SUID-AFRIKA.—UITREIKING VAN NUWE REEKS—ONTMUNTING VAN OU REEKSE

1. Inkomste-plakseëls en boete-inkomsteseëls van onderstaande waardes is deur die Minister goedgekeur vir gebruik ingevolge die Wet op Seëlregte, 1968 (Wet No. 77 van 1968) met ingang van 1 Oktober 1968:—

Inkomsteseëls

2c, 5c, 10c, 15c, 20c, 25c, 30c, 50c, R1, R1½, R1½, R2, R4, R10, R20, R50, R100, R200.

Boete-inkomsteseëls

5c, 10c, 20c, 25c, 50c, R1, R2, R10.

2. Die seëls van hierdie nuwe reeks is van 'n nuwe ontwerp en is uitgereik ter vervanging van die volgende reekse:—

(a) Die uitgifte wat bekendgemaak is by Goewermentskennisgewing No. 552 van 2 April 1931;

(b) die uitgifte gemaak op 1 April 1938 wat 'n afdruk van die kop van koning George VI van Engeland dra;

(c) die uitgifte bekend as die “Bantamreeks” wat gedurende die tydperk Maart 1943 tot September 1944 gemaak is en wat 'n afdruk van die kop van koning George VI van Engeland dra;

(d) die uitgifte van 'n verskillende ontwerp gemaak gedurende November 1946 wat ook 'n afdruk van die kop van koning George VI van Engeland dra;

(e) die uitgifte gemaak gedurende Augustus 1954 wat 'n afdruk van die kop van koningin Elizabeth II van Engeland dra;

(f) alle uitgifte wat 'n afdruk van die Suid-Afrikaanse wapen dra, en wat vir die eerste keer gedurende Desember 1955 gemaak is.

3. In view of the issue, referred to in paragraph 1, the State President has in terms of section 33 (1) of the Stamp Duties Act, 1968 made the following regulations providing for the demonetization of the series specified in paragraph 2 above.

No. R. 1763

4 October 1968

DEMONETIZATION OF ISSUE OF REVENUE STAMPS AND PENALTY REVENUE STAMPS NOTIFIED BY GOVERNMENT NOTICE NO. 552 DATED 2 APRIL 1931 AND OTHER ISSUES INTRODUCED DURING THE PERIOD 1 APRIL 1938 AND DECEMBER 1955

1. In these regulations the stamps notified by Government Notice No. 552 dated 2 April 1931 and other series introduced during the period 1 April 1938 and December 1955 are referred to as the "old series" and the issue of stamps made on 1 October 1968 as herein notified, is referred to as the "new series".

2. All revenue and penalty revenue stamps of the old series shall be demonetized with effect from 1 January 1969. On and after that date such stamps shall not be valid or available for the payment of stamp duties or fees nor for any purpose other than the purpose of refund as hereinafter provided.

3. The value of unused and unspoilt stamps of the old series will be refunded as stated below:—

(a) The holder may apply to any Receiver of Revenue.

(b) All applications must be made on the prescribed form (Revenue 17) which may be obtained from any revenue office.

(c) The stamps must in every case accompany the application. They must be surrendered intact with face and gum undamaged and must not be pasted on the application form or on any other paper or material.

(d) Application must be made within the period prescribed in section 32 (1) (d) of the Stamp Duties Act, 1968 (Act No. 77 of 1968), viz. 12 months from date of demonetization. The said period will expire on 31 December 1969 and applications made after that date cannot be granted.

(e) Receivers of Revenue, if satisfied that applications are in order, that the stamps are genuine and unused and that they were lawfully acquired by the applicants, will make a refund of the value of the stamps surrendered.

(f) Any receiver of revenue may, for the purpose of satisfying himself that the stamps presented for refund have been lawfully acquired and that statements made in connection with applications are correct, require any applicant to furnish, in the form of affidavit or otherwise, such evidence as the receiver of revenue may deem necessary.

4. These regulations shall apply to the ordinary revenue and penalty revenue stamps of the Republic; nothing herein shall effect or apply to (a) $\frac{1}{2}$ c and 1c stamps of the Republic (which are both postage and revenue stamps) or (b) revenue stamps overprinted for special purposes, such as assize, fee for additional stock, consular service, Swaziland, Botswana, Lesotho, South West Africa.

3. Met die oog op die uitgifte in paragraaf 1 genoem het die Staatspresident ingevolge artikel 33 (1) van die Wet op Seëlregte, 1968, onderstaande regulasies, waarin voorsiening gemaak word vir die ontmunting van die reekse in paragraaf 2 hierbo vermeld, gemaak.

No. R. 1763

4 Oktober 1968

ONTMUNTING VAN DIE UITGIFTE VAN INKOMSTESEËLS EN BOETE-INKOMSTESEËLS WAT BEKENDGEMAAK IS BY GOEWERMENSKENNISGEWING No. 552 VAN 2 APRIL 1931 EN ANDER UITGIFTE GEDURENDE DIE TYDPERK 1 APRIL 1938 EN DESEMBER 1955 UITGEREIK

1. In hierdie regulasies word die uitgifte van seëls wat bekendgemaak is by Goewermenskennisgewing No. 552 van 2 April 1931 en ander reekse wat gedurende die tydperk 1 April 1938 en Desember 1955 uitgereik is, die „ou reekse” genoem en die uitgifte van seëls op 1 Oktober 1968 soos hierby bekendgemaak, word die „nuwe reeks” genoem.

2. Alle inkomste- en boete-inkomsteseëls van die ou reekse word met ingang van 1 Januarie 1969 ontmunt. Op en na daardie datum sal sodanige seëls nie geldig of verkrygbaar wees vir die betaling van seëlregte of -gelde nie, en ook nie vir enige ander doel nie behalwe vir doeleindes van terugbetaling soos hieronder bepaal.

3. Die waarde van ongebruikte en onbedorwe seëls van die ou reekse sal terugbetaal word soos hieronder vermeld.

(a) Die besitter kan by enige ontvanger van inkomste aansoek doen.

(b) Alle aansoeke moet gedoen word op die voorgeskrewe vorm (Inkomste 17) wat verkrygbaar is by enige ontvanger van inkomste.

(c) Die seëls moet in iedere geval die aansoek vergesel. Hulle moet ongeskonde oorhandig word; die voorkant en die gom moet nie beskadig wees nie, en die seëls moet nie op die aansoekvorm of op enige ander papier of materiaal geplak word nie.

(d) Aansoek moet gedoen word binne die tydperk voorgeskryf in artikel 32 (1) (d) van die Wet op Seëlregte, 1968 (Wet No. 77 van 1968), naamlik 12 maande vanaf die datum van ontmunting. Genoemde tydperk verstryk op 31 Desember 1969 en aansoeke wat na daardie datum gedoen word, kan nie toegestaan word nie.

(e) Indien ontvangers van inkomste oortuig is dat die aansoeke in orde is en dat die seëls eg en ongebruik is en op 'n wettige manier deur die applikante verkry is, sal hulle die waarde van die seëls wat ingehandig is, terugbetaal.

(f) Om homself te oortuig dat die seëls wat vir terugbetaling aangebied word op 'n wettige manier verkry is en dat verklarings in verband met die aansoeke gedoen juis is, kan 'n ontvanger van inkomste vereis dat 'n applikant deur middel van 'n beëdigde verklaring of andersins sodanige bewys lewer as wat bedoelde beampte nodig ag.

4. Hierdie regulasies is van toepassing op die gewone inkomste- en boete-inkomsteseëls van die Republiek en niks hierin het betrekking op of is van toepassing op (a) die $\frac{1}{2}$ c en 1c seëls van die Republiek (wat sowel pos- as inkomsteseëls is) of (b) inkomsteseëls wat vir spesiale doeleindes bo-oor gedruk is, soos ykseëls, gelde vir addisionele vee, konsulêre diens, Swaziland, Botswana, Lesotho, Suidwes-Afrika.

DEPARTMENT OF JUSTICE

No. R. 1781

4 October 1968

JUDGES.—LEAVE, TRANSPORT AND ALLOWANCES IN RESPECT OF TRANSPORT, TRAVELLING AND SUBSISTENCE

The State President has been pleased to make the following regulations by virtue of section 4 of the Judges' Salaries and Pensions Act, 1959 (Act No. 73 of 1959):—

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

(i) "division" means a division of the Supreme Court of South Africa;

(ii) "effects" means household or personal effects;

(iii) "headquarters" means the seat of the division in which a judge is permanently appointed or in the case of the Witwatersrand Local Division and Durban and Coast Local Division such place as may be assigned by the Minister to a particular judge as his headquarters;

(iv) "Minister" means the Minister of Justice and in regard to regulation 13, includes an officer acting on his authority;

(v) "judge president" includes the senior judge of the Griqualand West Local Division for as long as no judge president has been appointed for that Division;

(vi) "leave" means leave with full pay unless expressly otherwise indicated.

(2) For the purposes of these regulations a judge shall be deemed to be resident at his headquarters.

Leave

2. (1) Court recesses shall as far as possible be utilised by judges for leave purposes.

(2) The Chief Justice or the judge president shall determine prior to the commencement of a recess how many and which judges are to perform the duties in his division during the recess and shall grant leave to the judges not required to perform such duties, on such conditions as he may deem necessary: Provided that a judge shall not leave the Republic of South Africa during such leave without the permission of the Chief Justice or the judge president.

3. (1) The Minister may on the recommendation of the Chief Justice or the judge president concerned grant leave to a judge for a period of four and a half months for every period of four years actual service completed by such judge. Uninterrupted service as an acting judge immediately preceding service in a permanent capacity shall be, for the purposes of this regulation, regarded as actual service.

(2) If a judge waives in writing his right to unreduced remuneration in terms of section 10 (1) (a) of the Supreme Court Act, 1959 (Act No. 59 of 1959), the Minister may in terms of subregulation (1) grant a judge additional leave on half pay for the period of one and a half months.

(3) When considering applications for leave the Chief Justice or the judge president concerned shall endeavour to make such arrangements as to obviate as far as possible the necessity for making acting appointments.

DEPARTEMENT VAN JUSTISIE

No. R. 1781

4 Oktober 1968

REGTERS—VERLOF, VERVOER EN TOELAES IN VERBAND MET VERVOER, REIS EN ONDERHOUD

Dit het die Staatspresident behaag om kragtens artikel 4 van die Wet op Salarisse en Pensioene van Regters, 1959 (Wet No. 73 van 1959), die volgende regulasies uit te vaardig:—

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

(i) „afdeling” ’n afdeling van die Hooggeregshof van Suid-Afrika;

(ii) „besitting” huishoudelike of persoonlike besittings;

(iii) „hoofkwartier” die setel van die afdeling waarin ’n regter permanent aangestel is of, in die geval van die Witwatersrandse Plaaslike Afdeling en Plaaslike Afdeling Durban en Kus, die plek wat as hoofkwartier van ’n bepaalde regter deur die Minister aangewys word;

(iv) „Minister” die Minister van Justisie en, met betrekking tot regulasie 13, ook ’n beamppte wat op sy gesag handel;

(v) „regter-president” ook die senior regter van die Plaaslike Afdeling Griekwaland-Wes, solank as wat daar nie ’n regter-president vir daardie Afdeling aangestel is nie;

(vi) „verlof” verlof met volle betaling tensy uitdruklik anders bepaal word.

(2) Vir doeleindes van hierdie regulasies word ’n regter geag by sy hoofkwartier woonagtig te wees.

Verlof

2. (1) Hofresesse word sover moontlik deur regters vir verlofdoeleindes aangewend.

(2) Die Hoofregter of die regter-president bepaal voor die aanvang van ’n reses hoeveel en watter regters die werksaamhede in sy afdeling gedurende die reses moet waarneem en staan verlof aan die regters wat nie sodanige werksaamhede moet waarneem nie toe op dié voorwaardes wat hy nodig ag: Met dien verstande dat ’n regter nie die Republiek van Suid-Afrika tydens sodanige verlof sonder die toestemming van Hoofregter of die regter-president mag verlaat nie.

3. (1) Die Minister kan op aanbeveling van die Hoofregter of die betrokke regter-president vir elke tydperk van vier jaar werklike diens deur ’n regter voltooi, verlof vir ’n tydperk van vier en ’n half maande aan sodanige regter toestaan. Ononderbroke diens as waarnemende regter wat diens in ’n permanente hoedanigheid onmiddellik voorafgaan, word vir doeleindes van hierdie regulasie as werklike diens beskou.

(2) Indien ’n regter skriftelik afstand doen van sy reg op onverminderde besoldiging ingevolge artikel 10 (1) (a) van die Wet op die Hooggeregshof, 1959 (Wet No. 59 van 1959), kan die Minister ingevolge subregulasie (1) addisionele verlof vir ’n tydperk van een en ’n half maand met halfbetaling aan ’n regter toestaan.

(3) By die oorweging van aansoeke om verlof poog die Hoofregter of die betrokke regter-president om sodanige reëlins te tref dat die noodsaaklikheid van die aanstelling van waarnemende regters sover moontlik uitgeskakel word.

4. If according to a certificate of a medical practitioner it appears that owing to illness a judge cannot perform his duties for a period specified in the certificate the Minister may grant sick leave for such period.

5. If in exceptional circumstances the Minister is satisfied that leave for which no provision has been made in these regulations should in a specific case in all fairness be granted, he may grant such leave on such conditions as he may deem necessary.

6. (1) No leave which may be granted in terms of these regulations shall be accumulative and no salary or allowance may be claimed in respect of leave which could have been taken but which was not utilised.

(2) No leave in terms of regulation 3 shall be granted to a judge in contemplation of retirement.

7. (1) The Chief Justice or the judge president shall keep a record of leave granted by him in terms of regulation 2.

(2) The Secretary for Justice shall keep a record of leave approved by the Minister.

8. Regulations 2 to 7 inclusive shall not apply to any person appointed as a judge in an acting capacity.

Transport and Transport, Travelling and Subsistence Allowances

9. (1) A judge required to perform official duties away from his headquarters may make use of government transport. If a judge uses his privately owned transport in such circumstances he may be compensated according to the relevant tariff prescribed from time to time in terms of section 26 (1) of the Public Service Act, 1957 (Act No. 54 of 1957).

(2) The spouse of a judge who accompanies him on circuit court may travel at State expense on condition that she uses the same vehicle. The spouse of the Chief Justice is entitled to accompany him on official journeys at State expense.

(3) The Chief Justice or a judge on circuit court duties may make use of a private railway saloon, if available.

(4) When a judge travels officially in a private railway saloon, he may take one servant with him who shall be remunerated from public funds at the rate of R1 per day or part of a day in the case of a White person, and 40 cents per day or part of a day in the case of a non-White person. Non-White servants shall travel second class. If a judge is not accompanied by a servant, incidental expenses for the employment of casual servants may be refunded to him from public funds, provided such expenses do not exceed the aforementioned rates. In addition, the wages of one railway servant or, in the case where a judge is not accompanied by a servant, two railway servants (chef and scullion) and all expenses incurred in connection with the supply of electricity, water, fuel and sanitary services to such railway carriage may be paid from public funds.

(5) The registrar of the division concerned shall make all arrangements in connection with the transport of a judge.

10. (1) A judge who is officially away from his headquarters shall be entitled to an all-inclusive subsistence allowance of R11 for every 24 hours actually absent from his headquarters: Provided that where accommodation

4. Indien dit volgens 'n sertifikaat van 'n geneesheer blyk dat 'n regter weens siekte vir 'n tydperk daarin gemeld nie sy pligte kan vervul nie kan die Minister siekteverlof vir sodanige tydperk toestaan.

5. Indien die Minister in buitengewone omstandighede oortuig is dat verlof in 'n bepaalde geval waarvoor daar nie in die regulasies voorsiening gemaak is nie, billikheids-halwe toegestaan behoort te word, kan hy sodanige verlof toestaan op dié voorwaardes wat hy nodig ag.

6. (1) Geen verlof wat kragtens hierdie regulasies toegestaan kan word, is oplopend nie en geen salaris of toelae mag ten opsigte van verlof wat geneem kon gewees het maar waarvan nie gebruik gemaak is nie, geëis word nie.

(2) Geen verlof word ingevolge regulasie 3 aan 'n regter met die oog op uitdienstreding toegestaan nie.

7. (1) Die Hoofregter of die regter-president hou 'n register van alle verlof wat ingevolge regulasie 2 deur hom toegestaan is.

(2) Die Sekretaris van Justisie hou 'n register van alle verlof wat deur die Minister goedgekeur is.

8. Regulasies 2 tot en met 7 is nie van toepassing op iemand wat in 'n waarnemende hoedanigheid as regter aangestel is nie.

Vervoer en Vervoer-, Reis- en Onderhoudstoelae

9. (1) 'n Regter wat amptelike diens weg van sy hoofkwartier moet verrig, kan van staatsvervoer gebruik maak. Indien 'n regter in sodanige omstandighede van sy private vervoer gebruik maak, kan hy vergoed word volgens die tersaaklike tarief wat van tyd tot tyd ingevolge artikel 26 (1) van die Staatsdienswet, 1957 (Wet No. 54 van 1957), voorgeskryf word.

(2) Die eggenote van 'n regter wat hom op rondgaande hof vergesel, kan op staatskoste reis mits sy van dieselfde voertuig gebruik maak. Die eggenote van die Hoofregter is geregtig om hom op staatskoste op amptelike reise te vergesel.

(3) Die Hoofregter of 'n regter op rondgang kan van 'n private spoorwegsalon gebruik maak, indien dit beskikbaar is.

(4) Wanneer 'n regter amptelik in 'n private spoorwegsalon reis, kan hy een bediende met hom saamneem wat uit staatsgelde besoldig kan word teen 'n tarief van R1 per dag of gedeelte van 'n dag in die geval van 'n Blanke en 40c per dag of gedeelte van 'n dag in die geval van 'n nie-Blanke. Nie-Blanke bediendes reis tweedeklas. Indien 'n regter nie deur 'n bediende vergesel word nie, kan toevallige uitgawes vir die indiensneming van los werknemers aan hom uit staatsgelde vergoed word, mits sodanige uitgawes nie voormelde bedrae oorskry nie. Daarbenewens kan die lone van een spoorwegbediende of, in die geval waar 'n regter nie deur 'n bediende vergesel word nie, twee spoorwegbediendes (kok en skottelgoedwasser) asook alle uitgawes aangegaan in verband met die verskaffing van elektrisiteit, water, brandstof en sanitêre geriewe aan die spoorwegsalon uit staatsgelde bestry word.

(5) Die griffier van die betrokke afdeling tref alle reëlins in verband met die vervoer van 'n regter.

10. (1) 'n Regter wat amptelik van sy hoofkwartier afwesig is, is geregtig op 'n allesinsluitende onderhoudstoelae van R11 vir elke 24 uur van werklike afwesigheid

and subsistence are included in the transport supplied at State expense, the subsistence allowance shall be R2 per day. The allowance for part of a day shall be calculated proportionately according to the number of hours of absence.

(2) The subsistence allowance mentioned in subregulation (i) may also be paid in respect of short periods during which a judge returns to his headquarters, provided that he travels at his own expense and his commitments in respect of accommodation continue at the place where he performs official duties.

11. The following allowances shall be payable to judges (including the Chief Justice) of the Appellate Division:—

(a) If resident in Bloemfontein, R80 per month: Provided that the allowance in respect of the Chief Justice shall be payable only for so long as he has not been supplied with an official residence at Bloemfontein.

(b) If resident elsewhere than Bloemfontein, R145 per month: Provided that such judge shall be entitled to payment of the allowance only in respect of periods of service actually performed at Bloemfontein and that the total amount so claimed shall not exceed R800 in any year. In respect of periods of less than one month, the allowance shall be calculated in proportion to the period of service.

12. On all claims for the payment of allowances in terms of these regulations the nature of the services, exact time of departure and arrival and such other information as may be necessary to calculate the amount payable shall, where applicable, be stated. Such claim shall be signed by the judge or his clerk after the information contained therein has been confirmed by the judge.

13. (1) When a judge of one division is permanently appointed in another division, or when a person is appointed as a judge and his headquarters are not situated at the place where he resides when appointed, the cost of the transport of such judge or person, his family, domestic servants and effects to his new headquarters shall be paid from public funds, subject to the condition that the cost of transport in respect of the judge or person, his family and White servants does not exceed the cost of first-class train tickets at government tariff, and in the case of non-White servants the cost of second-class train tickets at government tariff, unless authority for the use of other transport has been given by the Minister.

(2) Where effects have to be conveyed the registrar of the division from which such effects are to be transported shall obtain written tenders from at least six transport contractors for the packing, loading, unloading and unpacking of the effects for transport by train, and should the judge or person concerned so prefer, for the transport thereof by road. The lowest tender for the packing, loading, unloading and unpacking of the effects shall be accepted: Provided that the lowest tender for transport by road may be accepted if it is more economical having regard to the railway tariff at concession rates. The Minister may, however, approve the acceptance of a higher tender if in his opinion there are good reasons for the rejection of the lowest tender.

(3) The State shall not be responsible for any insurance premiums: Provided that premiums in respect of insurance coverage for transport by road may be paid from public funds if the lowest tender for road transport includes such premiums as an integral part thereof.

van sy hoofkwartier: Met dien verstande dat waar huisvesting en onderhoud inbegrepe is by vervoer wat op staatskoste verskaf word, die onderhoudstoelae R2 per dag bedra. Die toelae vir 'n gedeelte van 'n dag word na verhouding volgens die getal ure afwesig bereken.

(2) Die onderhoudstoelae in subregulasie (1) genoem, kan ook betaal word ten opsigte van kort tydperke wat 'n regter na sy hoofkwartier terugkeer, mits hy op eie koste reis en sy verpligtinge ten opsigte van huisvesting op die plek waar hy sy ampspligte verrig, voortduur.

11. Aan regters van die Appèlafdeling (met inbegrip van die Hoofregter) is die volgende toelaes betaalbaar:—

(a) Indien in Bloemfontein woonagtig, R80 per maand: Met dien verstande dat die toelae ten opsigte van die Hoofregter slegs betaalbaar is solank as wat daar nie 'n amptelike woning of Bloemfontein vir hom verskaf is nie;

(b) indien elders as in Bloemfontein woonagtig, R145 per maand: Met dien verstande dat sodanige regter op betaling van die toelae geregtig is slegs ten opsigte van tydperke van diens wat werklik te Bloemfontein verrig is en dat die totale bedrag wat geëis word nie R800 in enige jaar oorskry nie. Vir tydperke van minder as 'n maand word die toelae na verhouding van die tydperk van diens bereken.

12. In alle eise vir die betaling van toelaes ingevolge hierdie regulasies, moet, waar toepaslik, dié aard van die dienste, die presiese tyd van vertrek en aankoms en sodanige ander inligting wat nodig is om die bedrag betaalbaar te bereken, gemeld word. Sodanige eis word deur die betrokke regter onderteken of deur sy klerk nadat die inligting daarin vervat deur die regter bevestig is.

13. (1) Wanneer 'n regter van een afdeling permanent in 'n ander afdeling aangestel word of wanneer 'n persoon as regter aangestel word en sy hoofkwartier nie op die plek geleë is waar hy by aanstelling woonagtig is nie, word die koste verbonde aan die vervoer van sodanige regter of persoon, sy gesin, huisbediendes en besittings, na sy nuwe hoofkwartier uit staatsgelde bestry, behoudens die voorwaarde dat die vervoerkoste ten opsigte van die regter of persoon, sy gesin en Blanke bediendes nie die koste van eerste-klastreinkaartjies en in die geval van nie-Blanke bediendes, van tweede-klastreinkaartjies teen staatstarief oorskry nie, tensy magtiging vir die gebruik van ander vervoer deur die Minister verleen is.

(2) Waar besittings vervoer moet word, vra die griffier van die afdeling waarvandaan sodanige besittings vervoer moet word, skriftelike tenders van minstens ses vervoerkontrakteurs vir die verpakking, laai, aflaai en ontpakking van die besittings vir vervoer per trein en, indien die betrokke regter of persoon dit verlang, vir die vervoer daarvan per pad. Die laagste tender vir die verpakking, laai, aflaai en ontpakking van die besittings word aanvaar: Met dien verstande dat die laagste tender vir vervoer per pad aanvaar kan word indien dit meer ekonomies sal wees, met inagneming van die spoorgeld teen konsessietarief. Die Minister kan egter die aanvaarding van 'n hoër tender goedkeur indien daar na sy mening goeie redes bestaan vir die verwerping van die laagste tender.

(3) Die Staat is nie verantwoordelik vir enige assuransiepremies nie: Met dien verstande dat premies ten opsigte van assursiedekking by die vervoer van besittings per pad uit staatsgelde betaal kan word indien die laagste padvervoertender sodanige premies as 'n integreerende deel daarvan insluit.

(4) Not more than two motor vehicles of a judge or person mentioned in subregulation (1) shall be transported by goods train at State expense, provided that they are transported at owner's risk. Incidental expenses for the loading and unloading of the vehicle or vehicles to a maximum of R4 may be reimbursed from public funds.

(5) Unless the Minister gives permission within the undermentioned period for the postponement of the transport of the effects mentioned in this regulation, such effects shall be transported within two months of the transfer or appointment of the judge concerned.

(6) The Minister may in exceptional cases approve that the effects of a judge or person mentioned in subregulation (1) be transported at State expense and be stored in a storehouse at his previous headquarters or residence or at his new headquarters for not more than six months and thereafter be transported to his new residence provided the registrar concerned calls for at least six tenders for the execution of the services and the lowest tender is accepted. The Minister may, however, approve the acceptance of a higher tender if in his opinion there are good reasons for the rejection of the lowest tender.

14. On the retirement or death of a judge his effects may be transported at State expense to any place in the Republic of South Africa or in South West Africa, where he or his widow, as the case may be, is to settle, in which case the provisions of regulation 13 shall *mutatis mutandis* apply. Such transport shall, however, be effected not earlier than two months prior to and not later than six months after the date of retirement and in the case of death not later than six months after the date of death.

15. Government Notices Nos. 1036 dated 9th May 1952, 1117 dated 29th May 1953, 1497 dated 27 September 1957 and 161 dated 30th June 1961, are hereby withdrawn.

DEPARTMENT OF LABOUR

No. R. 1764 4 October 1968

WAGE ACT, 1957 WAGE DETERMINATION No. 286 CEMENT PRODUCTS INDUSTRY, CERTAIN AREAS

The following correction to Government Notice No. R. 540 of 21 April 1967, is published:—

In the Afrikaans Version

Substitute the wording of clause 5 (1) (b) (i) by the following:—

„ses-en-veertig in 'n week vanaf Maandag tot en met Vrydag of vanaf Dinsdag tot en met Saterdag; en”

No. R. 1766 4 October 1968

INDUSTRIAL CONCILIATION ACT, 1956 BUILDING INDUSTRY, BLOEMFONTEIN AMENDMENT OF AGREEMENT

I, Marais Viljoen, Minister of Labour, hereby—

(a) in terms of section 48 (1) (a) of the Industrial Conciliation Act, 1956, declare that all the provisions of the Agreement (hereinafter referred to as the Amending Agreement) which appears in the Schedule

(4) Hoogstens twee motorvoertuie van 'n regter of persoon in subregulasie (1) genoem, mag per goederetrein op staatskoste vervoer word mits dit op die eienaar se eie risiko geskied. Toevallige uitgawes by die laai of aflaai van die voertuig of voertuie tot 'n maksimum van R4 kan uit staatsgelde vergoed word.

(5) Tensy die Minister binne ondergemelde tydperk toestemming verleen vir die uitstel van die vervoer van besittings in hierdie regulasie vermeld, moet sodanige besittings binne twee maande na die oorplasing of aanstelling van die betrokke regter vervoer word.

(6) Die Minister kan in uitsonderlike gevalle goedkeur dat die besittings van 'n regter of persoon in subregulasie (1) vermeld op staatskoste vervoer en by sy vorige hoofkwartier of tuiste of by sy nuwe hoofkwartier in 'n pakhuus opgeberg word vir 'n tydperk van hoogstens ses maande, en daarna na sy nuwe tuiste vervoer word, mits die betrokke griffier minstens ses tenders vir die uitvoering van die dienste vra en die laagste tender aanvaar word. Die Minister kan egter die aanvaarding van 'n hoër tender goedkeur indien daar na sy mening goeie redes bestaan vir die verwerping van die laagste tender.

14. By die uitdienstreding of afsterwe van 'n regter kan sy besittings na enige plek in die Republiek van Suid-Afrika of in Suidwes-Afrika waar hy of sy weduwee, na gelang van die geval, hom of haar gaan vestig, op staatskoste vervoer word en dié geval is die bepalings van regulasie 13 *mutatis mutandis* van toepassing. Sodanige vervoer moet egter nie vroeër as twee maande voor en nie later as ses maande na die datum van uitdienstreding en, in die geval van afsterwe, nie later as ses maande na die datum van afsterwe, geskied nie.

15. Goewermentskennisgewings Nos. 1036 van 9 Mei 1952, 1117 van 29 Mei 1953, 1497 van 27 September 1957 en 161 van 30 Junie 1961 word hierby ingetrek.

DEPARTEMENT VAN ARBEID

No. R. 1764 4 Oktober 1968

LOONWET, 1957 LOONVASSTELLING No. 286 SEMENTPRODUKTENYWERHEID, SEKERE GEBIEDE

Die volgende verbetering aan Goewermentskennisgewing No. R. 540 van 21 April 1967 word gepubliseer:—

In die Afrikaanse Tekst

Vervang die bewoording van klousule 5 (1) (b) (i) deur die volgende:—

„ses-en-veertig in 'n week vanaf Maandag tot en met Vrydag of vanaf Dinsdag tot en met Saterdag; en”

No. R. 1766 4 Oktober 1968

WET OP NYWERHEIDSVERSOENING, 1956 BOUNYWERHEID, BLOEMFONTEIN WYSIGING VAN OOREENKOMS

Ek, Marais Viljoen, Minister van Arbeid, verklaar hierby—

(a) kragtens artikel 48 (1) (a) van die Wet op Nywerheidsversoening, 1956, dat al die bepalings van die Ooreenkoms (hieronder die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en op die

hereto and which relates to the Building Industry, shall be binding from the second Monday after the date of publication of this notice and for the period ending 29 May 1969, upon the employers' organisations and the trade unions which entered into the Amending Agreement and upon the employers and employees who are members of the said organisations or unions;

(b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement shall be binding from the second Monday after the date of this notice and for the period ending 29 May 1969, upon all employers and employees other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Industry in the area within a radius of 15 miles from the General Post Office, Bloemfontein; and

(c) in terms of section 48 (3) (a) of the said Act, declare that in the area within a radius of 15 miles from the General Post Office, Bloemfontein, and from the second Monday after the date of publication of this notice and for the period ending 29 May 1969, the provisions of the Amending Agreement, excluding these contained in clause 3, shall *mutatis mutandis* be binding upon all Bantu employed in the said Industry by the employers upon whom any of the said provisions are binding in respect of employees and upon those employers in respect of Bantu in their employ.

M. VILJOEN,
Minister of Labour.

SCHEDULE

INDUSTRIAL COUNCIL FOR THE BUILDING INDUSTRY (BLOEMFONTEIN)

AGREEMENT

in accordance with the provisions of the Industrial Conciliation Act, 1956, made and entered into between the—

Master Builders' and Allied Trades' Association, Bloemfontein,
Electrical Contractors Association of South Africa

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

Amalgamated Society of Woodworkers of South Africa,
Amalgamated Union of Building Trade Workers of South Africa,
White Building Workers Union
South African Electrical Workers Association

(hereinafter referred to as the "employees" or the "trade unions"), of the other part,

being the parties to the Industrial Council for the Building Industry, Bloemfontein, further to amend the Agreement between the parties, published under Government Notice No. R. 771 of the 28th May 1965, as amended by Government Notices Nos. R. 645 of the 29th April 1966 and R. 1368 of the 6th September 1966, and extended by Government Notice No. R. 926 of the 24th May 1968, as follows:—

1. CLAUSE 18.—SICK PAY LABOURERS

Delete the whole of the existing clause and substitute therefor the following:—

"CLAUSE 18.—SICK PAY

(1) An employer shall grant to any employee employed by him, other than employees for whom wages are prescribed in paragraphs (f), (g) and (h) of clause 4 (1) of this Agreement, and who is absent from work through sickness or accident not caused by his own misconduct or an accident or scheduled disease compensable under the Workmen's Compensation Act, 1941, as amended, 12 working days sick leave in the aggregate during any period of 12 consecutive months of employment with him and shall pay to such employee in respect of the period of absence in terms of this clause an amount of not less than the remuneration he would have received had he worked during such period: Provided that—

(a) in the first 12 consecutive months of employment an employee shall not be entitled to sick leave on full pay at the rate of more than one working day in respect of each completed month of employment;

Bounywerheid betrekking het, vanaf die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 29 Mei 1969 eindig, bindend is vir die werkgewersorganisasies en die vakverenigings wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasies of verenigings is;

(b) kragtens artikel 48 (1) (b) van genoemde Wet dat die bepalings van die Wysigingsooreenkoms vanaf die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 29 Mei 1969 eindig, bindend is vir alle ander werkgewers en werknemers as dié genoem in paragraaf (a) van hierdie kennisgewing, wat betrokke is by of in diens is in genoemde Nywerheid in die gebied binne 'n straal van 15 myl van die Hoofposkantoor, Bloemfontein, af; en

(c) kragtens artikel 48 (3) (a) van genoemde Wet dat die bepalings van die Wysigingsooreenkoms, uitgesonderd dié vervat in klousule 3, vanaf die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 29 Mei 1969 eindig, in die gebied binne 'n straal van 15 myl van die Hoofposkantoor, Bloemfontein, af, *mutatis mutandis* bindend is vir alle Bantoes in diens in genoemde Nywerheid by dié werkgewers vir wie enigeen van genoemde bepalings ten opsigte van werknemers bindend is en vir daardie werkgewers ten opsigte van Bantoes in hul diens.

M. VILJOEN,
Minister van Arbeid.

BYLAE

NYWERHEIDSRaad VIR DIE BOUNYWERHEID (BLOEMFONTEIN)

OOREENKOMS

ingevolge die bepalings van die Wet op Nywerheidsversoenig, 1956, gesluit en aangegaan deur en tussen die—

Master Buildings' and Allied Trades Association, Bloemfontein,
Electrical Contractors Association of South Africa

(hieronder die „werkgewers” of die „werkgewersorganisasies” genoem), aan die een kant, en die

Amalgamated Society of Woodworkers of South Africa,
Amalgamated Union of Building Trade Workers of South Africa,
Blanke Bouwerkersvakbond,
South African Electrical Works Association

(hieronder die „werknemers” of die „vakverenigings” genoem), aan die ander kant,

wat die partye is by die Nywerheidsraad vir die Bounywerheid, Bloemfontein, om die Ooreenkoms tussen die partye, gepubliseer by Goewermentskennisgewing No. R. 771 van 28 Mei 1956, soos gewysig by Goewermentskennisgewing No. R. 645 van 29 April 1966 en No. R. 1368 van 6 September 1966, en verleng by Goewermentskennisgewing No. R. 926 van 24 Mei 1968, soos volg verder te wysig:—

1. KLOUSULE 18.—ARBEIDERS GERECHTIG OP SIEKTEVERLOF

Vervang die hele bestaande klousule deur onderstaande:—

„KLOUSULE 18.—SIEKTEBESOLDIGING

(1) 'n Werkgewer moet aan alle werknemers wat by hom in diens is, uitgesonderd werknemers vir wie lone in klousule 4 (1) (f), (g) en (h) van hierdie Ooreenkoms voorgeskryf word, wat van die werk afwesig is weens siekte of 'n ongeluk wat nie aan sy eie wangedrag te wyte is nie, of weens 'n ongeluk of gelyste siekte ten opsigte waarvan hy kragtens die Ongevallewet, 1941, soos gewysig, op vergoeding geregtig is, altesaam 12 werkdag siekteverlof in die loop van 12 agtereenvolgende maande diens by hom verleen, en hy moet sodanige werknemer ten opsigte van die tydperk van afwesigheid ooreenkomstig hierdie klousule 'n bedrag betaal wat minstens gelyk is aan die besoldiging wat hy sou ontvang het indien hy gedurende dié tydperk gewerk het: Met dien verstande dat—

(a) 'n werknemer tydens die eerste 12 agtereenvolgende maande diens geregtig is op hoogstens een werkdag siekteverlof met volle besoldiging ten opsigte van elke voltooid maand diens;

(b) 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 for a period covering more than two consecutive days, require the employee to produce a certificate signed by a registered medical practitioner stating the nature and duration of the employee's incapacity, and if an employee has during any period up to eight weeks received payment in terms of this clause on two or more occasions without producing such a certificate, his employer may during the period of eight weeks immediately succeeding the last such occasion, require him to produce such certificate in respect of any absence from work."

(2) For the purpose of this clause "remuneration" includes any cost of living allowance paid or payable in terms of any law or otherwise.

2. CLAUSE 21.—ANNUAL LEAVE AND PUBLIC HOLIDAYS

Add the following new paragraph after paragraph (iii) of sub-clause (1) (a) as paragraph (iv):—

"(vi) between 4.45 p.m. on Friday, 13 December 1968, and 7 a.m. on Monday, 6 January 1969."

3. CLAUSE 23.—BENEFIT SCHEME

Delete the word "five" where it appears in subparagraphs (aa) and (bb) of clause (2) (a) (ii) of Schedule A and substitute therefor the word "two".

Signed at Bloemfontein on behalf of the parties this 19th day of June 1968.

R. C. MAYNE, *Vice-Chairman*,
P. F. ROFFE, *Member of the Council*,
H. K. ARCHER, *Secretary*.

No. R. 1779

4 October 1968

WAGE ACT, 1957 CANCELLATION OF WAGE DETERMINATION No. 223 COMMERCIAL DISTRIBUTIVE TRADE, PRINCIPAL AREAS

I, Marais Viljoen, Minister of Labour, hereby in terms of section 16 of the Wage Act, 1957, cancel with effect from the 14th day of October 1968, all the provisions of Wage Determination No. 223, published under Government Notice No. 639 of the 8th September 1961.

M. VILJOEN,
Minister of Labour.

No. R. 1780

4 October 1968

INDUSTRIAL CONCILIATION ACT, 1956, AS AMENDED DETERMINATION No. 24 IN TERMS OF SECTION SEVENTY-SEVEN

WORK OF BARMAN IN WHITE PUBLIC BARS IN THE LIQUOR AND CATERING TRADE, EAST LONDON

I, Marais Viljoen, Minister of Labour, do hereby, in terms of section 77 (7) (a) of the Industrial Conciliation Act, 1956, as amended, make a Determination in accordance with the Schedule hereto, and in terms of section 77 (7) (b) of the said Act, fix—

(a) the date of publication of this notice as the date from which the provisions of clause 1 (a) of the said Determination shall be binding; and

(b) the first Monday following on the expiration of six months after the date of publication of this notice as the date from which the other provisions of the said Determination shall be binding.

M. VILJOEN,
Minister of Labour.

(b) alvorens 'n bedrag te betaal wat kragtens hierdie klousule deur 'n werknemer geëis word ten opsigte van afwesigheid van die werk vir 'n tydperk van meer as twee agtereenvolgende dae, 'n werkgever dit as voorwaarde mag stel dat die werknemer 'n sertifikaat indien, onderteken deur 'n geregistreerde mediese praktisyn, waarop die aard en duur van die werknemer se onskiktheid vermeld word; en indien 'n werknemer in die loop van 'n tydperk van tot en met agt weke by twee of meer geleenthede betaling kragtens hierdie klousule ontvang het sonder dat so 'n sertifikaat ingedien is, kan sy werkgever gedurende die tydperk van agt weke wat onmiddellik op die jongste sodanige geleentheid volg, van hom vereis dat hy so 'n sertifikaat indien ten opsigte van enige afwesigheid van die werk."

(2) Vir die toepassing van hierdie klousule sluit „besoldiging” alle lewenskostoelae in wat ingevolge 'n wet of andersins betaal is of betaalbaar is.

2. KLOUSULE 21.—JAARLIKSE VERLOF EN OPENBARE VAKANSIEDAE

Voeg onderstaande nuwe paragraaf as paragraaf (iv) na sub-klousule (1) (a) (iii) in:—

„(iv) Vanaf 4.45 nm. op Vrydag, 13 Desember 1968, tot 7 vm. op Maandag, 6 Januarie 1969."

3. KLOUSULE 23.—BYSTANDSKEMA

Vervang die woord „vyf” in klousule (2) (a) (ii) (aa) en (bb) van Bylae A deur die woord „twee”.

Op hede die 19de dag van Junie 1968 namens die partye te Bloemfontein onderteken.

R. C. MAYNE, *Ondervoorsitter*,
P. F. ROFFE, *Raadslid*,
H. K. ARCHER, *Sekretaris*.

No. R. 1779

4 Oktober 1968

LOONWET, 1957 INTREKKING VAN LOONVASSTELLING No. 223 KOMMERSIELE DISTRIBUSIEBEDRYF, VER- NAAMSTE GEBIEDE

Ek, Marais Viljoen, Minister van Arbeid, trek hierby kragtens artikel 16 van die Loonwet, 1957, met ingang van die 14de dag van Oktober 1968, al die bepalings van Loonvasstelling No. 223, gepubliseer by Goewermentskennisgewing No. 639 van 8 September 1961, in.

M. VILJOEN,
Minister van Arbeid.

No. R. 1780

4. Oktober 1968

WET OP NYWERHEIDSVERSOENING, 1956, SOOS GEWYSIG

VASSTELLING No. 24 KRAGTENS ARTIKEL SEWE-EN-TWINTIG

WERK VAN KROEGMAN IN OPENBARE KROEG VIR BLANKES IN DIE DRANK- EN VERVER- SINGSBEDRYF, OOS-LONDEN

Ek, Marais Viljoen, Minister van Arbeid, maak hierby kragtens artikel 77 (7) (a) van die Wet op Nywerheidsversoening, 1956, soos gewysig, 'n Vasstelling ooreenkomstig die Bylae hiervan en bepaal hierby kragtens artikel 77 (7) (b) van genoemde Wet—

(a) die datum van publikasie van hierdie kennisgewing as die datum waarop die bepalings van klousule 1 (a) van genoemde Vasstelling bindend word; en

(b) die eerste Maandag na verstryking van ses maande na die datum van publikasie van hierdie kennisgewing as die datum waarop die ander bepalings van genoemde Vasstelling bindend word.

M. VILJOEN,
Minister van Arbeid.

SCHEDULE

Application and Scope of the Determination

1. In the Liquor and Catering Trade in the Municipal Area of East London—

(a) no employer shall replace any White person who is in his employ in the post of barman in a White public bar by an employee who is not a White person; and

(b) whenever any post of barman in a White public bar is for any reason whatsoever vacated by an employee, or whenever such a post is created as a new post, the work attaching to such post is reserved for White persons, and no person who is not a White person may perform such work.

Definitions

2. In this Determination, unless otherwise defined in this clause or unless the context otherwise indicates, any word or expression to which a meaning has been assigned in the Industrial Conciliation Act, 1956, as amended, and in the Liquor Act, 1928, shall have the same meaning as in these Act, and—

“barman” means an employee who is engaged in selling liquor over a counter in a bar or supplying liquor to wine stewards to serve to customers, and includes a barmaid;

“establishment” means any premises specified in the definition of ‘Liquor and Catering Trade’;

“Liquor and Catering Trade” means the trade carried on in connection with any premises in respect of which there is held, for the sale of liquor therein, thereon or therefrom, one or more of the following licences under the provisions of the Liquor Act, 1928, namely—

- (i) restaurant liquor licence;
- (ii) hotel liquor licence;
- (iii) bar licence;
- (iv) theatre or sports ground liquor licence;
- (v) temporary liquor licence;
- (vi) late hour occasional licence;
- (vii) wine and malt liquor licence;

“White public bar” means that restricted portion of an establishment which is open to common or general use by the White public and in which liquor is dispensed and sold by a barman over the counter direct to White persons for consumption on the premises.

BYLAE

Toepassing en Bestek van die Vaststelling

1. In die Drank- en Verversingsbedryf in die munisipale gebied van Oos-Londen—

(a) mag geen werkgewer 'n Blanke persoon wat in sy diens werksaam is in die pos van kroegman in 'n openbare kroeg vir Blankes, deur 'n werknemer wat nie 'n Blanke persoon is nie, vervang nie; en

(b) wanneer 'n pos van kroegman in 'n openbare kroeg vir Blankes om watter rede ook al deur 'n werknemer ontruim word, of waneer sodanige pos as 'n nuwe pos geskep word, word die werk verbonde aan sodanige pos, vir Blanke persone gereserveer en mag geen persoon wat nie 'n Blanke persoon is nie, sodanige werk verrig nie.

Woordomskrywings

2. Tensy in hierdie klousule anders omskryf of tensy die sinsverband anders aandui, het alle woorde of uitdrukkings waaraan daar in die Wet op Nywerheidsversoening, 1956, soos gewysig, en in die Drankwet, 1928, 'n betekenis toegewys is, in hierdie Vaststelling dieselfde betekenis as in genoemde Wette, en beteken—

„kroegman” 'n werknemer betrokke by die verkoop van drank oor 'n toonbank in 'n kroeg of by die verskaffing van drank aan wynkelders om aan klante voor te sit, en omvat dit ook 'n kroegvrou;

„bedryfsinrigting” 'n perseel gespesifiseer in die omskrywing van „Drank- en Verversingsbedryf”;

„Drank- en Verversingsbedryf” die bedryf wat uitgeoefen word in verband met enige perseel ten opsigte waarvan daar vir die verkoop van drank daarin, daarop of daaruit, een of meer van ondergenoemde lisensies kragtens die Drankwet, 1928, gehou word, nl.—

- (i) restaurantdranklisensie;
- (ii) hoteldranklisensie;
- (iii) kantienlisensie;
- (iv) teater- of sportterreindranksensie;
- (v) tydelike dranklisensie;
- (vi) nagtelike geleentheidslisensie;
- (vii) wyn- en bierdranklisensie;

„openbare kroeg vir Blankes” daardie beperkte gedeelte van 'n bedryfsinrigting wat vir die gewone of algemene gebruik van die Blanke publiek oop is en waarin drank deur 'n kroegman oor die toonbank regstreeks aan Blankes verskaf en verkoop word vir verbruik op die perseel.

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