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GOVERNMENT NOTICE

**DEPARTMENT OF COLOURED, REHOBOTH
AND NAMA RELATIONS**

No. R. 675

11 April 1975

**COLOURED PERSONS EDUCATION ACT, 1963
AMENDMENT OF REGULATIONS**

I, Hendrik Hanekom Smit, Deputy Minister of Coloured, Rehoboth and Nama Relations, acting in pursuance of an assignment under section 21 (1) of the Republic of South Africa Constitution Act, 1961 (Act 32 of 1961), hereby further amend the regulations made under section 34 of the Coloured Persons Education Act, 1963 (Act 47 of 1963), and published in Government Notice R. 1898, dated 21 November 1963, as amended, by the substitution for Chapters A and B of the mentioned regulations of Chapters A and B as set out in the Annexure hereto, with effect from 1 January 1975.

H. H. SMIT, Deputy Minister of Coloured, Rehoboth and Nama Relations.

29 October 1974.

CHAPTER A

DEFINITIONS AND GENERAL

A1. In these regulations, unless the context indicates otherwise, any word or expression to which a meaning has been assigned in the Coloured Persons Education Act, 1963 (Act 47 of 1963), bears the meaning so assigned thereto, and—

(i) "advisory committee" means the advisory committee constituted in terms of Chapter G of these regulations; (i)

(ii) "advisory council" means the advisory council constituted in terms of Chapter E of these regulations; (ii)

(iii) "apprentice" means an apprentice as defined in section 1 of the Apprenticeship Act, 1944 (Act 37 of 1944); (xxxxi)

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GOEWERMENSKENNISGEWING

**DEPARTEMENT VAN KLEURLING-, REHOBOTH-
EN NAMABETREKKINGE**

No. R. 675

11 April 1975

**WET OP ONDERWYS VIR KLEURLINGE, 1963
WYSIGING VAN REGULASIES**

Ek, Hendrik Hanekom Smit, Adjunk-minister van Kleurling-, Rehoboth- en Namabetrekkings, handelende uit hoofde van 'n opdrag ingevolge artikel 21 (1) van die Grondwet van die Republiek van Suid-Afrika, 1961 (Wet 32 van 1961), wysig hierby die regulasies uitgevaardig kragtens die Wet op Onderwys vir Kleurlinge, 1963 (Wet 47 van 1963), en afgekondig by Goewermentskennisgewing R. 1898 van 21 November 1963, soos gewysig, verder deur Hoofstukke A en B met ingang van 1 Januarie 1975 te vervang deur Hoofstukke A en B soos vervat in die Bylae hiervan.

H. H. SMIT, Adjunk-minister van Kleurling-, Rehoboth- en Namabetrekkings.

29 Oktober 1974.

HOOFSTUK A

WOORDOMSKRYWING EN ALGEMEEN

A1. In hierdie regulasies, tensy dit uit die samehang anders blyk, het enige woord of uitdrukking waaraan in die Wet op Onderwys vir Kleurlinge, 1963 (Wet 47 van 1963), 'n betekenis geheg is, die betekenis aldus daaraan geheg; en beteken—

(i) "advieskomitee" die advieskomitee saamgestel ingevolge Hoofstuk G van hierdie regulasies; (i)

(ii) "adviesraad" die adviesraad saamgestel ingevolge Hoofstuk E van hierdie regulasies; (ii)

(iii) "bestuur" die bestuursliggaam van 'n kollege, skool, tehuis of klas ten opsigte waarvan hulptoelae kragtens artikel 4 van die Wet betaal word of ten opsigte waarvan 'n lening kragtens daardie artikel toegeken is; (xiv)

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(iv) "approved" means approved by the Secretary; (xii)

(v) "average enrolment" means the daily average of the number of full-time pupils on the roll on school days during a school quarter; (xi)

(vi) "calendar month" means a period extending from the first up to and including the last day of any of the 12 months of a calendar year; (xvi)

(vii) "calendar quarter" means—

(a) in respect of schools other than technical colleges a period of three consecutive calendar months beginning on 1 January, 1 April, 1 July and 1 October in any calendar year; and

(b) in respect of technical colleges a period of four consecutive calendar months beginning on 1 January, 1 May and 1 September in any calendar year; (xv)

(viii) "calendar year" means a period of 12 consecutive calendar months extending from 1 January up to and including 31 December of any year; (xiv)

(ix) "college for advanced technical education" means a vocational school established in terms of section 3 of the Act and which has assumed the designation "college for advanced technical education" in terms of regulation A5 of these regulations; (xvii)

(x) "day of rest" means a Saturday, a Sunday or a public holiday; (xxvii)

(xi) "established enrolment" means the average of the average enrolment for the six consecutive school quarters ended on a date determined by the Secretary; (x)

(xii) "furlough" means the furlough referred to in regulation B29 as it existed immediately prior to the date of commencement of that regulation; (xix)

(xiii) "itinerant teacher" means a teacher teaching a special subject at different schools; (xxvi)

(xiv) "management" means the governing body of a college, school, home or class in respect of which grants-in-aid are paid in terms of section 4 of the Act or in respect of which a loan has been granted in terms of that section; (iii)

(xv) "manager" means the person or management committee appointed in terms of regulation H1.7 of these regulations and includes, for the purpose of Chapter B, the governing body of a State-aided special school; (iv)

(xvi) "month" means a period extending from a date in any calendar month up to and including the date preceding the corresponding date in the next calendar month; (xxi)

(xvii) "no-furlough service" means service—

(a) in the case of a teacher who has prior to the date of commencement of this regulation utilised furlough, from the day immediately following the date of expiry of the last period of furlough so utilised by him, to the day immediately preceding the date of commencement of this regulation; and

(b) in the case of a teacher who has at no time prior to the date of commencement of this regulation utilised any furlough, from the commencement of such teacher's service to the day immediately preceding such date: Provided that "no-furlough service" shall not include service in respect of which a teacher could not earn furlough: Provided further that any service which a teacher has had and in respect of which he would

(iv) "bestuurder" die persoon of bestuurskomitee wat ingevolge regulasie H1.7 van hierdie regulasies aangestel word en ook, vir die doeleindes van Hoofstuk B, die bestuursliggaam van 'n staatsondersteunde spesiale skool; (xv)

(v) "bevorderingspos" enige pos wat deur die Sekretaris kragtens regulasies B3 en B4 geklassifiseer word en ook 'n pos van lektor en van opleidingskoolassistent wat as sodanig deur die Sekretaris kragtens regulasie B5 geklassifiseer word; (xx)

(vi) "diens"—

(a) enige tydperk van erkende heeltidse werk binne of buite die Republiek, en ook erkende deeltidse werk soos deur die Sekretaris in heeltidse werk omgesit, met inbegrip van alle afwesigheidsverlof toegestaan tydens die verrigting van sodanige heeltidse en deeltidse werk, maar uitgesonderd alle spesiale verlof sonder salaris toegestaan tydens werk verrig in die Departement en alle verlof sonder salaris toegestaan tydens werk nie in die Departement verrig nie; en

(b) enige tydperk van erkende heeltidse diens in die land-, see- of lugmag of die handelsvloot van die Republiek of 'n bondgenoot van die Republiek gedurende enige oorlog waarin die Republiek sedert die sesde dag van September 1939 betrokke was of hierna betrokke raak; (xxxiii)

(vii) "diens sonder langverlof" diens—

(a) in die geval van 'n onderwyser wat voor die datum van inwerkingtreding van hierdie regulasie langverlof benut het, van die dag wat onmiddellik volg op die datum van verstryking van die laaste tydperk van langverlof aldus deur hom benut, tot die dag wat die datum van inwerkingtreding van hierdie regulasie onmiddellik voorafgaan; en

(b) in die geval van 'n onderwyser wat te gener tyd voor die datum van inwerkingtreding van hierdie regulasie enige langverlof benut het nie, van die aanvang van sodanige onderwyser se diens tot die dag wat sodanige datum onmiddellik voorafgaan: Met dien verstande dat "diens sonder langverlof" nie diens insluit ten opsigte waarvan 'n onderwyser nie langverlof kon verdien nie: Met dien verstande voorts dat enige diens wat 'n onderwyser gehad het en ten opsigte waarvan hy langverlof sou kon verdien het indien hierdie regulasie nie in werking getree het nie, ook as "diens sonder langverlof" beskou word; (xvii)

(viii) "die Wet" die Wet op Onderwys vir Kleurlinge, 1963 (Wet 47 van 1963); (xxxvii)

(ix) "erken" deur die Sekretaris erken; (xxii)

(x) "gehandhaafde inskrywing" die gemiddelde van die gemiddelde inskrywings vir die ses agtereenvolgende skoolkwartale geëindig op 'n datum deur die Sekretaris vasgestel; (xi)

(xi) "gemiddelde inskrywing" die daaglikse gemiddelde van die getal ingeskrewe heeltidse leerlinge op skooldae gedurende 'n skoolkwartaal; (v)

(xii) "goedgekeur" deur die Sekretaris goedgekeur; (iv)

(xiii) "jaar" 'n tydperk wat strek van 'n datum in enige kalenderjaar tot en met die datum wat die ooreenstemmende datum in die daaropvolgende kalenderjaar voorafgaan; (xxxix)

(xiv) "kalenderjaar" 'n tydperk van 12 agtereenvolgende kalendermaande wat strek van 1 Januarie tot en met 31 Desember van enige jaar; (viii)

have earned furlough had this regulation not come into operation, shall be regarded as "no-furlough service"; (vii)

(xviii) "parent" means the father or mother or legal guardian of a child; (xxiv)

(xix) "pensionable age" means—

(a) in the case of a teacher who is a member of the Government Service Pension Fund, the age at which he has the right to retire on pension and shall be retired on pension in terms of section 6 of the Government Service Pension Act, 1973 (Act 57 of 1973);

(b) in the case of a member of the pension fund for Non-Whites in the employ of the Government of the Republic, established by regulations made under the Government Non-White Employees Pensions Act, 1966 (Act 42 of 1966), the age at which or after which he may or shall be retired on pension or may or shall retire on pension in terms of those regulations; and

(c) in the case of a member of the Provident Fund for Associated Institutions, established by the Provident Fund for Associated Institutions Act, 1971 (Act 11 of 1971), the age at which he shall be or may be required or has the right to retire in terms of section 7 of that Act; (xxv)

(xx) "promotion post" means any post classified by the Secretary under regulations B3 and B4, including a post of lecturer and or training school assistant, classified as such by the Secretary under regulation B5; (v)

(xxi) "pupil teacher" means a person taking a teacher-training course at a training institution; (xx)

(xxii) "recognised" means recognised by the Secretary; (ix)

(xxiii) "regional board" means the board constituted in terms of Chapter D of these regulations; (xxxvii)

(xxiv) "regional representative" means the officer of the Department in control of a regional office of the Department; (xxxviii)

(xxv) "salary" means the basic remuneration or wage normally payable to a teacher when on duty and includes allowances which do not normally form part of the basic remuneration or wage; (xxviii)

(xxvi) "school" means—

(a) a college or school established under section 3 of the Act or deemed in terms of that section or section 5 of the Act to have been established thereunder;

(b) a college or school, other than a vocational school or nursery school, in respect of which grants-in-aid are paid in terms of section 4 of the Act or in respect of which a loan has been made in terms of that section;

(c) a school of industries; or

(d) a reform school; (xxix)

(xxvii) "school committee" means the committee constituted in terms of Chapter F of these regulations and includes, for the purposes of Chapter B, an advisory council and an advisory committee; (xxxii)

(xxviii) "school day" means any day of a school quarter on which enrolled pupils must receive tuition; (xxx)

(xxix) "school holiday" means the period between two successive school quarters; (xxxv)

(xxx) "school quarter" means the period in a calendar quarter fixed as such in a calendar drawn up by the Secretary for a particular school or group of schools in respect of the calendar year in question; (xxxiii)

(xv) "kalenderkwartaal"—

(a) ten opsigte van ander skole as tegniese kolleges, 'n tydperk van drie agtereenvolgende kalendermaande wat begin op 1 Januarie, 1 April, 1 Julie en 1 Oktober in enige kalenderjaar; en

(b) ten opsigte van tegniese kolleges, 'n tydperk van vier agtereenvolgende kalendermaande wat begin op 1 Januarie, 1 Mei en 1 September in enige kalenderjaar; (vii)

(xvi) "kalendermaand" 'n tydperk wat strek van die eerste dag tot en met die laaste dag van enigene van die 12 maande van 'n kalenderjaar; (vi)

(xvii) "kollege vir gevorderde tegniese onderwys" 'n beroepskool wat kragtens artikel 3 van die Wet ingestel is en wat die benaming "kollege vir gevorderde tegniese onderwys" ingevolge regulasie A5 van hierdie regulasies aangeneem het; (ix)

(xviii) "kwekeling" 'n leerling van 'n tegniese kollege waar ambagsonderwys en -opleiding verskaf word; (xxxviii)

(xix) "langverlof" die langverlof in regulasie B29 bedoel, soos dit onmiddellik voor die datum van inwerkingtreding van daardie regulasie bestaan het; (xii)

(xx) "leerlingonderwyser" 'n persoon wat 'n opleidingskursus vir onderwysers aan 'n opleidingsinrigting volg; (xxi)

(xxi) "maand" 'n tydperk wat strek van 'n datum in enige kalendermaand tot en met die datum wat die ooreenstemmende datum in die daaropvolgende kalendermaand voorafgaan; (xvi)

(xxii) "onderwyser" iemand, deur die Minister kragtens artikel 8 (2) van die Wet aangestel, wie se volle tyd aan onderwyswerk in 'n skool of skole of 'n voortsettingsklas bestee word; (xxxv)

(xxiii) "opleidingsinrigting" 'n opleidingskollege, opleidingskool, kollege vir gevorderde tegniese onderwys of 'n opleidingskool ten opsigte waarvan hulptoelae kragtens artikel 4 van die Wet betaal word of ten opsigte waarvan 'n lening kragtens daardie artikel toegeken is; (xxxix)

(xxiv) "ouer" die vader of moeder of wettige voog van 'n kind; (xviii)

(xxv) "pensioenleeftyd"—

(a) in die geval van 'n onderwyser wat lid is van die Regeringsdienspensioenfonds, die leeftyd waarop hy ingevolge artikel 6 van die Regeringsdienspensioenwet, 1973 (Wet 57 van 1973), die reg het om met pensioen af te tree en met pensioen afgedank moet word;

(b) in die geval van 'n lid van die pensioenfonds vir Nie-Blankes in diens van die Regering van die Republiek, ingestel by regulasies kragtens die Wet op Pensioene vir Nie-Blanke Regeringswerknemers, 1966 (Wet 42 van 1966), uitgevaardig, die leeftyd waarop of waarna hy ingevolge daardie regulasies met pensioen afgedank kan of moet word of met pensioen kan of moet aftree; en

(c) in die geval van 'n lid van die Voorsorgfonds vir Geassosieerde Inrigtings by die Wet op die Voorsorgfonds vir Geassosieerde Inrigtings, 1971 (Wet 11 van 1971), ingestel, die leeftyd waarop hy ingevolge artikel 7 van daardie Wet verplig is of kan word of die reg het om uit diens te tree; (xix)

(xxvi) "rondreisende onderwyser" 'n onderwyser wat aan verskillende skole in 'n spesiale vak onderrig gee; (xiii)

(xxvii) "rusdag" 'n Saterdag, Sondag of openbare vaksiedag; (x)

(xxxii) "school region" means a school region defined in terms of regulation D1 of these regulations; (xxxiv)

(xxxii) "school year" means the period extending from the first school day in any calendar year up to and including the last school day in such calendar year; (xxx)

(xxxiii) "service" means—

(a) any period of recognised full-time work performed in or outside the Republic, including recognised part-time work as converted into full-time work by the Secretary, including all leave of absence granted during the rendering of such full-time and part-time work, but excluding all special leave without salary granted during work performed under the Department and all leave without salary granted during work not performed under the Department; and

(b) any period of recognised full-time service with the land, sea or air force or the mercantile marine of the Republic or an ally of the Republic during any war in which the Republic was or will be engaged after the 6th day of September 1939; (vi)

(xxxiv) "special subject" means woodwork, needlework, music, physical education or any other subject designated a special subject by the Secretary from time to time; (xxxvi)

(xxxv) "teacher" means a person appointed by the Minister in terms of section 8 (2) of the Act, whose full time is devoted to educational work in a school or schools or a continuation class; (xxii)

(xxxvi) "technical college" means a vocational school established in terms of section 3 of the Act and which has assumed the designation "technical college" in terms of regulation A5 of these regulations; (xxxix)

(xxxvii) "the Act" means the Coloured Persons Education Act, 1963 (Act 47 of 1963); (viii)

(xxxviii) "trainee" means a pupil at a technical college where trade instruction and training are provided; (xviii)

(xxxix) "training institution" means a training college, training school, college for advanced technical education or a training school in respect of which grants-in-aid are paid in terms of section 4 of the Act or in respect of which a loan has been made in terms of that section; (xxiii)

(xxxx) "Treasury" means the Minister of Finance or an officer in the Department of Finance who is authorised by the said Minister to carry out the functions assigned to the Treasury by these regulations; (xxxx)

(xxxxi) "year" means a period extending from a date in any calendar year up to and including the date preceding the corresponding date in the next calendar year. (xiii)

APPLICATION OF REGULATIONS

A2. Unless specifically otherwise provided, these regulations shall apply to all State Schools, State hostels, teachers' quarters, school clinics or any other accessories to a State school, as well as to State-aided schools, and to teachers employed at such schools and at schools of industries and reform schools, as well as to pupils admitted to such schools and State and State-aided hostels, with the exception of pupils in schools of industries and reform schools, except where in respect of such pupils these regulations specifically provide otherwise.

(xxviii) "salaris" die basiese besoldiging of loon wat normaalweg aan 'n onderwyser betaalbaar is wanneer hy in diens is en ook toelaes wat nie normaalweg by die basiese besoldiging of loon inbegrepe is nie; (xxv)

(xxix) "skool"—

(a) 'n kollege of skool wat kragtens artikel 3 van die Wet ingestel is of wat ingevolge daardie artikel of artikel 5 van die Wet geag word daarkragtens ingestel te wees;

(b) 'n kollege of skool, wat nie 'n beroepsskool of 'n kleuterskool is nie, ten opsigte waarvan hulptoelaes kragtens artikel 4 van die Wet betaal word of ten opsigte waarvan 'n lening kragtens daardie artikel toegeken is;

(c) 'n nywerheidsskool; of

(d) 'n verbeteringsskool; (xxvi)

(xxx) "skooldag" enigeen van die dae in 'n skoolkwartaal waarop daar onderrig aan die ingeskrewe leerlinge van 'n skool gegee moet word; (xxviii)

(xxxi) "skooljaar" die tydperk wat strek van die eerste skooldag in enige kalenderjaar tot en met die laaste skooldag in sodanige kalenderjaar; (xxxii)

(xxxii) "skoolkomitee" die komitee saamgestel ingevolge Hoofstuk F van hierdie regulasies en ook, vir die doeleindes van Hoofstuk B, 'n adviesraad en 'n advieskomitee; (xxvii)

(xxxiii) "skoolkwartaal" die tydperk in 'n kalenderkwartaal wat as sodanig vasgestel is in 'n kalender wat deur die Sekretaris vir 'n besondere skool of groep skole ten opsigte van die betrokke kalenderjaar opgestel word; (xxx)

(xxxiv) "skoolstreek" 'n skoolstreek ingedeel ingevolge regulasie D1 van hierdie regulasies; (xxxi)

(xxxv) "skoolvakansie" die tydperk wat tussen twee agtereenvolgende skoolkwartale val; (xxix)

(xxxvi) "spesiale vak" houtwerk, naaldwerk, musiek, liggaamsopvoeding of enige ander vak wat die Sekretaris van tyd tot tyd as 'n spesiale vak aanwys; (xxxiv)

(xxxvii) "streekraad" die raad saamgestel ingevolge Hoofstuk D van hierdie regulasies; (xxiii)

(xxxviii) "streekvertegenwoordiger" die beampte van die Departement in beheer van 'n streekkantoor van die Departement; (xxiv)

(xxxix) "tegniese kollege" 'n beroepsskool wat kragtens artikel 3 van die Wet ingestel is en wat die benaming "tegniese kollege" ingevolge regulasie A5 van hierdie regulasies aangeneem het; (xxxvi)

(xxxx) "Tesourie" die Minister van Finansies of 'n beampte van die Departement van Finansies wat deur sodanige Minister gemagtig is om die werksaamhede by hierdie regulasies aan die Tesourie toegewys, te verrig; (xxxx)

(xxxxi) "vakleerling" 'n vakleerling soos omskryf in artikel 1 van die Wet op Vakleerlinge, 1944 (Wet 37 van 1944). (iii)

TOEPASSING VAN REGULASIES

A2. Tensy uitdruklik anders bepaal, is hierdie regulasies van toepassing op alle staatskole, staatskoshuise, kwartiere vir onderwysers, skoolklinieke of enige ander toebehore van 'n staatskool, asook op staatsondersteunde skole, en op onderwysers in diens by sodanige skole en by nywerheidsskole en verbeteringsskole, asook op leerlinge wat toegelaat is tot sodanige skole en staats- en staatsondersteunde koshuise, uitgesonderd leerlinge aan nywerheidsskole en verbeteringsskole, behalwe waar ten opsigte van sodanige leerlinge uitdruklik in die regulasies anders bepaal word.

DELEGATION OF POWERS

A3.1 Subject to the provisions of the Act, the Minister may delegate to the Secretary or any other officer of the Department any of the powers vested in him by these regulations; likewise the Secretary may delegate any of the powers vested in him by these regulations to any officer of the Department.

A3.2 The Minister or the Secretary may at any time vary or revoke any delegation granted in terms of this regulation.

EXCEPTIONAL CASES

A4. When in the opinion of the Minister the circumstances of any case justify a departure from the provisions of these regulations, he may, subject to the provisions of the Act, deal with the case as he deems fit: Provided that no action taken in respect of any person in terms of this regulation may be detrimental to such person.

ASSUMPTION OF THE DESIGNATION "TECHNICAL COLLEGE" OR "COLLEGE FOR ADVANCED TECHNICAL EDUCATION"

A5. When the Minister has established a vocational school he may allow such school to assume the designation "technical college" or "college for advanced technical education".

CHAPTER B**APPOINTMENT AND CONDITIONS OF SERVICE OF TEACHERS**

B1. Except where specific provision is made for part-time teachers, this Chapter shall apply to all teachers whose salaries are paid in full by the Department.

SCHOOL STAFF

B2.1 Save with the approval of the Secretary, no person shall teach on a full-time or part-time basis in a school or part-time class.

B2.2 With due observance of the provisions of section 8 (1) of the Act, the Secretary may decide which posts at a school shall be filled by men and women, respectively.

CLASSIFICATION OF POSTS

B3. The Secretary shall classify one post in each school as that of principal unless he is satisfied that there is good reason to the contrary: Provided that the principal of a training college or college for advanced technical education shall be known as a rector (hereinafter also referred to as a "principal").

B4. Posts in schools, other than that of principal, shall be classified by the Secretary, unless he is satisfied that there is good reason to the contrary, as posts of deputy rector, vice-rector, deputy principal, vice-principal, head of department, senior lecturer, senior training school assistant, senior secondary assistant or senior primary assistant, or as the Secretary may decide, with due regard to the establishment and the basis determined and fixed in terms of section 8 (1) of the Act: Provided that such classification of posts in any school shall be determined by the established enrolment of such school.

B5. Any post not classified in terms of regulations B3 and B4, may be classified by the Secretary, according to the approved main duty attached thereto, as a post of lecturer, training school assistant, secondary assistant or primary assistant, or as the Secretary may decide, with due regard to the establishment and the basis determined and fixed in terms of section 8 (1) of the Act.

OORDRAG VAN BEVOEGDHEDE

A3.1 Behoudens die bepalings van die Wet, kan die Minister enige van die bevoegdhede by hierdie regulasies aan hom verleen, aan die Sekretaris of 'n ander beaampte van die Departement deleger; insgelyks kan die Sekretaris bevoegdhede by hierdie regulasies aan hom verleen, deleger aan 'n ander beaampte van die Departement.

A3.2 Die Minister of Sekretaris kan 'n delegasie wat kragtens hierdie regulasie geskied het, te eniger tyd wysig of intrek.

BUITENGEWONE GEVALLE

A4. Waar die omstandighede van 'n geval na die oordeel van die Minister 'n afwyking van die bepalings van hierdie regulasies regverdig, kan hy, behoudens die bepalings van die Wet, na goeie rede met die geval handel: Met dien verstande dat geen handeling kragtens hierdie regulasie ten opsigte van enige persoon, tot sy nadeel mag strek nie.

AANNEMING VAN DIE BENAMING "TEGNIËSE KOLLEGE" OF "KOLLEGE VIR GEVORDERDE TEGNIËSE ONDERWYS"

A5. Wanneer die Minister 'n beroepskool ingestel het, kan hy sodanige skool toelaat om die benaming "tegniese kollege" of "kollege vir gevorderde tegniese onderwys" aan te neem.

HOOFSTUK B**AANSTELLING EN DIENSVOORWAARDES VAN ONDERWYSERS**

B1. Behalwe waar spesifieke voorsiening vir deeltydse onderwysers gemaak word, is hierdie Hoofstuk van toepassing op alle onderwysers wie se salaris ten volle deur die Departement betaal word.

SKOOLPERSONEEL

B2.1 Niemand mag, behalwe met die goedkeuring van die Sekretaris, hetsy heeltyds of deeltydse onderrig in 'n skool of deeltydse klas gee nie.

B2.2 Met behoorlike inagneming van die bepalings van artikel 8 (1) van die Wet, kan die Sekretaris besluit watter poste in 'n skool deur onderskeidelik mans en vroue gevul moet word.

KLASSIFISERING VAN POSTE

B3. In elke skool word een pos deur die Sekretaris as dié van prinsipaal geklassifiseer, tensy die Sekretaris daarvan oortuig is dat daar goeie rede bestaan om dit nie te doen nie: Met dien verstande dat die prinsipaal van 'n opleidingskollege of 'n kollege vir gevorderde tegniese onderwys bekend staan as 'n rektor (hieronder ook "prinsipaal" genoem).

B4. Ander poste as dié van prinsipaal in skole, word deur die Sekretaris, tensy hy daarvan oortuig is dat daar goeie rede bestaan om dit nie te doen nie, geklassifiseer as poste van adjunk-rector, vise-rector, adjunk-prinsipaal, vise-prinsipaal, departementshoof, senior lektor, senior opleidingskoolassistent, senior sekondêre assistent of senior primêre assistent, of soos die Sekretaris besluit, met behoorlike inagneming van die diensstaat en die grondslag kragtens artikel 8 (1) van die Wet bepaal en vasgestel: Met dien verstande dat sodanige klassifisering van poste in enige skool bepaal word deur die gehandhaafde inskrywing van sodanige skool.

B5. Enige pos wat nie kragtens regulasies B3 en B4 geklassifiseer is nie, kan, volgens die goedgekeurde hoofwerkzaamheid daaraan verbonde, deur die Sekretaris geklassifiseer word as 'n pos van lektor, opleidingskoolassistent, sekondêre assistent of primêre assistent, of soos die Sekretaris besluit, met behoorlike inagneming van die diensstaat en die grondslag kragtens artikel 8 (1) van die Wet bepaal en vasgestel.

ADVERTISING OF POSTS AND FILLING OF ADVERTISED POSTS

B6.1 When a vacant post of teacher is to be filled, the post shall be advertised as vacant in a manner determined by the Secretary, unless the Secretary is satisfied that there is good reason to dispense with such advertisement, and applications for such post shall be awaited by the regional representative concerned.

B6.2 The Secretary shall determine the closing date for the receipt of applications. After the closing date the regional representative shall submit all the applications received to the school committee (or manager) concerned for consideration.

B6.3 After consideration of the applications, in consultation with the principal concerned, the school committee (or manager) shall return all the applications to the regional representative with a recommendation that the Minister—

(a) appoint one of at least three of the applicants designated in order of preference by such school committee (or manager) to fill the vacancy; or

(b) should there be less than three applicants, appoint one of such applicants to fill the vacancy; or

(c) not appoint any of the applicants to fill the vacancy, in which case full reasons for such recommendation shall be furnished in writing by the school committee (or manager) concerned.

B6.4 Should the vacancy to be filled be that of a teacher other than a principal, the school committee (or manager) shall, together with each recommendation, in accordance with regulation B6.3, submit to the regional representative the written, substantiated recommendation of the principal concerned regarding the filling of the vacancy, should the principal so request.

B6.5 Each recommendation in accordance with regulations B6.3 and B6.4 shall be submitted by the regional representative to the Secretary together with—

(a) a complete list of all the applicants;

(b) the recommendation of the regional board and the regional board's reasons therefor in writing should such board depart from a recommendation in accordance with regulation B6.3;

(c) any other information required by the Secretary; and

(d) the applications of the persons recommended, in the case of a recommendation in accordance with regulation B6.3 (a) or (b).

B6.6 The Minister may—

(a) on receipt of a recommendation in accordance with regulation B6.3 (a) or (b)—

(i) appoint any of the applicants recommended to fill the vacancy; or

(ii) decide not to appoint any of the applicants recommended, in which case the school committee (or manager) shall immediately, in accordance with regulation B6.3 (a) or (b), submit a recommendation for the appointment of some other person, from the list of applicants, to fill the vacancy, or, should the school committee (or manager) find it impracticable to do so, the provisions of regulation B6.1 shall again be complied with and, in any event, should the recommendation of the school committee (or manager) which is then submitted not be acceptable to the Minister he may determine in what manner the vacancy shall be filled;

ADVERTEER VAN POSTE EN VULLING VAN GEADVERTEERDE POSTE

B6.1 Wanneer 'n vakante pos van onderwyser gevul moet word, word die pos op 'n wyse soos deur die Sekretaris bepaal as vakant geadverteer, tensy die Sekretaris daarvan oortuig is dat daar goeie rede bestaan om van sodanige advertensie af te sien, en aansoeke om sodanige pos word deur die betrokke streekverteenvoordiger ingewag.

B6.2 Die Sekretaris bepaal die sluitingsdatum vir die ontvangs van aansoeke. Na die sluitingsdatum moet die streekverteenvoordiger al die aansoeke wat ontvang is, aan die betrokke skoolkomitee (of bestuurder) vir ooreweging voorlê.

B6.3 Na ooreweging van die aansoeke in oorleg met die betrokke prinsipaal, moet die skoolkomitee (of bestuurder) al die aansoeke aan die streekverteenvoordiger terugstuur en aanbeveel dat die Minister—

(a) een van minstens drie van die aansoekers wat deur sodanige skoolkomitee (of bestuurder) in volgorde van voorkeur aangewys is, aanstel om die vakature te vul; of

(b) indien daar minder as drie aansoekers is, een van sodanige aansoekers aanstel om die vakature te vul; of

(c) geeneen van die aansoekers aanstel om die vakature te vul nie, in welke geval volledige redes vir sodanige aanbeveling skriftelik deur die betrokke skoolkomitee (of bestuurder) verstrekkend moet word.

B6.4 Indien die vakature wat gevul moet word, dié van 'n ander onderwyser as 'n prinsipaal is, moet die skoolkomitee (of bestuurder), tesame met elke aanbeveling ingevolge regulasie B6.3, die skriftelike, gemotiveerde aanbeveling van die betrokke prinsipaal met betrekking tot die vulling van die vakature aan die streekverteenvoordiger voorlê indien die prinsipaal dit versoek.

B6.5 Elke aanbeveling ingevolge regulasies B6.3 en B6.4 moet deur die streekverteenvoordiger aan die Sekretaris voorgelê word tesame met—

(a) 'n volledige lys van al die aansoekers;

(b) die aanbeveling van die streekraad en die streekraad se skriftelike motivering indien sodanige raad afwyk van 'n aanbeveling ingevolge regulasie B6.3;

(c) enige ander inligting wat deur die Sekretaris verlang word; en

(d) in die geval van 'n aanbeveling ingevolge regulasie B6.3 (a) of (b), die aansoeke van die persone wat aanbeveel is.

B6.6 Die Minister kan—

(a) by ontvangs van 'n aanbeveling ingevolge regulasie B6.3 (a) of (b)—

(i) enigeen van die aansoekers wat aanbeveel is, aanstel om die vakature te vul; of

(ii) besluit om geeneen van die aansoekers wat aanbeveel is, aan te stel nie, in welke geval die skoolkomitee (of bestuurder) onverwyld uit die lys van aansoekers 'n ander aanbeveling vir die vulling van die vakature, ooreenkomstig die bepalinge van regulasie B6.3 (a) of (b), moet voorlê of, as die skoolkomitee (of bestuurder) dit ondoenlik vind, moet die bepalinge van regulasie B6.1 weer nagekom word, en in ieder geval, as die aanbeveling wat die skoolkomitee (of bestuurder) dan voorlê nie vir die Minister aanneemlik is nie, kan hy bepaal op watter wyse die vakature gevul moet word;

(b) on receipt of a recommendation in accordance with regulation B6.3 (c)—

(i) direct that a recommendation be submitted in accordance with regulation B6.3 (a) or (b), should he be of the opinion that amongst the applicants there is a suitable person or persons to fill the vacancy; or
(ii) direct that the provisions of regulation B6.1 again be complied with; or

(iii) determine in what manner the vacancy shall be filled.

FILLING OF NON-ADVERTISED POSTS

B7. Whenever a post which has not been advertised as vacant must be filled, the Secretary shall determine the manner in which such post shall be filled: Provided that a permanent appointment shall not be made in such post unless the school committee (or manager) and regional board concerned have been consulted.

APPOINTMENT OF TEACHERS IN POSTS CLASSIFIED AS PROMOTION POSTS

B8.1 Whenever a post is classified as a promotion post in accordance with regulation B4, such post shall normally be advertised as vacant in terms of regulation B6.1. The Secretary may, however, agree that such post, when classified, not be advertised as vacant and that the procedure prescribed in regulation B8.2 be followed.

B8.2 Whenever the Secretary agrees, in terms of regulation B8.1, that a promotion post need not be advertised, the school committee (or manager) concerned shall, in consultation with the principal, consider the claims of all the members of the staff of such school and submit to the Secretary the name of the staff member who is recommended for the post together with the reasons of the school committee (or manager) for such recommendation: Provided that the views of the regional board on the choice of the school committee (or manager) shall also be obtained.

B8.3 When a teacher is appointed by the Minister in terms of this regulation, such appointment shall normally commence from the beginning of the calendar quarter immediately following that in which the school committee (or manager) submits its recommendation for the filling of the vacancy.

DISCHARGE AND REAPPOINTMENT OF TEACHER WHO ATTAINS THE PENSIONABLE AGE

B9. The discharge from the service of the Department of a teacher who attains the pensionable age, shall be deemed to be effective from the day on which he attains the pensionable age: Provided that such teacher shall remain in the post he occupies, in a temporary capacity, until the end of the calendar quarter in which he attains the pensionable age.

DISCHARGE AND REAPPOINTMENT OF WOMAN TEACHER WHO MARRIES

B10.1 A woman teacher who intends getting married or who resigns her post with the intention of getting married, shall notify the Secretary beforehand in writing, through the school committee (or manager) and regional board concerned, of her intended marriage.

B10.2 The discharge from the service of the Department of a woman teacher on her marriage shall be deemed to take effect from the day following the day of her marriage: Provided that such teacher shall remain in the post she occupies, in a temporary capacity, until the end of the calendar quarter in which she marries:

(b) by ontvangs van 'n aanbeveling ingevolge regulasie B6.3 (c)—

(i) indien hy van mening is dat daar onder die aansoekers 'n geskikte persoon of persone is wat die vakature kan vul, gelas dat 'n aanbeveling ingevolge regulasie B6.3 (a) of (b) voorgelê word; of

(ii) gelas dat die bepalings van regulasie B6.1 weer nagekom word; of

(iii) bepaal op watter wyse die vakature gevul moet word.

VULLING VAN NIE-GEADVERTEERDE POSTE

B7. Wanneer 'n pos wat nie as vakant geadverteer is nie gevul moet word, bepaal die Sekretaris die wyse waarop sodanige pos gevul moet word: Met dien verstande dat 'n vaste aanstelling nie in sodanige pos gedoen word nie tensy oorleg met die betrokke skoolkomitee (of bestuurder) en streekraad gepleeg is.

AANSTELLING VAN ONDERWYSERS IN POSTE WAT AS BEVORDERINGSPOSTE GEKLASSIFISEER WORD

B8.1 Wanneer 'n pos ingevolge regulasie B4 as 'n bevorderingspos geklassifiseer word, word sodanige pos normaalweg ingevolge regulasie B6.1 as vakant geadverteer. Die Sekretaris kan egter toestem dat sodanige pos by klassifikasie nie as vakant geadverteer word nie en dat die prosedure voorgeskryf in regulasie B8.2 gevolg word.

B8.2 Wanneer die Sekretaris ingevolge regulasie B8.1 toestem dat 'n bevorderingspos nie geadverteer hoef te word nie, moet die betrokke skoolkomitee (of bestuurder), in oorleg met die prinsipaal, die aansprake van al die lede van die personeel van sodanige skool oorweeg en die naam van die personeel wat vir die pos aanbeveel word, tesame met die skoolkomitee (of bestuurder) se motivering vir sodanige aanbeveling, aan die Sekretaris voorlê: Met dien verstande dat die sienswyse van die streekraad oor die skoolkomitee (of bestuurder) se keuse ook verkry word.

B8.3 As 'n onderwyser ingevolge hierdie regulasie deur die Minister aangestel word, tree sodanige aanstelling normaalweg in werking van die begin van die kalenderkwartaal wat onmiddellik volg op die kalenderkwartaal waarin die skoolkomitee (of bestuurder) sy aanbeveling vir die vulling van die vakature indien.

ONTSLAG EN HERAANSTELLING VAN ONDERWYSER WAT PENSIOENLEEFITYD BEREIK

B9. 'n Onderwyser wat die pensioenleefityd bereik, se ontslag uit die diens van die Departement word geag in werking te tree met ingang van die dag waarop hy die pensioenleefityd bereik: Met dien verstande dat sodanige onderwyser in die pos wat hy beklee in 'n tydelike hoedanigheid moet aanbly tot aan die einde van die kalenderkwartaal waarin hy die pensioenleefityd bereik.

ONTSLAG EN HERAANSTELLING VAN ONDERWYSERES WAT IN DIE HUWELIK TREE

B10.1 'n Onderwyseres wat voornemens is om in die huwelik te tree, of wat uit haar pos bedank met die voorneme om in die huwelik te tree, moet vooraf aan die Sekretaris, deur bemiddeling van die betrokke skoolkomitee (of bestuurder) en streekraad, skriftelik kennis gee van haar voorgename huwelik.

B10.2 'n Onderwyseres wat in die huwelik tree, se ontslag uit die diens van die Departement word geag in werking te tree met ingang van die dag wat volg op die dag van haar huwelik: Met dien verstande dat sodanige onderwyseres in die pos wat sy beklee, in 'n tydelike hoedanigheid moet aanbly tot aan die einde van die kalenderkwartaal waarin sy in die huwelik tree: Met dien

Provided further that the Minister may allow such teacher to remain in a temporary capacity for an indefinite period in the post she occupies.

B10.3 The appointment of a woman teacher who fails to observe the provisions of the first qualifying proviso to regulation B10.2 shall, notwithstanding anything to the contrary contained in the aforementioned subregulation, be terminated with effect from a date determined by the Minister.

PROBATIONARY APPOINTMENT OF TEACHERS

B11.1 The probationary appointment of a teacher shall normally be for a period of 15 months, which includes a full calendar year, and which terminates on 31 March of the following calendar year.

B11.2 A teacher shall not be appointed in a permanent capacity unless he is a South African citizen and has completed the period of probationary appointment prescribed in regulation B11.1 to the satisfaction of the Secretary: Provided that the confirmation of an appointment shall be subject to the production by the teacher of his birth certificate or proof of birth acceptable to the Secretary and of an acceptable medical certificate in a form approved by the Secretary.

B11.3 The Secretary may require a teacher who is serving a probationary appointment to submit, within a fixed period, the documents referred to in regulation B11.2. Should the teacher fail to submit such documents within the period so fixed, the Minister may withhold the teacher's salary increment or terminate his probationary appointment after the expiry of the aforementioned period, with effect from a date determined by the Minister, or withhold the teacher's salary increment and also terminate his probationary appointment after the expiry of the aforementioned period, with effect from a date determined by the Minister.

B11.4 If the Minister is not prepared to appoint a teacher in a permanent capacity after a period of probationary appointment he may extend such probationary appointment for a further period.

B11.5 The Minister may, if he deems it necessary, again subject a teacher who occupies a post in a permanent capacity to a period of probationary appointment prescribed in regulation B11.1, when he is appointed to a higher post.

B11.6 The probationary appointment of a teacher who is subjected to a period of probationary appointment in accordance with regulation B11.5, may at any time be terminated by the Minister at his discretion, and if his probationary appointment is so terminated, he shall revert to a post of a grade equivalent to that of the post occupied by him in a permanent capacity immediately prior to such probationary appointment, and to the salary he would have attained in such post had he not been subjected to a period of probationary appointment in accordance with the provisions of regulation B11.5.

B11.7 Subject to the provisions of regulations B11.3 and B11.6, the Minister may discharge a teacher appointed on probation either during, on or after expiry of his probationary appointment—

(a) by giving one calendar quarter's notice of discharge; or

(b) summarily, if his conduct is unsatisfactory.

APPOINTMENT OF TEACHERS NOT IN POSSESSION OF A RECOGNISED BILINGUAL CERTIFICATE

B12.1 A teacher who is not in possession of a recognised bilingual certificate, shall not be considered for permanent appointment.

verstande voorts dat die Minister sodanige onderwyseres kan toelaat om in die pos wat sy beklee in 'n tydelike hoedanigheid vir 'n onbepaalde tydperk aan te bly.

B10.3 'n Onderwyseres wat versuim om die eerste voorbehoudsbepaling by regulasie B10.2 na te kom, se aanstelling word, ondanks enige andersluidende bepaling van voornoemde subregulasie, beëindig met ingang van 'n datum wat deur die Minister vasgestel word.

PROEFAANSTELLING VAN ONDERWYSERS

B11.1 Die proefaanstelling van 'n onderwyser strek normaalweg oor 'n tydperk van 15 maande wat 'n volle kalenderjaar insluit en op 31 Maart van die daaropvolgende kalenderjaar eindig.

B11.2 'n Onderwyser word nie in 'n vaste hoedanigheid aangestel nie tensy hy 'n Suid-Afrikaanse burger is en hy ten genoë van die Sekretaris die proefaanstellingstydperk voorgeskryf in regulasie B11.1, uitgedien het: Met dien verstande dat die bekragtiging van die aanstelling onderworpe is aan die voorlegging deur die onderwyser van sy geboortsertifikaat of bewys van geboorte wat vir die Sekretaris aanneemlik is, en 'n aanneemlike gesondheidsertifikaat in 'n vorm deur die Sekretaris goedgekeur.

B11.3 Die Sekretaris kan van 'n onderwyser wat 'n proefaanstelling uitdien, vereis om die dokumente wat in regulasie B11.2 genoem word, binne 'n vasgestelde tydperk in te lewer. Indien die onderwyser versuim om sodanige dokumente binne die aldus vasgestelde tydperk in te dien, kan die Minister die onderwyser se salarisverhoging terughou of sy proefaanstelling ná verstryking van voormelde tydperk beëindig met ingang van 'n datum wat die Minister vasstel, of die onderwyser se salarisverhoging terughou en ook sy proefaanstelling ná verstryking van voormelde tydperk beëindig met ingang van 'n datum wat die Minister vasstel.

B11.4 Indien die Minister nie bereid is om 'n onderwyser na 'n tydperk van proefaanstelling in 'n vaste hoedanigheid aan te stel nie, kan hy die onderwyser se proefaanstelling vir 'n verdere tydperk verleng.

B11.5 Die Minister kan, indien hy dit nodig ag, 'n onderwyser wat 'n pos op vaste voet beklee, by aanstelling in 'n hoër pos weer onderwerp aan 'n tydperk van proefaanstelling soos in regulasie B11.1 voorgeskryf.

B11.6 'n Onderwyser wat ingevolge regulasie B11.5 aan 'n tydperk van proefaanstelling onderwerp word, se proefaanstelling kan te eniger tyd na goeddunke deur die Minister beëindig word, en as sy proefaanstelling aldus beëindig word, keer hy terug na 'n pos met 'n graad gelyk aan dié van die pos wat hy onmiddellik voor sodanige proefaanstelling op vaste voet beklee het, en na die salaris wat hy in sodanige pos sou bereik het indien hy nie aan 'n tydperk van proefaanstelling ingevolge regulasie B11.5 onderwerp was nie.

B11.7 Behoudens die bepalings van regulasies B11.3 en B11.6, kan die Minister 'n onderwyser wat op proef aangestel is, ontslaan, hetsy gedurende, of by of na verstryking van sy proefaanstelling—

(a) deur een kalenderkwartaal kennis te gee van die ontslag; of

(b) onverwyld as sy gedrag onbevredigend is.

AANSTELLING VAN ONDERWYSERS WAT NIE 'N ERKENDE TWEETALIGHEIDSSERTIFIKAAT BESIT NIE

B12.1 'n Onderwyser wat nie in besit van 'n erkende tweetaligheidsertifikaat is nie, kom nie in aanmerking vir vaste aanstelling nie.

B12.2 The provisions of regulation B12.1 shall not apply to a teacher if and as long as the Secretary is satisfied that the subject or subjects taught by the teacher and the duties performed by him do not require a bilingual certificate.

DATE ON WHICH APPOINTMENT TAKES EFFECT AND CONDITIONS OF APPOINTMENT

B13. When a teacher is appointed by the Minister in terms of these regulations, he shall, subject to the provisions of this Chapter, be appointed with effect from a date determined by the Minister and subject to any conditions the Minister may stipulate.

TRANSFER OF TEACHERS FROM ONE POST TO ANOTHER

B14.1 When a teacher desires to be transferred from the post he occupies to another post, he shall be at liberty to apply for any post advertised as vacant in terms of regulation B6.1. Such teacher shall not, however, resign his post in order to be transferred to a vacant post, but the Minister may grant permission to such teacher, should his application be successful, to accept the vacant post on transfer by appointing him in such post.

B14.2 A teacher employed in a permanent capacity shall not be transferred by the Minister from the post he holds to another post at a time other than on 1 January in any year and such teacher shall in any case not be transferred by the Minister to another post until he has had at least 24 months' service in the post he occupies: Provided that the Minister may depart from the provisions of this subregulation if he is satisfied that such departure is in the interest of the teacher or justifiable or necessary for any other reason.

B14.3 A teacher serving a period of probationary appointment shall not be transferred by the Minister from the post he occupies to another post until such time as he has completed his period of probationary appointment in the first-mentioned post: Provided that the Minister may depart from the provisions of this subregulation if he is satisfied that such departure is in the interest of the teacher or justifiable or necessary for any other reason.

B14.4 If the classification or grade of a school is raised, and a teacher employed at such school, as a result of the reclassification or higher grading of the school, no longer meets the approved requirements for appointment to the post he holds in such school, he may, as soon as a suitable vacancy occurs, be transferred to a post of a grade appropriate to his salary scale.

RESIGNATION OF TEACHERS

B15.1 A teacher may resign his post at any time: Provided that he shall give notice to the Secretary in writing through the school committee (or manager) concerned of his intention to terminate his services, at least one calendar quarter before his services terminate, unless the Secretary is prepared to accept shorter notice than herein prescribed.

B15.2 If a teacher resigns his post in terms of regulation B15.1, he shall be deemed to have intimated, by such resignation, his intention to leave the service of the Department and his resignation shall be deemed to come into force from the day following the day on which his services terminate.

B12.2 Die bepalings van regulasie B12.1 is nie van toepassing op 'n onderwyser as en solank as die Sekretaris daarvan oortuig is dat die vak of vakke waarin hy onderlig gee en die pligte wat hy uitvoer nie die besit van 'n tweetaligheidsertifikaat vereis nie.

DATUM WAAROP AANSTELLING IN WERKING TREE EN VOORWAARDES VAN AANSTELLING

B13. As 'n onderwyser ingevolge hierdie regulasies deur die Minister aangestel word, word hy, behoudens die bepalings van hierdie Hoofstuk, aangestel met ingang van 'n datum deur die Minister vasgestel en onderworpe aan enige voorwaardes wat die Minister stel.

VERPLASING VAN ONDERWYSERS VAN EEN POS NA 'N ANDER

B14.1 Wanneer 'n onderwyser verlang om van die pos wat hy beklee, na 'n ander pos verplaas te word, staan dit hom vry om aansoek te doen om enige pos wat ingevolge regulasie B6.1 as vakant geadverteer word. Sodanige onderwyser bedank egter nie uit sy pos ten einde na 'n vakante pos verplaas te word nie, maar die Minister verleen aan hom, indien sy aansoek suksesvol is, toestemming om die vakante pos met oorplasing te aanvaar deur hom in sodanige pos aan te stel.

B14.2 'n Onderwyser wat in 'n vaste hoedanigheid in diens is, word nie deur die Minister van die pos wat hy beklee, na 'n ander pos verplaas op 'n ander tydstip as 1 Januarie van enige jaar nie en sodanige onderwyser word in ieder geval nie deur die Minister na 'n ander pos verplaas alvorens hy minstens 24 maande diens gehad het in die pos wat hy beklee nie: Met dien verstande dat die Minister van die bepalings van hierdie subregulasie kan afwyk indien hy daarvan oortuig is dat sodanige afwyking in die onderwyser se belang, of om enige ander rede geregverdig of noodsaaklik is.

B14.3 'n Onderwyser wat 'n tydperk van proefaanstelling uitdien, word nie deur die Minister van die pos wat hy beklee na 'n ander pos verplaas alvorens hy sy proefaanstelling in eersgenoemde pos uitgedien het nie: Met dien verstande dat die Minister van die bepalings van hierdie subregulasie kan afwyk indien hy daarvan oortuig is dat sodanige afwyking in die onderwyser se belang, of om enige ander rede geregverdig of noodsaaklik is.

B14.4 Indien die klassifikasie of graad van 'n skool verhoog word en 'n onderwyser in diens by sodanige skool, as gevolg van die herklassifikasie of die hoër gradering van die skool, nie langer voldoen aan die goedgekeurde vereistes vir aanstelling in die pos wat hy in sodanige skool beklee nie, kan hy, sodra daar 'n geskikte vakature ontstaan, verplaas word na 'n pos met 'n graad wat by sy salarisskaal pas.

BEDANKING VAN ONDERWYSERS

B15.1 'n Onderwyser kan te eniger tyd uit sy pos bedank: Met dien verstande dat hy die Sekretaris deur bemiddeling van die betrokke skoolkomitee (of bestuurder) skriftelik kennis van sy voorneme om sy dienste te beëindig, moet gee minstens een kalenderkwartaal voordat sy dienste eindig, tensy die Sekretaris bereid is om korter kennisgewing as wat hierin voorgeskryf is, te aanvaar.

B15.2 As 'n onderwyser ingevolge regulasie B15.1 uit sy pos bedank, word hy geag deur sodanige bedanking sy voorneme te kenne gegee het om uit die diens van die Departement te tree en word sy bedanking geag in werking te tree met ingang van die dag wat volg op die dag waarop sy dienste eindig.

TERMINATION OF APPOINTMENT, OR TRANSFER, BY MINISTER

B16. Where it is necessary for the Minister to act in accordance with the provisions of section 15 (1) (c) or (e) of the Act, the Minister may—

(a) terminate the services of a teacher after giving him notice of at least one calendar quarter through the regional board and school committee (or manager): Provided that where the post of a teacher is abolished as a result of the closing of a primary school in terms of regulation X5 or as a result of the withdrawal in terms of regulation H4 of grants-in-aid to a State-aided school because it has not succeeded in maintaining the required minimum attendance of pupils, the appointment of such teacher shall be terminated without such prior notice with effect from the day following the day on which the school is closed or ceases to receive grants-in-aid, as the case may be; or

(b) transfer such teacher, with his permission, to any other vacant teacher's post, and if he is so transferred, the Minister may, after consultation with the school committee (or manager) and regional board concerned, decide from time to time which post such teacher shall occupy in the school to which he has been so transferred and such teacher shall be entitled, whilst he occupies the post to which he has been so transferred or which he occupies from time to time at such school, to receive a salary according to the salary scale which was applicable to him immediately prior to such transfer: Provided that if he at any time renders service in the school to which he has been so transferred, in any school quarter for a continuous period of not less than one month in any post to which a higher salary scale is attached than that of the post which he occupied immediately prior to such transfer, he shall be remunerated for such service by means of a non-pensionable acting allowance equal to the difference between the salary payable to him according to the salary scale which was applicable to him immediately prior to his transfer and the salary which would have been payable to him had he been appointed to the higher post: Provided further that in no case an allowance representing more than four notches calculated on the teacher's basic salary shall be payable in terms of this paragraph: Provided further that the basic salary of the teacher plus such allowance shall in no case exceed the maximum of the salary scale attached to the higher post.

DISCHARGE OF TEACHERS ON ACCOUNT OF CONTINUED ILL-HEALTH

B17.1 If the Secretary has reason to believe that a teacher is by reason of ill-health (including any physical or mental defect) unfit to continue with his teaching duties, the Secretary may, if he is not already in possession of sufficient medical evidence in regard to the state of health of the teacher, instruct such teacher to be examined on a fixed date by a medical practitioner nominated by the Secretary, and when the available medical evidence or that which is made available to him confirms his belief regarding the teacher's state of health, the Secretary may require such teacher to be examined on a fixed date by a medical board appointed by the Secretary for Health. The cost of any examination in accordance with this sub-regulation shall be paid from State funds: Provided

BEEINDIGING VAN AANSTELLING, OF OOR- PLASING, DEUR MINISTER

B16. Waar dit vir die Minister nodig word om ingevolge die bepalings van artikel 15 (1) (c) of (e) van die Wet op te tree, kan die Minister—

(a) na kennisgewing van minstens een kalenderkwartaal wat deur bemiddeling van die streekraad en skoolkomitee (of bestuurder) gegee word, die aanstelling van 'n onderwyser beëindig: Met dien verstande dat waar die pos van 'n onderwyser afgeskaf word omdat 'n laerskool gesluit word kragtens regulasie X5, of omdat die betaling van hulptoelae aan 'n staatsondersteunde skool kragtens regulasie H4 gestaak word omdat sodanige skool nie daarin geslaag het om die vereiste minimum besoek van leerlinge te handhaaf nie, die aanstelling van sodanige onderwyser sonder sodanige kennisgewing beëindig word met ingang van die dag wat volg op die dag waarop die skool gesluit word of ophou om hulptoelae te ontvang, na gelang van die geval; of

(b) sodanige onderwyser, met sy toestemming, oorplass na enige ander vakante onderwyserspos, en as hy aldus oorgeplaas word, kan die Minister, na oorlegpleging met die betrokke skoolkomitee (of bestuurder) en streekraad, van tyd tot tyd besluit watter pos sodanige onderwyser in die skool waarheen hy aldus oorgeplaas is, moet beklee, en is sodanige onderwyser geregtig om, terwyl hy die pos beklee waarna hy aldus oorgeplaas is of wat hy van tyd tot tyd in sodanige skool beklee, salaris te ontvang volgens die salarisskaal wat op hom van toepassing was onmiddellik voordat hy aldus oorgeplaas is: Met dien verstande dat, indien hy te eniger tyd in die skool waarna hy aldus oorgeplaas is, in enige skoolkwartaal vir 'n ononderbroke tydperk van minstens een maand diens doen in enige pos waaraan 'n hoër salarisskaal verbonde is as dié van die pos wat hy beklee het onmiddellik voordat hy aldus oorgeplaas is, hy vir sodanige diens vergoed word by wyse van 'n nie-pensioengewende waarnemingstoelae gelykstaande met die verskil tussen die salaris wat aan hom betaalbaar is volgens die salarisskaal wat onmiddellik voor sy oorplasing op hom van toepassing was en die salaris wat aan hom betaalbaar sou gewees het indien hy in die hoër pos aangestel was: Met dien verstande voorts dat in geen geval 'n toelae wat meer as vier kerwe verteenwoordig, bereken op die onderwyser se basiese salaris, ingevolge hierdie paragraaf betaalbaar is nie: Met dien verstande voorts dat die basiese salaris van die onderwyser plus sodanige toelae in geen geval die maksimum van die salarisskaal verbonde aan die hoër pos mag oorskry nie.

ONTSLAG VAN ONDERWYSERS WEENS VOORT- DURENDE SWAK GESONDHEID

B17.1 As die Sekretaris rede het om te vermoed dat 'n onderwyser weens swak gesondheid (met inbegrip van enige liggaamlike of geestelike gebrek) ongeskik is om met sy pligte as onderwyser voort te gaan, kan die Sekretaris, indien hy nie reeds oor voldoende mediese getuienis aangaande die onderwyser se gesondheidstoestand beskik nie, sodanige onderwyser aansê om op 'n bepaalde datum ondersoek te word deur 'n geneesheer wat die Sekretaris benoem, en wanneer die mediese getuienis wat tot die Sekretaris se beskikking is of tot sy beskikking gestel word, sy vermoede aangaande die onderwyser se gesondheidstoestand bevestig, kan die Sekretaris van sodanige onderwyser vereis om op 'n bepaalde datum ondersoek te word deur 'n mediese raad wat deur die Sekretaris van Gesondheid aangestel word. Die koste van enige ondersoek ingevolge hierdie subregulasie word uit staatsfondse betaal: Met dien verstande dat sodanige onderwyser, indien hy

that such teacher may, if he so wishes, arrange at his own expense, for his private doctor to be present at the proceedings of a medical board.

B17.2 If, on the strength of the report submitted by the medical board referred to in regulation B17.1 regarding the state of health of the teacher, the Minister is satisfied that such teacher is by reason of ill-health (including any physical or mental defect) permanently unfit to continue with his duties as a teacher, he may discharge the teacher from the service of the Department in terms of section 15 (1) (b) of the Act, with effect from a date determined by the Minister.

REMUNERATION OF TEACHERS

B18.1 The salaries, increments and allowances payable to teachers as determined or prescribed from time to time by the Minister, after consultation with the Minister of Finance, and on the recommendation of the Public Service Commission, shall be subject to the provisions of the following subregulations.

B18.2 A teacher acting in any school quarter, with the approval of the Secretary, for a continuous period of not less than one month in a post to which a higher salary scale is attached than that of the post he occupies, shall be remunerated for such service by means of a non-pensionable acting allowance equal to the difference between the salary payable to him in the post he occupies and the salary which would have been payable to him had he been appointed to the higher post: Provided that in no case an allowance representing more than four notches calculated on the teacher's basic salary, shall be payable in terms of this subregulation: Provided further that the basic salary of the teacher plus such allowance shall in no case exceed the maximum of the salary scale attached to the higher post.

B18.3 The salary of a teacher employed at a school shall not be reduced by reason of a change in the classification or grading of the school, but such teacher may, as soon as a suitable vacancy occurs, be transferred by the Minister to a post with a grade appropriate to his salary scale.

B18.4 A teacher who is employed or who is in employment in any school quarter, and who assumes duty on or is in duty from and including the first day of such school quarter and remains in duty or is in duty up to and including the last day of such school quarter, shall be paid salary from and including the first day of the calendar quarter concerned up to and including the last day of such calendar quarter.

B18.5 A teacher employed in any school quarter for a period extending over at least half the number of school days in such school quarter shall be paid salary—

(a) if such employment commences on the first day of the school quarter, from and including the first day of the calendar quarter concerned up to and including the last day on which he is so employed; or

(b) if such employment terminates on the last day of the school quarter, from and including the day on which such employment commences up to and including the last day of the calendar quarter concerned; or

(c) if such employment does not commence on the first day of the school quarter nor end on the last day of the school quarter, from and including the day on which such employment commences up to and including the last day on which he is so employed.

dit verlang, op eie koste kan reël dat sy private geneesheer by die verrigtinge van 'n mediese raad teenwoordig kan wees.

B17.2 As die Minister, op grond van die verslag wat die mediese raad in regulasie B17.1 genoem aangaande die onderwyser se gesondheidstoestand indien, daarvan oortuig is dat sodanige onderwyser weens swak gesondheid (met inbegrip van enige liggaamlike of geestelike gebrek) permanent ongeskik is om met sy pligte as onderwyser voort te gaan, kan hy die onderwyser ingevolge die bepalings van artikel 15 (1) (b) van die Wet uit die diens van die Departement ontslaan met ingang van 'n datum wat die Minister vaststel.

BESOLDIGING VAN ONDERWYSERS

B18.1 Die salarisse, salarisverhogings en toelae betaalbaar aan onderwysers, soos van tyd tot tyd deur die Minister na oorlegpleging met die Minister van Finansies en op aanbeveling van die Staatsdienskommissie bepaal of voorgeskryf, is onderworpe aan die bepalings van die volgende subregulasies.

B18.2 'n Onderwyser wat in enige skoolkwartaal vir 'n ononderbroke tydperk van minstens een maand met die goedkeuring van die Sekretaris waarneem in 'n pos waaraan 'n hoër salarisskaal verbonde is as dié van die pos wat hy beklee, word vir sodanige diens vergoed by wyse van 'n nie-pensioengewende waarnemingstoelae gelykstaande met die verskil tussen die salaris betaalbaar aan hom in die pos wat hy beklee en die salaris wat aan hom betaalbaar sou gewees het indien hy in die hoër pos aangestel was: Met dien verstande dat in geen geval 'n toelae wat meer as vier kerwe verteenwoordig, bereken op die onderwyser se basiese salaris, ingevolge hierdie subregulasie betaalbaar is nie: Met dien verstande voorts dat die basiese salaris van die onderwyser plus sodanige toelae in geen geval die maksimum van die salarisskaal verbonde aan die hoër pos mag oorskry nie.

B18.3 Die salaris van 'n onderwyser in diens by 'n skool word nie verminder omrede 'n verandering in die klassifikasie of gradering van die skool nie, maar sodanige onderwyser kan, sodra daar 'n geskikte vakature ontstaan, deur die Minister verplaas word na 'n pos met 'n graad wat by sy salarisskaal pas.

B18.4 Aan 'n onderwyser wat in enige skoolkwartaal in diens geneem word of in diens is, en wat diens aanvaar op, of diens doen vanaf en met inbegrip van die eerste dag van sodanige skoolkwartaal, en in diens bly of diens doen tot en met die laaste dag van sodanige skoolkwartaal, word salaris betaal vanaf en met inbegrip van die eerste dag van die betrokke kalenderkwartaal tot en met die laaste dag van sodanige kalenderkwartaal.

B18.5 Aan 'n onderwyser wat in enige skoolkwartaal in diens geneem word vir 'n tydperk wat minstens die helfte van die getal skooldae in sodanige skoolkwartaal insluit, word salaris betaal—

(a) as sodanige diens op die eerste dag van die skoolkwartaal begin, vanaf en met inbegrip van die eerste dag van die betrokke kalenderkwartaal tot en met die laaste dag waarop hy aldus in diens is; of

(b) as sodanige diens op die laaste dag van die skoolkwartaal eindig, vanaf en met inbegrip van die dag waarop sodanige diens begin tot en met die laaste dag van die betrokke kalenderkwartaal; of

(c) as sodanige diens nie op die eerste dag van die skoolkwartaal begin en ook nie op die laaste dag van die skoolkwartaal eindig nie, vanaf en met inbegrip van die dag waarop sodanige diens begin tot en met die laaste dag waarop hy aldus in diens is.

B18.6 A teacher employed in any school quarter for a period extending over less than half the number of school days in such school quarter, shall be paid salary from and including the day on which such employment commences up to and including the last day on which he is so employed, irrespective of whether such service commences on the first day of the school quarter or terminates on the last day of the school quarter.

B18.7 If a teacher resigns his post and his resignation takes effect during any school quarter, such teacher shall, if he renders service for less than half the number of school days in such school quarter, not be paid any salary in respect of the portion of the immediately preceding school holiday included in the calendar quarter concerned: Provided that this subregulation shall, notwithstanding anything to the contrary contained in these regulations, not apply to such teacher if he is appointed without a break in service on a fulltime basis in a department, administration, institution or other body referred to in regulation B25.

B18.8 If a woman teacher referred to in regulation B10.3 marries during any school quarter and renders service for less than half the number of school days in such school quarter, she shall not be paid any salary in respect of the portion of the immediately preceding school holiday included in the calendar quarter concerned.

B18.9 Subject to the provisions of regulation B18.8, a teacher who is discharged in terms of section 15 of the Act or in terms of regulation B11.7, and whose discharge takes effect during any calendar quarter, shall be paid salary from and including the first day of such calendar quarter up to and including the day of his discharge.

B18.10 Notwithstanding anything to the contrary in regulations B18.5, B18.6, B18.7 and B18.8, a teacher referred to therein who is in employment during any period which includes a school holiday, may be paid salary for such school holiday provided he has rendered compulsory service during the full period of such school holiday.

B18.11 Subject to the provisions of these regulations no teacher shall be entitled to salary for any period, unless, during such period, he was on duty on approved leave of absence with salary or was suspended with salary or was, in the opinion of the Secretary, lawfully absent from duty.

B18.12 A person who has been discharged from the service of the Department in terms of section 15 (1) (b), (d) or (f) or section 15 (2) of the Act or in terms of regulation B11.7, may not, without the prior permission of the Secretary, be employed as a teacher, and shall not be entitled to any salary in respect of any service rendered by him in any school, while so employed without permission.

B18.13 The annual salary increments, as may be prescribed, shall be payable to a teacher if the Secretary considers that such teacher's conduct as to industry, discipline, punctuality and sobriety has been satisfactory and that he has discharged his duties as a teacher satisfactorily, and shall be payable from the commencement of the calendar month in which such increment comes into operation.

B18.14 Notwithstanding anything to the contrary contained in these regulations all approved leave, of whatever nature, whether with or without salary, shall count as service for the purposes of salary increments.

B18.6 Aan 'n onderwyser wat in enige skoolkwartaal in diens geneem word vir 'n tydperk wat minder as die helfte van die getal skooldae in sodanige skoolkwartaal insluit, word salaris betaal vanaf en met inbegrip van die dag waarop sodanige diens begin tot en met die laaste dag waarop hy aldus in diens is, ongeag of sodanige diens op die eerste dag van die skoolkwartaal begin of op die laaste dag van die skoolkwartaal eindig.

B18.7 Indien 'n onderwyser wat uit sy pos bedank, se bedanking gedurende enige skoolkwartaal in werking tree en hy vir minder as die helfte van die getal skooldae in sodanige skoolkwartaal diens doen, ontvang hy geen salaris ten opsigte van die gedeelte van die onmiddellik voorafgaande skoolvakansie wat by die betrokke kalenderkwartaal ingesluit is nie: Met dien verstande dat hierdie subregulasie, ondanks andersluidende bepalings van hierdie regulasies, nie op sodanige onderwyser van toepassing is nie indien hy sonder onderbreking van diens op 'n heeltydse grondslag aangestel word in 'n departement, administrasie, inrigting of ander instansie vermeld in regulasie B25.

B18.8 Indien 'n onderwyseres in regulasie B10.3 bedoel, gedurende enige skoolkwartaal in die huwelik tree en sy vir minder as die helfte van die getal skooldae in sodanige skoolkwartaal diens doen, ontvang sy geen salaris ten opsigte van die gedeelte van die onmiddellik voorafgaande skoolvakansie wat by die betrokke kalenderkwartaal ingesluit is nie.

B18.9 Behoudens die bepalings van regulasie B18.8, word aan 'n onderwyser wat ingevolge artikel 15 van die Wet of ingevolge regulasie B11.7 ontslaan word en wie se ontslag gedurende enige kalenderkwartaal in werking tree, salaris betaal vanaf en met inbegrip van die eerste dag van sodanige kalenderkwartaal tot en met die dag van sy ontslag.

B18.10 Ondanks enige andersluidende bepalings van regulasies B18.5, B18.6, B18.7 en B18.8, kan aan 'n daarin bedoelde onderwyser wat in diens is gedurende enige tydperk wat 'n skoolvakansie insluit, salaris betaal word vir sodanige skoolvakansie, mits hy verpligte diens verrig het vir die volle tydperk van sodanige skoolvakansie.

B18.11 Behoudens die bepalings van hierdie regulasies, is geen onderwyser geregtig op salaris vir enige tydperk nie, tensy hy gedurende sodanige tydperk diens gedoen het of met goedgekeurde verlof met salaris was of met salaris geskors is of na die mening van die Sekretaris wettiglik van diens afwesig was.

B18.12 Iemand wat ingevolge die bepalings van artikel 15 (1) (b), (d) of (f) of artikel 15 (2) van die Wet of ingevolge regulasie B11.7 uit die diens van die Departement ontslaan word, mag nie sonder die voorafverkreë toestemming van die Sekretaris as onderwyser in diens geneem word nie en is nie geregtig op enige salaris ten opsigte van enige diens wat deur hom in enige skool gelewer is onderwyl hy aldus nie in diens geneem kon word nie.

B18.13 Die jaarlikse salarisverhogings wat voorgeskryf word, is aan 'n onderwyser betaalbaar as die Sekretaris van mening is dat sodanige onderwyser se gedrag bevredigend was met betrekking tot ywer, dissipline, stiptheid en matigheid en dat hy sy pligte as onderwyser bevredigend uitgevoer het, en is betaalbaar van die begin van die kalendermaand waarin so 'n verhoging in werking tree.

B18.14 Ondanks enige andersluidende bepaling van hierdie regulasies word alle goedgekeurde verlof, van watter aard ook al, hetsy met of sonder salaris, as diens vir salarisverhogingsdoeleindes getel.

CESSION OF SALARY

B19. A teacher may not, without the approval of the Secretary, cede his salary or part thereof.

FULFILMENT OF FUNCTIONS OF REGIONAL BOARDS AND SCHOOL COMMITTEES (OR MANAGERS) BY SECRETARY

B20.1 The Secretary may require the school committee (or manager) and regional board concerned to fulfil their functions in accordance with these regulations should he be of the opinion that a vacant teacher's post should be filled, and should they refuse to comply with such requirement or fail to do so within a reasonable period, the Secretary may fulfil the functions of the school committee (or manager) or regional board which refuses or fails to do so.

B20.2 When a vacant teacher's post in a reform school or school of industries has to be filled, the Secretary shall, notwithstanding anything to the contrary contained in these regulations, fulfil the functions of a school committee in connection with the filling of such post.

CLASSIFICATION INTO CATEGORIES, REQUIREMENTS FOR APPOINTMENT AND COMMENCING SALARIES OF TEACHERS

B21.1 Teachers shall be classified by the Secretary into the following categories according to their qualifications:

Category	Qualification
(aa).....	Junior Certificate plus two years recognised training or approved equivalent qualifications.
(a).....	Matriculation Certificate plus one year recognised training or approved equivalent qualifications.
(b).....	Matriculation Certificate plus two years recognised training or approved equivalent qualifications.
(c).....	Matriculation Certificate plus three years recognised training or approved equivalent qualifications.
(d).....	Matriculation Certificate plus four years recognised training or approved equivalent qualifications.
(e).....	Matriculation Certificate plus five years recognised training or approved equivalent qualifications.
(f).....	Matriculation Certificate plus six years recognised training or approved equivalent qualifications.

B21.2 The Secretary shall assess the qualifications for purposes of classification in one of the categories referred to in regulation B21.1, and shall also determine the qualifications a teacher should hold and what other requirements he must comply with in order to be eligible for permanent appointment to the various teaching posts.

B21.3 The commencing salary of a teacher above the minimum of the salary scale applicable to the post to which he is appointed, shall be determined by the Secretary according to the service and qualifications of such teacher.

UNCERTIFICATED TEACHERS

B21.4 Teachers who do not hold the minimum qualifications for classification into one of the categories referred to in regulation B21.1, shall be classified by the Secretary as uncertificated teachers.

GRADING OF SCHOOLS

B22.1 Schools shall, for the purposes of the remuneration of the principal, be classified in grades in accordance with the approved grading scales with effect from 1 January of each year, and the grade in which a school is so classified shall be determined by its established

SEDEER VAN SALARIS

B19. 'n Onderwyser mag nie sonder die goedkeuring van die Sekretaris sy salaris of 'n deel daarvan sedeer nie.

VERVULLING VAN FUNKSIES VAN STREEK-RADE EN SKOOLKOMITEES (OF BESTUURDERS) DEUR SEKRETARIS

B20.1 As die Sekretaris van mening is dat 'n vakante onderwyserspos gevul moet word, kan hy van die betrokke skoolkomitee (of bestuurder) en streekraad vereis om hul funksies kragtens hierdie regulasies te vervul, en ingeval hulle weier om aan sodanige vereiste te voldoen of in gebreke bly om binne 'n redelike tyd daaraan te voldoen, kan die Sekretaris die funksies vervul van die skoolkomitee (of bestuurder) of streekraad wat aldus weier of in gebreke bly.

B20.2 Wanneer 'n vakante onderwyserspos in 'n verbeteringskool of nywerheidsskool gevul moet word, vervul die Sekretaris, ondanks andersluidende bepalinge van hierdie regulasies, die funksies van 'n skoolkomitee met betrekking tot die vulling van sodanige pos.

KATEGORIE-INDELING, AANSTELLINGSVEREISTES EN AANVANGSALARISSE VAN ONDERWYSERS

B21.1 Onderwysers word deur die Sekretaris, na gelang van die kwalifikasies wat hulle besit, soos volg in kategorieë ingedeel:

Kategorie	Kwalifikasie
(aa).....	Junior Sertifikaat plus twee jaar erkende opleiding of goedgekeurde gelykwaardige kwalifikasies.
(a).....	Matrikulasiesertifikaat plus een jaar erkende opleiding of goedgekeurde gelykwaardige kwalifikasies.
(b).....	Matrikulasiesertifikaat plus twee jaar erkende opleiding of goedgekeurde gelykwaardige kwalifikasies.
(c).....	Matrikulasiesertifikaat plus drie jaar erkende opleiding of goedgekeurde gelykwaardige kwalifikasies.
(d).....	Matrikulasiesertifikaat plus vier jaar erkende opleiding of goedgekeurde gelykwaardige kwalifikasies.
(e).....	Matrikulasiesertifikaat plus vyf jaar erkende opleiding of goedgekeurde gelykwaardige kwalifikasies.
(f).....	Matrikulasiesertifikaat plus ses jaar erkende opleiding of goedgekeurde gelykwaardige kwalifikasies.

B21.2 Die Sekretaris bepaal die waarde van kwalifikasies vir die doeleindes van indeling in een van die kategorieë wat in regulasie B21.1 genoem word en bepaal ook watter kwalifikasies 'n onderwyser moet besit en aan watter ander vereistes hy moet voldoen ten einde vir vaste aanstelling in die verskillende onderwysposte in aanmerking te kom.

B21.3 Die aanvangsalaris van 'n onderwyser bo die minimum van die salarisskaal wat van toepassing is op die pos waarin hy aangestel word, word deur die Sekretaris vasgestel volgens die diens en kwalifikasies van so 'n onderwyser.

ONGEDIPLOMEERDE ONDERWYSERS

B21.4 Onderwysers wat nie die minimum kwalifikasies vir indeling by een van die kategorieë in regulasie B21.1 genoem, besit nie, word deur die Sekretaris as ongediplomeerde onderwysers ingedeel.

GRADERING VAN SKOLE

B22.1 Skole word, vir die doeleindes van die besoldiging van die prinsipaal, met ingang van 1 Januarie van elke jaar volgens die goedgekeurde graderingskale in grade ingedeel en die graad waarin 'n skool aldus ingedeel word, word bepaal deur sy gehandhaafde inskrywing: Met dien verstande dat 'n hoërskool wat 'n

enrolment: Provided that a high school having a primary department with an established enrolment of not less than 200 pupils shall be classified in the next higher grade than that in which its established enrolment in standards above the fifth entitles it to be classified.

B22.2 The Secretary may specially review the grading of a school when the enrolment in such school has increased or decreased considerably as a direct result of the provision of additional hostel, classroom or workshop accommodation at the school concerned or at another school, or as a result of the opening of another school in the vicinity or of any other special circumstances: Provided that the revised grading of a school as a result of such review shall take place with effect from a date determined by the Secretary.

B22.3 When a school is established in terms of section 3 of the Act, or a school becomes eligible for grants-in-aid and loans in terms of the provisions of section 4 of the Act, or a school is reclassified by the Minister as a high, secondary or primary school, the Secretary shall determine the classification of such school in one of the grades referred to in regulation B22.1, in accordance with the anticipated established enrolment as estimated by the Secretary.

PART-TIME TEACHERS

B23.1 A teacher who is not in the full-time employment of the Department shall be known as a part-time teacher, and shall be remunerated for his services at the rates determined or prescribed by the Minister from time to time, after consultation with the Minister of Finance, and on the recommendation of the Public Service Commission.

B23.2 The provisions of subregulations B6.1 to B6.6 may be applied *mutatis mutandis* in respect of the appointment of a part-time teacher.

B23.3 A part-time teacher shall not be eligible for any leave with pay and shall receive no remuneration during his absence from classes, whether for vacation or other purposes.

B23.4 The services of a part-time teacher may be summarily terminated by the Secretary if in his opinion such person's service or conduct is unsatisfactory.

B23.5 Where a part-time teacher is appointed in a full-time capacity as a teacher—

(a) his part-time service shall not be taken into consideration for purposes of granting of leave to him as a full-time teacher;

(b) any period of part-time service rendered by him shall be taken into consideration for salary purposes, and such service shall be converted for this purpose into full-time service by reducing the part-time service proportionately according to the relationship, as determined by the Secretary, between the time required to be devoted by such teacher to his duties during such part-time service and the time required to be devoted by a teacher to his duties during full-time service.

RECOGNITION OF SERVICE OUTSIDE THE DEPARTMENT FOR SALARY PURPOSES

B24.1 A teacher who has had service outside the Department, on the teaching staff of a school, college, class or university, or as an inspector of education, shall submit documentary proof in support thereof to the Secretary, if he desires such service to be recognised for salary purposes.

B24.2 If a teacher has had service not described in regulation B24.1, but which is nevertheless regarded by the Secretary as suitable for recognition for salary purposes, the Secretary may, upon submission by the teacher of documentary proof in support thereof, recognise such

primêre afdeling het met 'n gehandhaafde inskrywing van minstens 200 leerlinge, ingedeel word in die hoër graad wat volg op dié waarin sodanige skool uit hoofde van sy gehandhaafde inskrywing in standers bo die vyfde geregig is om ingedeel te word.

B22.2 Die Sekretaris kan die gradering van 'n skool spesiaal hersien wanneer die leerlingtal in so 'n skool aansienlik gestyg of gedaal het regstreeks as gevolg van die verskaffing van addisionele koshuis-, klaskamer- of werkwinkelruimte by die betrokke skool of by 'n ander skool, of as gevolg van die opening van 'n ander skool in die omgewing of van enige ander buitengewone omstandighede: Met dien verstande dat die hersiene gradering van 'n skool as gevolg van sodanige hersiening geskied met ingang van 'n datum wat die Sekretaris vasstel.

B22.3 Wanneer 'n skool kragtens artikel 3 van die Wet ingestel word, of 'n skool kragtens die bepalings van artikel 4 van die Wet vir die toekenning van hulptoelees en lenings in aanmerking kom, of 'n skool deur die Minister as 'n hoër-, middelbare of laerskool herklassifiseer word, word die indeling van sodanige skool in een van die grade in regulasie B22.1 bedoel, deur die Sekretaris bepaal ooreenkomstig die verwagte gehandhaafde inskrywing soos deur die Sekretaris beraam.

DEELTYDSE ONDERWYSERS

B23.1 'n Onderwyser wat nie in 'n heeltydse hoedanigheid in diens van die Departement is nie, staan bekend as 'n deeltydse onderwyser en word vir sy dienste vergoed teen die tariewe wat die Minister na oorlegging met die Minister van Finansies en op aanbeveling van die Staatsdienskommissie van tyd tot tyd bepaal of voorskryf.

B23.2 By die aanstelling van 'n deeltydse onderwyser kan die bepalings van regulasies B6.1 tot B6.6 *mutatis mutandis* toegepas word.

B23.3 'n Deeltydse onderwyser kom nie vir verlof met betaling in aanmerking nie en ontvang gedurende sy afwesigheid van klasse, hetsy vir vakansie- of ander doeleindes, geen vergoeding nie.

B23.4 Die dienste van 'n deeltydse onderwyser kan deur die Sekretaris summier beëindig word indien hy van mening is dat so iemand se diens of gedrag onbevredigend is.

B23.5 Waar 'n deeltydse onderwyser in 'n heeltydse hoedanigheid as onderwyser aangestel word—

(a) word sy deeltydse diens nie in aanmerking geneem vir die doeleindes van die toekenning van verlof aan hom as 'n heeltydse onderwyser nie;

(b) word enige tydperk van deeltydse diens wat hy gedoen het, vir salarisdoeleindes in aanmerking geneem en word sodanige diens met dié doel in heeltydse diens omgesit deur die deeltydse diens eweredig te verminder volgens die verhouding, soos die Sekretaris bepaal, tussen die tyd wat gedurende sodanige deeltydse diens deur die onderwyser aan sy pligte bestee moes word en die tyd wat gedurende heeltydse diens deur 'n onderwyser aan sy pligte bestee moet word.

ERKENNING VAN DIENS BUITE DIE DEPARTEMENT VIR SALARISDOELEINDES

B24.1 'n Onderwyser wat buite die Departement diens gehad het in die onderwyspersoneel van 'n skool, kollege, klas of universiteit of as 'n inspekteur van onderwys, moet dokumentêre bewys ter staving daarvan by die Sekretaris indien as hy verlang dat sodanige diens vir salarisdoeleindes erken moet word.

B24.2 As 'n onderwyser diens gehad het wat nie in regulasie B24.1 beskryf word nie maar nietemin deur die Sekretaris as geskik vir erkenning vir salarisdoeleindes beskou word, kan die Sekretaris, by voorlegging deur die onderwyser van dokumentêre bewys ter staving daarvan,

service as service for salary purposes to the extent and on the basis recommended by the Public Service Commission from time to time.

B24.3 If the service referred to in regulations B24.1 and B24.2 is part-time service, such service shall be converted for the purposes of this regulation into full-time service in the manner prescribed in paragraph (b) of regulation B23.5.

B24.4 A salary adjustment by virtue of service mentioned in this regulation shall come into operation with effect from a date determined by the Secretary.

APPOINTMENT OF A PERSON WHO IS IN THE SERVICE OF ANOTHER DEPARTMENT, ADMINISTRATION OR INSTITUTION

B25. When a person who is in full-time employment of—

- (a) the South African Railways;
- (b) the State Diggings;
- (c) a provincial education department or the Department of Education of the Territory of South-West Africa;
- (d) a recognised university or university college or a class, educational or other institution within the Republic, established or in receipt of grants-in-aid in terms of any act, excluding an act administered by the Department, but subject to the provisions of paragraph (e);
- (e) a continuation class, vocational school or home in respect of which grants-in-aid are made in terms of section 4 of the Act or in respect of which a loan has been granted in terms of that section;
- (f) a provincial administration, and who is appointed in terms of a provincial ordinance or who is in full-time employment of the Administration of the Territory of South-West Africa and is appointed in terms of an ordinance of that Administration; or
- (g) another Government Department;

is appointed without a break in service in a full-time capacity as a teacher in the service of the Department, the Secretary may decide at his discretion whether—

- (i) such person shall be eligible for the payment of a subsistence allowance, transfer costs or the award of transport privileges;
- (ii) such person may be credited with vacation leave standing to his credit; or
- (iii) if the services of the person under such an administration, department or institution terminate during a school holiday or on a day preceding a day of rest, the appointment of such person under the Department may commence on the day immediately following the day on which his services so terminate.

DUTIES OF TEACHERS

B26.1 The control of a school shall vest in the principal, who shall, in addition to giving instruction, supervise the general administration of the school and give guidance in connection with the instruction and other activities of the school. He shall supervise the activities of the teaching staff and other persons employed at the school, and shall furnish the Secretary with such returns and other information as may be required by the Secretary, and shall be responsible to the Secretary.

B26.2 A deputy rector, vice-rector, deputy principal, vice-principal, head of department, senior lecturer or senior assistant shall discharge such special duties, apart from his normal duties as a member of the staff, as may be assigned to him from time to time by the principal after consultation with the school committee (or manager), and subject to any instructions given by the Secretary.

sodanige diens as diens vir salarisdoeleindes erken in die mate en op die grondslag soos van tyd tot tyd deur die Staatsdienskommissie aanbeveel.

B24.3 As die diens vermeld in regulasies B24.1 en B24.2 deelydse diens is, word sodanige diens vir die doeleindes van hierdie regulasie in heeltydse diens omgesit op die wyse voorgeskryf in regulasie B23.5 (b).

B24.4 'n Salarisaanpassing uit hoofde van diens vermeld in hierdie regulasie is van krag met ingang van 'n datum wat die Sekretaris vasstel.

AANSTELLING VAN PERSOON WAT IN DIENS IS VAN 'N ANDER DEPARTEMENT, ADMINISTRASIE OF INRIGTING

B25. As 'n persoon wat heeltyd in diens is van—

- (a) die Suid-Afrikaanse Spoorweë;
- (b) die Staatsdelwerye;
- (c) 'n provinsiale onderwysdepartement, of die Departement van Onderwys van die Gebied Suidwes-Afrika;
- (d) 'n erkende universiteit of universiteitskollege of 'n klas, onderwys-, of ander inrigting binne die Republiek, wat ingestel is of hulptoelaes ontvang kragtens enige wet, uitgesonderd 'n wet wat deur die Departement toegepas word, maar behoudens die bepalings van paragraaf (e);
- (e) 'n voortsettingsklas, beroepskool of tehuis ten opsigte waarvan hulptoelaes ingevolge artikel 4 van die Wet betaal word of ten opsigte waarvan 'n lening ingevolge daardie artikel toegestaan is;
- (f) 'n provinsiale administrasie, en aangestel is kragtens 'n provinsiale ordonnansie of heeltyd in diens is van die Administrasie van die gebied Suidwes-Afrika en aangestel is kragtens 'n ordonnansie van daardie Administrasie; of
- (g) 'n ander staatsdepartement;

sonder onderbreking van diens in 'n heeltydse hoedanigheid as onderwyser in diens van die Departement aangestel word, kan die Sekretaris na goedgekeurde besluit of—

- (i) sodanige persoon in aanmerking kan kom vir die betaling van 'n verblyftoelaes, oorplassingskoste of die toestaan van vervoervoorregte;
- (ii) sodanige persoon met vakansieverlof wat hy tegevoel het, gekrediteer kan word; of
- (iii) indien die persoon se diens onder so 'n administrasie, departement of inrigting gedurende 'n skoolvakansie of op 'n dag wat 'n rusdag voorafgaan, eindig, sodanige persoon se aanstelling onder die Departement in werking kan tree op die dag wat onmiddellik volg op die dag waarop sy diens aldus eindig.

PLIGTE VAN ONDERWYSERS

B26.1 Die beheer van 'n skool berus by die prinsipaal wat, benewens onderrig te gee, toesig moet hou oor die algemene administrasie van die skool en leiding moet gee in verband met die onderrig- en ander werksaamhede van die skool. Hy moet toesig hou oor die werksaamhede van die onderwyspersoneel en ander persone wat in diens is by die skool en moet aan die Sekretaris die opgawes en ander inligting verstrek wat deur die Sekretaris vereis word, en is aan die Sekretaris verantwoordelik.

B26.2 'n Adjunk-rector, vise-rector, adjunk-prinsipaal, vise-prinsipaal, departementshoof, senior lektor of senior assistent moet enige spesiale pligte, afgesien van sy normale pligte as 'n lid van die personeel, uitvoer wat van tyd tot tyd deur die prinsipaal aan hom toegewys word na oorlegpleging met die skoolkomitee (of bestuurder) en onderworpe aan enige opdragte wat deur die Sekretaris gegee word.

B26.3 The principal may require any teacher on the staff of the school to give instruction in any standard or in any subject: Provided that the approval of the Secretary shall be obtained for the performance by such teacher for a continuous period of one month or longer of duties not appropriate to his post.

B26.4 The duties of an itinerant teacher shall be determined by the Secretary.

B26.5 Every teacher shall during school hours devote himself to the discharge of his duties and shall not engage in private affairs, or in any work having no direct bearing on the duties which he as a teacher shall perform at a particular time.

B26.6 Every teacher shall, in addition to the performance of his duties during school hours and on the school premises, take part, when so required by the principal, in all matters affecting the general work and welfare of the school: Provided that he may for conscientious reasons decline to carry out any such additional duties on condition that he immediately submits his reasons in writing to the Secretary through the principal (if he serves under a principal), school committee (or manager) and regional board, whereupon the Secretary may release him from such duties or direct him to carry out such duties.

B26.7 The principal of a school shall ensure that the additional duties referred to in regulation B26.6 are reasonably distributed among the teachers in the school and that they do not fall excessively on any teacher.

B26.8 The principal of a school is responsible for all stores and equipment of such school and whenever he will, with effect from a particular date and for any reason whatsoever, no longer be in control of such school, he shall complete before such date, in consultation with the person who will take over control of the said stores and equipment, a stock handing-over certificate on an approved form, and the two persons concerned shall thereafter deal with such certificate in the manner prescribed by the Secretary.

OFFICIAL CHANNELS OF COMMUNICATION

B27. Except where the Secretary has approved other arrangements in the case of any particular school or section thereof, all representations which a teacher wishes to make to the Department, another Government department, a provincial administration or any other body in connection with his position or conditions of service, or any matter concerning the Department, shall be submitted to the Secretary through the principal (if he serves under one), school committee (or manager) and regional representative.

LEAVE OF ABSENCE OF TEACHERS

GENERAL

B28.1 Leave in terms of these regulations cannot be claimed as a right, and, subject to the provisions of regulation B33, a teacher cannot claim payment in respect of the cash value of leave standing to his credit.

B28.2 Any leave, except where otherwise determined in these regulations or by the Secretary, shall commence on the first school day on which a teacher is absent from duty, and shall terminate on the last school day prior to the day on which the teacher resumes his duties.

B28.3 A day of rest, or two or more consecutive days of rest, falling within a period of leave, shall be deemed to form part of such leave: Provided that, where such day or days of rest are not preceded and succeeded

B26.3 Die prinsipaal kan enige onderwyser in die personeel van die skool aansê om onderrig in enige standaard of in enige vak te gee: Met dien verstande dat die goedkeuring van die Sekretaris verkry moet word vir die gebruik van so 'n onderwyser vir 'n ononderbroke tydperk van een maand of langer vir pligte wat nie by sy pos pas nie.

B26.4 Die pligte van 'n rondreisende onderwyser word deur die Sekretaris vasgestel.

B26.5 Elke onderwyser moet hom gedurende skoolure aan die uitvoering van sy pligte wy en mag hom nie met private sake besig hou of met enige werk wat nie regstreeks betrekking het op die pligte wat hy as onderwyser op 'n besondere tydstop moet nakom nie.

B26.6 Elke onderwyser moet, benewens die uitvoering van sy pligte gedurende die skoolure en op die skoolperseel, deelneem, wanneer die prinsipaal dit vereis, aan alle sake wat die algemene werk en welvaart van die skool raak: Met dien verstande dat hy om gewetensredes kan weier om enige sodanige addisionele pligte uit te voer mits hy onmiddellik sy redes skriftelik aan die Sekretaris voorlê deur bemiddeling van die prinsipaal (as hy onder 'n prinsipaal dien), die skoolkomitee (of bestuurder) en streekraad en daarna kan die Sekretaris hom van sodanige pligte vrystel of hom gelas om sodanige pligte uit te voer.

B26.7 Die prinsipaal van 'n skool moet toesien dat die addisionele pligte in regulasie B26.6 bedoel, billik onder die onderwysers in die skool verdeel word en dat dit nie uitermate op enige onderwyser rus nie.

B26.8 Die prinsipaal van 'n skool is verantwoordelik vir alle voorrade en uitrusting van sodanige skool en wanneer hy met ingang van 'n bepaalde datum om watter rede ook al nie langer in beheer van daardie skool sal wees nie, moet hy voor sodanige datum, in oorleg met die persoon wat beheer oor sodanige voorrade en uitrusting sal oorneem, 'n voorraad-oorhandigingssertifikaat op 'n goedgekeurde vorm invul, en moet die betrokke twee persone daarna met sodanige sertifikaat handel op die wyse deur die Sekretaris voorgeskryf.

AMPTELIKE VERBINDINGSKANAAL

B27. Tensy ander reëlings deur die Sekretaris in die geval van 'n besondere skool of afdeling daarvan goedgekeur is, moet alle vertoë wat 'n onderwyser verlang om aan die Departement, 'n ander staatsdepartement, 'n provinsiale administrasie of enige ander instansie in verband met sy posisie of diensvoorwaardes, of enige aan geleentheid rakende die Departement, te rig, deur bemiddeling van die prinsipaal (as hy onder 'n prinsipaal dien), skoolkomitee (of bestuurder) en streekvertegenwoordiger aan die Sekretaris voorgelê word.

VERLOF VAN AFWESIGHEID VAN ONDERWYSERS

ALGEMEEN

B28.1 Verlof ingevolge hierdie regulasies kan nie as 'n reg geëis word nie en, behoudens die bepalings van regulasie B33, kan geen onderwyser eis dat die geldwaarde van ongebruikte verlof aan hom uitbetaal word nie.

B28.2 Enige verlof, behalwe waar in hierdie regulasies of deur die Sekretaris anders bepaal word, begin op die eerste skooldag waarop 'n onderwyser van diens afwesig is en eindig op die laaste skooldag voor die dag waarop die onderwyser diens hervat.

B28.3 'n Rusdag of twee of meer opeenvolgende rusdae wat binne 'n tydperk van verlof val, word geag deel van sodanige verlof uit te maak: Met dien verstande dat, waar sodanige rusdag of rusdae nie voorafgegaan en gevolg word deur verlof van dieselfde soort nie, die

by leave of the same kind, the day or days of rest concerned shall be deemed to form part of the leave preceding such day or days of rest.

B28.4 Subject to the provisions of regulation B28.5 a teacher who, in any school quarter, is absent on leave without salary for more than half the number of school days in such school quarter, shall be granted leave without salary as follows:

(a) If he is absent from and including the first day of such school quarter, the leave shall commence on the first day of the calendar quarter concerned and terminate on the last day of his absence.

(b) If he is absent up to and including the last day of such school quarter, the leave shall commence on the first day of his absence and terminate on the last day of the calendar quarter concerned.

(c) If he is absent from and including the first day of such school quarter up to and including the last day of such school quarter, the leave shall commence on the first day of the calendar quarter concerned and terminate on the last day of such calendar quarter.

B28.5 If a teacher is absent on leave up to and including the last day of any school quarter and is also absent on leave as from the first day of the next school quarter, the period of the intervening school holiday shall not be regarded as leave: Provided that—

(a) where such school holiday is preceded and succeeded by leave without salary or with half salary (excluding sick leave with half salary), the teacher concerned shall be granted leave without salary or with half salary, as the case may be, for such school holiday;

(b) if vacation leave with half salary is granted to a teacher for a school holiday in terms of paragraph (a) such leave shall not be recorded or debited against such teacher's vacation leave credit;

(c) where the school holiday referred to in paragraph (a) is preceded and succeeded by leave of the same kind, the conditions of pay for such school holiday shall be the same as the conditions of pay for the last school day immediately preceding such school holiday;

(d) if the school holiday referred to in paragraph (a) is not preceded and succeeded by leave of the same kind, the two kinds of leave shall be dealt with as two separate periods of leave and the teacher, notwithstanding anything to the contrary in regulation B28.4, be granted leave as prescribed in paragraph (a), (b) or (c) of the aforesaid subregulation, in respect of each such period; and

(e) the provisions of paragraphs (a) and (d) shall not apply to a teacher who is required by the Secretary in terms of regulation B29.4 to perform vacation duty during such intervening school holiday and who actually performs such duty for the full period of the intervening school holiday.

B28.6 If a teacher resigns his post and his resignation takes effect during a period of approved leave, or if, prior to the expiry of a period of approved leave, he should for any reason be discharged from the service of the Department, such leave shall terminate on the day immediately preceding that on which such resignation or discharge takes effect: Provided that, if a teacher is discharged in terms of the provisions of section 15 (1) (a) or (g) of the Act, the Secretary may decide that in the

betrokke rusdag of rusdae geag word deel uit te maak van die verlof wat sodanige rusdag of rusdae voorafgaan.

B28.4 Behoudens die bepalinge van regulasie B28.5, word aan 'n onderwyser wat in enige skoolkwartaal met verlof sonder salaris afwesig is vir meer as die helfte van die getal skooldae in sodanige skoolkwartaal, verlof sonder salaris toegestaan soos volg:

(a) As hy vanaf en met inbegrip van die eerste dag van sodanige skoolkwartaal afwesig is, begin die verlof op die eerste dag van die betrokke kalenderkwartaal en eindig dit op die laaste dag van sy afwesigheid.

(b) As hy tot en met die laaste dag van sodanige skoolkwartaal afwesig is, begin die verlof op die eerste dag van sy afwesigheid en eindig dit op die laaste dag van die betrokke kalenderkwartaal.

(c) As hy vanaf en met inbegrip van die eerste dag van sodanige skoolkwartaal tot en met die laaste dag van sodanige skoolkwartaal afwesig is, begin die verlof op die eerste dag van die betrokke kalenderkwartaal en eindig dit op die laaste dag van sodanige kalenderkwartaal.

B28.5 As 'n onderwyser tot en met die laaste dag van enige skoolkwartaal met verlof afwesig is en met ingang van die eerste dag van die daaropvolgende skoolkwartaal ook met verlof afwesig is, word die tussenkomende skoolvakansie nie as verlof beskou nie: Met dien verstande dat—

(a) waar sodanige skoolvakansie voorafgegaan en gevolg word deur verlof sonder salaris of met halwe salaris (uitgesonderd siekteverlof met halwe salaris), aan die betrokke onderwyser verlof sonder salaris of met halwe salaris, na gelang van die geval, vir sodanige skoolvakansie toegestaan word;

(b) indien vakansieverlof met halwe salaris vir 'n skoolvakansie ingevolge paragraaf (a) aan 'n onderwyser toegestaan word, sodanige verlof nie as verlof aangeteken en ook nie teen sodanige onderwyser se vakansieverlofkrediet gedebiteer word nie;

(c) waar die skoolvakansie in paragraaf (a) bedoel, voorafgegaan en gevolg word deur verlof van dieselfde soort, die besoldigingsvoorwaardes vir sodanige skoolvakansie dieselfde is as die besoldigingsvoorwaardes vir die laaste skooldag wat sodanige skoolvakansie onmiddellik voorafgaan;

(d) indien die skoolvakansie in paragraaf (a) bedoel, nie voorafgegaan en gevolg word deur verlof van dieselfde soort nie, die twee soorte verlof as twee afsonderlike tydperke van verlof behandel word en verlof, ondanks andersluidende bepalinge van regulasie B28.4, aan die onderwyser ten opsigte van elke sodanige tydperk toegestaan word soos in regulasie B24.4 (a), (b) of (c) voorgeskryf; en

(e) die bepalinge van paragrawe (a) en (d) nie van toepassing is nie op 'n onderwyser van wie die Sekretaris ingevolge regulasie B29.4 vereis om vakansiediens gedurende sodanige tussenkomende skoolvakansie te verrig en wat wel sodanige diens vir die volle tydperk van die tussenkomende skoolvakansie verrig.

B28.6 Indien 'n onderwyser uit sy pos bedank en sy bedanking gedurende 'n tydperk van goedgekeurde verlof in werking tree, of indien hy voor die verstrekking van 'n tydperk van goedgekeurde verlof om watter rede ook al uit die diens van die Departement ontslaan word, eindig sodanige verlof op die dag wat die datum onmiddellik voorafgaan waarop sodanige bedanking of ontslag in werking tree: Met dien verstande dat, indien 'n onderwyser ingevolge die bepalinge van artikel 15 (1) (a) of (g) van die Wet ontslaan word, die Sekretaris kan bepaal dat

case of such teacher, approved leave shall terminate on the last day of the calendar quarter referred to in regulations B9 and B10.2.

B28.7 When a teacher resigns his post or for any reason whatsoever, except for a reason referred to in regulation B33.1 (b), (c), (d) or (e), is discharged from the service of the Department, all vacation leave standing to his credit shall lapse on the day immediately preceding that on which such resignation or discharge takes effect, and, if such teacher is thereafter re-appointed as a teacher, his service prior to such re-appointment shall not be taken into consideration for vacation leave purposes.

B28.8 Leave granted to a teacher may at any time be withdrawn by the Secretary at his discretion.

B28.9 A teacher who wishes to resume duty before the expiry of a period of leave granted to him under these regulations, shall not do so before having obtained the prior approval of the Secretary.

APPLICATION FOR LEAVE

B28.10 If, owing to sudden illness or other unavoidable circumstances, a teacher is prevented from reporting for duty, or is compelled to be absent from duty, he shall immediately notify his principal, or if the teacher is the principal, the school committee (or manager) of the reasons for his absence and the possible duration thereof, and in any case the principal shall immediately report to the school committee (or manager) the absence of a teacher who is so compelled to be absent, and shall ensure that in the case of all absences for a full school day or longer, the necessary application for leave is submitted.

B28.11 Except in the case where a teacher is suspended from duty or where he is prevented by sudden illness or other unavoidable circumstances from reporting for duty or is compelled to be absent from duty, a teacher shall not leave his work or stay away from it until he has applied in writing for leave and has been advised that the leave application has been approved.

B28.12 Leave of absence may be granted to a teacher by the Secretary in terms of any of the following regulations, and application therefor shall be made by the teacher on an approved form which shall be submitted to the Secretary through the principal (if he serves under a principal) and the school committee (or manager), whose recommendations shall accompany such application.

VACATION LEAVE

B29.1 With effect from the date of commencement of this regulation—

(a) a teacher employed before 1 January 1971 in a permanent capacity at a vocational school or a special school which is a State school, a technical college, a college for advanced technical education, a school of industries, a reform school or a State-aided special school, shall be credited with vacation leave at 14 days per annum;

(b) a teacher other than those referred to in paragraph (a), shall be credited with vacation leave at 12 days per annum.

goedgekeurde verlof in die geval van sodanige onderwyser eindig op die laaste dag van die kalenderkwartaal wat in regulasies B9 en B10.2 bedoel word.

B28.7 Wanneer 'n onderwyser uit sy pos bedank of om watter rede ook al, behalwe om 'n rede in regulasie B33.1 (b), (c), (d) of (e) genoem, uit die diens van die Departement ontslaan word, vervall alle vakansieverlof wat hy te goed het, op die dag wat die datum onmiddellik voorafgaan waarop sodanige bedanking of ontslag in werking tree, en as sodanige onderwyser daarna as 'n onderwyser heraanstelling word, word sy diens voor sodanige heraanstelling nie vir vakansieverlofdoeleindes in aanmerking geneem nie.

B28.8 Verlof wat aan 'n onderwyser toegestaan is, kan te eniger tyd na goeddunke deur die Sekretaris ingetrek word.

B28.9 'n Onderwyser wat diens wil hervat voor die verstryking van 'n tydperk van verlof wat ingevolge hierdie regulasies aan hom toegestaan is, mag dit nie sonder die voorafverkreë goedkeuring van die Sekretaris doen nie.

AANSOEK OM VERLOF

B28.10 As 'n onderwyser weens skielike siekte of ander onvermydelike omstandighede verhinder word om hom vir diens aan te meld of genoodsaak word om van diens afwesig te wees, moet hy sy prinsipaal, of as die onderwyser 'n prinsipaal is, die skoolkomitee (of bestuurder), onmiddellik in kennis stel van die redes vir sy afwesigheid en die moontlike duur daarvan, en die prinsipaal moet in ieder geval enige afwesigheid van 'n onderwyser wat aldus genoodsaak word om afwesig te wees, onverwyld aan die skoolkomitee (of bestuurder) rapporteer en toesien dat, in die geval van alle afwesigheid vir 'n volle skooldag of langer, die nodige aansoek om verlof ingedien word.

B28.11 Behalwe in die geval waar 'n onderwyser in die diens geskors is of waar hy weens skielike siekte of ander onvermydelike omstandighede verhinder word om hom vir diens aan te meld of genoodsaak word om van diens afwesig te wees, mag 'n onderwyser nie sy diens verlaat of daarvan wegbly voordat hy skriftelik om verlof aansoek gedoen het en in kennis gestel is dat die verlof-aansoek goedgekeur is nie.

B28.12 Afwesigheidsverlof kan deur die Sekretaris kragtens enige van die volgende regulasies aan 'n onderwyser toegestaan word en aansoek daarvoor moet deur die onderwyser gedoen word op 'n goedgekeurde vorm wat deur bemiddeling van die prinsipaal (as hy onder 'n prinsipaal dien) en die skoolkomitee (of bestuurder) wies aanbevelings sodanige aansoek moet vergesel, aan die Sekretaris voorgelê moet word.

VAKANSIEVERLOF

B29.1 Met ingang van die datum van inwerkingtreding van hierdie regulasie word—

(a) 'n onderwyser wat voor 1 Januarie 1971 in 'n vaste hoedanigheid in diens was by 'n beroepsskool of 'n spesiale skool wat 'n staatskool is, 'n tegniese kollege, 'n kollege vir gevorderde tegniese onderwys, 'n nywerheidsskool, 'n verbeteringskool of 'n staatsondersteunde spesiale skool, gekrediteer met vakansieverlof teen 14 dae per jaar;

(b) 'n ander onderwyser as dié vermeld in paragraaf (a) gekrediteer met vakansieverlof teen 12 dae per jaar.

CREDITING OF TEACHERS WHO EARNED FURLOUGH WITH VACATION LEAVE

B29.2 With effect from the date of commencement of this regulation no furlough shall be granted to or taken by a teacher: Provided that—

(a) furlough granted for a period commencing prior to and expiring after such date may be continued and completed as if this regulation had not been made;

(b) furlough granted before such date for a period commencing on or after such date may be taken, and shall be deducted from the vacation leave with which he is credited as hereinafter provided.

B29.3 A teacher who, prior to the date of commencement of this regulation, has had service in respect of which he earned or could earn furlough shall be credited with vacation leave as follows:

(a) Two and a half days for each year, and proportionately for part of a year, of all such service prior to such date, up to a maximum of 92 days; and

(b) nine days for each year, and proportionately for part of a year, of no-furlough service for a period not exceeding 20 years: Provided that, if a teacher has been prevented for some or other reason from taking furlough when it became due to him, there shall be added to the period of 20 years, or any period of service calculated in terms of this paragraph, so much of the period of service by which such furlough was postponed, and which the Secretary is satisfied was postponed due to a recognised reason: Provided further that any fraction of a day occurring in the total number of days calculated in accordance with this subregulation shall be disregarded.

ADDITIONAL VACATION LEAVE FOR VACATION DUTY

B29.4 The Secretary may require a teacher to remain on duty during any school holiday: Provided that—

(a) where a teacher is so required to remain on duty, he may be credited with vacation leave, in addition to the vacation leave mentioned in regulation B29.1, equal to half the number of days for which he so remained on duty during a school holiday;

(b) a teacher shall not be so credited with more than 24 days' vacation leave in any calendar year;

(c) a teacher may request, within one month of his having so remained on duty, that he be credited with the number of days leave referred to in paragraph (a), or that in lieu thereof he receive a non-pensionable cash payment calculated at half his basic annual remuneration or wage at the time of the performance of such duty, for a maximum period of 48 days' vacation duty in any calendar year; and

(d) the number of days vacation leave with which a teacher is credited in terms of this subregulation plus half the number of days in respect of which he receives a non-pensionable cash payment, shall in total not exceed 24 days in any calendar year.

ACCRUAL OF VACATION LEAVE

B29.5 Vacation leave, excluding vacation leave credited to a teacher in terms of regulation B29.4, shall accrue in respect of each completed month of service at the rate of one-twelfth of the number of days mentioned in regulation B29.1.

KREDITERING VAN ONDERWYSERS WAT LANGVERLOF VERDIEN HET, MET VAKANSIE-VERLOF

B29.2 Met ingang van die datum van inwerkingtreding van hierdie regulasie word aan geen onderwyser langverlof toegestaan of mag dit deur hom benut word nie: Met dien verstande dat—

(a) langverlof wat toegestaan is vir 'n tydperk wat voor sodanige datum begin en na sodanige datum verstryk, voortgesit en voltooi kan word asof hierdie regulasie nie uitgevaardig was nie;

(b) langverlof wat voor sodanige datum toegestaan is vir 'n tydperk wat op of na sodanige datum begin, benut kan word, en afgetrek word van die vakansieverlof waarmee hy gekrediteer word soos hieronder bepaal.

B29.3 'n Onderwyser wat voor die datum van inwerkingtreding van hierdie regulasie diens gehad het ten opsigte waarvan hy langverlof verdien het of kon verdien, word ten opsigte van sodanige diens soos volg met vakansieverlof gekrediteer:

(a) Twee en 'n half dae vir elke jaar, en na verhouding vir deel van 'n jaar, van al sodanige diens voor sodanige datum, tot 'n maksimum van 92 dae; en

(b) nege dae vir elke jaar, en na verhouding vir deel van 'n jaar, diens sonder langverlof vir 'n tydperk van hoogstens 20 jaar: Met dien verstande dat, indien 'n onderwyser om een of ander rede verhinder is om langverlof te benut toe dit hom toegekom het, daar by die tydperk van 20 jaar of enige tydperk van diens bereken ingevolge hierdie paragraaf, soveel van die tydperk van diens waarmee sodanige langverlof uitgestel is, gevoeg word as wat volgens die oortuiging van die Sekretaris om 'n erkende rede uitgestel is: Met dien verstande voorts dat enige breuk van 'n dag in die totale getal dae bereken ingevolge hierdie subregulasie, nie in aanmerking geneem word nie.

ADDISIONELE VAKANSIEVERLOF VIR VAKANSIEDIENS

B29.4 Die Sekretaris kan vereis dat 'n onderwyser gedurende enige skoolvakansie op diens bly: Met dien verstande dat—

(a) waar 'n onderwyser aldus verplig word om op diens te bly, hy gekrediteer kan word met vakansieverlof, bo en behalwe dié in regulasie B29.1 genoem, gelykstaande met die helfte van die getal dae wat hy gedurende 'n skoolvakansie aldus op diens gebly het;

(b) 'n onderwyser nie aldus met meer as 24 dae vakansieverlof in enige kalenderjaar gekrediteer mag word nie;

(c) 'n onderwyser binne een maand nadat hy aldus diens gedoen het, kan versoek dat hy met die getal dae verlof bedoel in paragraaf (a) gekrediteer word of dat hy in plaas daarvan 'n nie-pensioengewende kontantbetaling ontvang, bereken teen die helfte van sy basiese jaarlikse besoldiging of loon ten tye van die verrigting van die diens, vir 'n maksimum tydperk van 48 dae vakansiediens in enige kalenderjaar; en

(d) die getal dae vakansieverlof waarmee 'n onderwyser ingevolge hierdie subregulasie gekrediteer word, plus die helfte van die getal dae ten opsigte waarvan hy 'n nie-pensioengewende kontantbetaling ontvang, altesaam nie 24 dae in enige kalenderjaar oorskry nie.

VAKANSIEVERLOFAANWAS

B29.5 Vakansieverlof, uitgesonderd vakansieverlof waarmee 'n onderwyser ingevolge regulasie B29.4 gekrediteer word, was aan ten opsigte van elke voltwoide maand diens teen een twaalfde van die getal dae vermeld in regulasie B29.1.

GRANTING OF VACATION LEAVE AND DURATION THEREOF

B29.6 (a) Vacation leave shall not be granted to a teacher for less than one full school quarter, nor shall such leave be granted for more than two consecutive full school quarters: Provided that the Secretary may authorise a teacher to take at any time the vacation leave standing to his credit or a portion thereof.

(b) The date of commencement and the date of expiry of any period of vacation leave granted to a teacher in terms of these regulations shall, except where otherwise approved by the Secretary, coincide with the first and the last day, respectively, of a school quarter.

(c) The Secretary may at any time require a teacher to take the vacation leave standing to his credit or a portion thereof: Provided that the maximum period of leave prescribed in paragraph (a) shall not be exceeded.

(d) Any application for vacation leave for one full school quarter or two consecutive full school quarters shall be made at least three months in advance: Provided that not more than one teacher in a school may take vacation leave at the same time, unless the Secretary is satisfied that the efficiency of the instruction in the said school will not suffer thereby.

RETENTION OF VACATION LEAVE

B29.7 In respect of a teacher in the service of the Department immediately prior to the date of commencement of this regulation, it shall be deemed that—

(a) vacation leave standing to the credit of such teacher shall be leave credit in accordance with these regulations; and

(b) vacation leave which had been granted to such teacher shall be vacation leave granted in accordance with these regulations.

VACATION LEAVE FOR URGENT PRIVATE AFFAIRS

B29.8 Notwithstanding anything to the contrary in these regulations, vacation leave may be granted to a teacher, if he has such leave to his credit, for private affairs for a maximum period of 15 school days in any calendar year, if the Secretary is satisfied that such leave is urgently necessary.

VACATION LEAVE FOR STUDY PURPOSES

B29.9 Notwithstanding anything to the contrary in these regulations, vacation leave may be granted to a teacher who has completed at least five years', or in circumstances which the Secretary considers exceptional, less than five years' continuous satisfactory service in the Department, for an approved course of study or training and for an approved period.

B29.10 The vacation leave referred to in regulation B29.9 shall be granted with full salary to the extent that such teacher has vacation leave to his credit or, on such teacher's written request, with half salary on the basis of two days with half salary for each day of vacation leave standing to his credit.

B29.11 In respect of each day of vacation leave with full salary granted in terms of regulation B29.10, one day special leave with full salary or, on such teacher's written request, two days special leave with half salary may be granted, and in respect of each day of vacation leave with half salary granted in terms of regulation B29.10, one day special leave with half salary may be

TOESTAAN VAN VAKANSIEVERLOF EN DIE DUUR DAARVAN

B29.6 (a) Vakansieverlof word nie aan 'n onderwyser toegestaan vir minder as een volle skoolkwartaal nie en ook nie vir meer as twee agtereenvolgende volle skoolkwartale nie: Met dien verstande dat die Sekretaris 'n onderwyser kan magtig om te eniger tyd die vakansieverlof wat hy tegoed het, of 'n gedeelte daarvan, te benut.

(b) Die aanvangs- en verstrykingsdatum van enige tydperk van vakansieverlof wat aan 'n onderwyser ingevolge hierdie regulasies toegestaan word, moet, behalwe waar anders deur die Sekretaris goedgekeur, saamval met onderskeidelik die eerste en die laaste dag van 'n skoolkwartaal.

(c) Die Sekretaris kan 'n onderwyser te eniger tyd aansê om die vakansieverlof wat hy tegoed het, of 'n gedeelte daarvan, te benut: Met dien verstande dat die maksimum verloftydperk wat in paragraaf (a) voorgeskryf word, nie oorskry mag word nie.

(d) Aansoek om vakansieverlof vir een volle skoolkwartaal of twee agtereenvolgende volle skoolkwartale moet minstens drie maande vooruit gedoen word: Met dien verstande dat nie meer as een onderwyser in 'n skool op 'n slag met vakansieverlof mag gaan nie, tensy die Sekretaris daarvan oortuig is dat die doeltreffendheid van die onderrig in genoemde skool nie daardeur sal ly nie.

BEHOUD VAN VAKANSIEVERLOF

B29.7 Ten opsigte van 'n onderwyser wat onmiddellik voor die datum van inwerkingtreding van hierdie regulasie in diens van die Departement was, word daar geag dat—

(a) vakansieverlof wat sodanige onderwyser tegoed het, verlof tegoed is ingevolge hierdie regulasies; en

(b) vakansieverlof wat aan sodanige onderwyser toegestaan was, verlof is wat ingevolge hierdie regulasie toegestaan is.

VAKANSIEVERLOF VIR DRINGENDE PRIVATE SAKE

B29.8 Ondanks andersluidende bepalings van hierdie regulasies kan aan 'n onderwyser vakansieverlof toegestaan word, indien hy sodanige verlof tegoed het, vir private sake vir 'n maksimum tydperk van 15 skooldae in enige kalenderjaar as die Sekretaris daarvan oortuig is dat sodanige verlof dringend nodig is.

VAKANSIEVERLOF VIR STUDIEDOELEINDES

B29.9 Ondanks andersluidende bepalings van hierdie regulasies kan aan 'n onderwyser wat minstens vyf jaar, of in omstandighede wat die Sekretaris as buitengewoon beskou, minder as vyf jaar ononderbroke bevredigende diens in die Departement voltooi het, vakansieverlof toegestaan word vir 'n goedgekeurde studie- of opleidingskursus en vir 'n goedgekeurde tydperk.

B29.10 Die vakansieverlof in regulasie B29.9 bedoel, word met volle salaris toegestaan in die mate wat die onderwyser vakansieverlof tot sy krediet het of, op die onderwyser se skriftelike versoek, met halwe salaris op die grondslag van twee dae met halwe salaris vir elke dag vakansieverlof wat hy tot sy krediet het.

B29.11 Vir elke dag vakansieverlof wat ingevolge regulasie B29.10 met volle salaris toegestaan word, kan een dag spesiale verlof met volle salaris of, op die onderwyser se skriftelike versoek, twee dae spesiale verlof met halwe salaris toegestaan word, en vir elke dag vakansieverlof wat ingevolge regulasie B29.10 met halwe salaris toegestaan word, kan een dag spesiale verlof met halwe salaris toegestaan word: Met dien verstande dat die toestaan van spesiale verlof ingevolge hierdie subregulasie

granted: Provided that the granting of special leave in terms of this subregulation shall be subject to such teacher entering into a written agreement with the Department, on conditions approved by the Treasury, in terms of which he undertakes to serve the Department for a period at least equal to the period for which special leave with full salary in terms of this subregulation is granted to him, or if special leave with half salary is granted, for a period equal to half the period for which special leave with half salary is granted.

OVERGRANT OF LEAVE

B29.12 If a teacher is granted vacation leave in excess of that provided for in these regulations, such overgrant may be deducted from vacation leave which subsequently accrues to him, provided the Secretary is satisfied that the overgrant was made in good faith: Provided that if such teacher resigns or his services are terminated before sufficient vacation leave has accrued to him for the purpose of such deduction, that portion of the overgrant which has not yet been set off against his vacation leave accrual on the last day of his service, shall be deemed to be an overpayment of salary equal to the amount paid to him as salary during such portion of the overgrant, which amount shall be recovered or written off under competent authority.

SPECIAL LEAVE WITH FULL SALARY

B30.1 Special leave with full salary may be granted to a teacher—

(a) for each day on which he sits for an approved examination: Provided that one additional day of special leave with full salary may be granted in respect of each day on which he actually sits for an examination, to enable him to prepare for such examination: Provided further that the last-mentioned special leave may only be granted during the period which stretches from the date on which such teacher submits his examination timetable in respect of the examination concerned to the last day on which he actually sits for an examination;

(b) with the approval of the Minister and subject to any conditions imposed by him, for the purpose of representing the Republic in the field of sport, education or culture outside as well as in the Republic and in South-West Africa;

(c) when he must perform a special duty with the consent of the Secretary;

(d) when he is absent from duty as a result of segregation or isolation on medical instructions because he was in contact with a person who has contracted, or is suspected of having contracted an infectious or contagious disease;

(e) when he is arrested or has to appear in court on a criminal charge and is subsequently acquitted or the charge withdrawn; or

(f) when, as a member of the Citizen Force, a commando, the Reserve of Officers, the Permanent Force Reserve, the Citizen Force Reserve, the Commando Reserve or the National Reserve, or as a member of the Reserve Police Force, he is, in terms of the Defence Act, 1957, or any regulation made thereunder, or the Police Act, 1958, or any regulation made thereunder, as the case may be, instructed or called up to—

(i) undergo a medical examination with a view to service in the Citizen Force or commandos; or

(ii) appear before a military selection board with a view to a commissioned appointment in the South African Permanent Force; or

geskied onderworpe daaraan dat die onderwyser 'n skriftelike ooreenkoms met die Departement aangaan, op voorwaardes deur die Tesourie goedgekeur, waarby hy onderneem om die Departement te dien vir 'n tydperk gelykstaande met minstens die tydperk waarvoor spesiale verlof met volle salaris ingevolge hierdie subregulasie aan hom toegestaan is, of indien spesiale verlof met halwe salaris toegestaan is, vir 'n tydperk gelykstaande met die helfte van die tydperk waarvoor spesiale verlof met halwe salaris toegestaan is.

OORTOEKENNING VAN VAKANSIEVERLOF

B29.12 Indien daar aan 'n onderwyser meer vakansieverlof toegestaan is as waarvoor in hierdie regulasies voorsiening gemaak word, kan so 'n oortoekeening afgetrek word van vakansieverlof wat later aan hom toeval, mits die Sekretaris daarvan oortuig is dat die oortoekeening te goeder trou gedoen is: Met dien verstande dat, indien die onderwyser bedank of sy dienste beëindig word voordat voldoende vakansieverlof vir die doel van sodanige aftrekking aan hom toegeval het, daardie gedeelte van die oortoekeening wat sy vakansieverlofaanwas op die laaste dag van sy diens oorskry, as 'n oorbetalings van salaris geag word gelyk aan die bedrag wat aan salaris gedurende sodanige gedeelte van die oortoekeening aan hom betaal is, welke bedrag of teruggevoerd of met bevoegde magtiging afgeskryf word.

SPESIALE VERLOF MET VOLLE SALARIS

B30.1 Spesiale verlof met volle salaris kan aan 'n onderwyser toegestaan word—

(a) vir elke dag waarop hy 'n goedgekeurde eksamen doen: Met dien verstande dat een addisionele dag spesiale verlof met volle salaris toegestaan kan word vir elke dag waarop hy werklik eksamen doen ten einde hom in staat te stel om hom vir die eksamen voor te berei: Met dien verstande voorts dat laasgenoemde spesiale verlof toegestaan mag word slegs gedurende die tydperk wat strek van die datum waarop die onderwyser sy eksamenrooster ten opsigte van die betrokke eksamen ingedien het tot die laaste dag waarop hy werklik 'n eksamen doen;

(b) met die goedkeuring van die Minister en onderworpe aan enige voorwaardes wat hy oplê, met die doel om die Republiek op die gebied van sport, onderwys of kultuur sowel buite as binne die Republiek en in Suidwes-Afrika te verteenwoordig;

(c) wanneer hy 'n spesiale plig met die toestemming van die Sekretaris moet uitvoer;

(d) wanneer hy van diens afwesig is as gevolg van afsondering of isolasie kragtens geneeskundige instruksies, omdat hy in aanraking was met iemand wat 'n besmetlike of aansteeklike siekte opgedoen of vermoedelik opgedoen het;

(e) indien hy in hegtenis geneem is of voor die hof moet verskyn op 'n strafregtelike aanklag en hy later vrygespreek, of die aanklag teruggetrek word; of

(f) wanneer hy kragtens die Verdedigingswet, 1957, of enige regulasie daarkragtens uitgevaardig, as lid van die Burgermag, 'n kommando, die Reserwe van Offisiere, die Staandemagreserwe, die Burgermagreserwe, die Kommandoreserwe of die Nasionale Reserwe of kragtens die Polisie Wet, 1958, of enige regulasie daarkragtens uitgevaardig, as lid van die Reserwepolisie, na gelang van die geval, aangesê of opgeroep word om—

(i) hom met die oog op diens in die Burgermag of kommando's medies te laat ondersoek; of

(ii) met die oog op 'n offisiërsaanstelling in die Suid-Afrikaanse Staande Mag, voor 'n militêre keurraad te verskyn; of

(iii) attend a command meeting in his capacity as commanding officer of a commando; or

(iv) perform any military service, undergo training or attend a practice course, an instruction course or a qualifying course; or

(v) attend any procession or parade; or

(vi) perform service in the prevention or suppression of disorder or other emergency in the Republic:

Provided that—

this paragraph shall not be applicable if a teacher is performing voluntary full-time service in terms of the Defence Act, 1957;

in the case of his initial period of continuous compulsory military service as a member of the Citizen Force only the difference between his salary and the pay he receives in terms of the Citizen Force Regulations shall be paid to him, subject to the conditions approved by the Treasury on the recommendation of the Public Service Commission;

after he has completed his compulsory military service, any further voluntary service in the Citizen Force, excluding voluntary whole-time service in terms of section 20 of the Defence Act, 1957, shall be undertaken only with the consent of the Secretary; and

the teacher submits acceptable written evidence from the military or police authority concerned of the necessity for his absence from duty.

B30.2 Special leave granted in terms of regulation B30.1 may include any period actually and necessarily occupied in travelling for the purpose for which the leave is granted.

SPECIAL LEAVE WITHOUT SALARY

B30.3 Special leave without salary may be granted to a teacher at any time for an approved purpose, for a period not exceeding 12 months: Provided that such leave may be granted for a period exceeding 12 months for the purpose of an approved study or training course.

ACCOUCHEMENT LEAVE

B31.1 A married woman teacher shall take leave for her accouchement (to be known as accouchement leave) for the period determined by the Secretary, but not less than a period of three months before the anticipated date thereof and six weeks after such accouchement.

B31.2 A teacher who is obliged to take leave in terms of regulation B31.1, shall apply for such leave at least one month prior to the commencement of the leave and any such leave granted shall be leave without pay: Provided that, notwithstanding anything to the contrary in these regulations, such teacher may, at her request, be granted in lieu of the full or any portion of the period of accouchement leave, vacation leave with full salary to the extent such teacher has vacation leave standing to her credit or with half salary on the basis of two days with half salary for each day of vacation leave standing to her credit.

SICK LEAVE

B32.1 (a) If a teacher is absent from duty for a continuous period of more than three days owing to illness, he may be granted sick leave only if he submits a certificate from a registered medical practitioner or a registered dentist which clearly describes the nature of the illness, which states that he is not capable of performing his official duties and in which the period necessary for his recuperation is indicated, to the Secretary.

(iii) as bevelvoerder van 'n kommando 'n kommandementsvergadering by te woon; of

(iv) enige militêre diens te verrig of opleiding te ontvang of 'n oefen-, instruksie- of kwalifiserende kursus by te woon; of

(v) enige optog of parade by te woon; of

(vi) diens te verrig in verband met die voorkoming of onderdrukking van onluste, of in verband met 'n ander noodtoestand in die Republiek:

Met dien verstande dat—

hierdie paragraaf nie van toepassing is nie as die onderwyser vrywillige voltydse diens kragtens artikel 20 van die Verdedigingswet, 1957 verrig;

in die geval van sy aanvanklike tydperk van ononderbroke verpligte militêre diens as lid van die Burgermag, slegs die verskil tussen sy salaris en die soldy wat hy kragtens die Burgermagregulasies ontvang, aan hom betaal mag word onderworpe aan die voorwaardes wat die Tesourie op aanbeveling van die Staatsdienskommissie goedkeur;

nadat hy sy verpligte militêre diens voltooi het, enige verdere vrywillige diens in die Burgermag uitgesonderd vrywillige voltydse diens ingevolge artikel 20 van die Verdedigingswet, 1957, slegs met die instemming van die Sekretaris geskied; en

die onderwyser aanneemlike skriftelike bewys van die noodsaaklikheid vir sy afwesigheid van diens verkry van die betrokke militêre of polisie-owerheid, indien.

B30.2 Spesiale verlof wat ingevolge regulasie B30.1 toegestaan word, kan enige tydperk insluit wat werklik en noodsaaklikerwys in beslag geneem word deur reise vir die doel waarvoor die verlof toegestaan word.

SPESIALE VERLOF SONDER SALARIS

B30.3 Spesiale verlof sonder salaris kan te eniger tyd vir 'n tydperk van hoogstens 12 maande aan 'n onderwyser vir 'n goedgekeurde doel toegestaan word: Met dien verstande dat sodanige verlof vir 'n tydperk van meer as 12 maande toegestaan kan word om 'n onderwyser in staat te stel om 'n goedgekeurde studie- of opleidingskursus te volg.

BEVALLINGSVERLOF

B31.1 'n Getroude onderwyseres moet verlof neem vir haar bevalling (wat as bevallingsverlof bekend staan) vir die tydperk wat die Sekretaris bepaal, maar vir 'n tydperk van minstens drie maande voor die bevalling verwag word en ses weke na sodanige bevalling.

B31.2 'n Onderwyseres wat ingevolge regulasie B31.1 verlof moet neem, moet sodanige verlof aanvra minstens een maand voordat die verlof 'n aanvang neem, en enige sodanige verlof wat toegestaan word, is verlof sonder salaris: Met dien verstande dat aan sodanige onderwyseres, ondanks andersluidende bepalinge van hierdie regulasies, op haar versoek vakansieverlof met volle salaris in plaas van die bevallingsverlof of enige gedeelte daarvan toegestaan kan word in die mate wat sodanige onderwyseres vakansieverlof tegeroed het, of met halwe salaris op die grondslag van twee dae met halwe salaris vir elke dag vakansieverlof wat sy tegeroed het.

SIEKTEVERLOF

B32.1 (a) As 'n onderwyser weens siekte van diens afwesig is vir 'n ononderbroke tydperk van langer as drie dae, kan siekteverlof aan hom toegestaan word slegs as hy 'n sertifikaat van 'n geregistreerde geneesheer of 'n geregistreerde tandarts, waarin die aard van die siekte duidelik beskryf word, waarin verklaar word dat hy nie in staat is om sy ampspligte waar te neem nie en waarin die tydperk nodig vir sy herstel aangegee word, by die Sekretaris indien.

(b) The Secretary may, at his discretion, require the submission of a certificate as mentioned in paragraph (a) in respect of absences owing to illness for periods of three days or less.

(c) Paid or unpaid sick leave in respect of which a certificate referred to in paragraph (a) has not been submitted, may be granted only for an aggregate of 10 days in a calendar year and any further absences owing to illness shall be covered by granting of vacation leave with full pay or, if the teacher has no vacation leave to his credit, of special leave without pay.

B32.2 In the first cycle of three years, a teacher appointed in a permanent capacity or in a temporary capacity for an indefinite period, may be granted sick leave for 90 days with full salary and 90 days with half salary, which number of days sick leave shall increase in respect of each succeeding cycle by three days with full salary and three days with half salary until a maximum of 120 days with full salary and 120 days with half salary has been reached.

B32.3 A temporary teacher who is not appointed for an indefinite period may be granted sick leave for 90 days with full salary and 90 days with half salary in every cycle.

B32.4 (a) If a teacher referred to in regulation B32.2, at any time during a cycle and without a break in service, passes to the sick leave provision of regulation B32.3, he shall, for the duration of such cycle, retain the sick leave provision of regulation B32.2.

(b) If a teacher referred to in regulation B32.3, at any time during a cycle and without a break in service, passes to the sick leave provision of regulation B32.2, he shall immediately acquire the sick leave provision of regulation B32.2: Provided that all sick leave with salary granted to such teacher during the relevant cycle, shall be deducted from the sick leave which may be granted to him in accordance with regulation B32.2.

DATE OF COMMENCEMENT OF CYCLE

B32.5 The cycle of all teachers shall be a period of three years, calculated as from 1 January 1973, and each succeeding period of three years.

ADDITIONAL SICK LEAVE WITH HALF SALARY

B32.6 If, during any cycle, a teacher who has been granted the maximum sick leave provided for in regulation B32.2, is not yet able, for health reasons, to resume his duties, the Secretary—

(a) on the submission of a satisfactory medical certificate, and

(b) if he is of the opinion that the teacher at that particular time is not permanently unfit to continue with his duties as a teacher, and

(c) if the teacher has no vacation leave standing to his credit,

may, at his discretion, grant such teacher further sick leave with half salary not exceeding 92 days in the relevant cycle: Provided that such further sick leave may be granted in respect of separate periods of absence and in respect of different kinds of illness.

SICK LEAVE WITHOUT SALARY

B32.7 A teacher who in any cycle has utilised all his sick leave with full and half salary, provided for in these regulations, may be granted further sick leave without salary, not exceeding 365 days, in the relevant cycle: Provided that such further sick leave may be

(b) Die Sekretaris kan na goeë dunks eis dat 'n sertifikaat in paragraaf (a) bedoel, ook ten opsigte van tydperke van afwesigheid weens siekte van drie dae of minder ingedien word.

(c) Siekteverlof met of sonder salaris ten opsigte waarvan 'n sertifikaat in paragraaf (a) bedoel, nie ingedien is nie kan toegestaan word slegs vir altesaam 10 dae gedurende enige kalenderjaar en enige verdere tydperke van afwesigheid weens siekte moet gedek word deur die bestaan van vakansieverlof met volle salaris, of as die onderwyser geen vakansieverlof tot sy krediet het nie, van spesiale verlof sonder salaris.

B32.2 In die eerste tydkring van drie jaar, kan aan 'n onderwyser wat in 'n vaste hoedanigheid of in 'n tydelike hoedanigheid vir 'n onbepaalde tydperk aangestel is, siekteverlof toegestaan word vir 90 dae met volle salaris en 90 dae met halwe salaris, welke getal dae siekteverlof vermeerder met drie dae ten opsigte van elke daaropvolgende tydkring, tot 'n maksimum van 120 dae met volle salaris en 120 dae met halwe salaris bereik is.

B32.3 In elke tydkring kan aan 'n tydelike onderwyser wat nie vir 'n onbepaalde tydperk aangestel is nie, siekteverlof vir 90 dae met volle salaris en 90 dae met halwe salaris toegestaan word.

B32.4 (a) Indien 'n onderwyser bedoel in regulasie B32.2, te eniger tyd gedurende 'n tydkring sonder onderbreking van diens oorgaan tot die siekteverlofvoorsiening van regulasie B32.3, behou hy vir die duur van sodanige tydkring die siekteverlofvoorsiening van regulasie B32.2.

(b) Indien 'n onderwyser bedoel in regulasie B32.3, te eniger tyd gedurende 'n tydkring sonder onderbreking van diens oorgaan tot die siekteverlofvoorsiening van regulasie B32.2, verwerf hy onmiddellik die siekteverlofvoorsiening van regulasie B32.2: Met dien verstande dat alle siekteverlof met salaris wat gedurende die betrokke tydkring aan sodanige onderwyser toegestaan is, afgetrek word van die siekteverlof wat aan hom ingevolge regulasie B32.2 toegestaan kan word.

DATUM WAAROP TYDKRING 'N AANVANG NEEM

B32.5 Die tydkring van alle onderwysers is 'n tydperk van drie jaar gereken vanaf 1 Januarie 1973, en elke daaropvolgende tydperk van drie jaar.

ADDISIONELE SIEKTEVERLOF MET HALWE SALARIS

B32.6 As aan 'n onderwyser in enige tydkring die maksimum hoeveelheid siekteverlof waarvoor in regulasie B32.2 voorsiening gemaak word, toegestaan is, en hy weens gesondheidsredes nog nie in staat is om sy pligte te hervat nie, kan die Sekretaris—

(a) by die voorlegging van 'n bevredigende geneeskundige sertifikaat, en

(b) as hy van mening is dat die onderwyser op die betrokke tydperk nie permanent ongeskik is om met sy pligte as 'n onderwyser voort te gaan nie, en

(c) as die onderwyser geen vakansieverlof te goed het nie,

na goeë dunks aan sodanige onderwyser verdere siekteverlof met halwe salaris vir hoogstens 92 dae in die betrokke tydkring toestaan: Met dien verstande dat sodanige verdere siekteverlof ten opsigte van afsonderlike tydperke van afwesigheid en ten opsigte van ongesteldhede van verskillende aard toegestaan mag word.

SIEKTEVERLOF SONDER SALARIS

B32.7 Aan 'n onderwyser wat in enige tydkring al sy siekteverlof met volle en halwe salaris, waarvoor in hierdie regulasies voorsiening gemaak word, opgebruik het, kan verdere siekteverlof sonder salaris vir hoogstens 365 dae in die betrokke tydkring toegestaan word: Met dien

granted, irrespective of whether sick leave with half salary in accordance with regulation B32.6 has been granted to such teacher: Provided further that the granting of sick leave in terms of this subregulation is subject to the submission by the teacher to the Secretary of a certificate referred to in regulation B32.1 (a), in respect of each continuous period of absence for longer than three days.

SPECIAL SICK LEAVE

B32.8 In addition to any sick leave that may be granted in terms of these regulations, special leave with full salary may be granted, for the period of incapacitation for work, to a teacher who sustains an injury or contracts an illness in the course of and as a result of the performance of his official duties: Provided that where such teacher is entitled to compensation under the Workmen's Compensation Act, 1941 (Act 30 of 1941), he may be granted special sick leave for the period of incapacitation with full salary less the compensation payable to him in terms of that Act in the form of periodical payments of his monthly earnings: Provided further that leave under this subregulation shall not be granted if it is established that the injury was sustained or the illness was contracted through neglect or absence of reasonable precautions on the part of the teacher.

DISEASE, ILLNESS OR INJURY IN RESPECT OF WHICH SICK LEAVE IS NOT GRANTED

B32.9 Sick leave shall not be granted to a teacher in respect of the following:

(a) A disease, illness or injury resulting from misconduct or failure to take reasonable care or precautions on the part of such teacher.

(b) Neurasthenia, insomnia, debility or other similar ill-defined disease or illness, unless the Secretary is satisfied that—

(i) such teacher is not in a fit state of health to perform his duties, and

(ii) his condition could not have been avoided by the taking of reasonable care or precautions on his part or by the utilisation of the facilities available to him in regard to vacation leave.

VACATION LEAVE IN LIEU OF SICK LEAVE

B32.10 Notwithstanding anything to the contrary in these regulations—

(a) a teacher may, at his written request, be granted any vacation leave which he has to his credit in lieu of sick leave on half pay or sick leave without pay: Provided that—

(i) such application is submitted not later than three months after he has resumed duty;

(ii) the number of days vacation leave so granted shall not exceed 365 days in the aggregate in any cycle; and

(iii) the Secretary is satisfied that the teacher concerned is not at that stage permanently unfit to continue his duties as a teacher;

(b) may, if the vacation leave referred to has been granted to a teacher and he has received payment in respect thereof, such leave not be reconverted into sick leave with half pay or without pay.

verstande dat sodanige verdere siekteverlof toegestaan mag word ongeag of siekteverlof met halwe salaris ingevolge regulasie B32.6 aan sodanige onderwyser toegestaan is: Met dien verstande voorts dat die toestaan van siekteverlof ingevolge hierdie subregulasie onderworpe is aan die voorlegging deur die onderwyser aan die Sekretaris van 'n sertifikaat in regulasie B32.1 (a) bedoel, ten opsigte van elke ononderbroke tydperk van afwesigheid van langer as drie dae.

SPESIALE SIEKTEVERLOF

B32.8 Benewens enige siekteverlof wat kragtens hierdie regulasies toegestaan mag word, kan spesiale siekteverlof met volle salaris vir die tydperk van ongeskiktheid vir werk toegestaan word aan 'n onderwyser wat 'n besering of siekte opdoen in die loop van, en as gevolg van die uitvoering van sy amptelike pligte: Met dien verstande dat waar sodanige onderwyser ingevolge die Ongevalwet, 1941 (Wet 30 van 1941), op skadeloosstelling geregtig is, spesiale siekteverlof vir die tydperk van ongeskiktheid aan hom toegestaan kan word met volle salaris min die skadeloosstelling wat aan hom kragtens daardie Wet by wyse van periodieke uitkerings van sy maandelikse salaris betaalbaar is: Met dien verstande voorts dat verlof kragtens hierdie subregulasie nie toegestaan word nie as daar vasgestel word dat die besering of siekte opgedoen is weens nalatigheid of die gebrek aan behoorlike voorsorgmaatreëls van die kant van die onderwyser.

ONGESTELDHEID, SIEKTE OF BESERING TEN OPSIGTE WAARVAN SIEKTEVERLOF NIE TOEGESTAAN WORD NIE

B32.9 Siekteverlof word nie aan 'n onderwyser ten opsigte van die volgende toegestaan nie:

(a) 'n Siekte, ongesteldheid of besering wat toe to skryf is aan die onderwyser se wangedrag of gebrek aan 'n redelike mate van sorg of voorsorg.

(b) Neurastenie, slaaploosheid, swakheid of ander dergelike vaag omskrewe ongesteldheid of siekte, tensy die Sekretaris daarvan oortuig is dat—

(i) sodanige onderwyser se gesondheidstoestand hom ongeskik maak vir sy werk, en

(ii) die toestand waarin hy verkeer nie deur 'n redelike mate van sorg of voorsorg van sy kant, of deur sy gebruikmaking van sy vakansieverlofvoorregte, vermy kon word nie.

VAKANSIEVERLOF IN DIE PLEK VAN SIEKTEVERLOF

B32.10 Ondanks andersluidende bepalings van hierdie regulasies—

(a) kan aan 'n onderwyser, op sy skriftelike versoek, enige vakansieverlof wat hy tot sy krediet het, toegestaan word in plaas van siekteverlof met halwe salaris of siekteverlof sonder salaris: Met dien verstande dat—

(i) sodanige aansoek nie later nie as drie maande nadat hy diens hervat het, ingedien word;

(ii) die getal dae vakansieverlof wat aldus toegestaan word, altesaam nie 365 dae in enige tydkring oorskry nie; en

(iii) die Sekretaris daarvan oortuig is dat die betrokke onderwyser op die betrokke tydstip nie permanent ongeskik is vir die hervatting van sy pligte as onderwyser nie;

(b) mag, as bedoelde vakansieverlof aan 'n onderwyser toegestaan is en hy ten opsigte daarvan salaris ontvang het, sodanige verlof nie weer in siekteverlof met halwe salaris of sonder salaris omsit word nie.

SECRETARY MAY REQUIRE TEACHER TO TAKE SICK LEAVE

B32.11 When the Secretary has reason to believe that the state of health of a teacher is such that it renders him unfit to perform his duties as a teacher satisfactorily, the Secretary may require him to undergo, on a specified date, examination by a medical practitioner nominated by the Secretary. The expenses attached to such examination shall be paid from State funds. When the Secretary is satisfied that a teacher is, by reason of ill-health (including any mental or physical defect), unable to perform his duties satisfactorily, he may require such teacher to proceed on sick leave in terms of this regulation for a specified period, if he is satisfied that the teacher is not permanently unfit for his duties.

LEAVE GRATUITY

B33.1 A leave gratuity shall be payable in respect of vacation leave standing to the credit of a teacher when his services terminate as a result of—

- (a) death;
- (b) discharge owing to continued ill-health occasioned without own default;
- (c) discharge owing to the attainment of the pensionable age;
- (d) discharge in accordance with the provisions of regulation B16; or
- (e) discharge owing to marriage in the case of a woman teacher who complied with the provisions of regulations B10.1 and B10.2 and who completed at least five years' continuous satisfactory service.

B33.2 A leave gratuity is payable in terms of regulation B33.1 in accordance with the conditions and on the basis applicable to an officer appointed under the provisions of the Public Service Act, 1957 (Act 54 of 1957).

PAYMENT OF TRAVELLING EXPENSES, SUBSISTENCE ALLOWANCES, TRANSFER EXPENSES AND THE GRANTING OF TRANSPORT PRIVILEGES

TRAVELLING EXPENSES IN CONNECTION WITH OFFICIAL JOURNEYS, SUBSISTENCE ALLOWANCES, TRANSFER EXPENSES AND TRANSPORT PRIVILEGES OF TEACHERS

B34. Where a teacher—

- (a) must necessarily travel in order to perform the approved duties attached to his post or other approved duties or where he is required or requested to interview an officer of the Department or to attend a gathering approved by the Secretary;
- (b) is seconded by the Minister to another school or must travel to assume duty as a result of a transfer on the initiative of the Minister;
- (c) subject to the provisions of regulation B25, is appointed to a teaching post under the Department in accordance with the said regulation;
- (d) is discharged on attainment of the pensionable age;
- (e) is discharged owing to continued ill-health occasioned without own default; or
- (f) while he is employed in a permanent capacity, dies or is discharged in accordance with the provisions of regulation B16;

the provisions of Chapters D, E and F of the Public Service Regulations shall *mutatis mutandis* be applicable to such teacher in respect of the payment of travelling expenses, subsistence allowances, transfer expenses and the granting of transport privileges.

SEKRETARIS KAN ONDERWYSEER AANSÊ OM SIEKTEVERLOF TE NEEM

B32.11 Indien die Sekretaris rede het om te vermoed dat die gesondheidstoestand van 'n onderwyser sodanig is dat dit hom ongeskik maak om sy pligte as onderwyser op bevredigende wyse uit te voer, kan die Sekretaris hom aansê om op 'n bepaalde datum ondersoek te word deur 'n geneesheer wat deur die Sekretaris benoem word. Die onkoste verbonde aan so 'n ondersoek word uit staatsfondse betaal. Indien die Sekretaris daarvan oortuig is dat 'n onderwyser weens swak gesondheid (insluitende enige geestelike of liggaamlike gebrek) nie in staat is om sy pligte op bevredigende wyse uit te voer nie, kan hy sodanige onderwyser aansê om kragtens hierdie regulasie vir 'n bepaalde tydperk met siekteverlof te gaan indien hy daarvan oortuig is dat die onderwyser nie permanent ongeskik vir sy pligte is nie.

VERLOFGRATIFIKASIE

B33.1 'n Verlofgratifikasie is betaalbaar ten opsigte van vakansieverlof wat 'n onderwyser tegoed het, wanneer sy dienste eindig ten gevolge van—

- (a) sy afsterwe;
- (b) ontslag weens voortdurende swak gesondheid nie deur eie toedoen veroorsaak nie;
- (c) ontslag weens bereiking van die pensioenleeftyd;
- (d) ontslag ingevolge die bepalings van regulasie B16; of
- (e) ontslag weens haar huwelik in die geval van 'n onderwyseres wat die bepalings van regulasies B10.1 en B10.2 nagekom het en wat minstens vyf jaar ononderbroke bevredigende diens gehad het.

B33.2 'n Verlofgratifikasie is ingevolge regulasie B33.1 betaalbaar op die voorwaardes en die grondslag wat van toepassing is op 'n beampte aangestel kragtens die bepalings van die Staatsdienswet, 1957 (Wet 54 van 1957).

BETALING VAN REISKOSTE, VERBLYFTOELAES EN VERPLASINGSKOSTE EN DIE TOESTAAN VAN VERVOERVOORREGTE

REISKOSTE IN VERBAND MET AMPTELIKE REISE, VERBLYFTOELAES, VERPLASINGSKOSTE EN VERVOERVOORREGTE VAN ONDERWYSERS

B34. Waar 'n onderwyser—

- (a) noodwendig moet reis ten einde die goedgekeurde pligte verbonde aan sy pos of ander goedgekeurde pligte uit te voer, of waar van hom vereis, of hy versoek word om 'n onderhoud met 'n beampte van die Departement te hê, of om 'n byeenkoms wat deur die Sekretaris goedgekeur is, by te woon;
- (b) deur die Minister aan 'n ander skool geseondeer word of reis om diens by verplasing op inisiatief van die Minister te aanvaar;
- (c) behoudens die bepalings van regulasie B25, in 'n onderwyspos onder die Departement aangestel word ingevolge voornoemde regulasie;
- (d) ontslaan word weens die bereiking van die pensioenleeftyd;
- (e) ontslaan word weens voortdurende swak gesondheid nie deur eie toedoen veroorsaak nie; of
- (f) terwyl hy in 'n vaste hoedanigheid in diens is, te sterwe kom, of ontslaan word ingevolge die bepalings van regulasie B16;

is die bepalings van Hoofstukke D, E en F van die Staatsdiensregulasies *mutatis mutandis* van toepassing ten opsigte van sodanige onderwyser met betrekking tot die betaling van reiskoste, verblyftoelaes en verplasingkoste en die toestaan van vervoervoorregte.

RAIL WARRANT UPON APPOINTMENT

B35.1 Subject to the provisions of regulation B34 (c), a rail warrant, in respect of a single journey only, may be issued to any teacher who has to travel to take up his first appointment under the Department.

B35.2 When a teacher proceeding to take up an appointment as described in regulation B35.1 cannot make use of a railway or road motor service for the whole or part of his journey, he may be paid travelling expenses in respect of his travelling other than by train or road motor service, at a rate not exceeding the current Government transport rates.

RAIL WARRANT FOR THE PURPOSE OF AN INTERVIEW

B35.3 A rail warrant in respect of a return journey may be issued to a person who is required for interview by a school committee or an official of the Department in connection with the filling of a vacant post of principal of any school, with the exception of a primary school with an established enrolment of less than 200 pupils: Provided that rail warrants shall not be issued to more than three applicants in respect of any one such vacancy, without the approval of the Secretary: Provided further that if such person cannot make use of a railway or road motor service for the whole or part of his journey, he may be paid travelling expenses in respect of his travelling other than by train or road motor service, at a rate not exceeding the current Government transport rates.

TEACHERS EMPLOYED AT SCHOOLS FAR FROM A RAILWAY STATION

B35.4 The Secretary may, on application by a teacher employed at a school situated more than 80 kilometres by the shortest route from the nearest railway station, authorise payment to such teacher once in each financial year, if he is proceeding on vacation or on leave of absence, of travelling expenses calculated as follows:

(a) Where no public conveyance is available, and where he makes use of his private or of hired transport, at a rate not exceeding the current Government transport rates for each kilometre in excess of one hundred and sixty kilometres on the whole journey to and from such nearest railway station; or

(b) Where a public conveyance is available for (i) the whole journey or (ii) a portion of such journey, the return fare for the distance travelled by the teacher in such public conveyance, plus in the case of (ii) an amount calculated at a rate not exceeding the current Government transport rates for any portion of the journey for which a public conveyance is not available and for which he makes use of his private or of hired transport: Provided that the amount payable in accordance with this paragraph shall not exceed the amount calculated at the aforementioned rate for each kilometre travelled in excess of 160 kilometres.

STARTING-POINT OF JOURNEY

B35.5 For the purpose of these regulations the starting-point of a journey shall be deemed to be either the place at which the teacher normally resides or the other place determined by the Secretary, and such starting-point shall be within the boundaries of the Republic.

CLASS OF TRAIN JOURNEY

B35.6 Teachers to whom rail warrants are issued under these regulations shall be entitled to first-class tickets.

SPOORWEGORDER BY AANSTELLING

B35.1 Behoudens die bepalings van regulasie B34 (c) kan 'n spoorwegorder, net vir 'n enkelreis uitgereik word aan enige onderwyser wat moet reis om sy eerste aanstelling onder die Departement te aanvaar.

B35.2 Aan 'n onderwyser wat reis om 'n aanstelling te aanvaar soos in regulasie B35.1 beskryf, en wat vir sy hele reis of vir 'n gedeelte daarvan nie van 'n spoorweg- of padmotordiens gebruik kan maak nie, kan reiskoste ten opsigte van sy reis met 'n ander vervoermiddel as die trein of padmotordiens betaal word teen 'n skaal wat nie die heersende Regeringsvervoertariewe oorskry nie.

SPOORWEGORDER VIR DIE DOEL VAN 'N ONDERHOUD

B35.3 'n Spoorwegorder vir 'n retoerreis kan uitgereik word aan 'n persoon van wie vereis word om 'n onderhoud te hê met 'n skoolkomitee of 'n beampte van die Departement in verband met die vulling van 'n vakante pos van prinsipaal van enige skool uitgesonderd 'n laerskool met 'n gehandhaafde inskrywing van minder as 200 leerlinge: Met dien verstande dat spoorwegorders aan nie meer as drie applikante ten opsigte van enige sodanige vakature sonder die goedkeuring van die Sekretaris uitgereik mag word nie: Met dien verstande voorts dat, indien sodanige persoon vir sy hele reis of 'n gedeelte daarvan nie van 'n spoorweg- of padmotordiens gebruik kan maak nie, vergoeding vir reiskoste ten opsigte van sy reis met 'n ander vervoermiddel as die trein of padmotordiens betaal kan word teen 'n skaal wat nie die heersende Regeringsvervoertariewe oorskry nie.

ONDERWYSERS IN DIENS BY SKOLE WAT VER VAN 'N SPOORWEGSTASIE GELEË IS

B35.4 Die Sekretaris kan op aansoek van 'n onderwyser in diens by 'n skool wat meer as tagtig kilometer met die kortste roete van die naaste spoorwegstasie geleë is, betaling van reiskoste soos hieronder bereken, een keer in elke boekjaar aan sodanige onderwyser magtig as hy met vakansie gaan of met verlof afwesig is:

(a) Waar geen openbare vervoermiddel beskikbaar is nie en hy van sy private of van gehuurde vervoer gebruik maak, teen 'n skaal wat nie die heersende Regeringsvervoertariewe oorskry nie, vir elke kilometer bo honderden-sestig kilometer op die hele reis na en van sodanige naaste spoorwegstasie afgelê; of

(b) waar 'n openbare vervoermiddel vir (i) die hele reis, of (ii) 'n gedeelte van sodanige reis beskikbaar is, die retoerreisgeld vir die afstand deur die onderwyser met sodanige openbare vervoermiddel afgelê plus, in die geval van (ii), 'n bedrag bereken teen 'n skaal wat nie die heersende Regeringsvervoertariewe oorskry nie, vir enige gedeelte van die reis waarvoor 'n openbare vervoermiddel nie beskikbaar is nie en waarvoor hy gevolglik van sy private of van gehuurde vervoer gebruik maak: Met dien verstande dat die bedrag betaalbaar ingevolge hierdie paragraaf nie die bedrag bereken teen voornoemde skaal vir elke kilometer bo 160 kilometer afgelê, oorskry nie.

AANVANGSPUNT VAN REIS

B35.5 Vir die doeleindes van hierdie regulasies word die plek waar die onderwyser gewoonlik woonagtig is, of die ander plek wat die Sekretaris bepaal, as die aanvangspunt van die reis beskou, en sodanige aanvangspunt moet binne die grense van die Republiek wees.

KLAS VAN TREINREIS

B35.6 Onderwysers aan wie spoorwegorders kragtens hierdie regulasies uitgereik word, is op eersteklaskaartjies geregtig.

TRAVELLING EXPENSES OF TEACHERS ONLY TO BE MET

B35.7 In regard to the foregoing subregulations, rail warrants shall not be issued nor shall travelling expenses be paid for the wife of a teacher, his family or dependants, nor for any excess luggage.

TRAVELLING EXPENSES OF TEACHERS TRANSFERRED FROM ONE POST TO ANOTHER

B35.8 When a teacher is transferred on his own initiative from one post to another, no travelling expenses shall be paid to him and no expenditure incurred in connection with such transfer shall be met from State funds.

HOURS OF DUTY OF TEACHERS AND ADDITIONAL REMUNERATION

HOURS OF DUTY

B36.1 A teacher is normally required to give 27 hours' instruction per week: Provided that the hours of duty of a teacher who gives workshop and other practical instruction in any school, may be increased to 36 hours per week or to such other maximum as the Secretary may determine.

B36.2 Where classes at a school are so arranged that a teacher does not give instruction for at least 27 hours or workshop and other practical instruction for at least 36 hours per week or such other hours as are determined by the Secretary, the Secretary may, in respect of the shortfall of hours of duty, require such teacher to give instruction at a part-time class, a double-shift class, or any other class attached to such school, or to perform other school duties allocated to him by the principal without receiving extra remuneration therefor.

B36.3 A teacher shall not be entitled to claim extra remuneration in respect of additional duties performed by or required of him, except as provided for in regulation B36.4.

ADDITIONAL REMUNERATION FOR EXTRA DUTIES

B36.4 Where a teacher, with the approval of the Secretary, gives instruction at both a school and a part-time, double-shift or other class for hours which in the aggregate exceed the weekly hours of duty prescribed in regulation B36.1, he may, in respect of such excess, receive additional remuneration at the rates applicable to such class.

B36.5 In calculating the total hours of duty per quarter in respect of which additional remuneration in accordance with regulation B36.4 may be paid, portions of an hour of 30 minutes or more shall be reckoned as one hour and periods of less than 30 minutes shall be disregarded: Provided that extra duty of less than 15 minutes on a particular day shall be disregarded.

SUPERVISION DUTIES AND REMUNERATION THEREFOR AT SCHOOLS OF INDUSTRIES AND REFORM SCHOOLS

B36.6 (a) A teacher in service at a school of industries or a reform school shall perform supervision duties at such school if directed to do so by the principal, in which case the principal may require him to reside in official quarters.

(b) A teacher who undertakes supervision duties at a school of industries or a reform school shall be remunerated for such duties by means of a non-pensionable allowance determined or prescribed from time to time in terms of section 11 (1) of the Act.

REISKOSTE WORD NET VIR ONDERWYSER BETAAL

B35.7 Vir sover dit die voorgaande subregulasies betref, word spoorwegorders nie aan die eggenote van 'n onderwyser of aan sy gesin of afhanklikes uitgereik nie en word geen reiskoste vir hulle of ten opsigte van oormassabagasje betaal nie.

REISKOSTE VAN ONDERWYSER WAT VAN EEN POS NA 'N ANDER VERPLAAS WORD

B35.8 As 'n onderwyser op eie inisiatief van een pos na 'n ander verplaas word, word geen reiskoste aan hom betaal, en geen uitgawe wat hy in verband met sodanige verplasing aangaan uit staatsgelde gedek nie.

DIENSURE VAN ONDERWYSERS EN BYKOMENDE VERGOEDING

DIENSURE

B36.1 'n Onderwyser moet normaalweg 27 uur per week onderrig gee: Met dien verstande dat 'n onderwyser wat werkwinkel- en ander praktiese onderrig in enige skool gee, se diensure tot 36 uur per week of 'n ander maksimum wat die Sekretaris bepaal, verleng kan word.

B36.2 Waar klasse by 'n skool so gereël is dat 'n onderwyser nie onderrig vir minstens 27 uur per week, of werkwinkel- en ander praktiese onderrig vir minstens 36 uur per week, of sodanige ander ure as wat die Sekretaris bepaal, gee nie, kan die Sekretaris van sodanige onderwyser vereis om ten opsigte van die tekort aan diensure onderrig te gee in 'n deeltydse klas, 'n dubbelskofklas of enige ander klas wat aan sodanige skool verbonde is, of om ander skoolpligte wat die prinsipaal aan hom opdra te verrig sonder om bykomende vergoeding daarvoor te ontvang.

B36.3 'n Onderwyser het, behalwe soos in regulasie B36.4 bepaal, geen aanspraak op bykomende vergoeding ten opsigte van enige ekstra diens wat deur hom verrig of van hom vereis word nie.

BYKOMENDE VERGOEDING VIR EKSTRA DIENS

B36.4 Waar 'n onderwyser by sowel 'n skool as in 'n deeltydse, dubbelskof- of ander klas met die goedkeuring van die Sekretaris onderrig gee vir ure wat altesaam meer is as die weeklikse diensure wat in regulasie B36.1 voorgeskryf is, kan hy ten opsigte van die ekstra diensure bykomende vergoeding ontvang teen die tarief wat op sodanige klas van toepassing is.

B36.5 By die berekening van die totale diensure per kwartaal waarvoor bykomende vergoeding ingevolge regulasie B36.4 betaal kan word, word uurgedeeltes van 30 minute of meer gereken as 'n uur, en tydperke van minder as 30 minute buite rekening gelaat: Met dien verstande dat ekstra diens van minder as 15 minute op enige besondere dag buite rekening gelaat word.

TOESIGDIENS EN VERGOEDING DAARVOOR BY NYWERHEID- EN VERBETERINGSKOLE

B36.6 (a) 'n Onderwyser in diens by 'n nywerheid- of verbeteringskool moet toesigdiens in sodanige skool verrig indien hy deur die prinsipaal aangesê word om dit te doen, in welke geval die prinsipaal van hom kan vereis om in amptelike kwartiere in te woon.

(b) 'n Onderwyser wat by 'n nywerheid- of verbeteringskool toesig hou, word vir sodanige diens vergoed by wyse van 'n nie-pensioengewende toelae wat van tyd tot tyd ingevolge artikel 11 (1) van die Wet bepaal of voorgeskryf word.

ADDITIONAL REMUNERATION IN ADDITION TO APPROVED SALARY

B36.7 In addition to the salary and other remuneration payable to him in accordance with these regulations, no salary, allowances, remuneration, bonus, gratuity, honorarium or privilege shall be paid or granted to a teacher from State funds without the approval of the Secretary, given on the recommendation of the Public Service Commission: Provided that the provisions of this sub-regulation shall not apply to any salary, allowances, remuneration, bonus, gratuity, honorarium, or privilege accruing to a teacher in terms of any act, regulation or general instruction, and which is not subject to such approval.

MEDICAL AID

B37. The provisions of regulation A15 of the Public Service Regulations, promulgated under Government Notice 2047, dated 11 December 1959, as amended, shall *mutatis mutandis* apply with effect from 1 January 1969, to White teachers in respect of compulsory membership of the Public Service Medical Aid Association.

ACCEPTANCE OF NOMINATION AS A CANDIDATE FOR ELECTION TO PARLIAMENT, A PROVINCIAL COUNCIL OR THE COLOURED PERSONS REPRESENTATIVE COUNCIL

B38. If a teacher seeks election as a member of Parliament or a provincial council or the Coloured Persons Representative Council, he shall be deemed to have voluntarily retired from the service of the Department with effect from the date on which he is nominated in accordance with the provisions of the Electoral Consolidation Act, 1946 (Act 46 of 1946), or of that Act read with the Coloured Persons Representative Council Act, 1964 (Act 49 of 1964), as a candidate for the election.

B39.1 A teacher shall not become or be a member of a committee, a divisional council, a municipal council, a local authority or any other statutory body, without the Secretary's consent given after he is satisfied that such membership will not be detrimental to the interests of education.

B39.2 No teacher shall hold any office which in the opinion of the Secretary will interfere with the performance of his duties as a teacher.

B39.3 Before coming to a decision in the exercise of his discretion under regulation B39.1 or regulation B39.2, the Secretary shall give the teacher concerned an opportunity through the school committee (or manager) and regional board, to submit such representations as he may wish to make, and any such representations shall be accompanied by the comments of the school committee (or manager) and regional board.

B39.4 In the event of a dispute arising between the Government and the council, committee or authority referred to in regulation B39.1, a teacher, who is a member of such council, committee or authority, shall not take part in the discussion or give any vote on such dispute.

CHAPTER BB

CONDITIONS OF SERVICE OF NON-TEACHING STAFF AT STATE-AIDED SPECIAL SCHOOLS

BB1.1 The Public Service Regulations promulgated under Government Notice 2047, dated 11 December 1959, as amended, shall with reference to service conditions and other privileges, *mutatis mutandis* apply with effect from 1 July, 1969, to a person who is not a teacher and who is employed at a special school in

BYKOMENDE VERGOEDING BENEWENS GOEDGEKEURDE SALARIS

B36.7 Daar mag nie uit staatsgelde aan 'n onderwyser, benewens die salaris en ander vergoeding wat ingevolge hierdie regulasies aan hom betaalbaar is, enige salaris, toelaes, vergoeding, bonus, gratifikasie, honorarium of voorreg sonder die goedkeuring van die Sekretaris gegee op aanbeveling van die Staatsdienskommissie, betaal of toegestaan word nie: Met dien verstande dat die bepalinge van hierdie subregulasie nie van toepassing is nie op enige salaris, toelaes, vergoeding, bonus, gratifikasie, honorarium of voorreg wat 'n onderwyser ingevolge enige Wet, regulasie of algemene voorskrif toekom en wat nie onderworpe is aan sodanige goedkeuring nie.

MEDIESE HULP

B37. Die bepalinge van regulasie A15 van die Staatsdiensregulasies, afgekondig by Goewermentskennisgewing 2047 van 11 Desember 1959, soos gewysig, is met ingang van 1 Januarie 1969 *mutatis mutandis* van toepassing op Blanke onderwysers met betrekking tot verpligte lidmaatskap van die Mediese Hulpvereniging van Staatsamptenare.

AANVAARDING VAN NOMINASIE AS KANDIDAAT VIR VERKIESING TOT DIE PARLEMENT, 'N PROVINSIALE RAAD OF DIE VERTEENWOORDIGENDE KLEURLINGRAAD

B38. Indien 'n onderwyser hom as lid van die Parlement, 'n provinsiale raad of die Verteenwoordigende Kleurlingraad verkiesbaar stel, word daar geag dat hy vrywillig uit die diens van die Departement getree het met ingang van die datum waarop hy ooreenkomstig die bepalinge van die Wet tot Konsolidasie van die Kieswette, 1946 (Wet 46 van 1946), of van daardie Wet saamgelees met die Wet op die Verteenwoordigende Kleurlingraad, 1964 (Wet 49 van 1964), as kandidaat vir die verkiesing genomineer is.

B39.1 'n Onderwyser mag nie lid van 'n komitee, 'n afdelingsraad, 'n munisipale raad, 'n plaaslike bestuur of enige ander statutêre liggaam word of wees sonder die Sekretaris se toestemming wat verleen is nadat hy hom daarvan vergewis het dat sodanige lidmaatskap nie nadelig vir die belange van die onderwys sal wees nie.

B39.2 'n Onderwyser mag nie enige amp beklee wat na die mening van die Sekretaris die uitvoering van sy pligte as onderwyser sal belemmer nie.

B39.3 Voordat die Sekretaris tot 'n beslissing geraak by die uitoefening van sy diskresie kragtens regulasie B39.1 of regulasie B39.2, moet hy die betrokke onderwyser 'n geleentheid gee om deur bemiddeling van die skoolkomitee (of bestuurder) en streekraad die vertoë voor te lê wat hy wil rig, en enige sodanige vertoë moet vergesel gaan van die opmerkings van die skoolkomitee (of bestuurder) en streekraad.

B39.4 As 'n geskil tussen die Regering en die raad, komitee of bestuur in regulasie B39.1 bedoel, ontstaan, mag 'n onderwyser wat lid van so 'n raad, komitee of bestuur is, nie aan die bespreking of stemming oor sodanige geskilpunt deelneem nie.

HOOFTUK BB

DIENSVOORWAARDES VAN NIE-DOSEER-PERSONEEL BY STAATSONDERSTEUNDE SPESIALE SKOLE

BB1.1 Die Staatsdiensregulasies, afgekondig by Goewermentskennisgewing 2047 van 11 Desember 1959, soos gewysig, is met ingang van 1 Julie 1969 met betrekking tot diensvoorwaardes en ander voorregte *mutatis mutandis* van toepassing op 'n persoon wat nie 'n onderwyser is nie en wat in diens is by 'n spesiale skool ten opsigte

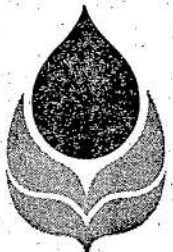
respect of which grants-in-aid are made in terms of section 4 of the Act or in respect of which a loan has been granted in terms of that section.

BB1.2 Posts on the establishment of such a special school, excluding posts for teachers, shall, for the purposes of service conditions and other privileges, be considered to be classified in the same division as that in which similar posts in the Public Service are classified in terms of section 3 of the Public Service Act, 1957 (Act 54 of 1957).

waarvan hulptoelae ingevolge artikel 4 van die Wet betaal word of ten opsigte waarvan 'n lening ingevolge daardie artikel toegestaan is.

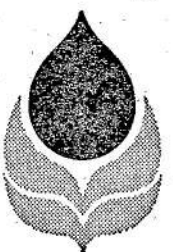
BB1.2 Poste op die diensstaat van so 'n spesiale skool, uitgesonderd poste vir onderwysers, word vir die doeleindes van diensvoorwaardes en ander voorregte geag ingedeel te wees in dieselfde afdeling as dié waarin soortgelyke poste in die Staatsdiens ingevolge artikel 3 van die Staatsdienswet, 1957 (Wet 54 van 1957), ingedeel is.

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