



STAATSKOERANT
VAN DIE REPUBLIEK VAN SUID-AFRIKA
REPUBLIC OF SOUTH AFRICA
GOVERNMENT GAZETTE

REGULASIEKOERANT No. 2873 PRYS + 1c AVB 20c PRICE + 1c GST REGULATION GAZETTE No. 2873
As 'n Nuusblad by die Poskantoor Geregistreer BUITELANDS 30c ABROAD Registered at the Post Office as a Newspaper
POSVRY • POST FREE

VOL. 171]

PRETORIA, 21 SEPTEMBER 1979

No. 6669

GOEWERMENSKENNISGEWINGS

**DEPARTEMENT VAN SAMEWERKING EN
ONTWIKKELING**

No. R. 2067

21 September 1979

**KWANDEBELE-PERSONEELREGULASIES,
1979**

Dit het die Staatspresident behaag om kragtens die bepalings van artikel 17 van die Wet op Swart Owerhede, 1951 (Wet 68 van 1951), die regulasies in bygaande Bylae, synde die Personeelregulasies vir die KwaNdebele-gebiedsowerheid, uit te vaardig.

BYLAE

RANGSКИККING VAN REGULASIES

Hoofstuk I

Deel A

Regulasies

Woordoms krywing..... A1-A2

Deel B

Organisasie en administrasie..... B1-B9

Deel C

Aanstellings, bevorderings, oorplasings, uittredings,
afdiskings en ontslag..... C1-C5

Deel D

Onbekwaamheid en wangedrag..... D1-D7

Deel E

Algemeen..... E1-E6

Hoofstuk II

Deel F

Woordoms krywing..... F1

Deel G

Afwesigheidsverlof..... G1-G22

Deel H

Verblyf-, kamp- en spesiale toelaes..... H1-H10

Deel J

Amptelike reis en vervoer..... J1-J10

Deel K

Oorplasingskoste en vervoervoorregte by eerste aanstelling en by diensbeëindiging of dood..... K1-K4

Deel L

Amptelike diensure, bywoningsregisters, werkweke en oortydbesoldiging..... L1-L6

15358—A

GOVERNMENT NOTICES

**DEPARTMENT OF CO-OPERATION AND
DEVELOPMENT**

No. R. 2067

21 September 1979

**KWANDEBELE STAFF REGULATIONS,
1979**

The State President has been pleased, under the provisions of section 17 of the Black Authorities Act, 1951 (Act 68 of 1951), to make the regulations in the Schedule hereto, being the Staff Regulations for the KwaNdebele Territorial Authority.

SCHEDULE

ARRANGEMENT OF REGULATIONS

Chapter I

Part A

Definitions..... A1-A2

Part B

Organisation and administration..... B1-B9

Part C

Appointments, promotions, transfers, retirements and discharges..... C1-C5

Part D

Inefficiency and misconduct..... D1-D7

Part E

General..... E1-E6

Chapter II

Part F

Definitions..... F1

Part G

Leave of absence..... G1-G22

Part H

Subsistence, camping and special allowances..... H1-H10

Part J

Official travelling and transport..... J1-J10

Part K

Transfer expenses and transport privileges on first appointment and on termination of services or death..... K1-K4

Part L

Official hours of attendance, attendance registers, working weeks and overtime remuneration..... L1-L6

6669—1

Deel M	Regulasies
Algemeen.....	M1-M18
Hoofstuk III	
Deel N	
Kort titel en inwerkingtreding.....	N1-N2

HOOFSTUK I

DEEL A

Woordomskrywing

A1. In hierdie hoofstuk, tensy uit die samehang anders blyk, beteken—

(i) "beampte" 'n persoon wat vas aangestel is, al is die aanstelling op proef, in 'n pos genoem in regulasie B1 (1) (a) en (b) en ook 'n persoon genoem in regulasie B1 (1) (c) en regulasie B1 (2) (b) wat 'n voorgeskrewe pos beklee het wat as 'n nie-voorgeskrewe pos herklassifiseer is;

(ii) "departement" 'n departement, subdepartement of kantoor van die owerheidsdiens;

(iii) "departementshoof" of enige variasie daarvan, die beampte of toegewese beampte wat 'n pos met die benaming Direkteur van 'n Departement op die vaste diensstaat beklee of in sodanige pos waarneem;

(iv) "hoof van kantoor" die hoof van 'n kantoor, tak, inrigting, afdeling of werkplek, en ook 'n departementshoof;

(v) "kalendermaand" 'n tydperk wat strek van 'n dag in 'n maand tot en met die dag wat die dag voorafgaan wat numeriek ooreenstem met daardie dag in die volgende maand;

(vi) "KwaNdebele-gebiedsowerheid" die KwaNdebele-gebiedsowerheid ingestel kragtens artikel 2 (1) (c) van die Wet op Swart Owerhede, 1951 (Wet 68 van 1951);

(vii) "maand" 'n tydperk wat van die eerste tot en met die laaste dag van engeen van die 12 maande van die jaar strek;

(viii) "Minister" die Minister van Samewerking en Ontwikkeling;

(ix) "nie-voorgeskrewe pos" 'n pos as sodanig geklassifiseer kragtens regulasie B1 (2);

(x) "owerheidsdiens" die KwaNdebele-gebiedsowerheidsdiens ingestel met ingang van 'n datum deur die Minister bepaal;

(xi) "pensioenleef tyd" die leeftyd waarop 'n beampte kragtens regulasie C5 (1) die reg het om uit die KwaNdebele-gebiedsowerheidsdiens te tree en daaruit afgedank moet word;

(xii) "Personeeladvieskomitee" die Personeeladvieskomitee genoem in regulasie B9 (1);

(xiii) "Raad" die Raad vir die Swart Owerheidsdiens ingestel kragtens regulasie B2 (1);

(xiv) "Regering van die Republiek" die Regering van die Republiek van Suid-Afrika, en sluit dit enige provinsiale administrasie en die Administrasie van Suidwes-Afrika in, maar nie die Spoorwegadministrasie nie;

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

(xvi) "Tesourie" die Tesourie van die KwaNdebele-gebiedsowerheid, ingestel kragtens artikel 8 van die Wet op Swart Owerhede, 1951 (Wet 68 van 1951);

(xvii) "toegewese beampte" 'n beampte van die Staatsdiens van die Republiek wat tot die beskikking van die KwaNdebele-gebiedsowerheid gestel is;

(xviii) "Uitvoerende Raad" die uitvoerende komitee van die KwaNdebele-gebiedsowerheid;

(xix) "vaste diensstaat" die poste geskep vir die normale en algemene vereistes van 'n departement;

Part M	Regulations
General.....	M1-M18
Chapter III	
Part N	
Short title and commencement.....	N1-N2

CHAPTER I

PART A

Definitions

A1. In this Chapter, unless the context otherwise indicates—

(i) "allocated officer" means an officer of the Public Service of the Republic placed at the disposal of the KwaNdebele Territorial Authority;

(ii) "authority service" means the KwaNdebele Territorial Authority Service established from a date to be determined by the Minister;

(iii) "Board" means the Black Authority Service Board established in terms of regulation B2 (1);

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

(v) "department" means a department, subdepartment, or office of the authority service;

(vi) "employee" means a person referred to in regulation B1 (1) (d);

(vii) "Executive Council" means the executive committee of the KwaNdebele Territorial Authority;

(viii) "fixed establishment" means the posts created for the normal and regular requirements of a department;

(ix) "Government of the Republic" means the Government of the Republic of South Africa and includes any provincial administration and the Administration of South-West Africa, but does not include the Railway Administration;

(x) "head of department", or any variation thereof, means the officer or allocated officer holding, or acting in, a post on the fixed establishment designated Director of a Department;

(xi) "head of office" means the head of an office, branch, institution, division or place of work and includes the head of a department;

(xii) "KwaNdebele Territorial Authority" means the KwaNdebele Territorial Authority established in terms of section 2 (1) (c) of the Black Authorities Act, 1951 (Act 68 of 1951);

(xiii) "Minister" means the Minister of Co-operation and Development;

(xiv) "month" means a period extending from the first to the last day, both days inclusive, of any one of the 12 months of the year;

(xv) "non-prescribed post" means a post classified as such in terms of regulation B1 (2);

(xvi) "officer" means a person who has been appointed permanently, notwithstanding the fact that such appointment may be on probation, to a post referred to in regulation B1 (1) (a) and (b), and includes a person referred to in regulation B1 (1) (c) and regulation B1 (2) (b) who occupied a prescribed post that has been reclassified as a non-prescribed post;

(xvii) "pensionable age" means the age at which, in terms of regulation C5 (1), an officer shall have the right to retire and shall be retired from the KwaNdebele Territorial Authority Service;

(xviii) "prescribed apparatus" means any apparatus (prescribed by the Executive Council on the recommendation of the Board, by notice in the *Gazette*) by means of which the breath of any person is tested or

(xx) "voorgeskrewe apparaat" enige apparaat (deur die Uitvoerende Raad op aanbeveling van die Raad by kennisgewing in die *Staatskoerant* voorgeskryf) deur middel waarvan die asem van 'n persoon getoets of ontleed word om te bepaal of die alkoholinhoud van die bloed van sodanige persoon 'n gegewe perk oorskry al dan nie;

(xxi) "voorgeskrewe pos" 'n pos as sodanig geklassifiseer kragtens regulasie B1 (2); en

(xxii) "werknemer" 'n persoon in regulasie B1 (1) (d) bedoel.

A2. Waar daar in hierdie regulasies in verband met 'n beampte melding gemaak word van 'n verlaging van 'n salarisskaal, word dit so uit gelê dat dit die toepassing van 'n salarisskaal insluit wat laer is as die skaal wat tevore toegepas is wat betref die maksimum of minimum van die skaal, of die tempo van vordering in die skaal, en so 'n vermelding van 'n verlaging in graad of dat 'n graad laer is as 'n ander graad, word in ooreenstemmende sin uitgelê.

DEEL B

ORGANISASIE EN ADMINISTRASIE

Owerheidsdiens

B1. (1) Die owerheidsdiens bestaan uit persone, uitgesonderd lede van die KwaNdebele-gebiedsowerheid, lede van die Uitvoerende Raad en lede van die Personeeladvieskomitee—

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

(b) wat ander poste op die vaste diensstaat beklee as die poste in paragraaf (a) hierbo genoem;

(c) wat, nadat hulle opgehou het om poste op die vaste diensstaat in paragraaf (a) vermeld, te beklee, en wat nie uit diens getree het of ontslaan is nie, bykomend by die vaste diensstaat in diens gehou word ooreenkomstig 'n aanbeveling gedoen kragtens regulasie B4 (2) (e) of wat geag word 'n voorgeskrewe pos te bly beklee in die omstandighede in die voorbereidingsbepaling van subregulasie (2) (b) bedoel;

(d) wat tydelik of op 'n spesiale kontrak in 'n departement, hetsy in 'n voltydse of deeltydse hoedanigheid, bykomend by die vaste diensstaat in diens gehou word ooreenkomstig 'n aanbeveling gedoen kragtens regulasie B4 (2) (d).

B1. (2) Die Raad het die bevoegdheid om te gelas dat—

(a) enige pos op die vaste diensstaat as 'n voorgeskrewe of 'n nie-voorgeskrewe pos geklassifiseer word; en

(b) enige voorgeskrewe pos as 'n nie-voorgeskrewe pos herklassifiseer word of 'n nie-voorgeskrewe pos as 'n voorgeskrewe pos herklassifiseer word: Met dien verstande dat geen lasgewing kragtens hierdie paragraaf 'n beampte of werknemer verlof of 'n ander voorreg of reg wat hom uit hoofde van sy bekleding van 'n voorgeskrewe of 'n nie-voorgeskrewe pos toegekom het, ontnem nie.

Raad vir die Swart Owerheidsdiens

B2. (1) Hierby word 'n Raad vir die Swart Owerheidsdiens ingestel met die bevoegdhede, werksaamhede en pligte voorgeskryf by hierdie regulasies of by enige ander wet.

B2. (2) (a) Die Raad bestaan uit drie persone aangestel deur die Minister om hul ampte te beklee solank dit die Minister behaag.

(b) Die Minister wys een lid as Voorsitter en 'n ander lid as Adjunk-voorsitter van die Raad aan.

analysed in order to determine whether or not the alcohol content of the blood of such person exceeds a given limit;

(xix) "prescribed post" means a post classified as such in terms of regulation B1 (2);

(xx) "scale", in relation to salary, includes salary at a fixed rate;

(xxi) "Staff Advisory Committee" means the Staff Advisory Committee referred to in regulation B9 (1);

(xxii) "Treasury" means the Treasury of the KwaNdebele Territorial Authority, established in terms of section 8 of the Black Authorities Act, 1951 (Act 68 of 1951).

A2. Where in these regulations reference is made in relation to an officer to a reduction in a scale of salary, the reference shall be construed as including the application of a scale of salary which is lower than the scale previously applied as regards the maximum or minimum of the scale or the rate of progression in the scale, and any such reference to a reduction in grade or to a grade being lower than another grade shall be correspondingly construed.

PART B

ORGANISATION AND ADMINISTRATION

Authority service

B1. (1) The authority service shall consist of persons other than members of the KwaNdebele Territorial Authority, members of the Executive Council and members of the Staff Advisory Committee—

(a) who hold prescribed posts on the fixed establishment;

(b) who hold posts on the fixed establishment other than posts referred to in paragraph (a) above;

(c) who, having ceased to hold posts on the fixed establishment referred to in paragraph (a), and not having retired or been discharged, are employed in addition to the fixed establishment in accordance with a recommendation made in terms of regulation B4 (2) (e) or who are deemed to continue to hold prescribed posts in the circumstances contemplated by the proviso to subregulation (2) (b);

(d) who are employed in a department temporarily or under a special contract, whether in a full-time or part-time capacity, in addition to the fixed establishment, in accordance with a recommendation made in terms of regulation B4 (2) (d).

B1. (2) It shall be competent for the Board to direct that—

(a) any post on the fixed establishment be classified as a prescribed post or as a non-prescribed post; and

(b) any prescribed post be reclassified a non-prescribed post or a non-prescribed post be reclassified as a prescribed post: Provided that no direction under this paragraph shall deprive an officer or employee of any leave or other privilege or right which flowed from his occupancy of a prescribed or non-prescribed post.

Black Authority Service Board

B2. (1) A Black Authority Service Board with such powers, functions and duties as are prescribed by these regulations or any other law is hereby established.

B2. (2) (a) The Board shall consist of three persons appointed by the Minister to hold office at the pleasure of the Minister.

(b) The Minister shall designate one member as Chairman and another member as Deputy Chairman of the Board.

B2. (3) Gedurende die afwesigheid van die Voor-
sitter van die Raad, om watter rede ook al, of as daar
geen Voorsitter is nie, neem die Adjunk-voorsitter van
die Raad waar, en gedurende die afwesigheid van
sowel die Voorsitter as die Adjunk-voorsitter, om wat-
ter rede ook al, wys die Minister 'n lid of waarne-
mende lid van die Raad aan om as Voorsitter van die
Raad waar te neem.

B2. (4) Die vergaderings van die Raad word gehou
op sodanige tye en plekke as wat die Raad bepaal.

B2. (5) Die kworum op enige vergadering van die
Raad is twee lede daarvan.

B2. (6) 'n Besluit op 'n vergadering van die Raad
word geneem met 'n meerderheid van stemme van die
lede teenwoordig, en in die geval van 'n staking van
stemme oor enige aangeleentheid het die persoon wat
voorsit op die vergadering, benewens 'n gewone stem
ook 'n beslissende stem.

Uitoefening en delegasie van die Raad se bevoegdhede en werksaamhede

B3. (1) Behoudens die bepalings van subregulasie (2)
word 'n aanbeveling of lasgewing deur minstens twee
lede van die Raad by die toepassing van hierdie regu-
lasies of enige ander wet geag 'n aanbeveling of las-
gewing deur die Raad te wees.

B3. (2) Behoudens die bepalings van subregulasie (3)
kan enige bevoegdheid wat verleen of werksaamheid
wat opgedra is aan die Raad by hierdie regulasies of
in enige ander wet (uitgesonderd die delegasiebevoegd-
heid wat hierby verleen word), met die instemming van
die Raad uitgeoefen of verrig word deur—

(a) 'n lid of lede van die Raad ingevolge 'n alge-
mene of spesiale delegasie van die Raad; of

(b) 'n beamppte in diens van die kantoor van die
Raad; of

(c) die Personeeladvieskomitee of enige lid of lede
daarvan; of

(d) toegewese beamptes; of

(e) beamptes.

B3. (3) Die Raad mag nie die bevoegdhede aan hom
verleen by regulasie B4 (2) (a), (g) en (n), of by regu-
lasies C5 (2), C5 (3), C5 (6) en C5 (7) of Deel D
van hierdie hoofstuk deleger nie. Met dien verstande
dat die Raad die bevoegdhede kan deleger wat aan
hom verleen is by regulasie C5 (7) en Deel D van
hierdie Hoofstuk met betrekking tot beamptes wat nie-
voorgeskrewe poste op die vaste diensstaat beklee.

B3. (4) Die Raad kan enige persoon magtig om
ondersoek in te stel na enige aangeleentheid waaroor
die Raad kragtens hierdie regulasies of enige ander wet
die bevoegdheid het om 'n aanbeveling te doen of 'n
lasgewing te gee.

B3. (5) Enige delegasie of magtiging deur die Raad
kragtens hierdie regulasie kan te eniger tyd deur die
Raad gewysig of ingetrek word.

Bevoegdhede, werksaamhede en pligte van die Raad

B4. (1) Die Raad het die bevoegdheid—

(a) om die werksaamhede aan hom opgedra en
die pligte aan hom toevertrou by hierdie regulasies
of by of kragtens enige ander wet, te verrig en uit
te voer; en

(b) om aanbevelings te doen of lasgewings te gee
oor alle aangeleenthede waarvoor daar nie uitdruk-
lik in hierdie regulasies of enige ander wetsbepaling

B2. (3) During the absence of the Chairman of the
Board for any reason or if there is no Chairman, the
Deputy Chairman shall act as Chairman of the Board
and during the absence of both the Chairman and the
Deputy Chairman for any reason, the Minister shall
designate a member or acting member of the Board to
act as Chairman of the Board.

B2. (4) The meetings of the Board shall be held at
such times and at such places as the Board may
determine.

B2. (5) The quorum at any meeting of the Board
shall be two members.

B2. (6) Any decision at any meeting of the Board
shall be by a majority of votes of the members present
and, in the event of an equality of votes in regard to
any matter, the person presiding at the meeting shall
have a casting vote in addition to a deliberative vote.

Exercise and delegation of powers and functions of the Board

B3. (1) Subject to the provisions of subregulation
(2), a recommendation or direction given by not less
than two members of the Board shall be deemed for
the purpose of these regulations or any other law to
be a recommendation or direction given by the Board.

B3. (2) Subject to the provisions of subregulation
(3), any power conferred upon or function entrusted
to the Board by these regulations or by any other law
(except the power of delegation conferred hereby)
may, with the concurrence of the Board, be exercised
or performed—

(a) by any member or members of the Board
under a general or special delegation from the
Board; or

(b) by any officer employed in the office of the
Board; or

(c) by the Staff Advisory Committee or by any
member or members thereof; or

(d) by allocated officers; or

(e) by officers.

B3. (3) The Board shall not delegate the powers
conferred upon it by regulation B4 (2) (a), (g) and (n)
or by regulations C5 (2), C5 (3), C5 (6) and C5 (7)
or Part D of this Chapter: Provided that the Board
may delegate the powers conferred upon it by regula-
tions C5 (7) and Part D of this Chapter with regard to
officers holding non-prescribed posts on the fixed
establishment.

B3. (4) The Board may authorise any person to
conduct an inquiry into any matter upon which, in
terms of these regulations or any other law, it is com-
petent for the Board to make a recommendation or
give a direction.

B3. (5) Any delegation or authorisation made or
given by the Board under this regulation may at any
time be amended or revoked by the Board.

Powers, functions and duties of the Board

B4. (1) The Board shall have the power—

(a) to perform the functions entrusted to and to
carry out the duties imposed upon it by these regu-
lations or under any other law; and

(b) to make recommendations or give directions on
all matters not specifically provided for in these
regulations or any other law, but not inconsistent

voorsiening gemaak is, nie maar wat nie daarmee strydig is nie, met betrekking tot of voortspruitende uit die indiensneming van en die diensvoorwaardes in die algemeen van beamptes en werknemers.

B4. (2) Die Raad moet—

(a) aanbevelings doen aangaande die skepping of afskaffing van departemente, subdepartemente, takke of kantore, en die oordrag van werksaamhede van een departement aan 'n ander of van 'n departement aan 'n ander liggaam of van 'n ander liggaam aan 'n departement;

(b) aanbevelings doen aangaande die beheer oor en organisasie en herskikking van enige departement, subdepartement, tak of kantoor;

(c) aanbevelings doen aangaande die getal, gradering, hergradering en omskepping van poste op die vaste diensstaat;

(d) aanbevelings doen aangaande die getal persone wat tydelik of op spesiale kontrak, hetsy in 'n voltydse of deeltydse hoedanigheid, in diens geneem moet word—

(i) teen poste op die vaste diensstaat wat nie permanent gevul is nie; of

(ii) bykomend by die vaste diensstaat, hetsy weens die afwesigheid of siekte van die bekleër van 'n pos, of wanneer dit nodig is om personeel te verskaf vir die verrigting van 'n klas werk waarvoor personeel nie gewoonlik op 'n permanente basis aangehou word nie, of wanneer dit om enige ander rede nodig is om die personeel van 'n departement tydelik aan te vul;

(e) wanneer hy dit nodig ag, 'n aanbeveling doen oor die indiensneming van 'n beampte bykomend by die vaste diensstaat, of in 'n pos wat hoër of laer as sy eie graad gegradeer is;

(f) aanbevelings doen oor die bewerkstelling van besuiniging en die bevordering van doeltreffendheid in die bestuur en funksionering van departemente, subdepartemente, takke en kantore deur—

(i) verbeterde organisasie, prosedure en metodes;

(ii) verbeterde toesig;

(iii) vereenvoudiging van werk en die uitskakeling van onnodige werk;

(iv) koördinasie van werk;

(v) beperking van die getal beamptes en werknemers van departemente, subdepartemente, takke en kantore en die benutting van die dienste van beamptes en werknemers op die voordeligste wyse;

(g) aanbevelings doen aangaande die skale van salarisse, lone en toelaes van al die verskillende klasse en grade van beamptes en werknemers;

(h) wanneer dit nodig is om 'n aanstelling of bevordering te doen in of tot 'n pos op die vaste diensstaat, hetsy dit nodig is weens die feit dat die pos vakant of hergradeer of omskep is, 'n aanbeveling doen aangaande die persoon wat aangestel of bevorder moet word;

(i) aantekening hou van beamptes wat in diens geneem is in voorgeskrewe poste;

(j) ondersoek instel na griewe van beamptes en, behoudens die bepalinge van hierdie regulasies, die aanbevelings daarvoor doen wat hy goeddink;

(k) lasgewings gee aangaande die ouderdoms-, opvoedkundige, taal- en ander kwalifikasies waarvoor persone moet beskik by aanstelling in, oorpasing na of bevordering tot die owerheidsdiens, waar sodanige kwalifikasies nie by of kragtens hierdie regulasies of enige ander wetsbepaling voorgeskryf is nie;

(l) waar hy dit nodig ag, eksamens afneem of laat afneem in sodanige vakke, insluitende tale, as wat

therewith, relating to or arising out of the employment of and the conditions of service generally of officers and employees.

B4. (2) The Board shall—

(a) make recommendations as to the creation or abolition of departments, subdepartments, branches or offices, the transfer of functions from one department to another or from a department to any other body or from any other body to a department;

(b) make recommendations as to the control, organisation and readjustment of any department, subdepartment, branch or office;

(c) make recommendations as to the number, grading, regrading and conversion of posts on the fixed establishment;

(d) make recommendations as to the number of persons to be employed temporarily or under a special contract, whether in a full-time or a part-time capacity—

(i) against posts on the fixed establishment which are not permanently filled; or

(ii) in addition to the fixed establishment, either by reason of the absence or illness of the incumbent of any post, or when it is necessary to provide staff for the performance of a class of work for which staff is not ordinarily maintained on a permanent basis, or when it is necessary for any other reason to increase temporarily the staff of any department;

(e) whenever it considers it necessary, make a recommendation for the employment of an officer in addition to the fixed establishment, or in a post graded lower or higher than his own grade;

(f) make recommendations for effecting economies and promoting efficiency in the management and operation of departments, subdepartments, branches and offices by means of—

(i) improved organisation, procedure and methods;

(ii) improved supervision;

(iii) simplification of work and the elimination of unnecessary work;

(iv) co-ordination of work;

(v) limitation of the number of officers and employees of departments, subdepartments, branches and offices and the utilisation of the services of officers and employees to the best advantage;

(g) make recommendations as to the scale of salaries, wages and allowances of all the various classes and grades of officers and employees;

(h) whenever it is necessary to make any appointment or promotion to or in a post on the fixed establishment, whether such necessity arises because the post is vacant or because it has been regraded or converted, make a recommendation as to the person to be appointed or promoted;

(i) keep a record of officers employed in prescribed posts;

(j) inquire into the grievances of officers and, subject to the provisions of these regulations, make such recommendations thereon as it may deem fit;

(k) give directions as to the age of, and the educational, language and other qualifications to be possessed by, persons on appointment, transfer or promotion to or in the authority service where such qualifications are not prescribed by or under these regulations or any other law;

(l) where it deems it necessary, conduct examinations or cause examinations to be conducted in such

hy gelas of wat voorgeskryf is as 'n kwalifikasie waarvoor persone by aanstelling in, oorpasing na of bevordering tot die owerheidsdiens moet beskik;

(m) sodanige ander bevoegdhede uitoefen, werksaamhede verrig en pligte uitvoer as wat nie met hierdie regulasies strydig is nie en wat die Minister aan hom opdra of verleen;

(n) aanbevelings doen by die Staatspresident vir die wysiging of verandering van hierdie regulasies.

Uitvoering van aanbevelings van die Raad

B5. (1) Elke aanbeveling wat deur die Raad ooreenkomstig hierdie regulasies gedoen word en wat op 'n bepaalde persoon betrekking het—altyd behoudens die bepalings van subregulasie (2)—

(a) kan voordat dit uitgevoer is, te eniger tyd binne 'n tydperk van ses kalendermaande vanaf die datum waarop dit deur die Raad gedoen is of binne 'n tydperk van ses kalendermaande vanaf die datum waarop dit deur die Raad gewysig is, deur die Raad teruggetrek of gewysig word of deur die Minister verwerp of gewysig word: Met dien verstande dat die Raad nie bevoeg is om 'n aanbeveling wat deur die Minister gewysig is, terug te trek of te wysig nie;

(b) word, as dit deur die Minister gewysig is, onverwyld soos aldus gewysig, deur die Uitvoerende Raad uitgevoer;

(c) word, as die Minister geweier het om dit te wysig of te verwerp, onverwyld soos deur die Raad gedoen of gewysig, deur die Uitvoerende Raad uitgevoer;

(d) word, as genoemde tydperk verstryk het en dit nie uitgevoer of deur die Raad teruggetrek of deur die Minister verwerp of gewysig is nie, onverwyld soos deur die Raad gedoen of gewysig, deur die Uitvoerende Raad uitgevoer.

B5. (2) 'n Aanbeveling bedoel in subregulasie (1) wat nie op 'n bepaalde persoon betrekking het nie—

(a) kan, behoudens die bepalings van subregulasie (3), voordat dit uitgevoer is, te eniger tyd binne 'n tydperk van ses kalendermaande vanaf die datum waarop dit deur die Raad gedoen is of binne 'n tydperk van ses kalendermaande vanaf die datum waarop dit deur die Raad gewysig is, deur die Raad teruggetrek of gewysig word; en

(b) word, behoudens die bepalings van subregulasie (3), as bedoelde tydperk verstryk het en dit nie uitgevoer of deur die Raad teruggetrek is nie, onverwyld soos deur die Raad gedoen of gewysig, deur die betrokke departementshoof uitgevoer.

B5. (3) Elke aanbeveling van die Raad aangaande—

(a) die getal, gradering, hergradering en omskepping van poste op die vaste diensstaat;

(b) die indiensneming en indienshouding van beamptes en werknemers bykomend by die vaste diensstaat of teen poste wat laer of hoër gegradeer is as hulle eie gradering;

(c) die skale van salarisse, lone en toelaes van beamptes en werknemers;

(d) die betaling aan beamptes en werknemers, of klasse beamptes of werknemers, van salarisse teen hoër bedrae as die minimums van skale wat by aanstelling, oorpasing of bevordering op hulle poste van toepassing is;

(e) die spesiale bevordering van beamptes en werknemers, of klasse beamptes of werknemers, binne die salarisskale wat op hulle poste van toepassing is, of die betaling aan hulle van salarisse ooreenkomstig hoër skale;

subjects, including languages, as may be directed by it or prescribed as a qualification to be possessed by persons on appointment, transfer or promotion to or in the authority service;

(m) exercise such other powers, perform such other functions and carry out such other duties, not inconsistent with these regulations, as may be entrusted to or conferred upon it by the Minister;

(n) make recommendations to the State President for the amendment or variation of these regulations.

Implementation of recommendations of Board

B5. (1) Subject to the provisions of subregulation (2), every recommendation made by the Board in accordance with these regulations and relating to a particular person—

(a) may be withdrawn or varied by the Board or may be rejected or varied by the Minister before it has been carried out at any time within a period of six calendar months of the date upon which it was made by the Board or within a period of six calendar months of the date upon which it was varied by the Board: Provided that it shall not be competent for the Board to withdraw or vary any recommendation which has been varied by the Minister;

(b) shall, if the Minister has varied it, forthwith be carried out by the Executive Council as so varied;

(c) shall, if the Minister has refused to vary or reject it, forthwith be carried out by the Executive Council as made or varied by the Board;

(d) shall, if the said period has expired, and it has not been carried out or withdrawn by the Board or rejected or varied by the Minister, forthwith be carried out by the Executive Council as made or varied by the Board.

B5. (2) Subject to the provisions of subregulation (3), a recommendation referred to in subregulation (1) which does not relate to a particular person—

(a) may be withdrawn or varied by the Board before it has been carried out at any time within a period of six calendar months of the date upon which it was made by the Board or within a period of six calendar months of the date upon which it was varied by the Board; and

(b) shall, if the said period has expired and it has not been carried out or withdrawn by the Board, forthwith be carried out by any head of department concerned as made or varied by the Board.

B5. (3) Every recommendation of the Board as to—

(a) the number, grading, regrading and conversion of posts on the fixed establishment;

(b) the employment of officers and employees in addition to the fixed establishment or against posts graded higher or lower than their own grading;

(c) the scales of salaries, wages and allowances of officers and employees;

(d) the payment to officers and employees, or classes of officers or employees, of salaries at higher rates than the minima of scales applicable to their posts on appointment, transfer or promotion;

(e) the special advancement of officers and employees, or classes of officers or employees, within the scales of salary applicable to their posts or the payment to them of salaries in accordance with higher scales;

(f) die betaling aan beamptes en werknemers van bykomende besoldiging vir die verrigting van oortyd-diens;

(g) die bedrae aan bonusse, toekennings, gratifikasies, honorariums en ander bykomende betaling wat aan beamptes en werknemers gedoen moet word;

(h) die toekenning van beurse en hulptoelae vir studie- en navorsingsdoeleindes;

(i) die diensvoorwaardes in die algemeen van beamptes en werknemers;

en al die aanbevelings gedoen kragtens regulasie B4 (2) (n) wat uitgawes deur die Tesourie meebring, word aan die Sekretaris van Samewerking en Ontwikkeling meegedeel en nie uitgevoer nie tensy die Sekretaris sodanige uitgawes goedkeur.

B5. (4) Waar 'n aanbeveling van die Raad deur die Minister verwerp of gewysig is, tree die Uitvoerende Raad op met betrekking tot die aangeleentheid in verband waarmee die aanbeveling gedoen is, ooreenkomstig enige magtiging deur die Minister verleen of ooreenkomstig die aanbeveling van die Raad soos aldus gewysig, sonder om 'n verdere aanbeveling van die Raad te verkry.

B5. (5) Vir die doel van die toepassing van die bepalinge van subregulasies (1) en (4) betreffende die verwerping of wysiging deur die Minister van 'n aanbeveling van die Raad, word 'n weiering deur of 'n versuim van die Raad om 'n aanbeveling te doen, geag 'n aanbeveling van die Raad te wees.

B5. (6) Geen aansoek om die verwerping of wysiging van 'n aanbeveling word aan die Minister gerig nie, tensy die Uitvoerende Raad aan die Raad minstens 14 dae kennis gegee het van sy voorneme om aldus aansoek te doen, en sodanige kennisgewing moet die gronde uiteensit waarop die Uitvoerende Raad van voorneme is om aansoek te doen.

B5. (7) By die toepassing van hierdie regulasies of van enige ander wet word 'n aanbeveling geag—

(a) gedoen te gewees het op die datum van die skriftelike mededeling waarin sodanige aanbeveling oorgedra word; en

(b) as dit op 'n bepaalde persoon betrekking het, deur die Uitvoerende Raad uitgevoer te gewees het op die datum van die skriftelike mededeling aan daardie persoon waarin verklaar word dat die Uitvoerende Raad sodanige aanbeveling goedgekeur het.

Delegasie van bevoegdheid en werksaamhede van die Uitvoerende Raad kragtens hierdie regulasies

B6. (1) Enige bevoegdheid by hierdie regulasies aan die Uitvoerende Raad verleen, kan, met die instemming van die Uitvoerende Raad, uitgevoer of uitgeoefen word deur—

(a) enige lid of lede van die Uitvoerende Raad kragtens 'n algemene of spesiale delegasie van die Uitvoerende Raad; of

(b) enige toegewese beampte; of

(c) enige beampte.

B6. (2) Die Uitvoerende Raad mag nie die werksaamhede aan hom opgedra by regulasie B5, delegeer nie.

Die Raad kan departemente inspekteer en het insae in amptelike dokumente

B7. Die Raad het die bevoegdheid om enige departement te inspekteer, en moet insae gegee word in sodanige amptelike dokumente en stukke en moet deur hoofde van departement en ander beamptes en werknemers voorsien word van alle sodanige inligting as

(f) the payment to officers and employees of extra remuneration for the performance of overtime duties;

(g) the amounts of bonuses, awards, gratuities, honoraria and any other additional payments to be made to officers and employees;

(h) the grant of bursaries and grants-in-aid for purposes of study and research;

(i) the conditions of service generally of officers and employees;

and every recommendation made in terms of regulation B4 (2) (n) involving expenditure from the Treasury shall be communicated to the Secretary for Co-operation and Development and shall not be carried out unless the said Secretary has approved the expenditure involved.

B5. (4) Where a recommendation of the Board has been rejected or varied by the Minister, the Executive Council shall act in the matter in connection with which the recommendation was made in accordance with any authority granted by the Minister or in accordance with the recommendation of the Board as so varied, without obtaining a further recommendation from the Board.

B5. (5) For the purposes of the provisions of sub-regulations (1) and (4) relating to the rejection or variation by the Minister of a recommendation of the Board, any refusal or failure by the Board to make a recommendation shall be deemed to be a recommendation of the Board.

B5. (6) No application for the rejection or variation of a recommendation shall be made to the Minister unless the Executive Council has given the Board at least 14 days' notice of its intention so to apply and such notice shall set forth the grounds upon which the Executive Council intends basing the application.

B5. (7) For the purposes of these regulations or any other law, a recommendation shall be deemed—

(a) to have been made on the date of the written communication conveying such recommendation; and

(b) if it relates to a particular person, to have been carried out by the Executive Council on the date of the written communication to such person stating that the Executive Council has approved such recommendation.

Delegation of powers and functions of the Executive Council under these regulations

B6. (1) Any power conferred upon the Executive Council by these regulations may, with the concurrence of the Executive Council, be exercised or carried out by—

(a) any member or members of the Executive Council under a general or special delegation of the Executive Council; or

(b) any allocated officer; or

(c) any officer.

B6. (2) The Executive Council shall not delegate the functions conferred upon it by regulation B5.

Board may inspect departments and have access to official documents

B7. The Board shall have the power to inspect any departments and shall be given access to such official documents and records, and shall be furnished with all such information by heads of departments and other officers and employees as in its opinion may be neces-

wat na sy mening nodig is vir die uitoefening van sy bevoegdhede, die verrigting van sy werksaamhede en die uitvoering van sy pligte kragtens hierdie regulasies of kragtens enige ander wet.

Personeel van die Raad en inspeksie van departemente

B8. (1) Behoudens die bepalings van die Staatsdienswet, 1957 (Wet 54 van 1957), word daar in die Departement van Samewerking en Ontwikkeling 'n sekretaris van die Raad en soveel ander beamptes en werknemers van die Staatsdiens van die Republiek aangestel as wat van tyd tot tyd nodig is om die Raad in staat te stel om sy pligte op doeltreffende wyse te verrig.

B8. (2) Die sekretaris in subregulasie (1) genoem, moet die lasgewing nakom en die pligte uitvoer wat van tyd tot tyd aan hom gegee of hom opgelê word deur die Raad.

B8. (3) Die Raad kan enige persoon magtig om die inspeksie van departemente namens die Raad uit te voer en enige persoon aldus gemagtig, het die bevoegdhede wat by regulasie B7 aan die Raad verleen is.

Personeeladvieskomitee

B9. (1) Hierby word 'n Personeeladvieskomitee ingestel wat bestaan uit drie lede, aangestel deur die Minister op aanbeveling van die Uitvoerende Raad, om hul ampte te beklee solank dit die Minister behaag.

B9. (2) Die Minister wys een lid as Voorsitter van die Personeeladvieskomitee aan.

B9. (3) Die kworum op enige vergadering van die Personeeladvieskomitee is twee lede daarvan.

B9. (4) Een van die persone wat aldus aangestel word, moet verkieslik kennis of ondervinding van onderwysaangeleenthede hê.

B9. (5) Geen persoon wat hom aktief met die politiek bemoei of wat 'n betrekking in die KwaNdebele gebiedsowerheidsdiens beklee, mag aldus aangestel word nie.

B9. (6) Die Minister bepaal op aanbeveling van die Uitvoerende Raad die diensvoorwaardes van sodanige lede.

B9. (7) Die werksaamhede en pligte van die Personeeladvieskomitee is om aanbevelings te doen met betrekking tot sodanige aangeleenthede as wat van tyd tot tyd deur die Raad of Uitvoerende Raad na hom verwys word, en om sodanige ander werksaamhede te verrig as wat van tyd tot tyd deur die Uitvoerende Raad, op aanbeveling van die Raad, aan hom opgedra word, of bevoegdhede uit te oefen wat deur die Raad aan hom gedelegeer word.

DEEL C

AANSTELLINGS, BEVORDERINGS, OORPLASSINGS, UITTREDINGS, AFDANKINGS EN ONTSLAG

Deur wie aanstellings en bevorderings gedoen word

C1. Ondanks die bepalings van enige wet wat voor die inwerkingtreding van hierdie regulasies aangeneem is en sonder om afbreuk te doen aan die werksaamhede wat die Raad kragtens hierdie regulasies moet verrig, word die aanstelling of bevordering van enige persoon in die owerheidsdiens deur die Uitvoerende Raad gedoen.

sary for the exercise of its powers, the performance of its functions and the carrying out of its duties under these regulations or under any other law.

Staff of Board and inspection of departments

B8. (1) There shall be appointed, subject to the provisions of the Public Service Act, 1957 (Act 54 of 1957), in the Department of Co-operation and Development, a secretary to the Board and as many other officers and employees of the Public Service of the Republic as may from time to time be necessary to enable the Board to carry out its duties effectively.

B8. (2) The secretary referred to in subregulation (1) shall observe such directions and carry out such duties as may from time to time be given to or imposed upon him by the Board.

B8. (3) The Board may authorise any person to carry out an inspection of departments on behalf of the Board and any person so authorised shall have the powers conferred upon the Board by regulation B7.

Staff Advisory Committee

B9. (1) A Staff Advisory Committee, consisting of three members appointed by the Minister on the recommendation of the Executive Council, to hold office at the pleasure of the Minister, is hereby established.

B9. (2) The Minister shall designate one member as Chairman of the Staff Advisory Committee.

B9. (3) The quorum at any meeting of the Staff Advisory Committee shall be two members.

B9. (4) One of the persons so appointed shall preferably have a knowledge of or experience in educational matters.

B9. (5) No person actively engaged in politics or holding an appointment in the KwaNdebele Territorial Authority Service shall be eligible to be so appointed.

B9. (6) The Minister shall, on the recommendation of the Executive Council, fix the conditions of service of such members.

B9. (7) The functions and duties of the Staff Advisory Committee shall be to furnish recommendations in regard to such matters as may from time to time be referred to it by the Board or the Executive Council and to perform such other functions as may from time to time be assigned to it by the Executive Council on the recommendation of the Board or to exercise powers delegated to it by the Board.

PART C

APPOINTMENTS, PROMOTIONS, TRANSFERS, RETIREMENTS AND DISCHARGES

By whom appointments and promotions are made

C1. Notwithstanding the provisions of any law passed before the commencement of these regulations and without derogation from the functions to be performed by the Board under these regulations, the appointment or promotion of any person in the authority service shall be made by the Executive Council,

Voorwaardes aangaande die vul van poste

C2. (1) Behoudens die bepalings van hierdie regulasie en van regulasie C3 word aanstellings, oorplasinge en bevorderings in die owerheidsdiens gedoen op sodanige wyse en behoudens sodanige voorwaardes, insluitende die besit van kennis van die amptelike of sodanige ander tale as wat die Raad gelas of aanbeveel: Met dien verstande dat geen persoon in 'n pos op die vaste diensstaat aangestel word nie tensy hy in 'n eksamen genoem in regulasie B4 (2) (1) in een van die amptelike tale en in enige bykomende Bantoetaal geslaag het.

C2. (2) Niemand word vas aangestel of oorgeplaas en vas aangestel, hetsy op proef al dan nie, in enige pos op die vaste diensstaat van die owerheidsdiens nie tensy sodanige persoon—

(a) 'n burger is van KwaNdebele ingevolge die bepalings van die Wet op Burgerskap van Swart State, 1970 (Wet 26 van 1970), of, indien hy nie so 'n burger is nie, die Uitvoerende Raad sy aanstelling aanbeveel het;

(b) van goeie karakter is; en

(c) na die mening van die Raad vry is van enige verstandelike of liggaamlike gebrek, siekte of swaheid wat waarskynlik die behoorlike uitvoering van sy pligte sal belemmer of sy uittreding uit die owerheidsdiens voordat hy die pensioenleefyd bereik het, sal noodsaak, en die Raad aldus verklaar het:

Met dien verstande dat 'n persoon ondanks die bepalings van paragraaf (c) aldus op proef aangestel kan word as die Raad die daarin bedoelde verklaring agterweë hou en as 'n voorwaarde van die aanstelling gelas dat dit bekragtig kan word slegs nadat die Raad sodanige verklaring uitgereik het: Met dien verstande voorts dat sodanige verklaring deur die Raad gedoen word onmiddellik nadat afdoende mediese bewys aan hom verskaf is dat sodanige persoon vry is van enige siekte of liggaams- of geestesgebrek wat waarskynlik die behoorlike uitvoering van sy pligte sal belemmer of sy uittreding uit die owerheidsdiens voordat hy die pensioenleefyd bereik, sal noodsaak.

C2. (3) By die vul van 'n pos in die owerheidsdiens moet die kwalifikasies, relatiewe verdienstelikeid, bekwaamheid en geskiktheid van die persone wat vir bevordering, oorplasing of aanstelling in aanmerking kom, behoorlik in aanmerking geneem word.

C2. (4) Vir die vul van 'n pos op die vaste diensstaat moet die Raad, behoudens die bepalings van subregulasie (3), of—

(a) die oorplasing of bevordering van 'n beampte aanbeveel; of

(b) as die pos nie op bevredigende wyse deur sodanige oorplasing of bevordering gevul kan word nie, die aanstelling van 'n persoon wat nie 'n beampte is nie, aanbeveel.

Aanstellings, oorplasinge en bevorderings op proef

C3. (1) Aanstellings in, oorplasinge na, en bevorderings tot poste op die vaste diensstaat geskied op proef wanneer die Raad aldus aanbeveel.

C3. (2) Die proeftyd is minstens 12 kalendermaande: Met dien verstande dat as 'n beampte wat op proef diens doen, oorgeplaas word na of bevorder word tot 'n ander pos, die Raad 'n korter proefdienstyd in die nuwe pos kan aanbeveel wat, saam met die proeftyd in die vorige pos, minstens 12 kalendermaande is: Met dien verstande voorts dat die proeftyd van 'n beampte

Conditions as to the filling of posts

C2. (1) Subject to the provisions of this regulation and of regulation C3, appointments, transfers and promotions in the authority service shall be made in such manner and subject to such conditions, including the possession of knowledge of the official or such other languages as may be recommended or directed by the Board: Provided that no person shall be appointed to a post on the fixed establishment unless he has passed in one of the official languages and in any additional Bantu Language at an examination referred to in regulation B4 (2) (1).

C2. (2) No person shall be appointed permanently, or be transferred and appointed permanently, whether on probation or not, to any post on the fixed establishment of the authority service unless such person is—

(a) a citizen of KwaNdebele in terms of the provisions of the Black States Citizenship Act, 1970 (Act 26 of 1970), or, if he is not such a citizen, his appointment has been recommended by the Executive Council;

(b) of good character; and

(c) in the opinion of the Board, free from any mental or physical defect, disease or infirmity which would be likely to interfere with the proper carrying out of his duties or to render necessary his retirement from the authority service before reaching the pensionable age and the Board has so declared:

Provided that a person may be so appointed on probation, notwithstanding the provision of paragraph (c), if the Board withholds the declaration referred to therein and directs as a condition of the appointment that it may be confirmed only after the Board has issued such declaration: Provided further that such declaration by the Board shall be made immediately upon adequate medical proof being furnished to it that such person is free from any disease or physical or mental defect which would be likely to interfere with the proper carrying out of his duties or to render necessary his retirement from the authority service before reaching the pensionable age.

C2. (3) In the filling of any post in the authority service, due regard shall be had to the qualifications, relative merit, efficiency and suitability of the persons who are eligible for promotion, transfer or appointment.

C2. (4) For the filling of any post on the fixed establishment, the Board shall, subject to the provisions of subregulation (3), recommend either—

(a) the transfer or promotion of an officer; or

(b) if the post cannot be satisfactorily filled by such transfer or promotion, the appointment of a person who is not an officer.

Appointments, transfers and promotions on probation

C3. (1) Appointments, transfers or promotions to posts on the fixed establishment shall be made on probation whenever the Board so recommends.

C3. (2) The period of probation shall not be less than 12 calendar months: Provided that if an officer who is serving on probation is transferred or promoted to another post, the Board may recommend a lesser period of service on probation in the new post, which period, together with the period of probation served in the former post, shall total at least

verleng word met die getal dae verlof wat hy gedurende die proeftyd of enige verlenging daarvan, geneem het.

C3. (3) As die hoof van die kantoor sertifiseer dat die betrokke beampte gedurende die proeftyd of verlengde proeftyd ywerig was en sy gedrag deurgaans bevredigend was en dat hy in alle opsigte geskik is vir die pos wat hy beklee, kan die Uitvoerende Raad, as die beampte voldoen het aan al die voorwaardes waaraan sy aanstelling, oorpasing of bevordering onderworpe was, die aanstelling, oorpasing of bevordering bekragtig; maar as die aanstelling, oorpasing of bevordering op proef nie aldus bekragtig word nie, kan die Raad aanbeveel dat die proeftyd verleng word.

C3. (4) Ondanks andersluidende bepalings in subregulasie (2) of in Deel D vervat, maar behoudens die bepalings van subregulasie (5), kan 'n beampte wat op proef in diens is, op aanbeveling van die Raad deur die Uitvoerende Raad uit die owerheidsdiens ontslaan word, hetsy gedurende of by of na verstryking van die proeftyd—

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

C3. (5) Ondanks andersluidende bepalings in regulasies C4 en E2, keer 'n persoon wat onmiddellik voor sy oorpasing of bevordering op proef 'n beampte was, maar wat nie 'n beampte op proef was nie, op aanbeveling van die Raad terug na die pos wat hy tevore beklee het, of na 'n pos van gelyke gradering, en na die salaris wat hy in sy vorige pos sou bereik het, as sy oorpasing of bevordering op proef nie bekragtig word nie.

Oorpasing en sekondering van beamptes en werknemers

C4. (1) Behoudens die bepalings van hierdie regulasies, kan elke beampte en werknemer, wanneer dit in die openbare belang is, oorgeplaas word uit die pos of betrekking wat hy beklee, na enige ander pos of betrekking in dieselfde of in enige ander departement, of sodanige pos of betrekking van 'n laer of hoër graad as al dan nie: Met dien verstande dat—

(a) 'n beampte of werknemer se salarisskaal by oorpasing nie sonder sy toestemming verlaag mag word nie, behalwe in ooreenstemming met die bepalings van Deel D;

(b) 'n beampte wat oorgeplaas is na of in diens is in 'n pos van 'n laer of hoër graad as sy eie graad, sonder 'n verandering in sy salarisskaal, op aanbeveling van die Raad oorgeplaas moet word na 'n pos waarby sy salarisskaal pas, sodra 'n geskikte vakature ontstaan;

(c) 'n beampte of werknemer wat oorgeplaas is na of in diens is in 'n pos wat hoër as sy eie graad gegradeer is, of wat hergradeer is na of omskep is in 'n pos van 'n hoër graad as sy eie graad, nie slegs uit hoofde van sodanige oorpasing of diens op die hoër salarisskaal of salaris wat op die pos van toepassing is, geregtig is nie.

C4. (2) Die oorpasing van 'n beampte of werknemer uit een pos of betrekking na 'n ander pos of betrekking kan, behoudens die bepalings van subregulasie (3), op gesag van die Uitvoerende Raad geskied: Met dien verstande dat die bepalings van hierdie subregulasie die Raad nie belet om die oorpasing van 'n beampte of werknemer uit 'n voorgeskrewe pos op die vaste diensstaat na 'n ander voorgeskrewe pos op die vaste diensstaat aan te beveel nie.

12 calendar months: Provided further that the probationary period of an officer shall be extended by the number of days' leave taken by him during the period of probation or any extension thereof.

C3. (3) If the head of the office certifies that during the period of probation or extended period of probation the officer concerned has been diligent and his conduct uniformly satisfactory and that he is in all respects suitable for the post which he holds, the Executive Council may, if the officer has complied with all the conditions to which his appointment, transfer or promotion was subject, confirm the appointment, transfer or promotion; but if the probationary appointment, transfer or promotion is not so confirmed, the Board may recommend that the period of probation be extended.

C3. (4) Notwithstanding anything to the contrary in subregulation (2), or in Part D, contained, but subject to the provisions of subregulation (5), an officer who is serving on probation may be discharged from the authority service by the Executive Council on the recommendation of the Board, either during or at or after the expiry of the period of probation—

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

C3. (5) Notwithstanding anything contained in regulations C4 and E2, a person who, immediately prior to his transfer or promotion on probation, was an officer not being a probationary officer shall, on the recommendation of the board, revert to the post formerly held by him or to a post of equivalent grading, and to the salary he would have attained in his former post, if his probationary transfer or promotion is not confirmed.

Transfer and secondment of officers and employees

C4. (1) Subject to the provisions of these regulations every officer or employee shall, whenever the public interest so requires, be liable to be transferred from the post or appointment held by him to any other post or appointment in the same or any other department, whether or not such post or appointment is of a lower or higher grade: Provided that—

(a) upon transfer an officer or employee shall not suffer any reduction in his salary scale without his consent except in accordance with the provisions of Part D;

(b) an officer who has been transferred to or is employed in a post of lower or higher grade than his own grade, without a change in his salary scale shall, by recommendation of the Board, be transferred to a post to which his salary scale is appropriate as soon as a suitable vacancy occurs;

(c) an officer or employee who has been transferred to or is employed in a post which is graded higher than his own grade or which is regraded or converted to a post of a grade higher than his own grade shall not by reason only of such transfer or employment be entitled to the higher scale or salary applicable to the post.

C4. (2) The transfer of an officer or employee from one post or appointment to another post or appointment may, subject to the provisions of subregulation (3), be made on the authority of the Executive Council: Provided that the provisions of this subregulation shall not preclude the Board from recommending the transfer of any officer or employee from a prescribed post on the fixed establishment to any other prescribed post on the fixed establishment.

C4. (3) 'n Beamppte mag nie uit een pos oorgeplaas word na 'n ander pos wat van 'n hoër of laer graad as sy eie graad is of 'n ander benaming het nie, tensy die Raad die oorpasing aanbeveel het.

C4. (4) 'n Beamppte of werknemer kan met sy eie toestemming en op die aanbeveling van die Raad op sodanige voorwaardes (benewens dié by of kragtens enige wet voorgeskryf) as wat bepaal word deur die Raad in oorleg met die Sekretaris van Samewerking en Ontwikkeling, gesekondeer word, vir of 'n bepaalde diens of tydperk, aan die diens van die Regering van die Republiek of die regering van 'n gebied waarvoor 'n Wetgewende Vergadering kragtens die Grondwet van die Swart State, 1971 (Wet 21 van 1971), ingestel is, of van 'n raad, inrigting of liggaam ingestel by of kragtens enige wet, of van enige ander liggaam of persoon, en sodanige beamppte of werknemer bly onderworpe aan die wette van toepassing op beampptes in die owerheidsdiens terwyl hy aldus gesekondeer is.

C4. (5) 'n Burger wat 'n beamppte of werknemer van die Staatsdiens van die Republiek is of wat in diens van die Regering van die Republiek is of wat 'n beamppte of werknemer in diens is van 'n Swart staat of 'n onafhanklike Swart staat wat voorheen deel van die Republiek was, kan oorgeplaas word na die KwaNdebele-gebiedsoowerheid op die voorwaardes wat die Raad aanbeveel in oorleg met die Direkteur van Owerheidsake en Finansies nadat 'n ooreenkoms oor sodanige oorpasing met die Regering van die Republiek of die Regering van die betrokke Swart staat of die Regering van die betrokke onafhanklike Swart staat bereik is.

Uittreding, afdanking en ontslag van beampptes

C5. (1) (a) Behoudens die bepalings van subregulasies (2) en (3), maar nie strydig met 'n wet wat die pensioenregte van beampptes bepaal nie, het 'n beamppte die reg om uit die owerheidsdiens te tree wanneer hy die leeftyd van 60 jaar bereik en word hy aldus afgedank wanneer hy genoemde leeftyd bereik indien daardie dag die eerste dag van 'n maand is of, indien daardie dag 'n latere dag is, op die eerste dag van die maand onmiddellik ná die maand waarin hy die leeftyd van 60 jaar bereik het.

(b) 'n Beamppte wat uit die Staatsdiens van die Republiek na die owerheidsdiens oorgeplaas word sonder 'n onderbreking in diens, het die reg om uit te tree of moet daaruit afgedank word met ingang van die datum bepaal by artikel 14 van die Staatsdienswet, 1957 (Wet 54 van 1957), asof hy 'n beamppte van die Staatsdiens van die Republiek gebly het.

C5. (2) As dit in die openbare belang is om 'n beamppte in sy pos in diens te hou ná die leeftyd waarop hy ooreenkomstig subregulasie (1) afgedank moet word, kan hy aldus van tyd tot tyd op aanbeveling van die Raad vir verdere tydperke in diens gehou word wat, uitgesonderd met die goedkeuring van die Uitvoerende Raad, altesaam twee jaar nie te bowe mag gaan nie.

C5. (3) (a) 'n Beamppte [uitgesonderd 'n beamppte genoem in subregulasie (7)] wat die leeftyd van 55 jaar bereik het, kan, in elke geval behoudens die aanbeveling van die Raad, uit die owerheidsdiens afgedank word.

(b) 'n Beamppte wat uit die Staatsdiens van die Republiek oorgeplaas is na die owerheidsdiens sonder 'n onderbreking in diens, kan, op aanbeveling van die Raad, afgedank word by bereiking van die leeftyd bepaal in artikel 14 (5) van die Staatsdienswet, 1957 (Wet 54 van 1957), asof hy 'n beamppte van die Staatsdiens van die Republiek gebly het.

C4. (3) An officer shall not be transferred from one post to another post which is of a higher or lower grade than his own grade or bears a different designation, unless the Board has recommended the transfer.

C4. (4) An officer or employee may, with his own consent, and on the recommendation of the Board, upon such conditions (in addition to those prescribed by or under any law) as may be determined by it in consultation with the Secretary for Co-operation and Development, be seconded either for a particular service or for a period of time to the service of the Government of the Republic or the Government of an area for which a Legislative Assembly has been established in terms of the Black States Constitution Act, 1971 (Act 21 of 1971), or of any board, institution or body, established by or under any law, or of any other body or person, and such officer or employee while so seconded shall remain subject to the laws governing officers in the authority service.

C4. (5) A citizen who is an officer or employee of the Public Service of the Republic or is employed by the Government of the Republic or is an officer or employee of a Black state or of an independent Black state which was formerly part of the Republic, may be transferred to the KwaNdebele Territorial Authority on the conditions recommended by the Board in consultation with the Director for Authority Affairs and Finance, after an agreement regarding such transfer has been reached with the Government of the Republic or the Government of the Black State or the Government of the independent Black State concerned.

Retirement and discharge of officers

C5. (1) (a) Subject to the provisions of subregulations (2) and (3), but not contrary to any law governing the pension rights of officers, an officer shall have the right to retire from the authority service on attaining the age of 60 years and shall be so retired on reaching the said age if that day is the first day of a month or if that day is any later day, on the first day of the month immediately following the month in which he attains the age of 60 years.

(b) An officer who has been transferred from the Public Service of the Republic to the authority service without a break in service shall have the right to retire or be retired with effect from the date determined by section 14 of the Public Service Act, 1957 (Act 54 of 1957), as if he had remained an officer of the Public Service of the Republic.

C5. (2) If it is in the public interest to retain an officer in his post beyond the age at which, in accordance with subregulation (1), he shall be retired, he may be so retained from time to time on the recommendation of the Board for further periods which shall not, except with the approval of the Executive Council, exceed in the aggregate two years.

C5. (3) (a) An officer [except an officer referred to in subregulation (7)] who has reached the age of 55 years may, subject in every case to the recommendation of the Board, be retired from the authority service.

(b) An officer who has been transferred from the Public Service of the Republic to the authority service without a break in service may be retired on the recommendation of the Board upon reaching the age laid down by section 14 (5) of the Public Service Act, 1957 (Act 54 of 1957), as if he had remained an officer of the Public Service of the Republic.

C5. (4) Elke beampte kan uit die owerheidsdiens ontslaan word—

(a) weens voortdurende swak gesondheid;

(b) weens die afskaffing van sy pos of die vermindering of reorganisasie of herskikking van departemente of kantore;

(c) as, om ander redes as sy eie ongeskiktheid of onvermoë, sy ontslag doeltreffendheid of besuiniging in die departement of kantoor waarin hy in diens is, sal bevorder;

(d) weens ongeskiktheid vir sy pligte of onvermoë om hulle op bekwame wyse uit te voer;

(e) weens wangedrag; of

(f) as, in die geval van 'n beampte wat op proef aangestel is, sy aanstelling nie bekragtig word nie.

C5. (5) 'n Beampte wat sonder verlof van sy departementshoof, of die hoof van sy kantoor, vir 'n tydperk van meer as een kalendermaand van sy ampspligte wegbly, word geag weens wangedrag uit die owerheidsdiens ontslaan te gewees het met ingang van die datum wat onmiddellik volg op die laaste dag waarop hy op sy plek van diens teenwoordig was: Met dien verstande dat as sodanige beampte ander werk aanvaar, hy geag word ontslaan te gewees het soos voormeld, nieteenstaande dat genoemde tydperk nog nie verstryk het nie: Met dien verstande voorts dat as sodanige beampte hom te eniger tyd ná die verstryking van sodanige tydperk vir diens aanmeld, die Raad, ondanks andersluidende bepalinge in hierdie regulasies of in enige ander wet, kan aanbeveel dat hy in die owerheidsdiens in sy vorige of enige ander pos of betrekking herstel word op die voorwaardes wat die Raad aanbeveel, en in so 'n geval word die tydperk van sy afwesigheid van sy ampspligte geag afwesigheid met vakansieverlof sonder besoldiging of verlof op die ander voorwaardes wat die Raad aanbeveel, te wees.

C5. (6) Die diens van 'n beampte wat 'n nie-voorgeskrewe pos op die vaste diensstaat beklee, kan, op die aanbeveling van die Raad, ondanks die afwesigheid van enige rede vir ontslag ooreenkomstig subregulasie (4), beëindig word deur minstens een maand skriftelike kennis te gee.

C5. (7) Die bevoegdheid om 'n beampte of werknemer te ontslaan, berus by die Uitvoerende Raad: Met dien verstande dat in die geval van 'n beampte die Raad eers 'n aanbeveling moet doen vir sy ontslag.

DEEL D

ONBEKWAAMHEID EN WANGEDRAG

Onbekwame beamptes

D1. (1) As 'n departementshoof aan die Uitvoerende Raad verslag doen dat 'n beampte in sy departement, na sy mening, ongeskik is vir sy pligte of nie in staat is om hulle op bekwame wyse uit te voer nie, stel die Uitvoerende Raad 'n beampte of toegewese beampte aan om ondersoek na die inhoud van die verslag in te stel, en as enige sodanige verslag aan 'n departementshoof gedoen word deur 'n beampte of toegewese beampte wat ingevolge regulasie B 8 (3) aangewys is om departemente te inspekteer, stuur genoemde departementshoof dit binne een kalendermaand ná die datum waarop hy dit ontvang het, aan die Uitvoerende Raad, wat 'n beampte of toegewese beampte moet aanstel om ondersoek na die inhoud van die verslag in te stel.

D1. (2) Die beampte of toegewese beampte wat die ondersoek moet instel, bepaal in ooreenstemming met die departementshoof die tyd en die plek van die ondersoek en die departementshoof gee aan die betrokke beampte

C5. (4) Every officer shall be liable to be discharged from the authority service—

(a) on account of continued ill-health;

(b) owing to the abolition of his post or any reduction or in reorganisation or readjustment of departments or offices;

(c) if, for reasons other than his own unfitness or incapacity, his discharge will promote efficiency or economy in the department or office in which he is employed;

(d) on account of unfitness for his duties or incapacity to carry them out efficiently;

(e) on account of misconduct; or

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

C5. (5) An officer who absents himself from his official duties without the permission of the head of his department or the head of his office for a period exceeding one calendar month shall be deemed to have been discharged from the authority service on account of misconduct with effect from the date immediately succeeding his last day of attendance at his place of duty: Provided that if such officer assumes other employment he shall be deemed to have been discharged as aforesaid notwithstanding that the said period has not expired: Provided further that if such officer reports for duty at any time after the expiry of the said period the Board may, notwithstanding anything to the contrary contained in these regulations or any other law, recommend that he be reinstated in the authority service in his former or any other post or appointment, on such conditions as the Board may recommend and in that event the period of his absence from official duty shall be deemed to have been absence on vacation leave without pay or leave on such other conditions as the Board may recommend.

C5. (6) The service of an officer who occupies a non-prescribed post on the fixed establishment may, on the recommendation of the Board, notwithstanding the absence of any cause for discharge under subregulation (4), be terminated by the giving of not less than one month's notice in writing.

C5. (7) The right to discharge an officer or employee shall vest in the Executive Council: Provided that in the case of an officer, the Board shall first make a recommendation for his discharge.

PART D

INEFFICIENCY AND MISCONDUCT

Inefficient officers

D1. (1) If a head of a department reports to the Executive Council that an officer in his department is, in his opinion, unfit for his duties or incapable of carrying them out efficiently the Executive Council shall appoint an officer or an allocated officer to inquire into the subject matter of such report, and if any such report is made to a head of department by an officer or an allocated officer designated to inspect departments in terms of regulation B8 (3), the said head of department shall within one calendar month of the date on which he received the report transmit it to the Executive Council, which shall appoint an officer or allocated officer to inquire into the subject matter of the report.

D1. (2) The officer or allocated officer who is to hold the inquiry shall, in consultation with the head of department, fix the time and place of the inquiry

redelike skriftelike kennis van die tyd en plek aldus bepaal en verstrek aan hom 'n skriftelike uiteensetting van die redes op grond waarvan beweer word dat hy ongeskik is vir sy pligte of nie in staat is om hulle op bekwame wyse uit te voer nie.

D1. (3) Die departementshoof kan enige persoon magtig om by die ondersoek teenwoordig te wees en om getuienis en argumente ter staving van die bewerings in subregulasie (2) genoem, aan te voer en om enige persoon wat getuienis afgelê het om daardie bewerings te weerlê, onder kruisverhoor te neem.

D1. (4) (a) By die ondersoek het die betrokke beampte die reg om teenwoordig te wees en aangehoor te word, hetsy persoonlik of deur 'n verteenwoordiger, om enige persoon wat as getuie geroep is ter staving van die bewerings in subregulasie (2) genoem, onder kruisverhoor te neem, om alle dokumente wat as getuienis voorgelê is, in te sien, om self getuienis af te lê en om enige ander persoon as getuie te roep.

(b) Die beampte of toegewese beampte wat die ondersoek instel, moet notule hou van die verrigtinge by die ondersoek en van alle getuienis wat aldaar afgelê word.

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

D1. (5) Na afloop van die ondersoek moet die beampte of toegewese beampte wat dit ingestel het, bevind of die betrokke beampte ongeskik is vir sy pligte of nie in staat is om hulle op bekwame wyse uit te voer nie, die betrokke beampte van sy bevinding verwittig en oor die uitslag van die ondersoek aan die Uitvoerende Raad verslag doen.

D1. (6) As die beampte of toegewese beampte wat die ondersoek ingestel het, bevind het dat die betrokke beampte ongeskik is vir sy pligte of nie in staat is om hulle op bekwame wyse uit te voer nie, kan die betrokke beampte binne 14 dae na die datum waarop hy van die bevinding verwittig is, by die Raad daarteen appelleer deur aan die beampte of toegewese beampte wat die ondersoek ingestel het, skriftelik kennis van appèl te gee, waarin hy volledig die gronde waarop die appèl gebaseer word, moet uiteensit.

D1. (7) As die beampte of toegewese beampte wat die ondersoek ingestel het, bevind het dat die betrokke beampte ongeskik is vir sy pligte of nie in staat is om hulle op bekwame wyse uit te voer nie, moet hy die notule van die verrigtinge tydens die ondersoek en alle dokumentêre getuienis wat aldaar toegelaat is, 'n skriftelike uiteensetting van sy bevinding en sy redes daarvoor en enige opmerkings oor die saak wat hy wens te maak, aan die Raad stuur. As kennis van appèl ooreenkomstig die bepalings van subregulasie (6) gegee is, moet hy saam met die notule die kennisgewing en gronde van appèl aanstuur, en moet hy aan die betrokke beampte 'n afskrif van die redes vir sy bevinding verstrek.

D1. (8) As die betrokke beampte binne sewe dae na die datum waarop hy 'n afskrif van die redes vir die bevinding ontvang het, by die Raad om 'n afskrif van die notule van die verrigtinge tydens die ondersoek aansoek doen, moet die Raad sodanige afskrif aan hom verstrek.

D1. (9) Die betrokke beampte kan binne 14 dae na die datum waarop hy die afskrif van die notule van die verrigtinge ontvang het, of as hy nie om 'n afskrif van die notule aansoek gedoen het nie, binne 21 dae na die datum waarop hy die afskrif van die

and the head of department shall give the officer concerned reasonable notice, in writing, of the time and place so fixed and shall furnish him with a written statement of the grounds on which it is alleged that he is unfit for his duties or incapable of carrying them out efficiently.

D1. (3) The head of department may authorise any person to attend the inquiry and to adduce evidence and arguments in support of the allegations mentioned in subregulation (2) and to cross-examine any person who has given evidence to rebut those allegations.

D1. (4) (a) At the inquiry the officer concerned shall have the right to be present and to be heard, either in person or through a representative, to cross-examine any person called as a witness in support of the allegations referred to in subregulation (2), to inspect any documents produced in evidence, to give evidence himself and to call any other person as a witness.

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

(c) The failure of the officer concerned to attend the inquiry, either in person or through a representative, shall not invalidate the proceedings.

D1. (5) At the conclusion of the inquiry the officer or allocated officer holding it shall find whether or not the officer concerned is unfit for his duties or incapable of carrying them out efficiently, shall inform the officer concerned of his finding and shall report the result of the inquiry to the Executive Council.

D1. (6) If the officer or allocated officer who held the inquiry has found that the officer concerned is unfit for his duties or incapable of carrying them out efficiently, the officer concerned may, within 14 days of the date upon which he was informed of the finding, appeal against such finding to the Board by giving to the officer or allocated officer who held the inquiry a written notice of appeal wherein he shall set forth fully the grounds upon which the appeal is based.

D1. (7) If the officer or allocated officer who held the inquiry has found that the officer concerned is unfit for his duties or incapable of carrying them out efficiently, he shall forward to the Board the record of the proceedings at the inquiry and any documentary evidence admitted thereat, a written statement of his finding and his reasons therefor and any observations on the case which he may desire to make. If notice of appeal has been given in accordance with the provisions of subregulation (6), he shall forward with the record the notice and grounds of appeal, and shall furnish the officer concerned with a copy of the reasons for his finding.

D1. (8) If the officer concerned applies to the Board for a copy of the record of the proceedings at the inquiry within seven days of the date upon which he received a copy of the reasons for the finding, the Board shall furnish him with such copy.

D1. (9) The officer concerned may within 14 days of the date upon which he received the copy of the record of the proceedings, or if he did not apply for a copy of the record, within 21 days of the date upon

redes vir die bevinding ontvang het, aan die Raad skriftelike vertoë, in viervoud, ter stawing van sy appèl voorlê.

D1. (10) Die Raad stuur 'n afskrif van die notule en dokumente in subregulasie (7) genoem, en 'n afskrif van die vertoë in subregulasie (9) genoem, aan die departementshoof.

D1. (11) Die departementshoof kan binne 14 dae na die datum waarop hy die afskrifte in subregulasie (10) genoem, ontvang het, vertoë wat hy wens voor te lê ter stawing van die bevindings waarteen die appèl aangeteken is, in viervoud tot die Raad rig; en die Raad moet 'n afskrif van sodanige vertoë aan die betrokke beamppte verstrek.

D1. (12) (a) Die betrokke beamppte kan binne 14 dae na die datum waarop hy 'n afskrif van die vertoë in subregulasie (11) genoem, ontvang het, enige skriftelike repliek wat hy op sodanige vertoë wil lewer, in viervoud aan die Raad voorlê.

(b) Die Raad verstrek 'n afskrif van genoemde repliek aan die departementshoof.

(c) Die departementshoof het nie die reg om verdere vertoë in antwoord op genoemde repliek voor te lê nie, uitgesonderd met die toestemming van die Raad.

D1. (13) Na oorweging van genoemde notule en dokumente kan die Raad die appèl in sy geheel of gedeeltelik handhaaf en die bevinding tersyde stel of wysig of die appèl afwys en die bevinding in sy geheel of gedeeltelik bekragtig, of kan die Raad, voordat hy tot 'n finale beslissing oor die appèl geraak, enige vraag in verband met die ondersoek na die beamppte of toegewese beamppte wat dit ingestel het, terugverwys en hom gelas om verslag daaroor te doen of om 'n verdere ondersoek in te stel en tot 'n bevinding daaroor te geraak.

D1. (14) As die Raad gelas dat 'n verdere ondersoek ingestel word, is die bepalinge van subregulasies (3) en (4) van toepassing.

D1. (15) Wanneer die Raad tot 'n finale beslissing oor 'n appèl geraak het, deel hy daardie beslissing skriftelik aan die appellant en aan die Uitvoerende Raad mee.

D1. (16) As die beamppte of toegewese beamppte wat die ondersoek ingestel het, bevind het dat die beamppte ongeskik is vir sy pligte of nie in staat is om hulle op bekwame wyse uit te voer nie, en die beamppte nie teen die bevindings geappelleer het nie soos hierbo bepaal, of, as hy aldus geappelleer het en sy appèl afgewys is, stuur die Raad die notule en alle ander dokumente wat op die ondersoek betrekking het, aan die Uitvoerende Raad en beveel hy aan—

(a) dat geen verdere stappe in die saak gedoen word nie; of

(b) dat die betrokke beamppte na 'n ander pos oorgeplaas of bykomend by die vaste diensstaat in diens gehou word; of

(c) dat sy salaris of graad of sy salaris sowel as sy graad verlaag word in die mate wat aanbeveel word; of

(d) dat hy uit die owerheidsdiens ontslaan word met ingang van 'n datum deur die Uitvoerende Raad bepaal.

As die Raad 'n aanbeveling ingevolge paragraaf (b) doen, kan hy ook 'n aanbeveling ingevolge paragraaf (c) doen.

D1. (17) Die Uitvoerende Raad kan die gedraglyne volg wat die Raad aanbeveel het of, behoudens die

which he received the copy of the reasons for the finding, submit to the Board written representations, in quadruplicate in support of his appeal.

D1. (10) The Board shall forward to the head of department a copy of the record and documents referred to in subregulation (7) and a copy of the representations referred to in subregulation (9).

D1. (11) The head of department may, within 14 days of the date upon which he received the copies referred to in subregulation (10), submit to the Board, in quadruplicate, any representations which he desires to make in support of the finding against which the appeal is brought; and the Board shall furnish a copy of such representations to the officer concerned.

D1. (12) (a) The officer concerned may, within 14 days of the date upon which he received a copy of the representations referred to in subregulation (11), submit to the Board, in quadruplicate, any reply, in writing, he may wish to make to such representations.

(b) The Board shall furnish the head of department with a copy of such reply.

(c) The head of department shall not have the right to submit further representations in answer to such reply, except with the permission of the Board.

D1. (13) After consideration of the aforesaid record and documents, the Board may allow the appeal wholly or in part and set aside or alter the finding, or dismiss the appeal and confirm the finding wholly or in part, or the Board may, before arriving at a final decision on the appeal, refer any question in connection with the inquiry to the officer or allocated officer who held it, and direct him to report thereon or to hold a further inquiry and arrive at a finding thereon.

D1. (14) If the Board directs the holding of a further inquiry, the provisions of subregulations (3) and (4) shall apply.

D1. (15) When the Board has arrived at a final decision on an appeal, it shall convey that decision, in writing, to the appellant and to the Executive Council.

D1. (16) If the officer or allocated officer who held the inquiry has found that the officer is unfit for his duties or incapable of carrying them out efficiently and the officer has not appealed against the finding as hereinbefore provided, or if he has so appealed and his appeal has been dismissed, the Board shall forward the record and all other documents relating to the inquiry to the Executive Council and recommend—

(a) that no further action be taken in the matter; or

(b) that the officer concerned be transferred to another post or be employed in addition to the fixed establishment; or

(c) that his salary or grade or both his salary and his grade be reduced to an extent recommended; or

(d) that he be discharged from the authority service from a date to be specified by the Executive Council.

If the Board makes a recommendation in terms of paragraph (b), it may also make a recommendation in terms of paragraph (c).

D1. (17) The Executive Council may adopt the course recommended by the Board or, subject to the provisions

bepalings van regulasie B5 (1), enige ander gedraglyne wat die Raad wettiglik ingevolge subregulasie (16) kon aanbeveel het.

Onbekwame departementshoofde

D2. (1) As daar na die mening van 'n lid van die Uitvoerende Raad redelike gronde bestaan om te vermoed dat 'n departementshoof wat 'n beampte is, ongeskik is vir sy pligte of nie in staat is om hulle op bekwame wyse uit te voer nie, kan die Uitvoerende Raad 'n persoon of persone aanstel om ondersoek in te stel na die inhoud van 'n verslag wat deur sodanige lid verstrekk word.

D2. (2) Die bepalings van regulasie D1 (2) tot en met (17) is *mutatis mutandis* van toepassing op 'n ondersoek ingevolge regulasie D2 (1), en vir die doeleindes van sodanige toepassing word die verwysing na 'n departementshoof in regulasie D1 (2) tot en met (16) uitgelê as 'n verwysing na 'n lid van die Uitvoerende Raad in subregulasie (1) bedoel, en ondanks enige andersluidende wetsbepalings word die verwysing na die Uitvoerende Raad in regulasie D1 (17) uitgelê as 'n verwysing na die Uitvoerende Raad met uitsluiting van die lid van die Uitvoerende Raad in subregulasie (1) bedoel.

Omskrywing van wangedrag

D3. 'n Beampte is skuldig aan wangedrag en daar kan ooreenkomstig die bepalings van regulasie D4 met hom gehandel word, as hy—

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

(b) 'n daad wat nadelig is vir die administrasie, dissipline of doeltreffendheid van 'n departement, kantoor of inrigting van die KwaNdebele-gebiedsoverheid, begaan, laat begaan of toelaat of oogluikend toelaat dat dit begaan word; of

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

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

(e) sonder die toestemming van die Uitvoerende Raad (verleen op aanbeveling van die Raad in die geval van 'n beampte wat 'n voorgeskrewe pos op die vaste diensstaat beklee) enige private agentskap of private werk in enige aangeleentheid in verband met die verrigting van sy amptelike werksaamhede of die uitvoering van sy ampspligte onderneem; of

(f) hom in die openbaar uitlaat oor die administrasie van enige departement; of

(g) van sy posisie in die owerheidsdiens gebruik maak om die belange van 'n politieke party te bevorder of te benadeel; of

(h) probeer om uit politieke of buitebronne ingryping in verband met sy posisie en diensvoorwaardes in die owerheidsdiens te verkry: Met dien verstande dat niks in hierdie paragraaf vervat, 'n beampte verhinder om herstel van 'n grief deur bemiddeling van die KwaNdebele-gebiedsoverheid te probeer verkry nie; of

(i) hom op 'n skandelige, onbehoorlike of onbetaamlike wyse gedra, of hom uiters onbeleefd teenoor 'n persoon gedra terwyl hy diens doen; of

(j) buitensporig gebruik maak van sterk drank of bedwelmende middels; of

of regulasie B5 (1), any other course which the Board could lawfully have recommended under subregulation (16).

Inefficient heads of department

D2. (1) If in the opinion of a member of the Executive Council there are reasonable grounds for believing that a head of department who is an officer is unfit for his duties or incapable of carrying them out efficiently the Executive Council may appoint a person or persons to inquire into the subject matter of a report furnished by such member.

D2. (2) The provisions of regulation D1 (2) to (17), both inclusive, shall *mutatis mutandis* apply to an inquiry under regulation D2 (1), and for the purposes of such application the reference in regulation D1 (2) to (16), both inclusive, to a head of department shall be construed as a reference to a member of the Executive Council referred to in subregulation (1), and notwithstanding anything to the contrary contained in any law, the reference to the Executive Council in regulation D1 (17) shall be construed as a reference to the Executive Council, excluding the member of the Executive Council referred to in subregulation (1).

Definition of misconduct

D3. Any officer shall be guilty of misconduct and may be dealt with in accordance with the provisions of regulation D4 if he—

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

(b) does or causes or permits to be done or connives at any act which is prejudicial to the administration, discipline or efficiency of any department, office or institution of the KwaNdebele Territorial Authority; or

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

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

(e) undertakes, without the permission of the Executive Council (granted on the recommendation of the Board in the case of an officer who holds a prescribed post on the fixed establishment), any private agency or private work in any matter connected with the performance of his official functions or the carrying out of his official duties; or

(f) publicly comments upon the administration of any department; or

(g) makes use of his position in the authority service to promote or to prejudice the interests of any political party; or

(h) attempts to secure intervention from political or outside sources in relation to his position and conditions of service in the authority service: Provided that nothing in this paragraph contained shall preclude any officer from endeavouring to obtain redress of any grievance through the KwaNdebele Territorial Authority; or

(i) conducts himself in a disgraceful, improper or unbecoming manner, or while on duty is grossly discourteous to any person; or

(j) uses intoxicants or stupefying drugs to excess; or

(k) te eniger tyd gedurende die diensure wat hy of kragtens 'n wet ten opsigte van sy werk voorgeskryf is—

(i) onder die invloed van bedwelmende drank is; of

(ii) 'n bloedalkoholinhoud, uitgedruk in gram per 100 milliliter bloed, van minstens 70 milligram (0,07 persent) het; of

(l) insolvent word of 'n akkoord met sy skuldeisers aangaan, tensy daar bewys word dat sy insolvensie of akkoord deur onvermydelike teenspoed veroorsaak is; of

(m) in geldelike moeilikheid geraak, tensy daar bewys word dat sy geldelike moeilikheid nie die gevolg is van onversigtigheid of ander laakbare oorsaak nie en nie nadelig is vir die getroue uitvoering van sy pligte nie; of

(n) sonder dat hy eers die toestemming van sy departementshoof verkry het, inligting wat hy ingewin of waaraan hy gekom het as gevolg van sy werk in die KwaNdebele-gebiedsowerheid, openbaar maak anders as in die uitvoer van sy ampspligte of sodanige inligting gebruik vir 'n ander doel as vir die uitvoer van sy ampspligte, hetsy hy sodanige inligting openbaar maak of nie; of

(o) sonder die toestemming van die Uitvoerende Raad (verleen op aanbeveling van die Raad in die geval van 'n beampte), enige kommissie, geld of beloning, geldelik of anders (wat nie die emolumente is wat ten opsigte van sy pligte aan hom betaalbaar is nie), aanneem of dit eis ten opsigte van die uitvoering van sy pligte of die versuim om sy pligte uit te voer, of versuim om by sy departementshoof of, as hy die departementshoof is, wat 'n beampte is, by die Uitvoerende Raad die aanbod van sodanige kommissie, geld of beloning aan te meld; of

(p) hom eiendom van die Regering van die Republiek of van die KwaNdebele-gebiedsowerheid wederregtelik toeëien of onbehoorlike gebruik daarvan maak onder sodanige omstandighede dat sy daad nie 'n kriminele misdryf uitmaak nie; of

(q) 'n kriminele misdryf begaan; of

(r) sonder verlof of geldige rede van sy kantoor of diens wegbly; of

(s) met die oog op die verkryging van enige voorreg of voordeel met betrekking tot sy amptelike posisie of sy pligte, of op die veroorsaking van enige nadeel of skade aan die Regering van die Republiek of die KwaNdebele-gebiedsowerheid of 'n departement van die owerheidsdiens of 'n lid van die owerheidsdiens, 'n valse of onjuiste verklaring doen, wetende dat dit vals of onjuis is.

Procedure in gevalle van wangedrag

D4. (1) Wanneer 'n beampte (uitgesonderd 'n departementshoof) van wangedrag beskuldig word, kan sy departementshoof of 'n beampte of toegewese beampte in daardie departement wat deur die departementshoof daartoe gemagtig is, behoudens die bepalinge van subregulasie (22), hom skriftelik onder sy handtekening van daardie wangedrag aankla.

D4. (2) Die departementshoof, beampte of toegewese beampte wat die aanklag onderteken het, moet dit aan die aangeklaagde beampte persoonlik laat beteken.

D4. (3) Die aanklag moet 'n aansegging bevat of van 'n aansegging vergesel gaan waarby die aangeklaagde beampte aangesê word om binne 'n redelike tydperk wat in die aansegging vermeld word (welke

(k) at any time during the hours of attendance prescribed by or under any law in respect of his employment—

(i) is under the influence of intoxicating liquor; or

(ii) has a blood alcohol content, expressed in grams per 100 millilitres of blood, of not less than 70 milligrams (0,07 per cent); or

(l) becomes insolvent or compromises with his creditors, unless it is shown that his insolvency or composition has been occasioned by unavoidable misfortune; or

(m) becomes pecuniarily embarrassed, unless it is shown that his pecuniary embarrassment has not been occasioned by imprudence or other reprehensible cause and is not prejudicial to the faithful performance of his duties; or

(n) without first having obtained the permission of his head of department discloses, otherwise than in the discharge of his official duties, information gained by or conveyed to him through his employment in the KwaNdebele Territorial Authority or uses such information for any purpose other than for the discharge of his official duties, whether or not he discloses such information; or

(o) accepts without the permission of the Executive Council (granted on the recommendation of the Board in the case of an officer) or demands in respect of the carrying out of or the failure to carry out his duties any commission, fee or reward, pecuniary or otherwise (not being the emoluments payable to him in respect of his duties) or fails to report to his head of department or, if he is the head of a department who is an officer, to the Executive Council, the offer of any such commission, fee or reward; or

(p) misappropriates or improperly uses any property of the Government of the Republic or the KwaNdebele Territorial Authority under such circumstances that his act does not constitute a criminal offence; or

(q) commits a criminal offence; or

(r) absents himself from his office or duty without leave or valid cause; or

(s) with a view to obtaining any privilege or advantage in relation to his official position or his duties, or to causing prejudice or injury to the Government of the Republic or the KwaNdebele Territorial Authority or a department of the authority service or a member of the authority service, makes a false or incorrect statement, knowing it to be false or incorrect.

Procedure in cases of misconduct

D4. (1) When an officer (other than a head of department) is accused of misconduct, his head of department, or any officer or allocated officer in that department who has been authorised thereto by the head of department, may, subject to the provisions of subregulation (22), charge him, in writing, under his hand with that misconduct.

D4. (2) The head of department, officer or allocated officer who signed the charge shall cause it to be served personally upon the officer charged.

D4. (3) The charge shall contain or shall be accompanied by a direction calling upon the officer charged to transmit or deliver, within a reasonable period specified in the direction, which shall not be less than 14

tydperk minstens 14 werkdag moet wees), aan 'n persoon wat ook daarin vermeld word, 'n skriftelike erkenning of ontkenning van die aanklag en, as hy dit verlang, 'n skriftelike verklaring van die wangedrag waarvan hy aangekla word, te stuur of by hom af te lewer.

D4. (4) Die Uitvoerende Raad of die departementshoof of, indien daartoe gemagtig deur die departementshoof, enige ander beampte of toegewese beampte in die departement kan te eniger tyd voor of nadat daar met die beampte ooreenkomstig die bepalings van hierdie regulasie gehandel is, die beampte in sy diens skors.

D4. (5) 'n Beampte wat ingevolge subregulasie (4) in sy diens geskors is, is op geen emolumente vir die tydperk van sy skorsing geregtig nie: Met dien verstande dat die Uitvoerende Raad na goeddunke kan gelas dat die geheel of 'n gedeelte van sy emolumente aan sodanige beampte betaal word.

D4. (6) As geen aanklag van wangedrag teen 'n beampte wat in sy diens geskors is, ingebring word of hangende is nie, word hy toegelaat om weer diens te aanvaar en word sy volle emolumente vir die tydperk van sy skorsing aan hom betaal.

D4. (7) Die Uitvoerende Raad of die departementshoof of ander beampte of toegewese beampte wat die beampte geskors het, kan die skorsing te eniger tyd intrek, maar ondanks die intrekking van die skorsing kan die verrigtinge in verband met die aanklag van wangedrag voortgesit word.

D4. (8) As die aangeklaagde beampte die aanklag ontken, kan die Uitvoerende Raad, indien daar na sy oordeel voldoende grond vir verdere stappe bestaan, 'n beampte of toegewese beampte aanstel om ondersoek na die aanklag in te stel.

D4. (9) Die beampte of toegewese beampte wat die ondersoek moet instel, moet in oorleg met die beampte of toegewese beampte wat die aanklag onderteken het, die tyd en plek van die ondersoek vasstel, en die beampte of toegewese beampte wat die aanklag onderteken het, moet skriftelik aan die aangeklaagde beampte redelike kennis gee van die tyd en plek aldus vasgestel.

D4. (10) Die beampte of toegewese beampte wat die aanklag onderteken het, kan enige persoon magtig om by die ondersoek teenwoordig te wees en om getuienis en argumente ter stawing van die aanklag aan te voer en om enige persoon wat as getuie vir die verweer geroep is, in kruisverhoor te neem.

D4. (11) (a) By die ondersoek het die aangeklaagde beampte die reg om teenwoordig te wees en om aangehoor te word, hetsy persoonlik of deur 'n verteenwoordiger, om enige persoon wat ter stawing van die aanklag geroep is, in kruisverhoor te neem, om alle dokumente wat as getuienis voorgelê is, in te sien, om self getuienis af te lê en om ander persone as getuies te roep.

(b) Die beampte of toegewese beampte wat die ondersoek instel, moet notule hou van die verrigtinge tydens die ondersoek en van alle getuienis wat aldaar afgelê word.

(c) Die versuim van die aangeklaagde beampte om persoonlik of deur 'n verteenwoordiger by die ondersoek teenwoordig te wees, maak nie die verrigtinge ongeldig nie.

D4. (12) Na afloop van die ondersoek moet die beampte of toegewese beampte wat dit ingestel het, bevind of die aangeklaagde beampte skuldig is of nie

working days, to a person likewise specified, a written admission or denial of the charge and, if he so desires, a written explanation of the misconduct with which he is charged.

D4. (4) The Executive Council or the head of department or, if authorised thereto by the head of department, any other officer or allocated officer in the department may, at any time before or after the officer has been dealt with under this regulation, suspend him from duty.

D4. (5) An officer who has been suspended from duty in terms of subregulation (4) shall not be entitled to any emoluments for the period of his suspension: Provided that the Executive Council may, at its discretion, order payment to such officer of the whole or a portion of his emoluments.

D4. (6) If no charge of misconduct is preferred or is pending against an officer who has been suspended from duty, he shall be allowed to resume duty and shall be paid his full emoluments for the period of his suspension.

D4. (7) The Executive Council or the head of department or other officer or allocated officer who suspended the officer may at any time cancel the suspension, but, notwithstanding the cancellation of the suspension, the proceedings on the charge of misconduct may be continued.

D4. (8) If the officer charged denies the charge, the Executive Council may, if in its opinion there is sufficient cause for further proceedings, appoint an officer or allocated officer to inquire into the charge.

D4. (9) The officer or allocated officer who is to hold the inquiry shall, in consultation with the officer or allocated officer who signed the charge, fix the time and place of the inquiry and the officer or allocated officer who signed the charge shall give the officer charged reasonable notice, in writing, of the time and place so fixed.

D4. (10) The officer or allocated officer who signed the charge may authorise any person to attend the inquiry and to adduce evidence and arguments in support of the charge and to cross-examine any person called as a witness for the defence.

D4. (11) (a) At the inquiry the officer charged shall have the right to be present and to be heard either in person or through a representative, to cross-examine any person called as a witness in support of the charge, to inspect any documents produced in evidence, to give evidence himself and call other persons as witnesses.

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

(c) The failure of the officer charged to attend the inquiry either in person or through a representative shall not invalidate the proceedings.

D4 (12) At the conclusion of the inquiry the officer or allocated officer holding it shall find whether the officer charged is guilty or not guilty of the misconduct with which he has been charged and shall inform

skuldig is nie aan die wangedrag waarvan hy aangekla is en moet hy die aangeklaagde beampte van sy bevinding verwittig. Hy moet aan die Uitvoerende Raad verslag doen oor die uitslag van die ondersoek.

D4. (13) As die aangeklaagde beampte ingevolge subregulasie (4) in sy diens geskors is en die beampte of toegewese beampte wat die ondersoek instel, bevind dat hy nie skuldig is aan die wangedrag waarvan hy aangekla is nie, word genoemde beampte toegelaat om dadelik weer diens in sy pos te aanvaar en word sy volle emolumente vir die tydperk van sy skorsing aan hom betaal.

D4. (14) As die beampte of toegewese beampte wat die ondersoek instel, die aangeklaagde beampte skuldig bevind aan die wangedrag waarvan hy aangekla is, is die bepalings van regulasie D1 (6) *mutatis mutandis* van toepassing.

D4. (15) As die beampte of toegewese beampte wat die ondersoek ingestel het, die aangeklaagde beampte skuldig bevind het aan die wangedrag waarvan hy aangekla is, moet hy die notule van die verrigtinge by die ondersoek en enige dokumentêre getuienis wat aldaar toegelaat is, 'n uiteensetting van sy bevinding en sy redes daarvoor, en enige opmerkings oor die saak wat hy wens te maak, aan die Raad stuur.

D4. (16) As die beampte wat aan wangedrag skuldig bevind is, kennis van appèl ooreenkomstig voormelde bepalings, soos aldus toegepas, gegee het, moet die beampte of toegewese beampte wat die ondersoek ingestel het, saam met die notule en ander dokumente in subregulasie (15) genoem, die appellant se kennisgewing en gronde van appèl aan die Raad stuur en 'n afskrif van die redes vir die bevinding waarteen die appèl aangeteken is, aan die appellant verstrek.

D4. (17) As kennis van appèl ooreenkomstig voormelde bepalings, soos aldus toegepas, gegee is, is die bepalings van regulasie D1 (8) tot en met (15) *mutatis mutandis* van toepassing.

D4. (18) As die Raad die appèl van 'n appellant wat in sy diens geskors is, handhaaf, word die appellant dadelik toegelaat om weer sy diens te aanvaar en word sy volle emolumente vir die tydperk van sy skorsing aan hom betaal.

D4. (19) As die notule en dokumente genoem in subregulasie (15) ingevolge daardie subregulasie aan die Raad gestuur is en geen appèl teen die bevinding aangeteken is nie, of as 'n appèl aldus aangeteken is en die Raad die appèl in sy geheel of gedeeltelik afgewys het, kan die Raad by die Uitvoerende Raad aanbeveel—

(a) dat genoemde beampte gewaarsku of berispe word; of

(b) dat 'n boete van hoogstens R400 hom opgelê word, en dié boete kan verhaal word deur aftrekking van sy emolumente in die paaiemente wat deur die Uitvoerende Raad vasgestel word; of

(c) dat hy na 'n ander pos oorgeplaas of dat hy bykomend by die vaste diensstaat in diens gehou word; of

(d) dat sy salaris of graad of sy salaris sowel as sy graad verlaag word in die mate wat aanbeveel word; of

(e) dat hy ontslaan of aangesê word om uit die owerheidsdiens te bedank met ingang van 'n datum wat deur die Uitvoerende Raad bepaal word;

Met dien verstande dat—

(i) uitgesonderd waar 'n aanbeveling kragtens paragraaf (e) gedoen word, die Raad nie belet word om 'n aanbeveling kragtens meer as een van die voorgaande paragrawe te doen nie;

the officer charged of his finding. He shall report the result of the inquiry to the Executive Council.

D4. (13) If the officer charged is under suspension from duty under subregulation (4) and the officer or allocated officer holding the inquiry finds that he is not guilty of the misconduct with which he has been charged, the said officer shall be allowed forthwith to resume duty in his post and shall be paid his full emoluments for the period of his suspension.

D4. (14) If the officer or allocated officer holding the inquiry finds the officer charged guilty of the misconduct with which he has been charged, the provisions of regulation D1 (16) shall *mutatis mutandis* apply.

D4. (15) If the officer or allocated officer who held the inquiry has found the officer charged guilty of the misconduct with which he has been charged, he shall forward to the Board the record of the proceedings at the inquiry and any documentary evidence admitted thereat, a statement of his finding and his reasons therefor and any observations on the case which he may desire to make.

D4. (16) If the officer found guilty of misconduct has given notice of appeal in accordance with the provisions aforesaid, as so applied, the officer or allocated officer who held the inquiry shall forward to the Board, with the record and other documents referred to in subregulation (15), the appellant's notice and grounds of appeal and shall furnish the appellant with a copy of the reasons for the finding against which the appeal is brought.

D4. (17) If notice of appeal has been given in accordance with the provisions aforesaid, as so applied, the provisions of regulation D1 (8) to (15), both inclusive, shall *mutatis mutandis* apply.

D4. (18) If the Board allows the appeal of a appellant who was suspended from duty, he shall forthwith be allowed to resume his duties and shall be paid his full emoluments for the period of his suspension.

D4. (19) If the record and documents referred to in subregulation (15) have, in terms of that subregulation, been forwarded to the Board and no appeal has been noted against the finding, or if an appeal has been so noted and the Board has dismissed such appeal wholly or in part, the Board may recommend to the Executive Council—

(a) that the said officer be cautioned or reprimanded; or

(b) that a fine not exceeding R400 be imposed upon him, which fine may be recovered by deduction from his emoluments in such instalments as may be determined by the Executive Council; or

(c) that he be transferred to another post or be employed in addition to the fixed establishment; or

(d) that his salary or grade or both his salary and his grade be reduced to an extent recommended; or

(e) that he be discharged or be called upon to resign from the authority service as from a date to be specified by the Executive Council:

Provided that—

(i) except where a recommendation is made under paragraph (e), the Board shall not be precluded from making a recommendation under more than one of the foregoing paragraphs;

(ii) die Raad die doen van 'n aanbeveling vir 'n tydperk van hoogstens 12 kalendermaande kan uitstel; en

(iii) as 'n beampte wat aangesê is om uit die owerheidsdiens te bedank, versuim om aldus te bedank, hy geag word daaruit ontslaan te gewees het met ingang van 'n datum wat deur die Uitvoerende Raad bepaal word.

D4. (20) Behoudens die bepalings van regulasie B5 (1) kan die Uitvoerende Raad die gedraglyne volg wat die Raad aanbeveel of enige ander gedraglyne wat die Raad wettiglik ingevolge subregulasie (19) kon aanbeveel het.

D4. (21) Die Raad stuur saam met sy aanbeveling ingevolge subregulasie (19) die notule van die verrigtinge tydens die ondersoek en alle dokumente in sy besit wat op die ondersoek of op die appellêre betrekking het, aan die Uitvoerende Raad.

D4. (22) As dit wangedrag neerkom op 'n misdryf waaraan die beampte deur 'n geregshof skuldig bevind is, is dit nie nodig om hom ingevolge subregulasie (1) aan te kla nie, maar word dit as afdoende geag dat hy skuldig is aan daardie wangedrag tensy sodanige skuldigbevinding deur 'n hoër hof tersyde gestel of hy ten volle begenadig is.

D4. (23) Die vryspreking van 'n beampte deur 'n geregshof op 'n aanklag van 'n kriminele misdryf belet nie dat stappe ingevolge hierdie regulasies op 'n aanklag van wangedrag teen hom ingestel word nie, ondanks die feit dat die feite uiteengesit in die aanklag van wangedrag, as dit bewys sou word, die misdryf sou uitmaak wat uiteengesit is in die kriminele aanklag waarop hy vrygespreek is of 'n ander misdryf waaraan hy, by sy verhoor op genoemde kriminele aanklag, skuldig bevind kon gewees het.

D4. (24) As die beampte wat ingevolge hierdie regulasie aangekla is, die aanklag erken, word geag dat hy skuldig is aan die wangedrag waarvan hy aangekla is.

D4. (25) Die departementshoof stuur alle dokumente wat hy tot sy beskikking het en wat op die wangedrag van 'n beampte genoem in subregulasie (22) of (24) betrekking het, en enige opmerkings daaroor wat hy wens te maak, aan die Raad en die Raad doen 'n aanbeveling ingevolge subregulasie (19) by die Uitvoerende Raad.

D4. (26) Die bepalings van subregulasie (20) is van toepassing ten opsigte van 'n aanbeveling ingevolge subregulasie (25) asof die aanbeveling ingevolge subregulasie (19) gedoen is.

D4. (27) As daar met 'n beampte wat ingevolge subregulasie (4) in sy diens geskors is, ooreenkomstig die bepalings van subregulasie (19) (a), (b) of (d) of van die tweede voorbehoudsbepaling van subregulasie (19) gehandel word, word hy onverwyld toegelaat om weer diens te aanvaar en as daar met hom ooreenkomstig die bepalings van subregulasie (19) (c) gehandel word, word hy so gou doenlik toegelaat om diens te aanvaar in die pos of pligte waarna hy oorgeplaas word en in sodanige geval word sy volle emolumente vir die tydperk van sy skorsing aan hom betaal: Met dien verstande dat as sy graad ingevolge genoemde subregulasie (19) (d) verlaag word, hy so gou doenlik toegelaat word om diens in 'n pos van die verlaagde graad te aanvaar en die emolumente van daardie pos vir die tydperk van sy skorsing aan hom betaal word, maar as hoër emolumente as die emolumente van daardie pos gedurende die tydperk van sy skorsing ingevolge subregulasie (5) aan hom betaal is, is hy nie verplig om die verskil terug te betaal nie.

(ii) the Board may postpone, for a period not exceeding 12 calendar months, the making of a recommendation; and

(iii) if an officer who has been called upon to resign from the authority service fails so to resign, he shall be deemed to have been discharged therefrom as from a date to be specified by the Executive Council.

D4. (20) The Executive Council may adopt the course recommended by the Board or any other course which it could lawfully have recommended under subregulation (19), subject always to the provisions of regulation B5 (1).

D4. (21) The Board shall forward to the Executive Council with its recommendation in terms of subregulation (19) the record of the proceedings at the inquiry and all documents in its possession which relate to the inquiry or to the appeal.

D4. (22) If the misconduct amounts to an offence of which the officer has been convicted by a court of law, it shall not be necessary to charge him under subregulation (1), but he shall be deemed conclusively to be guilty of that misconduct unless the conviction has been set aside by a superior court or he has been granted a free pardon.

D4. (23) The acquittal of an officer by a court of law upon a charge of a criminal offence shall not be a bar to proceedings against him under these regulations on a charge of misconduct, notwithstanding the fact that the facts set forth in the charge of misconduct would, if proved, constitute the offence set forth in the criminal charge on which he was acquitted or another offence of which he might have been convicted at his trial on the said criminal charge.

D4. (24) If the officer charged in terms of this regulation admits the charge, he shall be deemed to be guilty of the misconduct with which he has been charged.

D4. (25) The head of department shall forward to the Board all documents available to him which relate to the misconduct of an officer referred to in subregulation (22) or (24) and any observations thereon which he may desire to make, and the Board shall make a recommendation to the Executive Council in terms of subregulation (19).

D4. (26) The provisions of subregulation (20) shall apply in respect of a recommendation in terms of subregulation (25) as if the recommendation had been made in terms of subregulation (19).

D4. (27) If an officer who has been suspended from duty in terms of subregulation (4) is dealt with in accordance with the provisions of subregulation (19) (a), (b) or (d) or of the second proviso to subregulation (19), he shall forthwith be allowed to resume duty and, if he is dealt with in accordance with the provisions of subregulation (19) (c), he shall as soon as practicable be allowed to assume duty in the post or duties to which he has been transferred and, in any such case, he shall be paid his full emoluments for the period of his suspension: Provided that, if his grade is reduced in terms of the said subregulation (19) (d), he shall as soon as practicable be allowed to assume duty in a post of the reduced grade and be paid, for the period of suspension, the emoluments of the post, but, if emoluments in excess of the emoluments of that post were, during the periods of his suspension, paid to him under subregulation (5), he shall not be obliged to refund the excess.

D4. (28) 'n Beamppte wat ingevolge subregulasie (4) in sy diens geskors is, of teen wie 'n aanklag ingevolge hierdie regulasie ingebring is, en wat uit die owerheidsdiens bedank of ander werk aanvaar voordat sodanige aanklag finaal ooreenkomstig die bepalings van hierdie regulasie afgehandel is, word geag weens wangedrag ontslaan te gewees het met ingang van 'n datum wat deur die Uitvoerende Raad bepaal word, tensy hy voor die ontvangs van sy kennisgewing van bedanking of die datum van sy aanvaarding van ander werk in kennis gestel is dat geen aanklag teen hom ingebring sal word nie of dat die aanklag wat teen hom ingebring is, teruggetrek is.

Spesiale bepalings in verband met gevalle van wangedrag voortspuitend uit verbruik van bedwelmende drank

D5. (1) Ondanks enige ander bepaling in hierdie regulasies vervat, kan 'n hoof van 'n kantoor 'n beamppte wat hy redelikerwys vermoed skuldig te wees aan wangedrag soos omskryf in regulasie D3 (k), gelas om—

(a) in die voorgeskrewe apparaat uit te asem vir die tydperk wat hy bepaal; of

(b) hom aan ondersoek deur 'n distriksgeneesheer of ander mediese praktisyn te onderwerp, met inbegrip van enige bloedtoets wat sodanige distriksgeneesheer of ander mediese praktisyn nodig ag om die alkoholinhoud van die bloed van bedoelde beamppte te bepaal; of

(c) in die voorgeskrewe apparaat uit te asem en om hom aan die ondersoek in paragraaf (b) bedoel, te onderwerp.

D5. (2) Indien—

(a) 'n beamppte versuim of weier om in die voorgeskrewe apparaat uit te asem of hom aan 'n ondersoek te onderwerp nadat hy kragtens subregulasie (1) aldus gelas is; of

(b) die voorgeskrewe apparaat toon dat die alkoholinhoud van die bloed van 'n beamppte 'n perk oorskry wat, op aanbeveling van die Raad, deur die Uitvoerende Raad by kennisgewing in die *Staatskoerant* met betrekking tot daardie bepaalde fabrikaat voorgeskrewe apparaat gespesifiseer is;

word bedoelde beamppte onweerlegbaar geag skuldig te wees aan wangedrag soos in regulasie D3 (k) (i) omskryf.

D5. (3) By enige ondersoek na 'n aanklag van wangedrag soos in regulasie D3 (k) (i) of (ii) omskryf—

(a) word daar aangeneem, totdat die teendeel bewys word, dat enige spuit wat gebruik is vir die verkryging van 'n bloedmonster en die houer waarin sodanige monster geplaas is vir versending na 'n ontleder, vry was van enige stof of besmetting wat 'n uitwerking op die uitslag van sodanige ontleding kon gehad het; en

(b) is die bepalings van artikel 212 (4) van die Strafproseswet, 1977 (Wet 51 van 1977), *mutatis mutandis* van toepassing.

Wangedrag van departementshoofde

D6. (1) Wanneer 'n departementshoof wat 'n beamppte is, van wangedrag beskuldig word, kan 'n lid van die Uitvoerende Raad hom skriftelik onder sy handtekening van daardie wangedrag aankla; en as 'n ondersoek ingevolge regulasie D4 (8) soos toegepas by regulasie D6 (2), nodig word, kan die Uitvoerende Raad 'n persoon of persone aanstel om die ondersoek in te stel.

D4. (28) An officer who has been suspended from duty in terms of subregulation (4) or against whom a charge has been referred under this regulation and who resigns from the authority service or assumes other employment before such charge has been fully dealt with in accordance with the provisions of this regulation shall be deemed to have been discharged on account of misconduct with effect from a date to be specified by the Executive Council unless, prior to the receipt of his notification of resignation or the date of his assumption of other employment, he had been notified that no charge would be preferred against him or that the charge preferred against him had been withdrawn.

Special provisions relating to cases of misconduct arising from the consumption of intoxicating liquor

D5. (1) Notwithstanding anything contained in these regulations, a head of office may require an officer whom he suspects on reasonable grounds of being guilty of misconduct as defined in regulation D3 (k)—

(a) to breathe into the prescribed apparatus for such period as he may direct; or

(b) to undergo examination by a district surgeon or other medical practitioner, including any blood test which such district surgeon or other medical practitioner may deem necessary in order to determine the alcohol content of the blood of such officer; or

(c) to breathe into the prescribed apparatus and to undergo the examination referred to in paragraph (b).

D5. (2) If—

(a) any officer fails or refuses to breathe into the prescribed apparatus or to undergo any examination when so required under subregulation (1); or

(b) the prescribed apparatus records that the alcohol content of the blood of an officer exceeds a limit specified, on the recommendation of the Board, by the Executive Council by notice in the *Gazette* in respect of that particular make of prescribed apparatus;

such officer shall be deemed conclusively to be guilty of misconduct as defined in regulation D3 (k) (i).

D5. (3) In any inquiry relating to a charge of misconduct as defined in regulation D3 (k) (i) or (ii)—

(a) it shall be presumed until the contrary is proved that any syringe used for obtaining a specimen of blood and the receptacle in which such specimen was placed for dispatch to an analyst were free of any substance or contamination which could have affected the result of such analysis; and

(b) the provisions of section 212 (4) of the Criminal Procedure Act, 1977 (Act 51 of 1977), shall *mutatis mutandis* apply.

Misconduct of heads of departments

D6. (1) When a head of department who is an officer is accused of misconduct, a member of the Executive Council may charge him in writing under his signature with that misconduct; and if an inquiry becomes necessary under regulation D4 (8) as applied by regulation D6 (2), the Executive Council may appoint a person or persons to hold the inquiry.

D6. (2) Die bepalings van regulasie D4 (2) tot en met (28) is *mutatis mutandis* van toepassing op verrigtinge wat op 'n lasgewing ingevolge subregulasie (1) volg, en vir die doeleindes van sodanige toepassing word die verwysing na 'n departementshoof in regulasie D1 (3), (8) tot en met (15) en D4 (25) uitgelê as 'n verwysing na die lid van die Uitvoerende Raad in subregulasie (1) bedoel, en ondanks andersluidende wetsbepalings word 'n verwysing na die Uitvoerende Raad in regulasie D4 (20) uitgelê as 'n verwysing na die Uitvoerende Raad met uitsluiting van die lid van die Uitvoerende Raad in subregulasie (1) bedoel.

Wyse waarop kennisgewing, ens., gegee of verstrekk kan word

D7. Waar daar by regulasie D1, D2, D4 of D6 bepaal word—

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

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

DEEL E

ALGEMEEN

Besoldiging van beamptes en werknemers

E1. (1) Behoudens die bepalings van regulasie B5 word aan beamptes en werknemers salarisse, lone en toelae betaal ooreenkomstig die skaal wat by hulle grade pas, soos deur die Raad ingevolge regulasie B4 (2) (g) aanbeveel.

E1. (2) Op aanbeveling van die Raad, maar behoudens die bepalings van regulasie B5—

(a) kan aan beamptes of werknemers of klasse beamptes of werknemers by aanstelling, oorpasing of bevordering salarisse of lone teen hoër bedrae as die minimums van die toepaslike skale betaal word; en

(b) kan beamptes of werknemers of klasse beamptes of werknemers se salarisse of lone spesiaal verhoog word binne die skale wat op hulle van toepassing is; en

(c) kan 'n beampte of werknemer wat buitengewoon bekwaam is of wat oor spesiale kwalifikasies beskik of wat verdienstelike diens gelewer het, en kan enige beampte of werknemer, as dit in die owerheidsdiens se belang is, se salaris of loon spesiaal verhoog word binne die skaal wat op hom van toepassing is of kan 'n salaris of loon ooreenkomstig 'n hoër skaal aan hom betaal of enige ander geskikte beloning aan hom toegeken word.

E1. (3) Behoudens die bepalings van regulasie B5 mag aan geen beampte of werknemer ten opsigte van sy diens as sodanig enige besoldiging, toelae, honorarium, toekenning of bonus van watter aard ook al betaal word nie, behalwe dié wat deur die Raad aanbeveel is.

D6. (2) The provisions of regulation D4 (2) to (28), both inclusive, shall *mutatis mutandis* apply to any proceedings following upon a direction under subregulation (1) and for the purposes of such application the reference in regulations D1 (3), (8) to (15), both inclusive, and D4 (25) to a head of department shall be construed as a reference to a member of the Executive Council referred to in subregulation (1), and notwithstanding anything to the contrary contained in any law the reference to the Executive Council in regulation D4 (20) shall be construed as a reference to the Executive Council, excluding the member of the Executive Council referred to in subregulation (1).

Manner in which notices, etc., may be given or furnished

D7. Whenever by regulation D1, D2, D4, or D6 it is provided—

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

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

PART E

GENERAL

Remuneration of officers and employees

E1. (1) Subject to the provisions of regulation B5, officers and employees shall be paid salaries, wages and allowances in accordance with the scales, appropriate to their grades, recommended by the Board in terms of regulation B4 (2) (g).

E1. (2) On the recommendation of the Board, but subject to the provisions of regulation B5—

(a) officers or employees or classes of officers or employees may, on appointment, transfer or promotion, be paid salaries or wages at higher rates than the minima of the appropriate scales; and

(b) officers or employees, or classes of officers or employees, may be specially advanced within the scales applicable to them; and

(c) an officer or employee of exceptional ability or possessing special qualifications or who has rendered meritorious service may, and any officer or employee may, if it is in the interests of the authority service, be specially advanced within the scale applicable to him or may be paid a salary or wage in accordance with a higher scale, or may be granted any other fitting reward.

E1. (3) Subject to the provisions of regulation B5, no officer or employee shall in respect of his employment as such be paid any remuneration, allowance, honorarium, award or bonus of any kind whatsoever other than such as has been recommended by the Board.

Salarisse van beamptes mag nie verlaag word nie, uitgesonderd soos spesiaal bepaal

E2. 'n Beampte se salaris of salarisskaal mag nie sonder sy eie toestemming verlaag word nie, uitgesonderd in ooreenstemming met die bepalings van Deel D.

Sessie van emolumente verbode

E3. Geen beampte of werknemer mag sonder die skriftelike goedkeuring van die tesourier (soos omskryf in die Finansiële Regulasies vir die KwaNdebele-gebiedsowerheid in Proklamasie R. 254 van 1977) die geheel of 'n gedeelte van enige salaris of toelae wat aan hom betaalbaar is, sedeer nie.

Beamptes en werknemers moet al hulle tyd ter beskikking van die KwaNdebele-gebiedsowerheid stel

E4. (1) Tensy in sy diensvoorwaardes anders bepaal word—

(a) moet elke beampte en werknemer al sy tyd ter beskikking van die KwaNdebele-gebiedsowerheid stel;

(b) mag geen beampte of werknemer, behoudens die bepalings van subregulasie (2), besoldigde werk buite sy werk in die owerheidsdiens verrig of hom verbind om dit te verrig nie; en

(c) kan geen beampte of werknemer regtens aanspraak maak op bykomende besoldiging ten opsigte van enige amptelike diens of werk wat hy deur bevoegde gesag aangesê word om te verrig nie.

E4. (2) Ondanks die bepalings van subregulasie 1 (b) kan die Uitvoerende Raad (of 'n beampte wat kragtens 'n toepaslike delegasie deur die Uitvoerende Raad optree) op aanbeveling van die Raad, toestemming aan 'n beampte of werknemer verleen om besoldigde werk buite sy werk in die owerheidsdiens te verrig of om hom te verbind om dit te verrig.

E4. (3) Die Uitvoerende Raad of die hoof van 'n departement, tak, kantoor of inrigting is bevoeg om 'n beampte of werknemer onder sy beheer aan te sê om tydelik ander pligte te verrig as dié wat gewoonlik aan so 'n beampte opgedra word of wat by die graad, benaming of indeling van sy pos pas.

E4. (4) (a) Waar 'n beampte of werknemer enige besoldiging, toelae of ander beloning, van watter aard ook al, in verband met die verrigting van sy werk in die owerheidsdiens ontvang, anders as ooreenkomstig die bepalings van hierdie regulasies of 'n aanbeveling wat deur die Raad kragtens enige ander wetsbepaling gedoen is, of in stryd met die bepalings van subregulasie (1) (b) ontvang, moet daardie beampte of werknemer in die Tesourie 'n bedrag stort gelykstaande met die bedrag van daardie besoldiging, toelae of beloning of, waar dit nie uit geld bestaan nie, die waarde daarvan, soos bepaal deur die hoof van die departement waarin hy werksaam was ten tyde van die ontvangs daarvan, en as hy dit nie doen nie, moet dit deur genoemde hoof deur middel van geregtelike stappe of op sodanige ander wyse as wat die Uitvoerende Raad goeddink, op hom verhaal en in die Tesourie gestort word: Met dien verstande dat—

(i) daar 'n reg van appèl by die Uitvoerende Raad teen bedoelde bepaling deur 'n hoof van 'n departement is; en

(ii) die Raad kan aanbeveel dat 'n beampte of werknemer die geheel of 'n gedeelte van bedoelde besoldiging, toelae of beloning kan behou.

(b) Waar 'n beampte of werknemer, volgens die oordeel van die hoof van die departement bedoel in paragraaf (a), enige besoldiging, toelae of ander beloning soos in genoemde paragraaf bedoel, ontvang het en dit nog in sy besit of onder sy beheer is of ten behoeve

Salaries of officers not to be reduced except as specially provided

E2. An officer's salary or salary scale shall not be reduced without his consent except in accordance with the provisions of Part D.

Cession of emoluments prohibited

E3. No officer or employee shall, without the written approval of the treasurer (as defined in the Financial Regulations for the KwaNdebele Territorial Authority contained in Proclamation R. 254 of 1977), cede the whole or any part of any salary or allowance payable to him.

Whole time of officers and employees to be at the disposal of the KwaNdebele Territorial Authority

E4. (1) Unless it is otherwise provided in his conditions of employment—

(a) every officer and employee shall place the whole of his time at the disposal of the KwaNdebele Territorial Authority;

(b) no officer or employee shall, subject to the provisions of subregulation (2), perform or engage himself to perform remunerative work outside his employment in the authority service; and

(c) no officer or employee may claim as of right additional remuneration in respect of any official duty or work which he is required by competent authority to perform.

E4. (2) Notwithstanding the provisions of subregulation 1 (b), the Executive Council (or an officer acting under an appropriate delegation by the Executive Council) may, on the recommendation of the Board, grant permission to an officer or employee to perform or engage himself to perform remunerative work outside his employment in the authority service.

E4. (3) It shall be competent for the Executive Council or the head of a department, branch, office or institution to require any officer or employee under his control temporarily to perform duties other than those ordinarily assigned to such officer or appropriate to the grade, designation or classification of his post.

E4. (4) (a) Where any remuneration, allowance or other reward whatsoever is received by an officer or employee in connection with the performance of his work in the authority service, but otherwise than in accordance with the provisions of these regulations or a recommendation made by the Board under any other law, or is received by him in contravention of the provisions of subregulation (1) (b), such officer or employee shall pay into the Treasury an amount equal to the amount of such remuneration, allowance or reward or, where it does not consist of money, the value thereof, as determined by the head of the department in which he was employed at the time of the receipt thereof, and if he does not do so, it shall be recovered from him by the said head by legal proceedings or in such other manner as the Executive Council may think fit and be paid into the Treasury: Provided that—

(i) there shall be a right of appeal to the Executive Council against that determination by a head of a department; and

(ii) the Board may recommend that an officer or employee be permitted to retain the whole or a portion of that remuneration, allowance or reward.

(b) Where in the opinion of the head of the department referred to in paragraph (a) an officer or employee has received any remuneration, allowance

van hom in die besit of onder die beheer van iemand anders is of dit, indien dit geld is, in 'n bank, die Posspaarbank, 'n bougenootskap of ander finansiële instelling gestort is op sy naam of op naam van iemand anders ten behoeve van hom, kan daardie departementshoof sodanige beampte of werknemer of sodanige ander persoon of sodanige bank, die Posspaarbank of sodanige bougenootskap of ander finansiële instelling skriftelik aansê om, hangende die uitslag van geregtelike stappe vir die verhaal van daardie besoldiging, toelae of beloning of die waarde daarvan, dit nie van die hand te sit of anders daaroor te beskik nie, of, indien dit geld is, nie oor 'n ooreenstemmende bedrag geld te beskik nie, na gelang van die geval.

(c) Iemand wat 'n aansegging ingevolge paragraaf (b) nie nakom nie, is aan 'n misdryf skuldig en is by skuldigbevinding strafbaar met 'n boete van hoogstens R1 000 of gevangenisstraf vir 'n tydperk van hoogstens 'n jaar.

(d) Indien 'n beampte wat enige besoldiging, toelae of beloning soos in paragraaf (a) bedoel, ontvang het, 'n departementshoof is, moet die Uitvoerende Raad ten opsigte van hom die pligte uitvoer wat by hierdie subregulasie 'n hoof van 'n departement ten opsigte van 'n beampte of werknemer opgelê word en kan die Uitvoerende Raad ten opsigte van hom die bevoegdhede uitoefen wat by hierdie subregulasie aan 'n hoof van 'n departement ten opsigte van 'n beampte of werknemer verleen word.

E4. (5) Enige salaris, toelae, geld, bonus of honorarium wat betaalbaar is ten opsigte van die dienste van 'n beampte of werknemer wat tydelik tot die beskikking gestel is van 'n ander regering of 'n raad, inrigting, liggaam of persoon bedoel in regulasie C4 (4), moet in die Tesourie gestort word: Met dien verstande dat die Raad onder spesiale omstandighede kan aanbeveel dat 'n bedrag wat gelyk is aan bedoelde salaris, toelae, geld, bonus of honorarium of 'n gedeelte daarvan, aan die beampte of werknemer betaal word.

Beperking van regsgedinge

E5. (1) Geen geregtelike stappe van watter aard ook al mag gedoen word nie teen die KwaNdebele-gebiedsoowerheid of 'n liggaam of persoon ten opsigte van enigiets wat ingevolge hierdie regulasies gedoen of versuim is, tensy die stappe gedoen word voor die verstryking van 'n tydperk van 12 kalendermaande na die datum waarop die beweerde daad of versuim onder die eiser se aandag gekom het of na die datum waarop redelikerwyse verwag kan word dat genoemde daad of versuim onder die eiser se aandag moes gekom het, watter datum ook al die eerste is.

E5. (2) Geen sodanige stappe mag gedoen word voor die verstryking van minstens een kalendermaand nadat 'n skriftelike kennisgewing van die voorneme om sodanige stappe te doen aan die KwaNdebele-gebiedsoowerheid of die betrokke liggaam of persoon beteken is nie. In daardie kennisgewing moet besonderhede aangaande die beweerde daad of versuim duidelik en uitdruklik verstrek word.

Voorbehoud

E6. Geen bepaling in hierdie hoofstuk van hierdie regulasies word so uitgelê dat dit enige bestaande, aankomende of voorwaardelike reg, aanspreeklikheid of verpligting van enige persoon wat uit enige ander wetsbepaling voortvloei, ophef of afbreuk daaraan doen nie.

or other reward as contemplated in the said paragraph and it is still in his possession or under his control or in the possession or under the control of any other person on his behalf or, if it is money, has been deposited in any bank, the Post Office Savings Bank or any building society or other financial institution in his name or in the name of any other person on his behalf, that head of department may in writing require such officer or employee or such other person or such bank, the Post Office Savings Bank or such building society or other financial institution not to dispose thereof or, if it is money, not to dispose of a corresponding sum of money, as the case may be, pending the outcome of any legal steps for the recovery of such remuneration, allowance or reward or the value thereof.

(c) Any person who fails to comply with a requirement in terms of paragraph (b) shall be guilty of an offence and liable on conviction to a fine not exceeding R1 000 or imprisonment for a period not exceeding one year.

(d) If an officer who has received any remuneration, allowance or reward as contemplated in paragraph (a) is a head of a department, the Executive Council shall in respect of him perform the duties imposed by this subregulation upon a head of a department in respect of an officer or employee and may in respect of him exercise the powers conferred upon a head of a department by this subregulation in respect of an officer or employee.

E4. (5) Any salary, allowance, fee, bonus or honorarium which may be payable in respect of the services of an officer or employee placed temporarily at the disposal of any other government or any board, institution, body or person referred to in regulation C4 (4) shall be paid into Treasury: Provided that in special circumstances the Board may recommend the payment to the officer or employee of an amount equal to the said salary, allowance, fee, bonus or honorarium or a portion thereof.

Limitation of actions

E5. (1) No legal proceedings of any nature shall be brought against the KwaNdebele Territorial Authority or any body or person in respect of anything done or omitted under these regulations, unless the proceedings are brought before the expiry of a period of 12 calendar months after the date upon which the claimant had knowledge, or after the date upon which the claimant might reasonably have been expected to have knowledge, of the act or omission alleged, whichever is the earlier date.

E5. (2) No such proceedings shall be commenced before the expiry of at least one calendar month after written notice of the intention to bring such proceedings has been served on the KwaNdebele Territorial Authority or the body or person concerned. In that notice particulars as to the alleged act or omission shall be clearly and explicitly given.

Savings

E6. No provision in this Chapter or these regulations shall be construed as in any way abrogating or derogating from any existing, accruing or contingent right, liability or obligation of any person in terms of any other law.

HOOFSTUK II

DEEL F

Woordomskrywing

F1. In hierdie hoofstuk, tensy uit die samehang anders blyk, het 'n uitdrukking wat in Hoofstuk I omskryf is, dieselfde betekenis en beteken—

“betaling” die salaris of loon wat gewoonlik aan 'n beampte of werknemer betaalbaar is wanneer hy in diens is en sluit dit in toelaes wat nie deel uitmaak van die salaris of loon nie, met behoorlike inagneming van regulasies met betrekking tot en opdragte deur die Raad of die Sekretaris van Samewerking en Ontwikkeling of deur die Sekretaris van Samewerking en Ontwikkeling op aanbeveling van die Raad in verband met sodanige toelaes uitgereik;

“diens” enige ononderbroke, voltydse owerheidsdiens in enige hoedanigheid;

“herberg” slaapplek, beddegoed, etes, vloeibare verversings, was en stryk van wasgoed, hotelraadheffing en diensheffing of enige kombinasie van hierdie items, maar uitgesonderd alkoholiese drank en droogskoonmaak;

“hoofkwartier” die stad, dorp of plek waar die ver naamste werk van 'n beampte of werknemer verrig word of verrig moet word, of wat deur die departementshoof as sy hoofkwartier aangewys is;

“huishouding”—

(a) die vrou van 'n beampte of werknemer en 'n afhanklike kind wat permanent by hom inwoon; en

(b) 'n familielid van 'n beampte of werknemer wat permanent by hom inwoon en noodsaaklikerwys van hom afhanklik is en wie se inkomste die toepaslike maksimum bedrag wat voorgeskryf is by regulasies uitgevaardig kragtens die Wet op Maatskaplike Pensioene, 1973 (Wet 37 van 1973), soos gewysig, met uitsluiting van die toelae van 'n oppasser betaalbaar kragtens artikel 2 (c) van genoemde Wet, nie te bowe gaan nie;

“kamptoeleae” betaling wat bedoel is om 'n beampte of 'n werknemer te vergoed vir—

(a) redelike uitgawes wat hy, bo en behalwe sy normale bestaansuitgawes by sy tuiste, noodsaaklikerwys aangaan aan items wat by herberg ingesluit is en wat nie deel uitmaak nie van die kamputrusting wat amptelik verskaf word terwyl hy in amptelike diens van sy hoofkwartier afwesig is; en

(b) die ongerief verbonde aan kamplewe;

“nag” die ure tussen 20h00 en 06h00;

“ongunstige opmerking” enige skriftelike opmerking deur 'n verslaggewende beampte of hoof van die kantoor wat, in sy volle verband gelees, ongunstig is en ook enigets anders in 'n verslag wat die Raad as ongunstig aandui;

“oortyddiens” amptelike diens wat 'n beampte of werknemer—

(a) (i) op 'n Sondag of op 'n openbare feesdag verrig, in die geval van 'n beampte of werknemer wat gewoonlik nie op sodanige dag werk nie; of

(ii) wat gewoonlik op 'n Sondag of op 'n openbare feesdag werk en in plaas daarvan op 'n ander dag van diens vrygestel word, op sodanige ander dag verrig;

(b) bo en behalwe die werkweek wat vir hom in of kragtens die bepalings van Deel L voorgeskryf is, verrig op dae waarop hy gewoonlik werk;

CHAPTER II

PART F

Definitions

F1. In this Chapter, unless the context otherwise indicates, an expression defined in Chapter I bears the same meaning and—

“accommodation” means lodging, bedding, meals, liquid refreshment, laundry, hotel board levy and service charge, or any combination of these items, but excludes alcoholic liquor and drycleaning;

“adverse remark” means any written remark by a reporting officer or head of office which, read in its full context, is adverse and also includes anything else in a report which the Board may indicate as adverse;

“camping allowance” means payment designed to compensate an officer or employee in respect of—

(a) reasonable expenses necessarily incurred by him on items which are included under accommodation and which are not part of the camping equipment provided officially while absent from his headquarters on official duty, over and above his normal living expenses at his home; and

(b) the inconvenience attached to camp life;

“cycle” means a period of three years reckoned from a date determined by the Board, and each succeeding period of three years;

“day of rest” means—

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

(b) any other day on which he is normally relieved from duty in lieu of a Sunday or public holiday in the case of an officer or employee who normally works on a Sunday or a public holiday; or

(c) a Saturday in the case of an officer or employee who observes a full-scale five-day working week;

“headquarters” means the city, town or place where the principal duties of an officer or employee are or have to be performed or which may be indicated as his headquarters by the head of the department;

“household” means—

(a) the wife of an officer or employee and any non-self-supporting child who is permanently resident with him; and

(b) a relative of an officer or employee who is permanently resident with and necessarily dependent on him and whose income does not exceed the appropriate maximum amount prescribed by regulations promulgated in terms of the Social Pensions Act, 1973 (Act 37 of 1973), as amended, excluding the attendant's allowance payable in terms of section 2 (c) of the said Act;

“incremental month” means the month during which the salary of an officer or employee may be increased in accordance with the scale which is applicable to him;

“incremental period” means a period of 12 calendar months or another approved period which must elapse in regard to any officer or employee before his salary may be increased in accordance with the scale applicable to him;

“night” means the hours between 20h00 and 06h00;

“persoonlike besittings” die roerende goed van ’n beampte of werknemer en van sy huishouding wat normaalweg vir persoonlike gebruik aangewend word, met inbegrip van voertuie, maar nie lewende hawe en huis- of troeteldiere nie;

“rusdag”—

(a) ’n Sondag of ’n openbare feesdag in die geval van ’n beampte of werknemer wat gewoonlik nie op sodanige dag werk nie; of

(b) in die geval van ’n beampte of werknemer wat gewoonlik op ’n Sondag of ’n openbare feesdag werk, ’n ander dag wat hy gewoonlik in plaas daarvan van diens vrygestel is; of

(c) ’n Saterdag in die geval van ’n beampte of werknemer wat ’n volle vyfdagweek werk;

“salarisverhoging” die goedgekeurde bedrag waarmee ’n salaris volgens die toepaslike skaal verhoog kan word;

“salarisverhogingstydperk” ’n tydperk van 12 kalendermaande of ’n ander goedgekeurde tydperk wat met betrekking tot enige beampte of werknemer moet verstryk voordat sy salaris volgens die skaal wat op hom van toepassing is, verhoog kan word;

“skriftelike mededeling” ’n ander verslag as ’n verslag in die vorm deur die Raad voorgeskryf, wat ten opsigte van ’n bepaalde beampte ingedien word of ’n verslag of opmerking in verband met ’n bepaalde gebeurtenis of voorval waarby ’n beampte betrokke was;

“Sondag”—

(a) ook ’n openbare feesdag genoem in die Tweede Bylae van die Wet op Openbare Feesdae, 1952 (Wet 5 van 1952), in die geval van ’n beampte of werknemer wat nie gewoonlik op sodanige dag werk nie; of

(b) in die geval van ’n beampte of werknemer wat gewoonlik op ’n Sondag of ’n openbare feesdag hierbo genoem, werk, ’n ander dag wat hy gewoonlik in plaas daarvan van diens vrygestel is;

“tydkring” ’n tydperk van drie jaar gereken vanaf ’n datum deur die Raad bepaal en elke daaropvolgende tydperk van drie jaar;

“verblyftoelae” betaling wat bedoel is om ’n beampte of werknemer te vergoed vir redelike uitgawes wat hy benewens sy normale bestaansuitgawes by sy tuiste noodwendig aan herberg moet aangaan wanneer hy in amptelike diens van sy hoofkwartier afwesig is;

“verhogingsmaand” die maand waarin die salaris van ’n beampte of werknemer verhoog kan word volgens die skaal wat op hom van toepassing is;

“verslaggewende beampte” enige beampte of toegewese beampte wat as eerste party ’n verslag ten opsigte van ’n ander beampte voltooi;

“werkweek” die amptelike dienstyd wat ’n beampte of werknemer moet voltooi ten opsigte van ’n tydperk wat strek vanaf middernag tussen ’n Saterdag en Sondag tot middernag tussen die volgende Saterdag en Sondag.

DEEL G

AFWESIGHEIDSVARLOF

Toepaslikheid van verlofregulasies

G1. (1) Die regulasies van hierdie Deel is van toepassing op alle beamptes en werknemers van die owerheidsdiens, en in die geval van werknemers wie se diensvoorwaardes vasgestel is in ooreenstemming met die bepalings van nywerheids- of dergelike ooreenkomste, slegs in soverre daar in die regulasies uitdruklik bepaal

“overtime duty” means official duty performed by an officer or employee—

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

(ii) in the case of an officer or employee who normally works on on Sunday or on a public holiday and in lieu thereof is relieved from duty on another day, on such other day;

(b) over and above the working week prescribed for him in or in terms of Part L, on days on which he normally works;

“pay” means the salary or wage normally payable to an officer or employee when on duty and includes allowances which do not form part of the salary or wage, due regard being had to regulations pertaining to and directions in connection with such allowances issued by the Board or the Secretary for Co-operation and Development or by the Secretary for Co-operation and Development on the recommendation of the Board.

“personal effects” means the movable property of an officer or employee and of his household which is normally applied to personal use, including vehicles, but excluding livestock, domestic animals and pets;

“reporting officer” means any officer or allocated officer who, as first party, completes a report in respect of another officer;

“salary increment” means the approved amount by which a salary may be increased in accordance with the appropriate scale;

“service” means any continuous full-time authority service in any capacity;

“subsistence allowance” means payment designed to recompense an officer or employee in respect of reasonable expenses necessarily incurred by him for accommodation while absent from his headquarters on official duty, over and above his normal living expenses at his home;

“Sunday” includes—

(a) a public holiday mentioned in the Second Schedule to the Public Holidays Act, 1952 (Act 5 of 1952), in the case of an officer or employee who does not normally work on such a day; or

(b) any other day on which he is normally relieved from duty in lieu of a Sunday or public holiday, in the case of an officer or employee who normally works on a Sunday or public holiday as mentioned above;

“working week” means the official period of service which an officer or employee is required to complete in respect of a period which extends from midnight between a Saturday and Sunday to midnight between the following Saturday and Sunday;

“written communication” means a report, other than a report in the form prescribed by the Board, which is submitted in respect of a particular officer or a report or remark in regard to a particular event or incident in which an officer was involved.

PART G

LEAVE OF ABSENCE

Applicability of leave regulations

G1. (1) The regulations of this Part shall apply to all officers and employees of the authority service, and in the case of employees whose conditions of service have been determined in accordance with the provisions of industrial or similar agreements, only in so far as

word dat hulle op genoemde werknemers van toepassing is, en origens is die verlofvoorregte van daardie werknemers dié wat die Raad aanbeveel.

G1. (2) Die regulasies van hierdie hoofstuk is nie van toepassing nie op—

- (a) verpleegpersoneel van hospitale en inrigtings; en
- (b) deeltydse mediese en deeltydse paramediese personeel.

Afwesigheidsverlof 'n vergunning

G2. (1) Afwesigheidsverlof waarvoor in hierdie regulasies voorsiening gemaak word, is 'n vergunning en word toegestaan slegs met behoorlike inagneming van die vereistes van die owerheidsdiens.

G2. (2) Verlof kan nie as 'n reg geëis word nie en wanneer 'n beampte of werknemer die owerheidsdiens verlaat, om watter rede ook al, kan hy nie eis dat die geldwaarde van ongebruikte verlof aan hom uitbetaal word nie.

G2. (3) Die bepalinge van hierdie regulasie belet nie die betaling van verlofgratifikasies op voorwaardes deur die Raad aanbeveel en deur die Sekretaris van Samewerking en ontwikkeling goedgekeur nie.

Verlofaansoekvorms, toestaan en intrekking van verlof en ongemagtigde afwesighede van diens

G3. (1) (a) Aansoek om verlof moet skriftelik gedoen word op 'n vorm wesenlik uiteengesit soos die vorm in die Eerste Aanhangsel van hierdie regulasies.

(b) Die vorm van die sertifikaat van ongesteldheid wat ter staving van 'n aansoek om siekteverlof moet dien, moet ook wesenlik uiteengesit wees soos die vorm in die Eerste Aanhangsel van hierdie regulasies.

G3. (2) (a) Die toestaan van alle afwesigheidsverlof is onderworpe aan die goedkeuring van die hoof van die departement waarin die betrokke beampte of werknemer ten tyde van sy aansoek om verlof dien: Met dien verstande dat die toestaan van afwesigheidsverlof aan 'n departementshoof wat 'n beampte is, onderworpe is aan die goedkeuring wat die Uitvoerende Raad bepaal.

(b) Verlof reeds toegestaan, kan te eniger tyd deur die departementshoof of, in die geval van 'n departementshoof wat 'n beampte is, die Uitvoerende Raad, ingetrek word.

G3. (3) Behalwe in die geval waar 'n beampte in sy diens geskors is of waar 'n beampte of werknemer weens sy skielike siekte of weens ander omstandighede wat vir die hoof van die departement aanneemlik is, verhinder word om in sy werk aan te bly of om vir diens aan te meld, mag hy nie sy werk verlaat of van diens wegbly voordat hy skriftelik om verlof aansoek gedoen het en hy deur die hoof van sy kantoor in kennis gestel is dat die verlof aansoek goedgekeur is nie.

G3. (4) (a) Uitgesonderd soos in regulasie G14 (1) (c) bepaal word, word alle ongemagtigde tydperke van afwesigheid van diens, ongeag enige tugmaatreëls wat teen 'n beampte of werknemer geneem word, geag vakansieverlof sonder betaling te wees, tensy die Raad anders aanbeveel.

(b) Die indiening van 'n skriftelike verlofaansoek wat in subregulasie (1) (a) genoem word, is nie 'n vereiste in die geval van ongemagtigde tydperke van afwesigheid nie.

these regulations specifically provide that they apply to the said employees, the leave privileges of those employees otherwise being such as may be recommended by the Board.

G1. (2) The regulations of this Chapter shall not apply to—

- (a) nursing staff of hospitals and institutions; and
- (b) part-time medical and part-time paramedical staff.

Leave of absence a privilege

G2. (1) Leave of absence provided for in these regulations is a privilege and is granted only with due regard to the exigencies of the authority service.

G2. (2) Leave cannot be claimed as of right, and when an officer or employee leaves the authority service, for any reason whatsoever, he cannot claim payment in respect of the cash value of leave standing to his credit.

G2. (3) The provisions of this regulation shall not preclude the payment of leave gratuities on conditions recommended by the Board and approved by the Secretary for Co-operation and Development.

Leave application forms, granting and withdrawal of leave and unauthorised absences from duty

G3. (1) (a) Application for leave shall be made in writing substantially in the form set out in the First Annexure to these regulations.

(b) The form of the certificate of indisposition, which is to serve in support of an application for sick leave, shall also be substantially in the form set out in the First Annexure to these regulations.

G3. (2) (a) The granting of all leave of absence shall be subject to approval by the head of the department in which the officer or employee concerned is serving at the time of his application for leave: Provided that the granting of leave of absence to a head of department who is an officer shall be subject to such approval as the Executive Council may determine.

(b) Leave already granted may at any time be withdrawn by a head of department or, in the case of a head of department who is an officer, by the Executive Council.

G3. (3) Except in the case where an officer is suspended from duty or where an officer or employee is prevented by his sudden illness, or by other circumstances which are acceptable to the head of department, from remaining on or reporting for duty, he shall not leave or stay away from work until he has applied, in writing, for leave and has been advised by the head of his office that the application has been approved.

G3. (4) (a) Except as provided in regulation G14 (1) (c), all unauthorised absences from duty shall, apart from any disciplinary action which may be taken against an officer or employee, be regarded as vacation leave without pay, unless the Board recommends otherwise.

(b) The submission of a written application for leave, referred to in subregulation (1) (a), shall not be required in the case of unauthorised absences.

Verlofstate

G4. (1) Die departement of departemente deur die Raad gelas, moet ten opsigte van elke beampte of werknemer 'n verlofstaat hou waarin alle tydperke van afwesigheid van diens aangeteken word volgens die indeling vervat in regulasie G5 (1).

G4. (2) Alle verlofaansoeke moet vir audit- en ander doeleindes bewaar word in die kantoor waar die verlofstaat gehou word, en wel vir dié tydperk wat die Raad gelas.

Indeling van afwesigheidsverlof

G5. (1) Alle tydperke van afwesigheid van diens met verlof word onder een of meer van die volgende hoofde ingedeel:

- (a) Vakansieverlof (oplopend) met volle betaling.
- (b) Nie-oplopende verlof met volle betaling.
- (c) Vakansieverlof sonder betaling.
- (d) Siekteverlof met volle betaling.
- (e) Siekteverlof met halwe betaling.
- (f) Siekteverlof sonder betaling.
- (g) Spesiale siekteverlof met volle betaling.
- (h) Spesiale siekteverlof met halwe betaling.
- (i) Spesiale siekteverlof sonder betaling.
- (j) Spesiale verlof met volle betaling.
- (k) Spesiale verlof met betalingsvoorwaardes soos deur die Raad aanbeveel.

G5. (2) Die toestaan van verlof onder enigeen van die hoofde in subregulasie (1) genoem, beïnvloed nie die toestaan van verlof onder enige van die ander genoemde hoofde nie, uitgesonderd soos elders in hierdie regulasies uitdruklik bepaal word.

Groepering van beamptes en werknemers vir verlofdoeleindes en verlofvoorsiening

G6. (1) Met behoorlike inagneming van die bepalinge van regulasies G1, G7 (2) en G11 (2) word beamptes en werknemers vir die doeleindes van die toestaan van afwesigheidsverlof in groepe ingedeel wat deur die Raad aanbeveel word en kan verlof dienoreenkomstig aan hulle toegestaan word.

G6. (2) Aan 'n persoon wat op kontrak dien, word, tensy sy dienskontrak anders bepaal, verlof kragtens hierdie regulasies toegestaan en sy groepering vir verlofdoeleindes word net so bepaal soos dié van 'n vergelykbare beampte of werknemer.

Algemene bepalinge: Vakansieverlof

G7. (1) Behoudens die bepalinge van regulasie G18 (1) was oplopende vakansieverlof aan ten opsigte van elke voltooide maand van diens en wel teen een twaalfde van die voorsiening wat kragtens regulasie G6 (1) op 'n beampte of werknemer van toepassing is.

G7. (2) As 'n beampte of werknemer van een betrekking na 'n ander betrekking oorgeplaas word en sy oorplasing 'n verandering van sy groepering vir verlofdoeleindes meebring of as hy om enige ander rede as sy oorplasing van die een na die ander vakansieverlofgroep oorgaan—

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

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

tensy die bepalinge van regulasie G21 (2) op hom van toepassing is.

Leave registers

G4. (1) The department or departments directed by the Board shall in respect of each officer and employee keep a leave register in which all absences from duty shall be recorded in accordance with the classification contained in regulation G5 (1).

G4. (2) All applications for leave shall be filed for purposes of auditing and other purposes in the office where the leave register is kept, for such period as the Board may direct.

Classification of leave of absence

G5. (1) All absences from duty on leave shall be classified under one or more of the following heads:

- (a) Vacation leave (accumulative) with full pay.
- (b) Non-accumulative leave with full pay.
- (c) Vacation leave without pay.
- (d) Sick leave with full pay.
- (e) Sick leave with half pay.
- (f) Sick leave without pay.
- (g) Special sick leave with full pay.
- (h) Special sick leave with half pay.
- (i) Special sick leave without pay.
- (j) Special leave with full pay.
- (k) Special leave with conditions of pay as recommended by the Board.

G5. (2) The granting of leave under any one of the heads mentioned in subregulation (1) shall not affect the granting of leave under any of the other heads mentioned, except in so far as is specifically provided elsewhere in these regulations.

Grouping of officers and employees for leave purposes and leave provision

G6. (1) With due regard to the provisions of regulations G1, G7 (2) and G11 (2), officers and employees shall, for the purpose of their being granted leave of absence, be classified into groups as recommended by the Board and may be granted leave accordingly.

G6. (2) A person serving under contract shall, unless his service contract provides otherwise, be granted leave in accordance with these regulations, and his grouping for leave purposes shall be determined in the same manner as that of a comparable officer or employee.

General provisions: Vacation leave

G7. (1) Subject to the provisions of regulation G18 (1), accumulative vacation leave shall accrue in respect of each completed month of service at the rate of one-twelfth of the provision applicable to an officer or employee in terms of regulation G6 (1).

G7. (2) If an officer or employee is transferred from one post to another and his transfer results in a change in his classification for leave purposes or if, for any reason other than his transfer, he passes from one vacation leave group to another—

(a) he shall retain the accumulative vacation leave which accrued during his service in the previous group or groups; and

(b) the accumulative vacation leave of the new group shall become applicable to him from the first day of the month during which such transfer or passing becomes effective, unless the provisions of regulation G21 (2) apply to him.

G7. (3) 'n Departementshoof kan te eniger tyd van 'n beampte of werknemer vereis, en die Uitvoerende Raad kan te eniger tyd van 'n departementshoof wat 'n beampte is, vereis dat hy 'n gedeelte of die geheel van die vakansieverlof en nie-oplopende verlof wat hom toekom, neem: Met dien verstande dat die maksimum tydperk van verlof wat in subregulasie (4) voorgeskryf word, nie oorskry word nie.

G7. (4) Uitgesonderd op aanbeveling van die Raad mag nie aan 'n beampte of werknemer vakansie- en nie-oplopende verlof van altesaam meer as 184 dae in enige tydperk van 18 kalendermaande toegestaan word nie en enige afwesigheid van diens wat hierdie beperking te bowe gaan, word gedek deur die bestaan van vakansieverlof sonder betaling, met behoorlike inagneming van die bepalings van regulasie G10 (1). Vir die doeleindes van hierdie subregulasie word vakansieverlof wat kragtens regulasie G11 (7) (a) toegestaan word, buite rekening gelaat.

G7. (5) Die oplopende vakansieverlof wat 'n beampte of werknemer op 1 Januarie van elke jaar tot sy krediet het, word in die verlofstaat aangeteken, en by die aantekening van sodanige krediet word enige gedeelte van 'n dag as een dag gereken.

Oortoeëning van vakansieverlof

G8. As daar aan 'n beampte of werknemer meer vakansieverlof met volle betaling toegestaan is as wat hy op daardie tydstip tot sy krediet gehad het, kan sodanige oortoeëning afgetrek word van vakansieverlof wat later aan hom toeval: Met dien verstande dat die departementshoof oortuig is dat die oortoeëning te goeder trou gedoen is: Met dien verstande voorts dat as sodanige beampte of werknemer bedank of sy diens beëindig word voordat voldoende vakansieverlof vir die doel van sodanige aftrekking aan hom toegeval het, die gedeelte van die oortoeëning wat sy vakansieverlofkrediet op die laaste dag van sy diens oorskry, as 'n oorbetalings van salaris geag word wat of teruggevorder of met bevoegde magtiging afgeskryf moet word.

Vakansieverlof ten opsigte van persone oorgeplaas uit ander dienste

G9. (1) Die oorpasing van 'n beampte of werknemer uit die Staatsdiens van die Republiek na die owerheidsdiens raak in geen opsig die aaneenlopendheid van die oplopende vakansieverlofvoorregte van sodanige beampte of werknemer wat oorgeplaas is sonder 'n onderbreking in diens nie en opgelope vakansieverlof bly tot die krediet van sodanige beampte of werknemer.

G9. (2) Die Raad kan aanbeveel dat 'n persoon wat voltyds in diens is van 'n liggaam wat vir die doel van hierdie regulasies deur die Raad erken word en wat sonder onderbreking van diens oorgeplaas word na of aangestel word in 'n pos of betrekking waarin hierdie regulasie op hom van toepassing word, die oplopende vakansieverlof behou wat tot sy krediet was op die dag voor sy aanstelling of oorpasing, behoudens die bepalings van subregulasie (3), en die vorige diens ten opsigte waarvan die verlofkrediet oorgedra word, tel as diens vir verlofdoeleindes: Met dien verstande dat as sy aanstelling of oorpasing op 'n ander dag as die eerste dag van 'n maand bewerkstellig word, hy die oplopende vakansieverlof behou wat tot sy krediet was op die laaste dag van die maand wat die maand voorafgaan waarin sy aanstelling of oorpasing bewerkstellig word, in welke geval hierdie regulasies op die eerste dag van die maand waarin sy aanstelling of oorpasing bewerkstellig word, op hom van toepassing word: Met

G7. (3) A head of department may at any time require an officer or employee, and the Executive Council may at any time require a head of department who is an officer to take the whole or a portion of the vacation and non-accumulative leave due to him: Provided that the maximum period of leave prescribed in subregulation (4) shall not be exceeded.

G7. (4) Except on the recommendation of the Board, an officer or employee shall not be granted vacation and non-accumulative leave in excess of 184 days in the aggregate in any period of 18 calendar months and any absence from duty for a longer period than this limit shall be covered by the granting of vacation leave without pay, with due regard to the provisions of regulation G10 (1). For the purposes of this subregulation no account shall be taken of vacation leave granted in terms of regulation G11 (7) (a).

G7. (5) The accumulative vacation leave standing to the credit of an officer or employee on 1 January of each year shall be recorded in the leave register, and in the recording of such credit any portion of a day shall be regarded as one day.

Overgrant of vacation leave

G8. If an officer or employee has been granted vacation leave with full pay in excess of that which stood to his credit at the time, such overgrant may be deducted from vacation leave which subsequently accrues to him: Provided that the head of department is satisfied that the overgrant was made in good faith: Provided further that, if such officer or employee resigns or his services are terminated before sufficient vacation leave has accrued to him for the purpose of deduction, that portion of the overgrant which exceeds his vacation leave credit on his last day of service shall be regarded as an overpayment of salary, to be recovered or written off under competent authority.

Vacation leave in respect of persons transferred from other services

G9. (1) The transfer of an officer or employee from the Public Service of the Republic to the authority service shall in no way affect the continuity of the accumulative vacation leave privileges of such officer or employee who was transferred without a break in service and accumulated vacation leave shall remain to the credit of such officer or employee.

G9. (2) The Board may recommend that a person who is in the full-time employment of an institution recognised by the Board for the purposes of these regulations and who is transferred or appointed, without a break in service, to a post or position in which these regulations become applicable to him shall retain the accumulative vacation leave standing to his credit on the day before his appointment or transfer, subject to the provisions of subregulation (3), and the previous service in respect of which the leave credit is being carried forward shall count as service for purposes of leave: Provided that if his appointment or transfer is effected on a day other than the first day of a month, he shall retain the accumulative vacation leave which stood to his credit on the last day of the month preceding the month during which his appointment or transfer is affected, in which case these regulations shall become applicable to him on the first day of the month in which his appointment or transfer is effected: Provided further that if such leave would have become available

dien verstande voorts dat as sodanige verlof eers na voltooiing van 'n vasgestelde dienstdaag vir benutting beskikbaar sou geword het, en sodanige dienstdaag op die datum waarop hierdie regulasies op die beampte of werknemer van toepassing word, nog nie voltooi is nie, die krediet in verhouding tot die gedeelte van die betrokke dienstdaag wat hy op laasgenoemde datum voltooi het, bereken kan word en die betrokke verlof onmiddellik toegestaan kan word.

G9. (3) By die toepassing van die bepalings van subregulasie (2) word enige gedeelte van 'n dag as een dag gereken wanneer die opgelope vakansieverlof tot 'n beampte of werknemer se krediet geplaas word op die datum waarop hierdie regulasies op hom van toepassing word.

Vakansieverlof sonder betaling

G10. (1) As gegronde redes daarvoor bestaan, kan die departementshoof na goeë dunde, maar behoudens die beperkings wat by regulasie G11 (5) (c) opgelê word, aan 'n beampte of werknemer wat geen vakansieverlof met betaling tot sy krediet het nie, vakansieverlof sonder betaling toestaan vir hoogstens altesaam 184 dae in enige tydperk van 18 kalendermaande. In uitsonderlike gevalle kan op aanbeveling van die Raad van die beperking opgelê by hierdie regulasie, afgesien word.

G10. (2) Tensy die bepalings van regulasie G3 (4), G7 (4) of G18 (2) toegepas moet word, moet alle vakansieverlof met volle betaling wat 'n beampte of werknemer tot sy krediet het, eers opgebruik wees voordat vakansieverlof sonder betaling aan hom toegestaan kan word.

Algemene bepalings: Siekteverlof

G11. (1) Siekteverlof val op die eerste dag van 'n tydkring aan 'n beampte of werknemer toe en met ingang van daardie dag kan die volle voorsiening vir die betrokke tydkring aan hom toegestaan word, mits aan die ander bepalings van hierdie regulasies voldoen word: Met dien verstande dat aan geen beampte of werknemer siekteverlof met volle of halwe betaling toegestaan mag word voordat hy 30 dae diens, gereken ná die datum van sy aanstelling, voltooi het nie en dan slegs ten opsigte van tydperke van afwesigheid ná die voltooiing van sodanige diens.

G11. (2) As 'n beampte of werknemer gedurende 'n tydkring sonder onderbreking van diens—

(a) oorgaan na 'n groep waarin die siekteverlofvergunning minder gunstig is as dié wat voorheen op hom van toepassing was, behou hy vir die duur van die betrokke tydkring die siekteverlofvergunning wat voorheen op hom van toepassing was; of

(b) oorgaan na 'n groep waar die siekteverlofvergunning gunstiger is as voorheen, verwerf hy onmiddellik die siekteverlofvergunning van die nuwe groep min enige betaalde siekteverlof wat hy reeds gedurende die betrokke tydkring gebruik het;

tensy die bepalings van regulasie G21 (2) op hom van toepassing is.

G11. (3) Ongebruikte siekteverlof wat vir 'n bepaalde tydkring voorgeskryf is, verval aan die einde van daardie tydkring en mag nie na die volgende tydkring oordra word nie.

G11. (4) As aan 'n beampte of werknemer, uitgesonderd 'n halfgeskikte gesubsidieerde arbeider, die maksimum hoeveelheid siekteverlof waarvoor in hierdie regulasies voorsiening gemaak is, toegestaan is en

for utilisation only after the completion of a specified period of service and such period of service is uncompleted on the date on which these regulations become applicable to the officer or employee, the credit may be calculated in proportion to the portion of the relative period of service which he has completed on the last-mentioned date, and the leave concerned may be granted forthwith.

G9. (3) In the application on the provisions of sub-regulation (2) any portion of a day shall be regarded as one day when the accumulated vacation leave is placed to the credit of an officer or employee on the date on which these regulations become applicable to him.

Vacation leave without pay

G10. (1) If sound reasons exist, the head of department may, at his discretion, but subject to the limits imposed by regulation G11 (5) (c), grant an officer or employee who has no vacation leave with pay to his credit, vacation leave without pay, not exceeding 184 days in the aggregate, in any period of 18 calendar months. In exceptional cases the limitation imposed by this regulation may be waived on the recommendation of the Board.

G10. (2) Unless the provisions of regulation G3 (4), G7 (4) or G18 (2) are to be applied, all vacation leave with full pay standing to an officer's or employee's credit shall first be exhausted before vacation leave without pay may be granted to him.

General provisions: Sick leave

G11. (1) Sick leave shall accrue to an officer or employee on the first day of a cycle and with effect from that day the full provision of the relative cycle may be granted to him if the other provisions of these regulations are complied with: Provided that no officer or employee shall be granted sick leave with full or half pay until he has completed 30 days' service reckoned from the date of his appointment and then only in respect of absences subsequent to the completion of such service.

G11. (2) If an officer or employee, during a cycle and without a break in service—

(a) passes to a group in which the sick leave provision is less favourable than that formerly applicable to him, he shall, for the duration of the relative cycle, retain the sick leave provision formerly applicable to him; or

(b) passes to a group in which the sick leave provision is more favourable than previously, he shall immediately acquire the sick leave provision of the new group, less any paid sick leave already used by him during the relative cycle;

unless the provisions of regulation G21 (2) apply to him.

G11. (3) Unused sick leave prescribed for a particular cycle shall lapse at the end of that cycle and shall not be carried forward to the next cycle.

G11. (4) If an officer or employee, excluding a semi-fit subsidised labourer, who has been granted the maximum amount of sick leave provided for in these

hy om gesondheidsredes nog nie in staat is om sy pligte te hervat nie, kan die departementshoof—

(a) by die voorlegging aan hom van 'n bevredigende sertifikaat van 'n geregistreerde geneesheer of 'n geregistreerde tandarts; en

(b) as hy oortuig is dat die beampte of werknemer op die betrokke tydstop nie permanent ongeskik is vir die hervatting van sy normale pligte nie; en

(c) as die beampte of werknemer geen vakansieverlof tot sy krediet het nie, uitgesonderd vakansieverlof in regulasie G18 (2) gemeld;

na goeë dunks verdere siekteverlof met halwe betaling aan sodanige beampte of werknemer toeken vir altesaam hoogstens 92 dae in enige bepaalde tydkring. Sodanige toekenning kan gedoen word ten opsigte van afsonderlike tydperke van afwesigheid en ten opsigte van ongesteldhede van verskillende aard.

G11. (5) (a) Aan 'n beampte of werknemer wat sy betaalde siekteverlof waarvoor in hierdie regulasies voorsiening gemaak is, opgebruik het, kan, ondanks die bepalings van subregulasie (7), siekteverlof sonder betaling toegestaan word vir altesaam 365 dae in enige bepaalde tydkring.

(b) Die toekenning kragtens paragraaf (a) kan gedoen word ongeag of bykomende siekteverlof met halwe betaling kragtens subregulasie (4) aan die beampte of werknemer toegestaan is.

(c) As die siekteverlof sonder betaling waarvoor in hierdie subregulasie voorsiening gemaak word, aan 'n beampte of werknemer toegestaan is, mag geen verdere verlof, van watter aard ook al, gedurende die bepaalde tydkring aan hom toegestaan word om sy afwesigheid van diens weens siekte te dek nie, uitgesonderd op aanbeveling van die Raad.

G11. (6) (a) Die toekenning aan 'n beampte of werknemer van siekteverlof sonder betaling kragtens subregulasie (5) is onderworpe aan die voorlegging deur hom aan die departementshoof van 'n bevredigende sertifikaat van ongesteldheid ten opsigte van elke tydperk van afwesigheid van langer as drie dae.

(b) Ten opsigte van tydperke van afwesigheid van hoogstens drie dae is die bepalings van regulasie G12 (4) en G12 (5) van toepassing.

G11. (7) (a) Aan 'n beampte of werknemer kan, op skriftelike aansoek, enige vakansieverlof wat hy tot sy krediet het, toegestaan word in plaas van siekteverlof met halwe betaling of siekteverlof sonder betaling. Met dien verstande dat—

(i) sodanige aansoek nie later nie as drie kalendermaande 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 departementshoof oortuig moet wees dat die betrokke beampte of werknemer op die betrokke tydstop nie permanent ongeskik is vir die hervatting van sy normale pligte nie.

(b) As genoemde vakansieverlof een maal aan 'n beampte of werknemer toegestaan is en hy ten opsigte daarvan betaling ontvang het, mag sodanige verlof nie weer in siekteverlof met halwe betaling of sonder betaling omgesit word nie.

G11. (8) (a) As 'n beampte of werknemer aan wie vakansieverlof toegestaan is, siek word nadat hy reeds sy diens verlaat het om met vakansieverlof te gaan, kan daardie gedeelte van genoemde vakansieverlof ten opsigte waarvan hy 'n sertifikaat van 'n geregistreerde

regulations is not yet able, for health reasons, to resume his duties, the head of department—

(a) on the submission to him of a satisfactory certificate by a registered medical practitioner or a registered dentist; and

(b) if he is satisfied that the officer or employee at that particular time is not permanently unfit to resume his normal duties; and

(c) if the officer or employee has no vacation leave to his credit, excluding vacation leave mentioned in regulation G18 (2);

may, at his discretion, grant such officer or employee further sick leave with half pay not exceeding 92 days in the aggregate in any one cycle. Such grant may be made in respect of separate periods of absence and in respect of different kinds of illnesses.

G11. (5) (a) If an officer or employee has used his paid sick leave provided for in these regulations, he may, notwithstanding the provisions of subregulation (7), be granted sick leave without pay not exceeding 365 days in the aggregate in any particular cycle.

(b) The grant in terms of paragraph (a) may be made irrespective of whether the officer or employee has been granted additional sick leave with half pay in terms of subregulation (4).

(c) If an officer or employee has been granted the sick leave without pay provided for in this subregulation, he shall not, during the particular cycle, be granted any further leave, of whatever nature, to cover his absence from duty owing to illness, except on the recommendation of the Board.

G11. (6) (a) The granting to an officer or employee of sick leave without pay in terms of subregulation (5) shall be subject to the submission by him to the head of department of a satisfactory certificate of indisposition in respect of each absence which exceeds three days.

G11. (7) (a) An officer or employee may, on application in writing, be granted any vacation leave which he may have to his credit, in lieu of sick leave with half pay or sick leave without pay: Provided that—

(i) such application is submitted not later than three calendar 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 head of department shall be satisfied that the officer or employee concerned is not at that stage permanently unfit for the resumption of his normal duties.

(b) Once the vacation leave referred to has been granted to an officer or employee and he has received payment in respect thereof, such leave shall not be reconverted into sick leave with half pay or without pay.

G11. (8) (a) If an officer or employee to whom vacation leave has been granted becomes ill after he has which he submits a certificate by a registered medical left his duties to proceed on vacation leave, that portion of the vacation leave referred to in respect of

geneesheer of 'n geregistreerde tandarts indien wat voldoen aan die vereistes voorgeskryf in regulasie G12, in siekteverlof omskep word, mits die nodige siekteverlof kragtens hierdie regulasies beskikbaar is.

(b) Vakansieverlof sonder betaling mag nie in siekteverlof omskep word nie.

Toestaan van siekteverlof

G12. (1) Siekteverlof word toegestaan slegs ten opsigte van 'n beampte of werknemer se afwesigheid van diens weens siekte, ongesteldheid of besering wat nie te wyte is aan sy wangedrag of gebrek aan behoorlike voorsorg nie.

G12. (2) Ten opsigte van senuwee-aandoenings, slapeloosheid, swakte en dergelike swak omskrewe siektes of ongesteldhede word siekteverlof toegestaan slegs as die hoof van die departement oortuig is dat die applikant se gesondheidstoestand—

(a) hom ongeskik maak vir sy werk; en

(b) nie voortvloei uit sy versuim om van vakansieverlof gebruik te maak nie.

G12. (3) (a) Die departementshoof kan te eniger tyd eis dat 'n beampte of werknemer hom onderwerp aan 'n ondersoek deur een of meer geregistreerde geneesheer of geregistreerde tandartse deur die departementshoof aangewys.

(b) Die onkoste verbond aan sodanige ondersoek word uit fondse van die KwaNdebele-gebiedsoowerheid betaal.

G12. (4) (a) As 'n beampte of werknemer weens siekte van diens afwesig is vir 'n aaneenlopende 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 wat duidelik die aard van die siekte beskryf, wat verklaar dat hy nie in staat is om sy amppligte waar te neem nie en wat aantoon watter tydperk nodig is vir sy herstel, by sy departementshoof indien.

(b) Die departementshoof kan na sy goëddunke eis dat 'n dergelike sertifikaat ook ten opsigte van tydperke van drie dae of minder ingedien word.

(c) Indien die departementshoof daarvan oortuig is dat die beampte of werknemer se afwesigheid bona fide te wyte is aan siekte en dat daar goëie redes bestaan waarom 'n sertifikaat van ongesteldheid nie ingedien is nie, kan hy afsien van die indiening van sodanige sertifikaat deur die beampte of werknemer ten opsigte van 'n aaneenlopende tydperk van siekteverlof van hoogstens 14 dae. Sodanige vrystelling moet op die verlofaansoek geëndosseer word.

G12. (5) Siekteverlof met of sonder betaling ten opsigte waarvan 'n sertifikaat in subregulasie (4) genoem, nie ingedien is nie, kan toegestaan word slegs vir altesaam 10 dae gedurende enige jaar eindigende op 31 Desember, en enige verdere afwesighede moet gedek word deur die toestaan van vakansieverlof met volle betaling of, as die beampte of werknemer geen vakansieverlof tot sy krediet het nie, van vakansieverlof sonder betaling. Die bepalinge van hierdie subregulasie is nie van toepassing op tydperke van afwesigheid ten opsigte waarvan vrystelling kragtens subregulasie 4 (c) verleen is nie, en sodanige tydperke word ook nie ingerekend by die vasstelling van die 10 dae nie.

G12. (6) Ondanks die indiening van 'n sertifikaat soos in subregulasie (4) omskryf, kan die departementshoof na goëddunke weier om siekteverlof met betaling toe te staan ten opsigte van enige afwesigheid van diens waarop die sertifikaat betrekking het, en in so 'n geval word die afwesigheid as ongemagtig beskou en is die bepalinge van regulasie G3 (4) van toepassing.

practitioner or a registered dentist which complies with the requirements prescribed in regulation G12 may be converted into sick leave, provided the necessary sick leave is available in terms of these regulations.

(b) Vacation leave without pay shall not be converted into sick leave.

Granting of sick leave

G12. (1) Sick leave shall be granted only in respect of the absence from duty of an officer or employee owing to an illness, indisposition or injury not due to his misconduct or failure to take reasonable precautions.

G12. (2) Sick leave may be granted in respect of nervous complaints, insomnia, debility and similar ill-defined illnesses or indispositions only if the head of department is satisfied that the applicant's state of health—

(a) incapacitates him for duty; and

(b) does not arise from his failure to take vacation leave.

G12. (3) (a) The head of department may at any time require an officer or employee to submit to an examination by one or more registered medical practitioners or registered dentists nominated by the head of department.

(b) The expenses in connection with such examination shall be met from funds of the KwaNdebele Territorial Authority.

G12. (4) (a) If an officer or employee is absent from duty for a continuous period of more than three days owing to illness, he may be granted sick leave only if he furnishes the head of department with a certificate by a registered medical practitioner or a registered dentist which clearly describes the nature of the illness, which states that he is not capable of performing his official duties, and in which is indicated the period necessary for his recuperation.

(b) The head of department may, at his discretion, require the submission of a similar certificate in respect of periods of three days or less.

(c) If the head of department is satisfied that the absence of the officer or employee is bona fide due to illness and that there are good reasons for the non-submission of a certificate of indisposition, he may waive the submission of such certificate by the officer or employee in respect of sick leave for a continuous period not exceeding 14 days. Such exemption shall be endorsed on the leave application.

G12. (5) Sick leave, with or without pay, in respect of which a certificate referred to in subregulation (4) is not submitted may be granted only for an aggregate of 10 days during any year ending 31 December and any further absences shall be covered by the granting of vacation leave with full pay or, if the officer or employee has no vacation leave to his credit, vacation leave without pay. The provisions of this subregulation shall not apply to periods of absence in respect of which exemption in terms of subregulation (4) (c) has been granted, and such periods shall not be taken into account in the determination of the 10 days.

G12. (6) Notwithstanding the submission of a certificate as defined in subregulation (4), the head of department may, at his discretion, refuse to grant sick leave with pay in respect of any absence from duty to which the certificate relates, and in such case the absence shall be regarded as unauthorised and the provisions of regulation G3 (4) shall apply.

Spesiale siekteverlof

G13. (1) Aan 'n beampte of werknemer wat van diens afwesig is weens 'n besering wat opgedoen is in 'n ongeval wat in die loop van en as gevolg van sy diens ontstaan, kan spesiale siekteverlof met volle betaling toegestaan word vir die tydperk wat hy nie geskik is om sy gewone pligte uit te voer nie of, indien die geval binne die bestek van die Ongevallewet, 1941 (Wet 30 van 1941), soos gewysig, val, spesiale siekteverlof met betaling gelykstaande met die verskil tussen volle betaling en die skadeloosstelling wat aan hom kragtens daardie Wet by wyse van periodieke uitkerings van sy maandelikse verdienste betaalbaar is: Met dien verstande dat spesiale siekteverlof met betaling kragtens hierdie regulasie nie toegestaan word waar die ongeval deur 'n derde party veroorsaak is nie, tensy die beampte of werknemer of die KwaNdebele-gebiedsowerheid magtig om namens hom 'n eis vir skade deur hom gely, teen die derde party in te stel, of onderneem of self 'n eis teen die derde party in te stel en om, uit enige bedrag wat verhaal word, die KwaNdebele-gebiedsowerheid te vergoed vir die skade deur hom gely as gevolg van die ongeval.

G13. (2) Spesiale siekteverlof kragtens hierdie regulasie word nie toegestaan as die departementshoof van oordeel is dat die ongeval aan die ernstige en opsetlike wangedrag van die beampte of werknemer toe te skryf is nie.

G13. (3) Die bepalinge van regulasie G12 (3), (4) en (5) is *mutatis mutandis* van toepassing op die toestaan van spesiale siekteverlof.

Spesiale verlof met volle betaling

G14. (1) Spesiale verlof met volle betaling kan aan 'n beampte of werknemer toegestaan word—

(a) wanneer hy enige eksamen voorgeskryf by hierdie regulasies, 'n eksamen van 'n erkende universiteit binne die Republiek en enige ander eksamen wat die Raad aanwys, aflê;

(b) wanneer hy van diens afwesig is as gevolg van afsondering of isolasie ooreenkomstig geneeskundige opdragte waar hy in aanraking was met 'n persoon wat 'n besmetlike of aansteeklike siekte opgedoen of vermoedelik opgedoen het. Die toestaan van spesiale verlof kragtens hierdie paragraaf is onderworpe aan die indiening van 'n sertifikaat van 'n geregistreerde geneesheer wat die tydperk en oorsaak van afsondering of isolasie aandui;

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

G14. (2) Spesiale verlof wat ooreenkomstig subregulasie (1) toegestaan word, kan enige tydperk werklik en noodsaaklikerwys deurgebring in verband met reise vir die doel waarvoor die verlof toegestaan word, insluit.

Verlof vir studiedoeleindes

G15. Verlof kan vir studiedoeleindes op die grondslag en voorwaardes wat die Sekretaris van Samewerking en Ontwikkeling op aanbeveling van die Raad goedkeur, aan 'n beampte of werknemer toegestaan word.

Rusdae

G16. (1) 'n Rusdag word nie geag verlof te wees nie en word nie in die verlofstaat as sodanig aangeteken nie: Met dien verstande dat 'n rusdag, of twee of meer opeenvolgende rusdae—

(a) wat binne 'n tydperk van verlof val, geag word verlof te wees wat volgens die indeling in

Special sick leave

G13. (1) An officer or employee who is absent from duty owing to an injury sustained in an accident arising out of and in the course of and as a result of his duties may be granted special sick leave with full pay for the period for which he is incapacitated for his normal duties or, if the case falls within the scope of the Workmen's Compensation Act, 1941 (Act 30 of 1941), as amended, special sick leave with pay equal to the difference between full pay and the compensation payable to him in terms of that Act in the form of periodical payments of his monthly earnings: Provided that special sick leave with pay, in terms of this regulation, shall not be granted where the accident was caused by a third party, unless the officer or employee either authorises the KwaNdebele Territorial Authority to bring a claim in his name against the third party for damages suffered by him, or undertakes himself to bring a claim against the third party and to recompense the KwaNdebele Territorial Authority for the damages suffered by it, as a result of the accident, from any amount that may be recovered.

G13. (2) Special sick leave in terms of this regulation shall not be granted if the head of department is of the opinion that the accident is attributable to the serious and wilful misconduct of the officer or employee.

G13. (3) The provisions of regulations G12 (3), (4) and (5) shall apply *mutatis mutandis* to the granting of special sick leave.

Special leave with full pay

G14. (1) Special leave with full pay may be granted to an officer or employee—

(a) when he sits for any examination prescribed by these regulations, an examination of a recognised university within the Republic and any other examination which the Board may indicate;

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

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

G14. (2) Special leave granted in terms of subregulation (1) may include any period actually and necessarily occupied in travelling for the purpose for which the leave is granted.

Leave for study purposes

G15. Leave may be granted to an officer or employee for study purposes on the basis and conditions approved by the Secretary for Co-operation and Development on the recommendation of the Board.

Days of rest

G16. (1) A day of rest shall not be regarded as leave and shall not be recorded as such in the leave register: Provided that a day of rest, or two or more consecutive days of rest—

(a) falling within a period of leave shall be regarded as leave falling under the same heading,

regulasie G5 (1) onder dieselfde hoof val as die verlof wat sodanige rusdag of rusdae voorafgaan en daarop volg;

(b) wat tussen 'n tydperk van gemagtigde vakansie- of nie-oplopende verlof en 'n tydperk van siekteverlof (of omgekeerd) val, geag word vakansieverlof te wees, tensy die betrokke beampte of werknemer bewys lewer dat hy werklik op sodanige rusdag of rusdae siek was, in welke geval dit geag word siekteverlof te wees;

(c) wat tussen 'n tydperk van gemagtigde vakansie-, nie-oplopende of spesiale verlof en 'n tydperk van ongemagtigde vakansieverlof (of omgekeerd) val, geag word vakansieverlof met volle betaling, indien beskikbaar, of anders vakansieverlof sonder betaling te wees; en

(d) wat tussen 'n tydperk van siekteverlof en 'n tydperk van ongemagtigde vakansieverlof (of omgekeerd) val, geag word vakansieverlof met volle betaling, indien beskikbaar, of anders vakansieverlof sonder betaling te wees, tensy die betrokke beampte of werknemer bewys lewer dat hy werklik op sodanige rusdag of rusdae siek was, in welke geval dit geag word siekteverlof te wees.

G16. (2) As 'n beampte of werknemer aangesê word om hom op 'n rusdag vir diens aan te meld en hy in gebreke bly om dit te doen, word sodanige rusdag geag vakansieverlof sonder betaling te wees, tensy hy weens omstandighede wat vir die departementshoof aanneemlik is, verhinder word om hom vir diens aan te meld.

G16. (3) 'n Beampte of werknemer word nie salaris of loon ten opsigte van 'n rusdag betaal nie, tensy hy kragtens sy diensvoorwaardes op betaling vir die dag geregtig is.

Betaling van toelaes, ens., tydens verlof

G17. Die voortsetting of staking van die betaling aan 'n beampte of werknemer van toelaes of ander besoldiging as sy salaris of loon en die aanspreeklikheid van 'n beampte of werknemer vir die betaling aan die KwaNdebele-gebiedsowerheid van gelde vir goedere of dienste deur die KwaNdebele-gebiedsowerheid gelewer gedurende tydperke van verlof, is onderworpe aan die bepalinge van die regulasies wat daarop van toepassing is en opdragte wat deur die Raad of die Sekretaris van Samewerking en Ontwikkeling of deur die Sekretaris van Samewerking en Ontwikkeling op aanbeveling van die Raad daaromtrent uitgereik is.

Verlof wat vir verlofdoeleindes tel

G18. (1) Alle verlof, van watter aard ook al, met volle of gedeeltelike betaling, en vakansie- en siekteverlof sonder betaling van altesaam hoogstens 15 dae in 'n maand, tel vir die doel van verlofaanwas. As die verlof sonder betaling die hierin gemelde getal dae oorskry, word—

(a) die maand waarin sodanige oorskryding plaasvind, nie as diens vir die doeleindes van regulasie G7 (1) gereken nie; en

(b) die voorsiening ten opsigte van siekteverlof met volle betaling en siekteverlof met halwe betaling wat kragtens regulasie G6 op 'n beampte of werknemer van toepassing is, met een ses-en-dertigste ten opsigte van elke maand waarin sodanige oorskryding plaasvind, verminder en hierdie vermindering word afgetrek van die voorsiening vir die tydkring waarin die oorskryding plaasvind of, as die beskikbare siekteverlof van die betrokke tydkring reeds gebruik is, van die voorsiening vir die eersvolgende tydkring.

according to the classification in regulation G5 (1), as the leave which precedes and succeeds such day or days of rest;

(b) falling between a period of authorised vacation or non-accumulative leave and a period of sick leave (or vice versa) shall be regarded as vacation leave, unless the officer or employee concerned produces evidence that he was actually ill on such day or days of rest, in which case such day or days of rest shall be regarded as sick leave;

(c) falling between a period of authorised vacation, non-accumulative or special leave and a period of unauthorised vacation leave (or vice versa) shall be regarded as vacation leave with full pay, if available, or else vacation leave without pay; and

(d) falling between a period of sick leave and a period of unauthorised vacation leave (or vice versa) shall be regarded as vacation leave with full pay, if available, or else vacation leave without pay, unless the officer or employee concerned produces evidence that he was actually ill on such day or days of rest, in which case such day or days of rest shall be regarded as sick leave.

G16. (2) If an officer or employee who is called upon to report for duty on a day of rest fails to do so, such day of rest shall be regarded as vacation leave without pay unless he is prevented from reporting for duty by circumstances which are acceptable to the head of department.

G16. (3) An officer or employee shall not be paid a salary or wages in respect of a day of rest unless he is entitled to such payment for the day in terms of his conditions of service.

Payment of allowances, etc., during leave

G17. The continuance or cessation of the payment to an officer or employee of allowances or remuneration other than salary or wages and the liability of an officer or employee for payment due to the KwaNdebele Territorial Authority in respect of goods supplied or services rendered by the KwaNdebele Territorial Authority during periods of leave shall be subject to the provisions of the regulations applicable thereto and directions issued by the Board or Secretary for Co-operation and Development or by the Secretary for Co-operation and Development on the recommendation of the Board, in connection therewith.

Leave which counts for leave purposes

G18. (1) All leave, of whatever nature, with full or part pay, and vacation and sick leave without pay not exceeding 15 days in the aggregate in a month shall count for the purposes of leave accrual. If the leave without pay exceeds the number of days mentioned therein—

(a) the month in which such excess occurs shall not be regarded as service for the purpose of regulation G7 (1); and

(b) the provision in respect of sick leave with full pay and sick leave with half pay which applies to an officer or employee in terms of regulation G6 shall be reduced by one thirty-sixth in respect of each month in which such excess occurs, which reduction shall be made from the provision of the cycle in which the excess occurs or, if the available sick leave for the relative cycle has already been used, from the provision of the next succeeding cycle.

G18. (2) Vakansieverlof wat kragtens subregulasie (1) aanwas gedurende 'n tydperk van vakansieverlof sonder betaling of siekteverlof sonder betaling, mag nie aan 'n beampte of werknemer toegestaan word voordat hy, na sy afwesigheid met vakansie- of siekteverlof sonder betaling, weer sy dienste hervat het nie en dan slegs ten opsigte van afwesighede na sodanige hervatting van diens.

G18. (3) Vakansieverlof sonder betaling en siekteverlof sonder betaling tel as diens vir die vasstelling van die indeling van 'n beampte of werknemer by 'n verlofgroep kragtens regulasie G6.

Verlof tel vir salarisverhogingsdoeleindes

G19. Alle verlof, van watter aard ook al, hetsy met of sonder betaling, tel vir salarisverhogingsdoeleindes, tensy die Raad anders gelas.

Verval van toegestane verlof by beëindiging van diens

G20. (1) Sodra 'n beampte of werknemer kennis gee van bedanking, verval enige verlof met betaling wat op daardie tydperk reeds toegestaan is vir 'n tydperk of tydperke vanaf of na die datum van sodanige kennisgewing, of indien die kennisgewing nie gedateer is nie, vanaf of na die datum van ontvangs daarvan deur die hoof van die kantoor, en word alle tydperke van afwesigheid van diens op of na genoemde datum geag vakansieverlof sonder betaling te wees: Met dien verstande dat die bepalinge van hierdie subregulasie—

(a) van toepassing is slegs ten opsigte van tydperke van afwesigheid gedurende die laaste 30 dae van 'n beampte of werknemer se diens; en

(b) nie van toepassing is nie op—

(i) siekteverlof;

(ii) spesiale verlof wat kragtens regulasie G14 (1)

(b) of (c) toegestaan word;

(iii) vakansieverlof wat kragtens regulasie G11 (7) toegestaan word; en

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

G20. (2) (a) As 'n beampte of werknemer se dienste om enige ander rede as dié in subregulasie (1) genoem, eindig, verval enige afwesigheidsverlof wat op daardie tydperk reeds aan hom toegestaan is vir 'n tydperk of tydperke na die datum van sy diensbeëindiging.

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

Verval van opgelope verlof by beëindiging van diens

G21. (1) As—

(a) 'n beampte aftree uit 'n pos of 'n permanente betrekking neerlê of as sy permanente aanstelling beëindig word om watter rede ook al; of

(b) 'n werknemer 'n tydelike betrekking neerlê of as sy tydelike aanstelling beëindig word om watter rede ook al, uitgesonderd 'n werknemer wat sonder onderbreking van diens in 'n permanente hoedanigheid aangestel word;

verval enige opgelope verlof wat tot sy krediet is op die datum waarop sy dienste eindig, behoudens die bepalinge van regulasie G2 (3).

G18. (2) Vacation leave which, in terms of subregulation (1), accrues during a period of vacation leave without pay or sick leave without pay shall not be granted to an officer or employee until he has resumed his duties after his absence on vacation or sick leave without pay, and then only in respect of absences after such resumption of duty.

G18. (3) Vacation leave without pay and sick leave without pay shall count as service for the purpose of determining an officer's or employee's leave group under regulation G6.

Leave to count for the purpose of salary increments

G19. All leave, of whatever nature, whether with or without pay, shall count for the purpose of salary increments, unless the Board directs otherwise.

Lapse of granted leave on termination of service

G20. (1) Immediately an officer or employee gives notice of resignation any leave with pay which at the time may already have been granted for a period or periods as from or after the date of such notice, or if the notice is undated, as from or after the date the notification is received by the head of the office, shall lapse and any absences from duty on or after the date referred to shall be regarded as vacation leave without pay: Provided that the provisions of this subregulation shall—

(a) apply only in respect of absences during an officer's or employee's last 30 days of service; and

(b) not apply to—

(i) sick leave;

(ii) special leave granted in terms of regulation G14 (1) (b) or (c);

(iii) vacation leave granted in terms of regulation G11 (7); and

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

G20. (2) (a) If an officer's or employee's services terminate for any reason other than that mentioned in subregulation (1), any leave of absence which at that time may already have been granted to him for a period or periods after the date of termination of his services shall lapse.

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

Lapse of accumulated leave on termination of service

G21. (1) If—

(a) an officer retires from a post or relinquishes a permanent appointment or if his permanent appointment is terminated for any reason whatsoever; or

(b) an employee relinquishes a temporary appointment or if his temporary appointment is terminated for any reason whatsoever, excluding an employee appointed in a permanent capacity without a break in service;

any accumulated leave standing to his credit on the date on which his services terminate shall lapse, subject to the provisions of regulation G2 (3).

G21. (2) As 'n persoon—

(a) in subregulasie (1) (a) genoem, met of sonder onderbreking van diens in 'n permanente of tydelike hoedanigheid heraan gestel word; of

(b) in subregulasie (1) (b) genoem—

(i) met of sonder onderbreking van diens in 'n tydelike hoedanigheid heraan gestel word; of

(ii) met onderbreking van diens in 'n permanente hoedanigheid heraan gestel word;

word sodanige heraanstelling vir alle doeleindes van hierdie regulasies as 'n nuwe aanstelling beskou, tel sy vorige diens nie as diens vir verlofdoeleindes nie en word opgelope verlof wat ingevolge subregulasie (1) verval het, nie weer tot sy krediet geplaas nie.

Buitengewone gevalle

G22. As daar omstandighede ontstaan wat 'n afwyking van die bepalinge van hierdie Deel regverdig, kan die departementshoof aan 'n beampde of werknemer of klasse beamptes of werknemers verlof toestaan op dié voorwaardes wat die Raad aanbeveel. Die Raad kan ook na sy goedgekeurde spesiale verlofvoorregte vir 'n beampde of werknemer of klasse beamptes of werknemers voorskryf, asook aanbevelings doen in verband met verlofaangeleenthede wat nie deur hierdie regulasies gedek word nie of wat 'n afwyking van die bepalinge van hierdie regulasies meebring.

DEEL H

VERBLYF-, KAMP- EN SPESIALE TOELAES

Daaglikse tariewe van verblyftoelae

H1. (1) Behoudens die bepalinge van regulasie H2 en uitgesonderd waar ander spesiale voorsiening in hierdie Deel gemaak word, of tensy herberg- of verblyftoelae van die KwaNdebele-gebiedsowerheid op 'n ander manier verskaf of betaal word, of waar 'n beampde of werknemer tydens sy afwesigheid van sy hoofkwartier by sy huis tuisgaan, kan die departementshoof aan 'n beampde of werknemer wat vir 'n tydperk van 24 uur of langer, insluitende die reistyd, noodsaaklikerwys in amptelike diens van sy hoofkwartier afwesig is in die gebied van die KwaNdebele-gebiedsowerheid of in die Republiek, verblyftoelae betaal teen die tariewe wat deur die Raad aanbeveel is.

H1. (2) Uitgesonderd waar ander spesiale voorsiening in hierdie Deel gemaak word, of tensy 'n herberg- of verblyftoelae van die KwaNdebele-gebiedsowerheid op 'n ander manier verskaf of betaal word, kan die departementshoof aan 'n beampde of werknemer wat vir 'n tydperk van minder as 24 uur in die Republiek of die gebied van die KwaNdebele-gebiedsowerheid van sy gewone werkplek en sy tuiste in amptelike diens afwesig is, redelike werklike uitgawes terugbetaal wat hy noodsaaklikerwys aan herberg aangegaan het.

Maksimum tydperk ten opsigte waarvan verblyftoelae betaalbaar is en uurlikse tariewe

H2. (1) Uitgesonderd waar in hierdie Deel ander spesiale voorsiening gemaak word, kan die verblyftoelae in regulasie H1 genoem, aan 'n beampde of werknemer betaal word gedurende tydperke van afwesigheid van sy hoofkwartier vir 'n aaneenlopende tydperk van hoogstens ses kalendermaande in dieselfde dorp of plek. Die tydsduur van 'n beampde of werknemer se reis na

G21. (2) If a person referred to in—

(a) subregulation (1) (a) is reappointed, with or without a break in service, in a permanent or temporary capacity; or

(b) subregulation (1) (b)—

(i) is reappointed, with or without a break in service, in a temporary capacity; or

(ii) is reappointed, with a break in service, in a permanent capacity;

such reappointment shall be regarded as a new appointment for all purposes of these regulations, his previous service shall not count as service for leave purposes, and accumulated leave which has lapsed in terms of subregulation (1) shall not be placed to his credit again.

Exceptional cases

G22. In the event of circumstances arising which justify a departure from the provisions of this Part, the head of department may grant leave to an officer or employee or classes of officers or employees on such conditions as the Board may recommend. The Board may also, at its discretion, prescribe special leave privileges for an officer or employee or classes of officers or employees and make recommendations in connection with leave matters which are not covered by these regulations or which result in a departure from the provisions of these regulations.

PART H

SUBSISTENCE, CAMPING AND SPECIAL ALLOWANCES

Daily rates of subsistence allowance

H1. (1) Subject to the provisions of regulation H2 and save where other special provision is made in this Part, or unless accommodation or a subsistence allowance is otherwise provided or paid by the KwaNdebele Territorial Authority or where an officer or employee during his absence from his headquarters stays at his home, the head of the department may pay to an officer or employee who is necessarily absent from his headquarters for a period of 24 hours or longer on official duty in the area of the KwaNdebele Territorial Authority or the Republic, including the travelling time, subsistence allowances at the rates recommended by the Board.

H1. (2) Save where other special provision is made in this part or unless an accommodation or subsistence allowance is otherwise provided or paid by the KwaNdebele Territorial Authority, the head of the department may reimburse an officer or employee who is absent from his normal place of work and his home for a period of less than 24 hours, on official duty in the area of the KwaNdebele Territorial Authority or the Republic, the reasonable actual expenditure necessarily incurred by him for accommodation.

Maximum period in respect of which subsistence allowance is payable and hourly rates

H2. (1) Save where other special provision is made in this Part, the subsistence allowances mentioned in regulation H1 may be paid to an officer or employee during periods of absence from his headquarters for a continuous period not exceeding six calendar months in the same town or place. The time occupied by an

en van sy bestemming word nie by die berekening van die tydperk van ses kalendermaande in aanmerking geneem nie en vir die doeleindes van hierdie subregulasie word die aaneenlopendheid van 'n tydperk van verblyf in dieselfde dorp of plek nie geag deur 'n afwesigheid, om watter rede ook al, van minder as een kalendermaand onderbreek te word nie.

H2. (2) Vir elke volle uur meer as 24 uur, of meer as 'n veelvoud van 24 uur, kan die departementshoof aan 'n beamppte of werknemer die verblyftoelae in subregulasie H1 (1) genoem, betaal teen tariewe deur die Raad aanbeveel of die verblyf-, kamp- of spesiale toelae betaal wat in of kragtens die bepalings van hierdie Deel voorgeskryf is, uitgesonderd die verblyftoelae in regulasie H1 (1) genoem, teen een vier-en-twintigste van die daaglikse tarief van sodanige toelae.

Minimum kampuitrusting en kamptolae

H3. (1) 'n Beamppte of werknemer wat uit hoofde van die aard van sy pligte en/of die omstandighede waaronder dit verrig word, verplig is om te kampeer, moet voorsien word van die minimum kampuitrusting wat deur die Sekretaris van Samewerking en Ontwikkeling op aanbeveling van die Raad voorgeskryf is.

H3. (2) 'n Kamptolae, in plaas van 'n verblyftoelae, is aan 'n beamppte of werknemer betaalbaar teen tariewe aanbeveel deur die Raad vir die tydperk wat hy in 'n kamp woon.

Verblyf by 'n staatsinrigting of 'n inrigting van die KwaNdebele-gebiedsoowerheid

H4. (1) As 'n beamppte of werknemer gedurende 'n tydperk van afwesigheid van sy hoofkwartier in amptelike diens by 'n inrigting van die KwaNdebele-gebiedsoowerheid of die Regering van die Republiek tuisgaan, mag 'n verblyftoelae nie ten opsigte van die tydsduur van sy verblyf aldaar aan hom betaal word nie, maar in plaas daarvan kan die departementshoof—

(a) die gelde wat normaalweg ten opsigte van besoekers deur die inrigting vir herberg gehef word—

(i) aan die beamppte of werknemer terugbetaal indien hy sodanige gelde betaal het; of

(ii) aan die inrigting die gelde in subparagraaf (i) bedoel, betaal indien die beamppte of werknemer sodanige gelde nie betaal het nie; en

(b) aan die beamppte of werknemer 'n spesiale toelae teen 'n tarief aanbeveel deur die Raad, betaal om bykomstige uitgawes te dek: Met dien verstande dat, indien herberg gedeeltelik deur 'n private persoon of 'n personeellid van die inrigting verskaf word, die gelde wat deur die gasheer gehef word, ook deur die departementshoof aan die beamppte of werknemer terugbetaal kan word.

H4. (2) Die bepalings van subregulasie (1)—

(a) is nie van toepassing nie op 'n beamppte of werknemer wat—

(i) by 'n inrigting van die KwaNdebele-gebiedsoowerheid of die Regering van die Republiek tuisgaan, maar vir 'n korter tydperk as 24 uur van sy hoofkwartier afwesig is; of

(ii) 'n inrigting van die KwaNdebele-gebiedsoowerheid of die Regering van die Republiek besoek maar nie geherberg word nie of slegs gedeeltelik geherberg word deur die inrigting, in welke geval die bepalings van regulasie H1 van toepassing is; maar

officer's or employee's journey to and from his destination shall be disregarded for the purpose of the calculation of the period of six calendar months and, for the purpose of this subregulation, the continuity of any period of sojourn at the same town or place shall not be regarded as having been interrupted by an absence, for any reason whatsoever, of less than one calendar month.

H2. (2) In respect of every full hour in excess of 24 hours, or in excess of a multiple of 24 hours, the head of the department may pay to an officer or employee the subsistence allowance mentioned in subregulation H1 (1) at the rates recommended by the Board, or the subsistence, camping or special allowance prescribed in or in terms of the provisions of this Part, excluding the subsistence allowance mentioned in regulation H1 (1), at the rate of one twenty-fourth of the daily rate of such allowance.

Minimum camping equipment and camping allowance

H3. (1) An officer or employee who is required to camp on account of the nature of his duties and/or the circumstances under which his duties are performed shall be provided with the minimum camping equipment as prescribed by the Secretary for Co-operation and Development on the recommendation of the Board.

H3. (2) A camping allowance, in lieu of a subsistence allowance, shall be payable to an officer or employee at the rates recommended by the Board for the period during which he stays in camp.

Sojourn at a State institution or an institution of the KwaNdebele Territorial Authority

H4. (1) If an officer or employee stays at an institution of the KwaNdebele Territorial Authority or the Government of the Republic during a period of absence from his headquarters on official duty, a subsistence allowance shall not be paid to him in respect of the period of such sojourn; in lieu thereof the head of the department may—

(a) (i) refund the charges normally levied by the institution for accommodation in respect of visitors to the officer or employee if he paid such charges; or

(ii) pay the charges referred to in subparagraph (i) to the institution if the officer or employee did not pay such charges; and

(b) pay the officer or employee a special allowance at a rate recommended by the Board to cover incidental expenses:

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

H4. (2) The provisions of subregulation (1)—

(a) shall not apply to an officer or employee who—

(i) stays at an institution of the KwaNdebele Territorial Authority or the Government of the Republic but is absent from his headquarters for a period of less than 24 hours; or

(ii) visits an institution of the KwaNdebele Territorial Authority or the Government of the Republic but is not accommodated or is only partly accommodated by the institution, in which case the provisions of regulation H1 shall apply; but

(b) is van toepassing op 'n beampte of werknemer wat 'n inrigting van die KwaNdebele-gebiedsowerheid of die Regering van die Republiek besoek en—

(i) aan wie gedeeltelik herberg deur die inrigting en alle oorblywende items van herberg, soos in Deel F van hierdie hoofstuk omskryf, deur 'n private persoon by, of 'n personeellid van, die inrigting verskaf word; of

(ii) hoewel die inrigting ingerig is om alle items van herberg, soos in Deel F omskryf, te verskaf, uit eie keuse nie van alle sodanige items gebruik maak nie.

Ontoereikende verblyftoelae

H5. As die verblyf- of spesiale toelae wat deur die Raad aanbeveel is, ontoereikend is om die uitgawes te dek wat 'n beampte of werknemer benewens sy normale bestaansuitgawes moet aangaan wanneer hy in amptelike diens van sy hoofkwartier afwesig is, kan die departementshoof die verskil tussen die bedrag wat aan verblyf- of spesiale toelae betaalbaar is ten opsigte van die hele aaneenlopende tydperk van sodanige beampte of werknemer se afwesigheid van sy hoofkwartier en die redelike uitgawes wat hy werklik en noodsaaklikerwys aan herberg ten opsigte van sodanige tydperk aangegaan het, aan hom terugbetaal, op voorwaarde dat—

(a) die departementshoof oortuig is dat die herberg waarvan die beampte of werknemer gebruik gemaak het, by sy amptelike status pas;

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

(c) items wat nie deur die omskrywing van "herberg" in Deel F gedek word nie, uitgesluit word by die berekening van die bedrag wat terugbetaal kan word; en

(d) bedrae wat toegelaat word ten opsigte van die huur van beddegoed op 'n trein, beperk word tot die koste van 'n beddegoedkaartjie wat by kaartjies- en plekbeprekkingskantore verkrygbaar is—die koste van luukse beddegoed en 'n spesiale matras is nie toelaatbaar nie;

Met dien verstande dat die bepalings van hierdie subregulasie nie op kamp- of vaste verblyftoelaes van toepassing is nie.

Betaling van verblyf- en kamptoeleae gedurende tydperke van verlof

H6. (1) Behoudens die bepalings van subregulasie (2) mag die verblyf-, kamp- of spesiale toelae wat kragtens die bepalings van hierdie hoofstuk betaal kan word, nie gedurende 'n tydperk van verlof aan 'n beampte of werknemer betaal word nie, tensy die Sekretaris van Samewerking en Ontwikkeling sodanige betaling op aanbeveling van die Raad goedkeur.

H6. (2) Ondanks die bepalings van subregulasie (1) kan—

(a) die verblyf-, kamp- of spesiale toelae in subregulasie (1) genoem, aan 'n beampte of werknemer betaal word ten opsigte van 'n tydperk van siekteverlof, insluitende spesiale siekteverlof wat kragtens regulasie G13 toegestaan is: Met dien verstande dat—

(i) die beampte of werknemer nie na sy hoofkwartier terugkeer nie en werklik en noodsaaklikerwys herberguitgawes ten opsigte van homself gedurende sy tydperk van siekte aangaan; en

(ii) uitgawes aan hospitalisasie nie as herberguitgawes beskou word nie; en

(b) shall apply to an officer or employee who visits an institution of the KwaNdebele Territorial Authority or the Government of the Republic and—

(i) is provided with partial accommodation by the institution and all remaining items of accommodation as defined in Part F of this Chapter by a private person at, or member of the staff of, the institution; or

(ii) while the institution is equipped to provide all items of accommodation as defined in Part F, of his own free will does not make use of all such items.

Inadequate subsistence allowance

H5. If the subsistence or special allowance recommended by the Board is insufficient to cover the expenses which an officer or employee incurs over and above his normal living expenses when he is absent from his headquarters on official duty, the head of the department may refund to the officer or employee the difference between the amount payable as a subsistence or special allowance in respect of the whole continuous period of such officer's or employee's absence from his headquarters and the reasonable expenses actually and necessarily incurred by him on accommodation in respect of such period, on condition that—

(a) the head of the department is satisfied that the accommodation of which the officer or employee availed himself is commensurate with his official status;

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

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

(d) amounts allowed in respect of the hire of bedding on a train are limited to the cost of a bedding ticket obtainable at ticket and reservation offices—the cost of luxury bedding and a special mattress shall not be allowed: Provided that the provisions of this subregulation shall not apply to camping allowances or commuted subsistence allowances.

Payment of subsistence and camping allowance during periods of leave

H6. (1) Subject to the provisions of subregulation (2), the subsistence, camping or special allowance payable in terms of the provisions of this Chapter shall not be paid to an officer or employee during a period of leave, unless the Secretary for Co-operation and Development approves such payment on the recommendation of the Board.

H6. (2) Notwithstanding the provisions of subregulation (1)—

(a) the subsistence, camping or special allowance mentioned in subregulation (1) may be paid to an officer or employee in respect of a period of sick leave, including special sick leave granted in terms of regulation G13: Provided that—

(i) the officer or employee does not return to his headquarters and actually and necessarily incurs expenditure on accommodation for himself during the period of his illness; and

(ii) expenses in respect of hospitalisation shall not be regarded as expenditure on accommodation; and

(b) die vaste verblyftoelae in regulasie H8 genoem, betaal word ten opsigte van altesaam hoogstens 12 dae verlof, uitgesonderd siekteverlof, gedurende 'n jaar eindigende op 31 Desember.

Betaling van verblyftoelae by aanstelling

H7. Verblyftoelae word nie aan 'n persoon by sy eerste aanstelling in die owerheidsdiens ten opsigte van sy reis na die plek waar hy diens moet aanvaar, betaal nie.

Vaste verblyftoelae

H8. Ondanks andersluidende bepalings van hierdie Deel kan die Sekretaris van Samewerking en Ontwikkeling op aanbeveling van die Raad goedkeur dat die departementshoof 'n vaste verblyftoelae aan 'n beampte of werknemer betaal.

Vorm vir die indiening van eise

H9. Aansoeke om die betaling van die verblyf-, kamp- of spesiale toelae wat in of kragtens die bepalings van hierdie Deel voorgeskryf is, uitgesonderd vaste verblyftoelae, moet gedoen word op 'n vorm wesenlik uiteengesit soos die vorm in die Tweede Aanhangel van hierdie regulasies.

Buitengewone gevalle

H10. As daar omstandighede ontstaan wat 'n afwyking van die bepalings van hierdie deel regverdig, kan die departementshoof aan 'n beampte of werknemer of klasse beamptes of werknemers sodanige verblyf-, kamp- of spesiale toelae betaal as wat die Sekretaris van Samewerking en Ontwikkeling op aanbeveling van die Raad goedkeur.

DEEL J

AMPTELIKE REISE EN VERVOER

Besuiniging en beheer

J1. (1) Alle amptelike reise moet deur die departementshoof goedgekeur word volgens die prosedure deur die Raad aanbeveel.

J1. (2) (a) 'n Beampte of werknemer moet met die ekonomiesste middele, met so min versuim as wat omstandighede toelaat en, behoudens die bepalings van regulasie J3, langs die kortste roete reis.

(b) Die rede vir die nie-nakoming van die bepalings van paragraaf (a) moet skriftelik deur die beampte of werknemer verstrekk word en die verduideliking moet geheg word aan die vorm in regulasie J9 genoem.

(c) Indien 'n beampte of werknemer op 'n wyse gereis het wat groter vervoeruitgawes meegebring het as wat nodig was, moet die departementshoof die bedrag wat ter vereffening van sy reiskoste aan hom betaal kan word, beperk tot wat dit sou gekos het as hy die bepalings van paragraaf (a) nagekom het; as die beampte of werknemer aldus met 'n order van die KwaNdebele-gebiedsowerheid of met vervoer van die KwaNdebele-gebiedsowerheid gereis het, moet hy die uitgawes wat onnodig aangegaan is, terugbetaal en moet elke werkdag waarmee die normale reistyd oorskry word, deur afwesigheidsverlof kragtens Deel G gedek word.

Vervoeruitgawes

J2. Behoudens die bepalings van hierdie Deel kan die departementshoof aan 'n beampte of werknemer van wie dit vereis word dat hy in amptelike diens moet reis, die onkoste verbonde aan die vervoer van hom en sy noodsaaklike persoonlike bagasie, asook redelike uitgawes wat in verband met huurmotors (as vervoer

(b) the commuted subsistence allowance mentioned in regulation H8 may be paid in respect of leave not exceeding 12 days in the aggregate, excluding sick leave, during a year ending 31 December.

Payment of subsistence allowance on appointment

H7. A subsistence allowance shall not be paid to a person on his first appointment in the authority service in respect of his journey to the place where he is required to assume duty.

Commuted subsistence allowance

H8. Notwithstanding anything to the contrary contained in this Part, the Secretary for Co-operation and Development may, on the recommendation of the Board, grant approval for the head of the department to pay a commuted subsistence allowance to an officer or employee.

Form for the submission of claims

H9. Applications for the payment of the subsistence, camping or special allowance prescribed in, or in terms of the provisions of, this Part, excluding a commuted subsistence allowance, shall be made in a form substantially in the form set out in the Second Annexure to these regulations.

Exceptional cases

H10. If circumstances arise which justify a departure from the provisions of this Part, the head of department may pay to an officer or employee or classes of officers or employees such subsistence, camping or special allowances as the Secretary for Co-operation and Development may approve on the recommendation of the Board.

PART J

OFFICIAL TRAVELLING AND TRANSPORT

Economy and control

J1. (1) All official journeys shall be approved by the head of department, in accordance with the procedure recommended by the Board.

J1. (2) (a) An officer or employee shall travel by the most economical means, as expeditiously as circumstances permit and, subject to the provisions of regulation J3, by the shortest route.

(b) The reason for the non-observance of the provisions of paragraph (a) shall be furnished by the officer or employee in writing, and the explanation shall be attached to the form referred to in regulation J9.

(c) If an officer or employee has travelled in a manner involving greater expenditure on transport than was necessary, the head of department shall limit the amount payable to him in reimbursement of his travelling costs to what it would have cost had he observed the requirements of paragraph (a); if the officer or employee has so travelled on a warrant of the KwaNdebele Territorial Authority or by means of transport owned by the KwaNdebele Territorial Authority, he shall refund the expenditure unnecessarily incurred, and each working day by which the normal travelling time has been exceeded shall be covered by leave of absence in terms of Part G.

Transport expenses

J2. Subject to the provisions of this Part, the head of department may reimburse an officer or employee who is required to travel on official duty for the cost of conveying himself and his necessary personal luggage.

van die KwaNdebele-gebiedsowerheid of kontrakvervoer nie beskikbaar is nie), kruiersloon en ander bykomende dienste aangegaan is, terugbetaal.

Vervoermiddels wat gebruik moet word

J3. (1) 'n Beampte of werknemer wat in die Republiek of in die gebied van die KwaNdebele-gebiedsowerheid in amptelike diens moet reis, moet sy reis per trein of spoorwegbus aflê. Indien die reis nie per trein of spoorwegbus afgelê kan word nie, moet die beampte of werknemer met die goedkoopste beskikbare openbare vervoermiddel reis.

J3. (2) Indien 'n beampte of werknemer in amptelike diens moet reis en openbare vervoer nie beskikbaar is nie of die gebruik daarvan ondoenlik is, moet hy die vervoermiddel gebruik wat deur die Raad aanbeveel word.

J3. (3) In 'n buitengewone geval kan die departementshoof 'n beampte of werknemer magtig om 'n amptelike reis met private vervoer af te lê as die departementshoof oortuig is dat die openbare belang beter daardeur bevorder sal word, ongeag of dit moontlik is om die reis met vervoer van die KwaNdebele-gebiedsowerheid of openbare of kontrakvervoer af te lê: Met dien verstande dat waar dikwels en gereeld gereis moet word, 'n aanbeveling vooraf van die Raad verkry moet word.

J3. (4) Ondanks andersluidende bepalings in hierdie regulasie kan 'n beampte of werknemer, na eie goeddunke, sy private motorvervoer gebruik om 'n amptelike reis af te lê: Met dien verstande dat hy met sodanige motorvervoer op sy eie risiko reis vir sover hierdie bepaling nie strydig met die bepalings van die Ongevalwet, 1941 (Wet 30 van 1941), soos gewysig, of enige ander wetsbepalings is nie.

Klas waarin per trein gereis moet word

J4. 'n Beampte of werknemer wat in amptelike diens per trein moet reis, kan in die klas reis wat deur die Raad aanbeveel word.

Gebiedsowerheidsvervoer

J5. (1) As 'n departementshoof oortuig is dat dit in die belang van die KwaNdebele-gebiedsowerheid is, kan hy van 'n beampte of werknemer wie se dienste dit noodsaak dat hy dikwels of gereeld reis, vereis dat hy van sodanige motorvervoer van die KwaNdebele-gebiedsowerheid as wat vir die doeltreffende verrigting van sy pligte nodig geag word, gebruik moet maak.

J5. (2) 'n Beampte of werknemer van wie daar kragtens die bepalings van subregulasie (1) vereis word dat hy van motorvervoer van die KwaNdebele-gebiedsowerheid gebruik moet maak, is nie daarop geregtig om op koste van die KwaNdebele-gebiedsowerheid van 'n motorbestuurder voorsien te word nie.

J5. (3) As 'n beampte of werknemer van wie daar kragtens subregulasie (1) vereis word dat hy 'n motorvoertuig van die KwaNdebele-gebiedsowerheid moet bestuur, nie 'n gepaste rybewys besit nie, kan die departementshoof hom op koste van die KwaNdebele-gebiedsowerheid van die nodige onderrig voorsien en alle eksamen- of rybewysgelde, die koste van foto's wat aan die rybewys geheg moet word, en die gelde vir enige vereiste geneeskundige ondersoek, uit gelde van die KwaNdebele-gebiedsowerheid betaal.

Toelaes vir die gebruik van private vervoer

J6. Die departementshoof kan aan 'n beampte of werknemer wat private vervoer kragtens die bepalings van regulasie J3 (3) of (4) gebruik om 'n amptelike

gag, as well as reasonable expenditure incurred in connection with taxi hire (if transport owned by the KwaNdebele Territorial Authority or contract transport is not available), portage fees and other incidental services.

Means of transport to be used

J3. (1) An officer or employee who is required to travel on official duty in the area of the KwaNdebele Territorial Authority or the Republic shall perform his journey by train or railway bus. If the journey cannot be performed by train or railway bus, the officer or employee shall travel by the cheapest public transport available.

J3. (2) If an officer or employee is required to travel on official duty and public transport is not available or its use is impracticable, he shall use the means of transport recommended by the Board.

J3. (3) In an exceptional case a head of department may authorise an officer or employee to perform an official journey by means of privately owned transport if the head of department is satisfied that the public interest will be better served, whether or not it is possible to perform the journey by means of transport owned by the KwaNdebele Territorial Authority or public or contract transport: Provided that in the case of frequent or regular travelling the prior recommendation of the Board shall be obtained.

J3. (4) Notwithstanding anything to the contrary contained in this regulation an officer or employee may, at his own discretion, use his privately owned motor transport to perform an official journey: Provided that he shall travel by such motor transport at his own risk in so far as this stipulation is not contrary to the provisions of the Workmen's Compensation Act, 1941 (Act 30 of 1941), as amended, or any other law.

Class of travel by train

J4. An officer or employee who is required to travel on official duty by train may travel in the class recommended by the Board.

Territorial authority transport

J5. (1) If a head of department is satisfied that the interests of the KwaNdebele Territorial Authority will be best served thereby, he may require an officer or employee whose duties necessitate frequent or regular travelling to utilise such motor transport owned by the KwaNdebele Territorial Authority as may be deemed necessary for the efficient performance of his duties.

J5. (2) An officer or employee who is required in terms of subregulation (1) to utilise motor transport owned by the KwaNdebele Territorial Authority shall not be entitled to be provided with a driver at the expense of the KwaNdebele Territorial Authority.

J5. (3) If an officer or employee who is required in terms of subregulation (1) to operate motor transport owned by the KwaNdebele Territorial Authority is not in possession of an appropriate driver's licence, the head of department may provide him with the necessary tuition at the expense of the KwaNdebele Territorial Authority and may pay from funds of the KwaNdebele Territorial Authority all examination and driver's licence fees, the cost of photographs which must be affixed to the licence and the fee for any medical examination required.

Allowances for the use of privately owned transport

J6. The head of department may pay to an officer or employee who, in terms of the provisions of regulation J3 (3) or (4), uses privately owned transport for the

reis af te lê, sodanige toelaes betaal as wat op aanbeveling van die Raad deur die Sekretaris van Samewerking en Ontwikkeling voorgeskryf word.

Vergoeding vir die verlies van private dierevervoer

J7. Die departementshoof kan aan 'n beampte of werknemer wat sy private dierevervoer kragtens die bepalings van regulasie J3 (3) in amptelike diens gebruik, vergoed vir die verlies van sodanige vervoer weens die dood daarvan, of as gevolg van siekte of besering wat dit permanent ongeskik maak vir gebruik as vervoermiddel op die grondslag en op die voorwaardes deur die Sekretaris van Samewerking en Ontwikkeling op aanbeveling van die Raad voorgeskryf.

Vervoer van persoonlike benodigdhede na 'n kamp

J8. Die departementshoof kan aan 'n beampte of werknemer van wie daar vir die uitvoering van sy amptelike pligte vereis word dat hy in 'n kamp moet woon, kosteloos vervoer heen en weer tussen die naaste spoorwegstasie of winkel en die kamp toestaan, vir sy persoonlike benodigdhede, insluitende voedselvoorrade, mits die goedkoopste vervoerreëlings getref word.

Vorm vir die indiening van eise

J9. Eise vir die terugbetaling van vervoeruitgawes wat kragtens die bepalings van hierdie Deel betaal kan word, uitgesonderd omgesette vervoertoelaes, moet ingedien word op 'n vorm wesenlik uiteengesit soos die vorm in die Tweede Aanhangel van hierdie regulasies.

Buitengewone gevalle

J10. As daar omstandighede ontstaan wat 'n afwyking van die bepalings van hierdie deel regverdig, kan die Sekretaris van Samewerking en Ontwikkeling amptelike reise op die wyse of met die vervoermiddels of die betaling van die vergoeding, uitgawes of toelaes wat die Raad aanbeveel, goedkeur.

DEEL K

OORPLASINGSKOSTE EN VERVOERVOORREGTE BY EERSTE AANSTELLING, EN BY DIENSBEËINDIGING OF DOOD

Oorplasing van beamptes en werknemers

K1. (1) (a) Behoudens die bepalings van hierdie Deel kan 'n beampte of werknemer oorgeplaas en hy en sy huishouding en persoonlike besittings van die een hoofkwartier na 'n ander vervoer word op koste van die KwaNdebele-gebiedsowerheid; of

(b) as 'n beampte of werknemer op eie versoek oorgeplaas word, mag geen uitgawe in verband daarmee uit fondse van die KwaNdebele-gebiedsowerheid gedek word nie en enige afwesigheid van diens as gevolg van sodanige oorplasing moet deur die toestaan van verlof kragtens Deel G gedek word: Met dien verstande dat die bepalings van hierdie paragraaf nie op 'n beampte of werknemer van toepassing is nie as die departementshoof oortuig is dat sodanige oorplasing—

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

(ii) noodsaaklik is in die belang van die gesondheid van die beampte of werknemer of van sy vrou of kind, insluitende 'n aangenome kind, in welk geval die departementshoof, na sy goeddunke, kan vereis dat 'n stawende geneeskundige sertifikaat ingedien word.

performance of an official journey such allowances as may be prescribed by the Secretary for Co-operation and Development, on the recommendation of the Board.

Compensation for the loss of private animal transport

J7. The head of department may pay compensation to an officer or employee who uses his privately owned animal transport on official duty in terms of the provisions of regulation J (3) (3) for the loss of such transport through death or through any disease or injury which renders it permanently unfit as a means of conveyance, on the basis and conditions prescribed by the Secretary for Co-operation and Development on the recommendation of the Board.

Conveyance of personal requirements to a camp

J8. The head of department may grant an officer or employee who, for the purpose of carrying out his official duties, is required to live in a camp, free conveyance between the nearest railway station or trading store and the camp for his personal requirements, including provisions, provided the most economical transport arrangements are made.

Form for the submission of claims

J9. Claims for the reimbursement of transport expenses which may be paid in terms of the provisions of this part, excluding a commuted transport allowance, shall be made substantially in the form set out in the Second Annexure to these regulations.

Exceptional cases

J10. If circumstances arise which justify a departure from the provisions of this Part, the Secretary for Co-operation and Development may approve official travelling by such manner or means, or the payment of such compensation, expenses or allowances as the Board may recommend.

PART K

TRANSFER EXPENSES AND TRANSPORT PRIVILEGES ON FIRST APPOINTMENT, AND ON TERMINATION OR SERVICE OR DEATH

Transfer of officers and employees

K1. (1) (a) Subject to the provisions of this Part, an officer or employee may be transferred and he and his household and personal effects moved at the expense of the KwaNdebele Territorial Authority from one headquarters to another; or

(b) If an officer or employee is transferred at his own request no expenditure in connection therewith shall be met from funds of the KwaNdebele Territorial Authority, and any absence from duty as a result of such transfer shall be covered by the granting of leave in terms of Part G: Provided that the provisions of this paragraph shall not apply to an officer or employee if the head of department is satisfied that such transfer—

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

(ii) is necessary in the interest of the officer's or employee's health or that of his wife or child, including an adopted child, in which case the head of department may, at his discretion, require the submission of a corroboratory medical certificate.

K1. (2) As 'n beampte of werknemer kragtens die bepalings van subregulasie (1) (a) oorgeplaas word, word geag dat hy in amptelike diens reis en kan aan hom—

(a) die voorregte voorgeskryf in hierdie Deel en in Deel J toegestaan word: Met dien verstande dat lede van sodanige beampte of werknemer se huishouding geag word amptelike passasiers te wees vir die doeleindes van regulasie J6;

(b) verblyftoelae kragtens die bepalings van Deel H betaal word.

K1. (3) Onderstaande voorwaardes is van toepassing op die vervoer van die een hoofkwartier na 'n ander van die huishouding en persoonlike besittings van 'n beampte of werknemer wat kragtens die bepalings van subregulasie (1) (a) oorgeplaas word:

(a) Die departementshoof kan aan die beampte of werknemer 'n verblyftoelae betaal teen die volle tarief wat op hom van toepassing is, ten opsigte van elke lid van sy huishouding wat 10 jaar oud of ouer is, en teen die helfte van sodanige tarief ten opsigte van elke ander lid, vir enige tydperk wat die reis van die een hoofkwartier na 'n ander noodsaaklikerwys in beslag neem.

(b) 'n Lid van die huishouding kan in dieselfde spoorwegklas reis as dié waarin die beampte of werknemer reis.

(c) (i) Oorgewigbagasie wat nie die gewig oorskry wat deur die Raad aanbeveel is nie, kan per passasierstrein vervoer word.

(ii) Persoonlike besittings wat nie die gewig oorskry wat deur die Raad aanbeveel is nie, kan vervoer word met 'n goederetrein of die padmotordiens van die Suid-Afrikaanse Spoorweë of 'n ander openbare vervoermiddel of met vervoer van die KwaNdebele-gebiedsowerheid, van die een hoofkwartier na 'n ander en van die woning na die spoorwegstasie, en omgekeerd, en na en van 'n pakhuis, indien opberging van die persoonlike besittings kragtens die bepalings van paragraaf (e) gemagtig is: Met dien verstande dat as vervoer met een van gemelde vervoermiddels nie moontlik of doenlik is nie, of duurder is, die departementshoof na goeddunke kan goedkeur dat 'n ander vervoermiddel gebruik word. Die voorgeskrewe gewig sluit die gewig van voertuie in maar nie die gewig van 'n dier wat vir amptelike doeleindes aangehou word nie; so 'n dier kan op koste van die KwaNdebele-gebiedsowerheid vervoer word, benewens die voorsiening wat vir persoonlike besittings gemaak word.

(d) Die verpakkingskoste (insluitende die koste van verpakkingsmateriaal) en uitpakkoste van persoonlike besittings binne die voorgeskrewe gewigsbeperking kan uit fondse van die KwaNdebele-gebiedsowerheid bestry word.

(e) In 'n uitsonderlike geval kan die departementshoof goedkeur dat 'n beampte of werknemer se persoonlike besittings binne die voorgeskrewe gewigsbeperking vir 'n tydperk van hoogstens ses kalendermaande by of sy ou of sy nuwe hoofkwartier op koste van die KwaNdebele-gebiedsowerheid opgeberg word.

(f) Behoudens sodanige beperkings en voorwaardes as wat deur die Sekretaris van Samewerking en Ontwikkeling op aanbeveling van die Raad goedgekeur word, kan die volgende uitgawes uit fondse van die KwaNdebele-gebiedsowerheid bestry word:

(i) Die koste van die herstel of vervanging van persoonlike besittings wat in transito beskadig is;

(ii) die koste van die ontkoppeling en aankoppeling en verandering van elektriese huishoudelike toestelle;

K1. (2) If an officer or employee is transferred in terms of the provisions of subregulation (1) (a), he shall be regarded as travelling on official duty and he may be—

(a) granted the privileges prescribed in this Part and in Part J: Provided that members of such officer's or employee's household may be deemed to be official passengers for the purposes of regulation J6;

(b) paid a subsistence allowance in terms of the provisions of Part H.

K1. (3) The following conditions shall be applicable to the removal from one headquarters to another of the household and personal effects of an officer or employee transferred in terms of the provisions of subregulation (1) (a):

(a) The head of department may pay to the officer or employee a subsistence allowance at the full rate applicable to himself in respect of each member of his household who is 10 years old or older, and at half such rate in respect of each other member, for any period necessarily spent in travelling from one headquarters to another.

(b) A member of the household may travel in the same class on the railways as that in which the officer or employee travels.

(c) (i) Excess luggage not exceeding the weight recommended by the Board may be transported by passenger train.

(ii) Personal effects not exceeding the weight recommended by the Board may be transported by goods train or the road motor service of the South African Railways or other public conveyance or transport owned by the KwaNdebele Territorial Authority from one headquarters to another and from the dwelling to the railway station, and vice versa, and to and from a warehouse if the storage of the personal effects is authorised in terms of the provisions of paragraph (e): Provided that if conveyance by one of the said means of transport is impossible or impracticable or is more expensive the head of department may, at his discretion, approve the use of another means of transport. The prescribed weight includes the weight of vehicles but not the weight of an animal maintained for official purposes; such animal may be transported at the expense of the KwaNdebele Territorial Authority over and above the provision made for personal effects.

(d) The cost of packing (including the cost of packing materials) and unpacking of personal effects within the prescribed weight limit may be met from funds of the KwaNdebele Territorial Authority.

(e) In an exceptional case the head of department may approve the warehousing of an officer's or employee's personal effects, within the prescribed weight limit, at the expense of the KwaNdebele Territorial Authority for a period not exceeding six calendar months at either his old or his new headquarters.

(f) Subject to such limitations and conditions as may be approved by the Secretary for Co-operation and Development on the recommendation of the Board, the following expenses may be met from funds of the KwaNdebele Territorial Authority:

(i) The cost of repairs to or replacement of personal effects damaged in transit;

(ii) the cost of disconnecting and connecting and altering electrical domestic appliances;

(iii) die koste verbonde aan die aankoop van noodsaaklike skoolboeke en skooluniforms vir 'n kind of ander afhanklike lid van die beampte of werknemer se huishouding; en

(iv) uitgawes wat noodsaaklikerwys as gevolg van die beampte of werknemer se oorpasing aangegaan is in verband met die herregistrasie asook die vervanging van nommerplate deur standaardnommerplate ten opsigte van private voertuie wat normaalweg vir persoonlike gebruik aangewend word.

(g) As 'n beampte of werknemer wat 'n huis of woonstel bewoon het wat hy self ten volle of gedeeltelik gemeubileer het by of in die omgewing van die hoofkwartier waarvandaan hy oorgeplaas is, sy persoonlike besittings, insluitende sy meubels, opberg of na 'n huis of woonstel by of in die omgewing van die hoofkwartier waarheen hy oorgeplaas is, verskuif, kan die departementshoof aan hom 'n bedrag, aanbeveel deur die Raad, betaal ten opsigte van waardevermindering van persoonlike besittings en ter dekking van uitgawes wat uit sy oorpasing voortspruit, uitgesonderd dié waarvoor elders in hierdie regulasies voorsiening gemaak word: Met dien verstande dat die departementshoof, na sy goedgesdunke, 'n kleiner bedrag kan betaal indien die omstandighede na sy mening nie die betaling van die bedrag aanbeveel deur die Raad, regverdig nie.

K1. (4) (a) Skriftelike tenders moet verkry word vir die verpakking en uitpak en laai en aflaai van persoonlike besittings, en die laagste tender moet aangeneem word: Met dien verstande dat die departementshoof die aanname van 'n hoër tender kan magtig as hy oortuig is dat daar voldoende redes vir die verwerping van die laagste tender is.

(b) Die vervoer van 'n motorvoertuig op koste van die KwaNdebele-gebiedsowerheid is onderworpe aan die voorwaardes dat—

(i) die KwaNdebele-gebiedsowerheid geen aanspreeklikheid aanvaar vir die verlies van of skade aan die motorvoertuig of motorvoertuie, woonwa of sleepwa tydens die oplaai, vervoer of aflaai daarvan nie; en

(ii) dit per goederetrein vervoer word teen 'n tarief wat deur die Sekretaris van Samewerking en Ontwikkeling op aanbeveling van die Raad goedgekeur is.

K1. (5) Die voorregte voorgeskryf in subregulasies (3) en (4) is van toepassing slegs as die beampte of werknemer sy huishouding en persoonlike besittings binne twee kalendermaande vanaf die datum waarop sy oorpasing van krag word, oorplass, tensy hy toestemming vir die uitstel van die vervoer van sy huishouding of persoonlike besittings verkry het, welke toestemming deur die departementshoof verleen kan word.

Vervoer by eerste aanstelling

K2. (1) Op voorwaardes betreffende vervoermiddels en reisklasse soortgelyk aan dié wat vir beamptes en werknemers in Deel J voorgeskryf is, kan die departementshoof goedkeur dat aan 'n persoon wat in die Republiek of in die gebied van die KwaNdebele-gebiedsowerheid woonagtig is en wat in 'n voorgeskrewe pos aangestel word, kostelose vervoer vir homself toegestaan word vanaf die plek waar hy gewerf is tot by die plek waar hy aangesê is om diens te aanvaar. Vir die doeleindes van hierdie subregulasie sluit vervoer in vervoer met voertuie van die KwaNdebele-gebiedsowerheid of kontrakvervoermiddels by sowel die plek van werwing as die plek van aanstelling, of, as sodanige vervoer nie beskikbaar is nie, vervoer per huurmotor tussen die woning en die op- of afklompunt van die openbare vervoermiddel waarmee die reis onderneem word.

(iii) the cost involved in purchasing essential school books and school uniforms for a child or other dependent member of the officer's or employee's household; and

(iv) expenditure necessarily incurred as a result of the officer's or employee's transfer, in connection with the reregistration as well as the replacement of number plates by standard number plates in respect of privately owned vehicles which are normally applied to personal use.

(g) If an officer or employee who occupied a house or flat, wholly or partly furnished by himself, at or in the vicinity of the headquarters from which he has been transferred stores his personal effects, including his furniture, or removes such effects to a house or flat at or in the vicinity of the headquarters to which he is being transferred, the head of department may pay to him an amount recommended by the Board in respect of depreciation of personal effects and to meet expenses arising from his transfer, other than those for which provision is made elsewhere in these regulations: Provided that the head of department may, at his discretion, pay a lesser amount if he considers that the circumstances do not justify payment of the amount recommended by the Board.

K1. (4) (a) Tenders shall be obtained in writing for the packing and unpacking and loading and unloading of personal effects and the lowest tender shall be accepted: Provided that the head of department may authorise the acceptance of a higher tender if he is satisfied that there are adequate reasons for the rejection of the lowest tender.

(b) The conveyance of a motor vehicle at the expense of the KwaNdebele Territorial Authority shall be subject to the conditions that—

(i) the KwaNdebele Territorial Authority accepts no liability for the loss of or any damage to a motor vehicle or motor vehicles, caravan or trailer during the loading, conveyance or unloading thereof; and

(ii) it is transported by goods train at a tariff approved by the Secretary for Co-operation and Development, on the recommendation of the Board.

K1. (5) The benefits prescribed in subregulations (3) and (4) shall apply only if the officer or employee transfers his household and personal effects within two calendar months of the date on which his transfer takes effect, unless he has obtained permission to defer the removal of his household and personal effects, which permission may be granted by the head of department.

Transport on first appointment

K2. (1) On conditions relating to means of transport and classes of travel similar to those prescribed in Part J for officers and employees, the head of department may approve that a person residing in the Republic or in the area of the KwaNdebele Territorial Authority who is appointed to a prescribed post be granted free transport for himself from the place at which he is recruited to the place where he is instructed to assume duty. For the purposes of this subregulation transport includes conveyance by transport owned by the KwaNdebele Territorial Authority or contract transport at the place of recruitment as well as the place of appointment or, if such transport is not available, conveyance by taxi between the residence and boarding or alighting point of the public means of transport by which the journey is undertaken.

K2. (2) (a) Behoudens die bepalings van paragraaf (b) kan die huishouding en persoonlike besittings van 'n persoon in subregulasie (1) genoem, met die goedkeuring van die departementshoof, op koste van die KwaNdebele-gebiedsowerheid vervoer word vanaf die plek waar die persoon gewerf is tot by die plek waar hy aangesê is om diens te aanvaar, op die grondslag vir 'n oorgeplaaste beampte of werknemer voorgeskryf in regulasie K1 (1) (a), regulasie K1 (3) (b), (c) en (d) en regulasie K1 (4) en (5).

(b) as 'n persoon wie se huishouding en persoonlike besittings kragtens die bepalings van paragraaf (a) vervoer is, bedank of as sy diens te as gevolg van onbevredigende diens beëindig word binne ses kalendermaande vanaf die datum van sy diensaanvaarding, moet hy die koste wat ten opsigte van sy huishouding en persoonlike besittings aangegaan is, terugbetaal.

Vervoerregte by diensbeëindiging en dood

K3. (1) (a) Behoudens die bepalings van subregulasie (2) kan die departementshoof goedkeur dat—

(i) aan 'n beampte wat weens bereiking van die pensioenleeftyd uittree of afgedank word; en

(ii) aan 'n beampte of werknemer wie se diens eindig op gronde wat vir die doeleindes van hierdie regulasie deur die Sekretaris van Samewerking en Ontwikkeling op aanbeveling van die Raad goedkeur is;

en wat minstens 10 jaar diens voltooi het, vervoer vir hom, sy huishouding en persoonlike besittings na 'n plek in die gebied van die KwaNdebele-gebiedsowerheid waar hy begerig is om te woon, op koste van die KwaNdebele-gebiedsowerheid toegestaan word, behoudens die beperkings en voorwaardes wat die Sekretaris van Samewerking en Ontwikkeling op aanbeveling van die Raad goedkeur.

(b) In die geval van 'n beampte of werknemer wat te sterwe kom terwyl hy in diens is van die KwaNdebele-gebiedsowerheid, of uit die owerheidsdiens ontslaan word weens voortdurende swak gesondheid wat nie aan sy eie toedoen te wyte is nie, kan die voordele waarvoor in paragraaf (a) voorsiening gemaak word, toegestaan word, mits die beampte of werknemer minstens 10 jaar diens by bereiking van die leeftyd van 60 jaar sou voltooi het indien hy nie te sterwe gekom het of aldus ontslaan is nie.

K3. (2) Die bepalings van regulasie J3 (4) is *mutatis mutandis* van toepassing op 'n beampte of werknemer bedoel in regulasie K3 (1) of sy huishouding: Met dien verstande dat lede van die huishouding van sodanige beampte of werknemer geag kan word amptelike passasiers te wees vir die doeleindes van regulasie J6.

Buitengewone gevalle

K4. As daar omstandighede ontstaan wat 'n afwyking van die bepalings van hierdie deel regverdig, kan die Sekretaris van Samewerking en Ontwikkeling die voorwaardes wat die Raad aanbeveel betreffende oorplasingkoste en vervoerregte by eerste aanstelling en by diensbeëindiging en dood, goedkeur.

DEEL L

AMPTELIKE DIENSURE, BYWONINGSREGISTER, WERKWEKE EN OORTYDBESOLDIGING

Amptelike diensure

L1. (1) Ondanks andersluidende bepalings in hierdie Deel vervat, kan die hoof van 'n kantoor van 'n beampte of werknemer vereis dat hy op enige dag van die week of enige tyd van die dag of die nag amptelike diens

K2. (2) (a) Subject to the provisions of paragraph (b), the household and personal effects of a person mentioned in subregulation (1) may, with the approval of the head of department, be conveyed at the expense of the KwaNdebele Territorial Authority from the place where the person is recruited to the place where he is instructed to assume duty, on the basis laid down for a transferred office or employee in regulations K1 (a), K1 (3) (b) (c) and (d) and regulation K1 (4) and (5).

(b) If a person whose household and personal effects have been conveyed in terms of the provisions of paragraph (a) resigns or his services are terminated as a result of unsatisfactory service within six calendar months of the date of his assumption of duty, he shall refund the expenditure incurred in respect of his household and personal effects.

Transport privileges on termination of service or death

K3. (1) (a) Subject to the provisions of subregulation (2), the head of department may grant approval for—

(i) an officer who is retiring or being retired owing to the attainment of the pensionable age; and

(ii) an officer or employee whose services are terminating on grounds approved for the purpose of this regulation by the Secretary for Co-operation and Development, on the recommendation of the Board;

and who has completed not less than 10 years' service to be granted conveyance at the expense of the KwaNdebele Territorial Authority for himself, his household and his personal effects to a place in the area of the KwaNdebele Territorial Authority where he wishes to reside, subject to such limitation and conditions as the Secretary for Co-operation and Development may approve on the recommendation of the Board.

(b) In the case of an officer or employee who dies while in the employment of the KwaNdebele Territorial Authority or is discharged from the authority service owing to continued ill health occasioned without his own default, the benefits for which provision is made in paragraph (a) may be granted: Provided that the officer or employee would have completed not less than 10 years' service on attainment of the age of 60 years, had he not died or been so discharged.

K3. (2) The provisions of regulation J3 (4) shall apply *mutatis mutandis* to an officer or employee referred to in regulation K3 (1) or his household: Provided that members of the household of such officer or employee may be regarded as official passengers for the purposes of regulation J6.

Exceptional cases

K4. If circumstances arise which justify a departure from the provisions of this part the Secretary for Co-operation and Development may approve such conditions relating to transfer expenses and transport facilities on first appointment and on termination of service and death as the Board may recommend.

PART L

OFFICIAL HOURS OF ATTENDANCE, ATTENDANCE REGISTERS, WORKING WEEKS AND OVERTIME REMUNERATION

Official hours of attendance

L1. (1) Notwithstanding any provisions to the contrary contained in this Part, the head of an office may require an officer or employee to perform official duty on any day of the week or at any time during

verrig of dat hy by sy normale werkplek of elders aanwesig moet wees vir sodanige diens.

L1. (2) Behoudens die bepalings van subregulasie (1) en van regulasie L3, moet 'n beampte of werknemer by sy werkplek vir diens aanwesig wees soos aanbeveel deur die Raad.

L1. (3) Die departementshoof bepaal die etenspouse van 'n beampte of werknemer of klasse beamptes of werknemers: Met dien verstande dat 'n etenspouse wat binne die amptelike diensure val wat kragtens die bepalings van hierdie Deel voorgeskryf is, nie as amptelike dienstyl vir die voltooiing van die werkweek gereken word nie.

L1. (4) Die departementshoof bepaal gedurende welke tye, binne die amptelike diensure kragtens die bepalings van hierdie hoofstuk voorgeskryf, die publiek vir amptelike sakedoeleindes toegang het tot die kantore van die KwaNdebele-gebiedsowerheidsdiens of werkplekke onder sy beheer.

L1. (5) 'n Beampte of werknemer—

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

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

Bywoningsregister

L2. (1) Die hoof van elke kantoor is verantwoordelik vir die nakoming deur die personeel onder sy beheer van die voorgeskrewe amptelike diensure.

L2. (2) 'n Bywoningsregister moet gehou word waarin 'n beampte of 'n werknemer persoonlik die tyd van sy aankoms by en vertrek van sy werkplek moet aanteken: Met dien verstande dat die voorskrifte van hierdie subregulasie nie van toepassing is nie op—

(a) 'n beampte of werknemer wat besoldig word volgens 'n salarisskaal waarvan die maksimum kerf hoër is as die maksimum kerf van die salarisskaal aanbeveel deur die Raad; en

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

L2. (3) Die bywoningsregister moet deur die hoof van die kantoor toevertrou word aan die persoonlike sorg van 'n beampte of werknemer, wie se plig dit is om—

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

(b) toe te sien dat slegs outentieke aantekeninge van aankoms en vertrek gemaak word deur die beamptes en werknemers in subregulasie (2) genoem;

(c) die aantekeninge in die bywoningsregister na te gaan en die register daagliks vir inspeksiedoeleindes voor te lê aan die hoof van die kantoor of aan 'n beampte wat vir daardie doel aangewys is;

(d) enige onreëlmatighede te rapporteer aan die beampte wie se plig dit kragtens paragraaf (c) is om die bywoningsregister te inspekteer; en

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

the day or night or to attend at his normal place of work or elsewhere for such duty.

L1. (2) Subject to the provisions of subregulation (1) and of regulation L3, an officer or employee shall be present for duty at his place of work as recommended by the Board.

L1. (3) The head of a department shall determine the meal break of an officer or employee or classes of officers or employees: Provided that a meal break falling within the official hours of attendance prescribed in terms of the provisions of this Part shall not be reckoned as official duty time for the completion of the working week.

L1. (4) The head of a department shall determine the times, within the official hours of attendance prescribed in terms of the provisions of this Chapter, during which the public shall have access to the offices of the KwaNdebele Territorial Authority or places of work under his control for the purpose of official business.

L1. (5) An officer or employee—

(a) shall, during his official hours of attendance, give his full attention to the duties entrusted to him; and

(b) shall not without the consent of the head of his office be absent from his office or place of work during his official hours of attendance.

Attendance registers

L2. (1) The head of each office shall be responsible for the observance by the staff under his control of the prescribed official hours of attendance.

L2. (2) An attendance register shall be kept in which an officer or an employee shall personally record the time of his arrival at and departure from his place of work: Provided that the provisions of this subregulation shall not be applicable to—

(a) an officer or employee who is remunerated in accordance with a salary scale the maximum notch of which exceeds the maximum notch of the salary scale recommended by the Board; and

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

L2. (3) The attendance register shall be entrusted by the head of the office to the personal custody of an officer or employee whose duty it shall be to—

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

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

(c) examine the entries made in the attendance register and submit it daily for inspection by the head of the office or by an officer delegated for that purpose;

(d) report any irregularity to the officer whose duty it is to inspect the attendance register in terms of paragraph (c); and

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

Werkweke

L3. (1) Behoudens die bepalings van regulasie L1 en die goedkeuring van die Uitvoerende Raad besluit die departementshoof, met behoorlike inagneming van die openbare belang, watter beampte en werknemers of klasse of groepe beamptes of werknemers, afdelings, takke of kantore 'n vyfdaagse werkweek of andersins moet nakom, en kan hy verskillende werkweke vir verskillende klasse of groepe beamptes of werknemers, of vir individue binne sodanige klasse of groepe, of vir afdelings, takke of kantore voorskryf.

L3. (2) Die minimum getal diensure vir 'n beampte of werknemer moet deur die Raad aanbeveel word.

L3. (3) Waar die amptelike diensure wat vir 'n beampte of werknemer kragtens regulasie L1 (2) voorgeskryf is, in die geheel of gedeeltelik gedurende die nag val, moet sodanige beampte of werknemer se werkweek vir doeleindes van die berekening van oortyd diens verminder word met een sesde van daardie gedeelte van genoemde diensure wat gedurende die nag val. Met dien verstande dat die bepalings van hierdie subregulasie nie van toepassing is nie op 'n lid van die verpleegpersoneel van 'n hospitaal of inrigting of op 'n beampte of werknemer wat in 'n klas val wie se diensvoorwaardes vereis dat hy nagdiens moet verrig.

L3. (4) (a) As 'n beampte of werknemer gedurende die amptelike diensure wat in of kragtens die bepalings van hierdie Deel vir hom voorgeskryf is, van diens afwesig is as gevolg van verlof toegestaan of weens ander omstandighede wat vir die departementshoof aanneemlik is, word hy, vir die doeleindes van die voltooiing van sy werkweek, geag gedurende sodanige afwesigheid diens te gedoen het.

(b) Die amptelike diensure wat ten opsigte van 'n bepaalde dag in of kragtens die bepalings van hierdie Deel vir 'n beampte of werknemer voorgeskryf is en wat—

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

(ii) in die geval van 'n beampte of werknemer wat normaalweg op 'n openbare feesdag werk, in sodanige ander dag val as wat hy normaalweg in plaas daarvan van diens vrygestel is;

moet ingereken word vir doeleindes van die voltooiing van sy werkweek.

Oortyd diens en oortyd besoldiging

L4. (1) As die hoof van 'n beampte of werknemer se kantoor kragtens regulasie L1 (1) van hom vereis dat hy oortyd diens verrig wat 'n oorskryding meebring van die beampte of werknemer se amptelike diensure soos in of kragtens die bepalings van hierdie Deel voorgeskryf, mag oortyd besoldiging ten opsigte van sodanige oortyd diens nie as 'n reg geëis word nie. Met dien verstande dat die Sekretaris van Samewerking en Ontwikkeling op aanbeveling van die Raad kan goedkeur dat die departementshoof nie-pensioendraende oortyd besoldiging aan 'n beampte of werknemer ten opsigte van oortyd diens betaal op voorwaardes deur die Raad aanbeveel.

L4. (2) Ondanks die bepalings van subregulasie (1) kan 'n departementshoof nie-pensioendraende oortyd besoldiging betaal aan beamptes en werknemers wat onvermydelike oortyd diens verrig in afdelings, takke of kantore deur die Raad aangedui en deur die Sekretaris van Samewerking en Ontwikkeling goedkeur.

Working weeks

L3. (1) Subject to the provisions of regulation L1 and the approval of the Executive Council, the head of department shall decide, with due regard to the public interest, which officers and employees, or classes or groups of officers or employees, sections, branches or offices shall observe a five-day working week or otherwise, and he may prescribe different working weeks for different classes or groups of officers and employees, or for individuals within such classes or groups or for sections, branches or offices.

L3. (2) The minimum hours of service for an officer or employee shall be recommended by the Board.

L3. (3) Where the official hours of attendance prescribed for an officer or employee in terms of regulation L1 (2) fall wholly or partially during the night the working week of such officer or employee shall, for the purpose of calculating overtime duty, be reduced by one-sixth of that portion of the said hours of attendance falling during the night: Provided that the provisions of this subregulation shall not apply to a member of the nursing staff of a hospital or institution or to an officer or employee falling in a class whose conditions of service require him to perform night duty.

L3. (4) (a) If an officer or employee, during the official hours of attendance prescribed for him in or in terms of the provisions of this part, is absent from duty as a result of leave granted or as a result of other circumstances which are acceptable to the head of department, he shall be regarded as having been on duty during such absence for the purpose of the completion of this working week.

(b) The official hours of attendance which have been prescribed for an officer or employee in respect of a particular day in or in terms of the provisions of this part and which—

(i) fall on a public holiday, in the case of an officer or employee who does not normally work on such day; or

(ii) in the case of an officer or employee who normally works on a public holiday, fall on any other day on which he may be relieved from duty in lieu of a public holiday, shall be included for the purposes of the completion of his working week.

Overtime duty and overtime remuneration

L4. (1) If the head of an officer's or employee's office requires him, in terms of regulation L1 (1), to perform overtime duty which entails exceeding the officer's or employee's official hours of attendance prescribed in or in terms of the provisions of this Part, no overtime remuneration shall of right be claimable in respect of such overtime duty: Provided that the Secretary for Co-operation and Development may, on the recommendation of the Board, grant approval for the head of department to pay to an officer or employee non-pensionable overtime remuneration in respect of overtime duty on conditions recommended by the Board.

L4. (2) Notwithstanding the provisions of subregulation (1) the head of department may pay non-pensionable overtime remuneration to officers and employees who perform unavoidable overtime duty in sections, branches or offices indicated by the Board and approved by the Secretary for Co-operation and Development.

L4. (3) Behoudens die bepalings van subregulasies (4) en (7) word oortydbesoldiging wat in of kragtens die bepalings van hierdie Deel gemagtig is, teen die volgende tariewe betaal:

(a) *Ten opsigte van oortydtdiens op 'n Sondag.*—Twee maal die uurlikse ekwivalent van die betrokke beampte of werknemer se jaarlikse pensioendraende besoldiging.

(b) *Ten opsigte van oortydtdiens op 'n ander dag as 'n Sondag.*—Een en 'n derde maal die uurlikse ekwivalent van die betrokke beampte of werknemer se jaarlikse pensioendraende besoldiging.

L4. (4) Oortydbesoldiging word nie betaal teen 'n tarief wat hoër is as dié wat op die maksimum kerf van die salarisskaal soos gelas deur die Raad, bereken is nie.

L4. (5) By die berekening van oortydtdiens deur 'n beampte of werknemer verrig, moet—

(a) 'n tydperk van oortydtdiens van korter as 'n kwartier wat aaneenlopend is met die amptelike diensure wat vir die betrokke beampte of werknemer in of kragtens die bepalings van hierdie Deel voorgeskryf is, buite rekening gelaat word;

(b) 'n tydperk van oortydtdiens van korter as 'n uur wat nie aaneenlopend is nie met die amptelike diensure wat vir die betrokke beampte of werknemer in of kragtens die bepalings van hierdie Deel voorgeskryf is, as een uur gereken word;

(c) een uur by die tydperk van oortydtdiens gereken word ten opsigte van elke geval waar 'n beampte of werknemer later as 18h00 op die vorige dag of na afsluiting van die dienstrydperk wat die oortydtdiens onmiddellik voorafgaan, naamlik die laatste van die twee tye—

(i) van oortydtdiens verwittig word; of

(ii) kennis gegee word dat oortydtdiens waarvan hy verwittig is maar waarvoor hy hom nog nie aangemeld het nie, gekanselleer is; en

(d) die volle tydperk van oortydtdiens waarvan 'n beampte of werknemer verwittig is, tot 'n maksimum van twee uur, by die ekstra diens gereken word ten opsigte van oortydtdiens wat gekanselleer is maar waarvoor sodanige beampte of werknemer hom aangemeld het omdat hy nie vooraf van die kansellering verwittig is nie.

L4. (6) By die berekening van die oortydtdiens wat 'n beampte of werknemer oor 'n tydperk wat deur 'n werkweek gedek word, verrig het, en behoudens die bepalings van subregulasie (5) (b), moet gedeeltes van 'n uur in elke totaal wat teen 'n afsonderlike tarief bereken word—

(a) buite rekening gelaat word as dit korter as 'n halfuur is; en

(b) as een uur gereken word as dit 'n halfuur of langer is.

L4. (7) Oortydbesoldiging ten opsigte van oortydtdiens wat gedurende die nag verrig is, moet bereken word teen die tariewe wat ooreenkomstig die bepalings van regulasie L4 (3) vir oortydtdiens op 'n Sondag voorgeskryf is: Met dien verstande dat die bepalings van hierdie subregulasie nie van toepassing is nie op 'n lid van die verpleegpersoneel in 'n hospitaal of inrigting of op 'n beampte of werknemer wat in 'n klas val wat as 'n diensvoorwaarde nagdiens moet verrig.

L4. (8) 'n Beampte of werknemer moet gedurende tydperke van oortydtdiens sy volle aandag wy aan die pligte wat aan hom toevertrou is en mag nie sonder die toestemming van sy toesighouer gedurende sodanige tydperke van sy kantoor of werkplek afwesig wees nie.

L4. (3) Subject to the provisions of subregulations (4) and (7), overtime remuneration which is authorised in or in terms of the provisions of this Part shall be paid at the following rates:

(a) *In respect of overtime duty on a Sunday.*—Double the hourly equivalent of the annual pensionable remuneration of the officer or employee concerned.

(b) *In respect of overtime duty on a day other than a Sunday.*—One and one-third times the hourly equivalent of the annual pensionable remuneration of the officer or employee concerned.

L4. (4) Overtime remuneration shall not be paid at a rate higher than the rate calculated on the maximum notch of the salary scale directed by the Board.

L4. (5) In the calculation of the overtime duty performed by an officer or employee—

(a) a period of overtime duty of shorter duration than a quarter of an hour which is continuous with the official hours of attendance prescribed for the officer or employee concerned in or in terms of the provisions of this Part shall be ignored;

(b) a period of overtime duty of shorter duration than an hour which is not continuous with the official hours of attendance prescribed for the officer or employee concerned in or in terms of the provisions of this Part shall be reckoned as one hour;

(c) one hour shall be added to the period of overtime duty in respect of each case where an officer or employee is—

(i) notified of overtime duty; or

(ii) informed that overtime duty of which he has been notified but for which he has not yet reported has been cancelled;

later than 18h00 on the previous day or after the close of the period of service immediately preceding the period of overtime duty, whichever may be the later; and

(d) the full period of overtime duty of which an officer or employee has been notified, up to a maximum of two hours, shall be added to the extra duty in respect of overtime duty which has been cancelled but for which such officer or employee reported because he was not notified beforehand of the cancellation.

L4. (6) In the calculation of the overtime duty performed by an officer or employee during a period covered by a working week, and subject to the provisions of subregulation (5) (b), portions of an hour in each total which is calculated at a separate tariff shall be—

(a) ignored if less than half an hour;

(b) reckoned as one hour if half an hour or longer.

L4. (7) Overtime remuneration in respect of overtime duty performed during the night shall be calculated at the rates which have been prescribed for overtime duty on a Sunday in accordance with the provisions of regulation L4 (3): Provided that the provisions of this subregulation shall not apply to a member of the nursing staff in a hospital or institution or to an officer or employee falling in a class performing night duty as a condition of service.

L4. (8) An officer or employee shall give his full attention to the duties entrusted to him during periods of overtime duty and shall not without the consent of his supervisor be absent from his office or place of work during such periods.

Vaste oortydtoelae

L5. Ondanks andersluidende bepalings van hierdie Deel kan die Sekretaris van Samewerking en Ontwikkeling op aanbeveling van die Raad goedkeur dat die departementshoof in gevalle waar die betaling van oortydbesoldiging volgens uurtariewe ondoenlik of onwenslik is, aan 'n beampte of werknemer wat vir oortydbesoldiging in aanmerking kom, oortydbesoldiging op 'n vaste grondslag ten opsigte van oortyddiens betaal.

Buitengewone gevalle

L6. As daar omstandighede ontstaan wat 'n afwyking van die bepalings van hierdie Deel regverdig, kan die departementshoof van 'n beampte of werknemer of klasse beamptes of werknemers vereis om die amptelike diensure of werkweke na te kom wat die Raad aanbeveel, of kan die Sekretaris van Samewerking en Ontwikkeling goedkeur dat die departementshoof oortydbesoldiging ten opsigte van oortyddiens aan 'n beampte of werknemer of klasse beamptes of werknemers betaal teen 'n tarief en op die voorwaardes deur die Raad aanbeveel. Die Raad kan ook na sy goeddunke spesiale voorwaardes en uitsonderings aanbeveel met betrekking tot die hou van bywoningsregisters en die aantekening van 'n beampte of werknemer se tyd van aankoms by en vertrek van sy werkplek.

DEEL M

ALGEMEEN

Afwykinge in tyd van oorlog of nasionale noodtoestand

M1. As daar 'n toestand van oorlog of 'n nasionale noodtoestand ontstaan, kan die Raad 'n afwyking van die bepalings van hierdie regulasies aanbeveel, hetsy in die algemeen of ten opsigte van 'n bepaalde beampte, werknemer of persoon of klasse beamptes, werknemers of persone, maar behoudens die bepalings van regulasie B5 (2) van hierdie regulasies.

Pligte van departementshoofde en hoofde van kantore

M2. (1) Benewens enige werksaamhede of pligte wat wettiglik aan hom opgedra of opgelê is, is die departementshoof verantwoordelik vir die doeltreffende bestuur en administrasie van sy departement, insluitende die behoorlike benutting van personeel, die handhawing van dissipline en die behoorlike gebruik en versorging van eiendom van die KwaNdebele-gebiedsowerheid in sy departement.

M2. (2) Die hoof van die kantoor is aan die beampte of werknemer onder wie se gesag hy staan, verantwoordelik vir die doeltreffende bestuur en administrasie van sy kantoor, tak, inrigting, afdeling of werkplek, insluitende die behoorlike benutting van personeel, die handhawing van dissipline en die behoorlike gebruik en versorging van eiendom van die KwaNdebele-gebiedsowerheid in sy kantoor, tak, inrigting, afdeling of werkplek.

Delegasie van departementshoof se bevoegdhede

M3. (1) As hy dit dienstig ag vir die doeltreffende administrasie van sy departement, kan 'n departementshoof enige bevoegdheid wat kragtens die bepalings van hierdie regulasies aan hom verleen is, aan 'n ander beampte of toegewese beampte of werknemer of toegewese werknemer deleger op die voorwaardes wat hy bepaal.

M3. (2) 'n Departementshoof kan 'n delegasie wat kragtens hierdie regulasie verleen is, te eniger tyd intrek.

Commuted overtime allowance

L5. Notwithstanding anything to the contrary contained in this Part, the Secretary for Co-operation and Development may in cases where the payment of overtime remuneration according to hourly rates is impracticable or undesirable, grant approval, on the recommendation of the Board, for the head of department to pay to an officer or employee who is eligible for overtime remuneration overtime remuneration on a commuted basis in respect of overtime duty.

Exceptional cases

L6. If circumstances arise which justify a departure from the provisions of this Part, the head of department may require an officer or employee or classes of officers or employees to observe such official hours of attendance or working weeks as may be recommended by the Board, or the Secretary for Co-operation and Development may approve that the head of department pay overtime remuneration in respect of overtime duty to an officer or employee or classes of officers or employees at a rate and on conditions recommended by the Board. The Board may also, at its discretion, recommend special conditions and exceptions in regard to the keeping of attendance registers and the recording of an officer's or employee's time of arrival at and departure from his place of work.

PART M

GENERAL

Departures in time of war or national emergency

M1. If a state of war or national emergency arises the Board may recommend a departure from the provisions of these regulations, either in general or in respect of a particular officer, employee or person or classes of officers, employees or persons, but subject to the provisions of regulation B5 (2) of these regulations.

Duties of heads of departments and heads of offices

M2. (1) In addition to any functions or duties lawfully assigned to or imposed upon him, the head of department shall be responsible for the efficient management and administration of his department, including the proper utilisation of staff, the maintenance of discipline and the proper use and care of property of the KwaNdebele Territorial Authority in his department.

M2. (2) The head of an office shall be responsible to the officer or employee who exercises authority over him for the efficient management and administration of his office, branch, institution, division or place of work, including the proper utilisation of staff, the maintenance of discipline and the proper use and care of property of the KwaNdebele Territorial Authority in his office, branch, institution, division or place of work.

Delegation of the powers of a head of department

M3. (1) If he deems it expedient for the efficient administration of his department, a head of department may delegate any power conferred upon him in terms of the provisions of these regulations to another officer or allocated officer or employee or allocated employee on such conditions as he may determine.

M3. (2) A head of department may at any time revoke a delegation made in terms of this regulation.

Amptelike kommunikasiekanale

M4. (1) 'n Versoek of mededeling van 'n beamppte of werknemer wat nie 'n departementshoof is nie, oor enige aangeleentheid wat binne die bestek van die Raad se bevoegdhede, werksaamhede of pligte val, moet deur bemiddeling van die hoof van die kantoor aan die departementshoof gerig word: Met dien verstande dat 'n beamppte of werknemer kan eis dat sodanige versoek of mededeling aan die Raad voorgelê word, behoudens die bepalings van subregulasie (2).

M4. (2) 'n Versoek of mededeling aan die Raad, hetsy skriftelik of andersins, van 'n departement of departementshoof oor enige aangeleentheid wat binne die bestek van die Raad se bevoegdhede, werksaamhede of pligte val, of wat kragtens die voorbehoudsbepaling van subregulasie (1) aan die Raad voorgelê moet word, moet deur of namens die departementshoof aan die Sekretaris van die Raad gerig word. Sodanige versoek of mededeling mag nie regstreeks aan die Raad of aan 'n lid van die Raad gerig word nie.

M4. (3) As daar omstandighede ontstaan wat 'n afwyking van die bepalings van hierdie regulasie regverdig, kan die Uitvoerende Raad, op aanbeveling van die Raad, goedkeur dat die hoof van 'n afdeling, tak, inrigting of kantoor geag word 'n departementshoof te wees vir die doeleindes van subregulasies (1) en (2).

Gehoorsaamheid

M5. (1) Behoudens die bepalings van subregulasie (2), moet 'n beamppte of werknemer 'n wettige bevel wat aan hom gegee is deur 'n persoon wat die bevoegdheid het om dit te gee, onvoorwaardelik gehoorsaam.

M5. (2) Behoudens die bepalings van regulasie M4 kan 'n beamppte of werknemer eis dat 'n bevel in subregulasie (1) genoem, skriftelik herhaal word nadat hy dit uitgevoer het en kan hy enige klagte wat hy in verband daarmee het, vir beslissing voorlê.

Woonadresse en telefoonnommers

M6. 'n Beamppte of werknemer moet die hoof van die kantoor in kennis stel van sy woonadres en van sy telefoonnommer tuis, as hy 'n telefoon het, en van enige verandering daarvan, en die hoof van die kantoor moet dit aanteken in 'n register wat vir dié doel gehou word.

Private geldelike transaksies

M7. (1) 'n Beamppte of werknemer mag nie deel hê aan enige vorm van skuldbewys vir skikkingsdoeleindes nie: Met dien verstande dat die departementshoof skriftelik toestemming daartoe kan verleen dat daar van die bepalings van hierdie subregulasie afgewyk word as hy hom deur ondersoek vergewis het dat die voorgenome transaksie aangegaan word om aanneemlike redes wat nie verband hou nie met spekulasie, dobbelary of enige onbehoorlike handeling wat die betrokke beamppte of werknemer in geldelike moeilikheid kan laat kom: Met dien verstande voorts dat sodanige toestemming nie ten opsigte van 'n transaksie tussen twee beamptes, 'n beamppte en 'n werknemer of twee werknemers verleen mag word nie.

M7. (2) Onder geen omstandighede mag 'n beamppte of werknemer geld van 'n ondergeskikte leen wat in dieselfde departement dien nie.

M7. (3) As dit blyk dat 'n beamppte of werknemer in 'n onredelike mate in die skuld is, as hy insolvent raak of sy boedel afstaan ten behoeve van sy skuldeisers of as 'n vonnis weens skuld teen hom in 'n gereghof verkry is, moet hy, as die departementshoof dit vereis, 'n uitvoerige en volledige staat van sy skulde

Official channels of communication

M4. (1) A request or communication from an officer or employee who is not a head of department, in connection with any matter falling within the scope of the Board's powers, functions or duties, shall be addressed to the head of department through the medium of the head of the office: Provided that an officer or employee may demand that such request or communication be submitted to the Board, subject to the provisions of subregulation (2).

M4. (2) A request or communication to the Board, whether written or otherwise, from a department or a head of department in connection with any matter falling within the scope of the Board's powers, functions or duties, or which is to be submitted to the Board in terms of the proviso to subregulation (1) shall be addressed to the Secretary of the Board by or on behalf of the head of department. Such request or communication shall not be addressed direct to the Board or a member of the Board.

M4. (3) If circumstances arise which justify a departure from the provisions of this regulation, the Executive Council may, on the recommendation of the Board, grant approval for the head of a division, branch, institution or office to be regarded as a head of department for the purposes of subregulations (1) and (2).

Obedience

M5. (1) Subject to the provisions of subregulation (2), an officer or employee shall obey unconditionally a lawful instruction given to him by a person who is competent to do so.

M5. (2) An officer or employee may, after having carried it out, demand that an instruction referred to in subregulation (1) be repeated in writing and he may submit for decision any complaint he may have in connection therewith, but subject to the provisions of regulation M4.

Residential addresses and telephone numbers

M6. An officer or employee shall notify the head of the office of his residential address and of his telephone number at home, if he has a telephone, and any change thereof, and the head of the office shall make a record thereof in a register which shall be kept for this purpose.

Private financial transactions

M7. (1) An officer or employee shall not become a party to any form of promissory note for compromising purposes: Provided that the head of department may give his written consent to a departure from the provisions of this subregulation if he has satisfied himself by investigation that the proposed transaction is being entered into for acceptable reasons not connected with speculation, gambling or any other improper dealing which may lead to the pecuniary embarrassment of the officer or employee concerned: Provided further that such consent shall not be given in respect of a transaction between two officers, an officer and an employee or two employees.

M7. (2) An officer or employee shall under no circumstances borrow money from a subordinate serving in the same department.

M7. (3) If it is evident that an officer or employee is in debt to an unreasonable extent, if he becomes insolvent or assigns his estate for the benefit of his creditors or if a judgment for debt or a decree of civil imprisonment has been obtained against him in a

aan die departementshoof voorlê tesame met 'n verklaring van hoe die skulde aangegaan is en hoe hy van voorneme is om sodanige skulde te vereffen.

Regsproses weens skuld

M8. Die uitreiking van 'n prosesstuk weens skuld, vonnis of insolvensiegedinge waarby 'n beampte of werknemer die verweerder is, moet dadelik en tesame met volledige besonderhede van die omstandighede wat tot die uitreiking van sodanige prosesstuk gelei het, by die betrokke beampte of werknemer se departementshoof aangemeld word deur—

(a) die Griffier of Meester van die Hooggeregshof, landdros of magistraat of spesiale vrederegter, na gelang van die geval; en

(b) die beampte of werknemer wat die verweerder is.

Aanneem van geskenke, kommissie, geld of beloning

M9. (1) 'n Beampte of werknemer mag nie sonder die toestemming van die departementshoof, of, in die geval van 'n departementshoof wat 'n beampte is, sonder die toestemming van die Uitvoerende Raad, 'n geskenk, geldelik of andersins, aanneem wat hom deur 'n lid van die publiek aangebied word uit hoofde daarvan dat hy 'n bepaalde amp of pos in die owerheidsdiens beklee of beklee het nie.

M9. (2) 'n Beampte of werknemer mag nie sonder die toestemming van die departementshoof enige kommissie, geld of beloning, geldelik of andersins (wat nie die emolumente is wat ten opsigte van sy pligte aan hom betaalbaar is nie) aanneem of dit eis ten opsigte van die uitvoering van sy pligte of die versuim om sy pligte uit te voer nie, en mag nie versuim om die aanbod van sodanige kommissie, geld of beloning by die departementshoof aan te meld nie.

Beantwoording van vrae

M10. 'n Beampte of werknemer moet uitdruklik antwoord op 'n wettige vraag wat aan hom gestel is deur 'n persoon wat die bevoegdheid het om so 'n vraag aan hom te stel: Met dien verstande dat 'n beampte of werknemer nie verplig is om 'n antwoord wat hom sal inkrimineer, op 'n vraag te verstrek nie.

Aanneem van nominasie vir gebiedsowerheid, ens.

M11. As 'n beampte of werknemer 'n nominasie of rekwisie aanvaar as kandidaat vir verkiesing tot lid van die KwaNdebele-gebiedsowerheid of 'n streeks-, gemeenskaps- of stamowerheid, word hy geag vrywillig uit die KwaNdebele-gebiedsowerheidsdiens te getree het met ingang van die datum waarop hy sodanige nominasie of rekwisie aanvaar het: Met dien verstande dat 'n beampte of werknemer die nominasie of rekwisie mag aanvaar met die toestemming van die Minister op die voorwaardes wat die Sekretaris van Samewerking en Ontwikkeling op aanbeveling van die Raad goedkeur.

Kennisgewing van huwelik: Vroulike beamptes of werknemers

M12. Voor haar huwelik moet 'n vroulike beampte of werknemer aan die departementshoof skriftelik kennis gee van die datum waarop sy voornemens is om te trou.

Sekondering van 'n beampte of werknemer van die een departement na 'n ander

M13. 'n Departementshoof kan, op aanbeveling van die Raad en op sodanige voorwaardes as wat die Raad in oorleg met die Sekretaris van Samewerking en Ontwikkeling aanbeveel, 'n beampte of werknemer

court of law, he shall, if the head of department so requires, furnish the head of department with a detailed and complete statement of his liabilities, together with an explanation as to how the liabilities were incurred and how he proposes to liquidate them.

Legal proceedings for debt

M8. The issue of a process for debt, civil imprisonment, judgment or insolvency proceedings in which an officer or employee is the defendant shall forthwith and together with full particulars of the circumstances which led to the issue of such process be reported to the head of the department of the officer or employee concerned by—

(a) the registrar or master of the supreme court, magistrate or special justice of the peace, as the case may be; and

(b) the officer or employee who is the defendant.

Acceptance of gifts, commission, money or reward

M9. (1) An officer or employee shall not accept without the permission of the head of department or, in the case of the head of department who is an officer, without the permission of the Executive Council, a gift, pecuniary or otherwise, offered to him by a member of the public by reason of his occupying or having occupied a particular office or post in the authority service.

M9. (2) An officer or employee shall not, without the permission of the head of department, accept or demand in respect of the carrying out of or the failure to carry out his duties, any commission, fee or reward, pecuniary or otherwise (not being the emoluments payable to him in respect of his duties) or shall not fail to report to the head of department the offer of such commission, fee or reward.

Replying to questions

M10. An officer or employee shall reply explicitly to a lawful question put to him by a person who is competent to put such question to him: Provided that an officer or employee shall not be compelled to furnish to a question a reply which may incriminate him.

Acceptance of nomination for territorial authority etc.

M11. If an officer or employee accepts a nomination or requisition as a candidate for election as a member of the KwaNdebele Territorial Authority, or a regional, community or tribal authority, he shall be deemed to have voluntarily retired from the KwaNdebele Authority Service with effect from the date on which he accepted such nomination or requisition: Provided that an officer or employee may accept the nomination or requisition with the permission of the Minister on such conditions as the Secretary for Co-operation and Development may approve on the recommendation of the Board.

Notice of marriage: Female officers

M12. A female officer shall, before her marriage, give the head of department notice, in writing, of the date on which she proposes to marry.

Secondment of an officer or employee from one department to another

M13. A head of department may, on the recommendation of the Board and on such conditions as may be recommended by it in consultation with the Secretary for Co-operation and Development, second an

aan die diens van 'n ander departement sekondeer, hetsy vir 'n bepaalde diens of vir 'n tydperk.

Vertroulike aard van dokumente rakende beamptes en werknemers

M14. Alle dokumente, lêers en korrespondensie met betrekking tot enigiets wat kragtens hierdie regulasies gedoen kan word en wat die eiendom van die KwaNdebele-gebiedsowerheid is, is vertroulik van aard en beamptes en werknemers, of hul regsverteenwoordigers by enige ondersoek wat deur die Raad gelas is kragtens hierdie regulasies, het nie die reg op toegang daartoe of insae daarin nie: Met dien verstande dat beamptes en werknemers toegelaat kan word om die toegang tot en insae in genoemde dokumente, lêers en korrespondensie te hê wat vir die verrigting van hul amptelike pligte nodig is: Met dien verstande voorts dat in die geval waar die Raad kragtens regulasie B3 (4) van hierdie regulasies 'n ondersoek na die grief van 'n beampte gelas, die bepalings van regulasie D4 (11) (a) van hierdie regulasies *mutatis mutandis* van toepassing is.

Verslae oor personeel en ongunstige opmerkings

M15. (1) 'n Verslag in 'n vorm deur die Raad voorgeskryf, moet so dikwels as wat die vereistes van die KwaNdebele-gebiedsowerheidsdiens dit verg, ten opsigte van enige beampte deur die verslaggewende beampte ingevul en ingedien word.

M15. (2) Behoudens die bepalings van subregulasie (3) het 'n beampte ten opsigte van wie 'n verslag ingevolge subregulasie (1) voltooi is, nie die reg om insae daarin te hê nie.

M15. (3) Enige ongunstige opmerking in 'n verslag vervat, moet deur die beampte deur wie dit gemaak is, skriftelik en in sy volledige samehang onder die aandag gebring word van die beampte oor wie verslag gedoen word. Laasgenoemde beampte moet die skriftelike mededeling onderteken en dit tesame met enige skriftelike verhoë wat hy wil voorlê, aan eersgenoemde beampte terugbesorg. Die voorgaande bepalings is ook van toepassing op ongunstige opmerkings wat ten opsigte van 'n beampte gemaak word in 'n skriftelike mededeling, behalwe dat sodanige opmerking deur die hoof van die kantoor onder die beampte se aandag gebring moet word: Met dien verstande dat 'n ongunstige opmerking wat in die notule van 'n vergadering van 'n merietekomitee vervat is, nie onder die aandag van die beampte oor wie verslag gedoen word, gebring mag word nie.

M15. (4) Ondanks die bepalings van subregulasie (3) kan die departementshoof of 'n beampte deur hom daartoe gemagtig, goedkeur dat ongunstige opmerkings nie onder die aandag van 'n beampte gebring word nie indien hy van oordeel is dat dit nie in die belang van die owerheidsdiens of die betrokke beampte is nie: Met dien verstande dat die Raad kan gelas dat enige ongunstige opmerkings of skriftelik of mondeling onder 'n beampte se aandag gebring word.

M15. (5) Indien daar deur 'n persoon of liggaam wat 'n verslag ten opsigte van 'n beampte moet mede-onderteken of moet oorweeg, bevind word dat daar geen regverdiging bestaan vir 'n ongunstige opmerking wat daarin voorkom nie, word daardie ongunstige opmerking uit die verslag geskrap en die betrokke beampte skriftelik van die skraping verwittig indien die ongunstige opmerking reeds onder sy aandag gebring is. Sodanige verwittiging van skraping moet dan deel van die verslag uitmaak.

officer or employee to the service of another department either for a particular service or for a period of time.

Confidential nature of documents concerning officers and employees

M14. All documents, files and correspondence which concern anything that may be done in terms of these regulations and which are the property of the KwaNdebele Territorial Authority are of a confidential nature and officers and employees, or their legal representatives at any inquiry directed by the Board in terms of these regulations, shall not have the right of access thereto or inspection thereof: Provided that officers and employees may be permitted to have such access to and inspection of the documents, files and correspondence mentioned as may be necessary for the performance of their official duties: Provided further that where the Board directs an inquiry into the grievance of an officer in terms of regulation B3 (4) of these regulations the provisions of regulation D4 (11) (a) of these regulations shall apply *mutatis mutandis*.

Reports on staff and adverse remarks

M15. (1) A report in a form prescribed by the Board shall, as frequently as the exigencies of the KwaNdebele Authority Service demand, be completed and submitted by the reporting officer in respect of any officer.

M15. (2) Subject to the provisions of subregulation (3), an officer in respect of whom a report has been completed in terms of subregulation (1) shall not have the right of inspection thereof.

M15. (3) Any adverse remark contained in a report shall be brought to the notice of the officer reported upon in writing and in its full context by the officer who made the remark. The officer reported upon must sign the written communication and return it, together with any representations, in writing, he desires to submit, to the officer who made the remark. The foregoing provisions shall also apply to adverse remarks made in respect of an officer in a written communication, except that such remarks shall be brought to the notice of the officer by the head of his office: Provided that an adverse remark contained in the minutes of a meeting of a merit committee shall not be brought to the notice of an officer reported upon.

M15. (4) Notwithstanding the provisions of subregulation (3) the head of department or an officer authorised thereto by him may grant approval for adverse remarks not to be brought to the notice of an officer if he is of the opinion that it is not in the interests of the authority service or the officer concerned: Provided that the Board may direct that any adverse remarks be brought to the notice of an officer, either in writing or verbally.

M15. (5) If it is found by a person or body who has to countersign or consider a report in respect of an officer that no justification exists for an adverse remark appearing therein, the adverse remark shall be expunged therefrom and the officer concerned be advised in writing of the expunction if the adverse remark has already been brought to his notice. Such advice of expunction shall then form part of the report.

M15. (6) Nadat 'n verslaggewende beampte 'n verslag voltooi het of nadat 'n voorsitter van 'n merietekomitee sy opmerkings daarop aangebring het, na gelang van die geval, word dit aan die departementshoof besorg wat dit aan die Raad moet stuur tesame met enige kommentaar of opmerkings wat hy daaromtrent wil maak, indien die betrokke beampte in 'n voorgeskrewe pos in diens is. Hierdie bepalings moet ook deur 'n departementshoof nagekom word ten opsigte van ongunstige opmerkings in 'n skriftelike mededeling vervat.

Geneeskundige ondersoek en immunisering

M16. (1) (a) 'n Departementshoof kan, in oorleg met die Sekretaris van Gesondheid van die Republiek of 'n beampte deur hom daartoe gemagtig, gelas dat 'n beampte of werknemer of die beamptes of werknemers van 'n departementele tak of kantoor onderwerp word aan 'n geneeskundige ondersoek om vas te stel of enige besmetting met aansteeklike of oordraagbare siektes plaasgevind het of dat 'n beampte of werknemer en, op sodanige voorwaardes as wat die Tesourie op aanbeveling van die Raad goedkeur, 'n lid van sy huishouding geïmmuniseer word teen 'n aansteeklike of oordraagbare siekte, om—

- (i) 'n epidemie te voorkom;
- (ii) aan internasionale voorskrifte te voldoen; of
- (iii) hom/hulle te vrywaar teen besmetting met aansteeklike of oordraagbare siektes gedurende 'n besoek aan of verblyf in 'n land of gebied waar die gevaar van sodanige besmetting bestaan;

Met dien verstande dat sover moontlik gebruik gemaak word van die dienste wat gelewer word deur die Departement van Gesondheid van die Republiek of 'n administrasie of 'n plaaslike owerheid en dat 'n beampte of werknemer wat vanweë geloofs- of gewetensbesware nie van geneeskundige dienste gebruik maak nie, op aansoek van sodanige ondersoek of immunisering vrygestel kan word.

(b) Die koste verbonde aan sodanige ondersoek of immunisering word uit fondse van die KwaNdebele gebiedsowerheid betaal.

M16. (2) (a) Die Raad of 'n hoof van 'n departement kan te eniger tyd vereis dat 'n beampte of werknemer hom onderwerp aan 'n ondersoek deur 'n geregistreerde geneesheer wat aangewys is of 'n geneeskundige raad wat saamgestel is deur die Sekretaris van Gesondheid van die Republiek, of 'n beampte deur hom daartoe gemagtig. Die koste verbonde aan die ondersoek word uit fondse van die KwaNdebele gebiedsowerheid betaal. Met dien verstande dat die beampte of werknemer wat ondersoek moet word, indien hy dit verlang, op eie koste kan reël dat sy private geneesheer by die verrigtinge van die geneeskundige raad teenwoordig kan wees.

(b) Die verslag van die geneeskundige raad moet wesenlik in die vorm van die Derde Aanhangsel van hierdie regulasies wees.

Salarisverhogings

M17. (1) Behoudens die bepalings van regulasie E1 en van subregulasie (2) word die salaris van 'n beampte of werknemer verhoog met een salarisverhoging binne die perke van die skaal wat op hom van toepassing is, ná die voltooiing van elke salarisverhogingstydperk en wel met ingang van die eerste dag van sodanige beampte of werknemer se verhogingsmaand.

M17. (2) As die hoof van die kantoor 'n sertifikaat uitreik waarin verklaar word dat 'n beampte of werknemer se gedrag met betrekking tot ywer, dissipline,

M15. (6) After a reporting officer has completed a report or after the comments of a chairman of a merit committee have been recorded thereon, as the case may be, it shall be submitted to the head of department who shall send it to the Board together with any comments or remarks he wishes to furnish, if the officer is employed in a prescribed post. These provisions shall also be complied with by a head of department in respect of adverse remarks contained in a written communication.

Medical examinations and immunisation

M16. (1) (a) A head of department may, in consultation with the Secretary for Health of the Republic or an officer authorised by him, direct that an officer or employee or the officers or employees of a departmental branch or office be subjected to a medical examination to determine whether any contamination with a contagious or communicable disease has occurred or that an officer or employee and, on such conditions as the Treasury may approve, on the recommendation of the Board, a member of his household, be immunised against an infectious or communicable disease in order to—

- (i) prevent an epidemic;
- (ii) comply with international regulations; or
- (iii) protect him/them against contamination with contagious or communicable diseases during a visit to or residence in a country or territory where the danger of such infection exists;

Provided that the services rendered by the Department of Health of the Republic or an administration or a local authority be made use of as far as possible and that an officer or employee who does not make use of medical services on the grounds of religious or conscientious objections may, on application, be exempted from such examination or immunisation.

(b) The expenditure connected with such examination or immunisation shall be met from funds of the KwaNdebele Territorial Authority.

M16. (2) (a) The Board or a head of department may at any time require that an officer or employee submit himself to an examination by a registered medical practitioner designated or a medical board constituted by the Secretary for Health of the Republic or an officer authorised thereto by him. The expenditure incurred shall be met from funds of the KwaNdebele Territorial Authority. Provided that the officer or employee who is to be examined may, if he so desires, arrange at his own expense for his private medical practitioner to be present at the proceedings of the medical board.

(b) The report of the medical board shall be submitted in a form substantially in the form set out in the Third Annexure to these regulations.

Salary increments

M17. (1) Subject to the provisions of regulation E1 and of subregulation (2), the salary of an officer or employee shall be increased by one salary increment within the limits of the scale applicable to him, after completion of each incremental period and with effect from the first day of such officer's or employee's incremental month.

M17. (2) If the head of the office issues a certificate in which it is declared that the officer's or employee's conduct as to industry, discipline, punctuality or

stiptheid of matigheid gedurende 'n salarisverhogingstydperk nie deurgaans bevredigend was nie of dat hy sy werk gedurende sodanige salarisverhogingstydperk nie deurgaans op 'n bevredigende wyse verrig het nie, word die salaris van sodanige beampte of werknemer nie kragtens die bepalings van subregulasie (1) verhoog nie: Met dien verstande dat 'n departementshoof na goeë dunde kan goedkeur dat die salaris van 'n beampte of werknemer kragtens die bepalings van subregulasie (1) verhoog word nieteenstaande die feit dat 'n sertifikaat soos in hierdie subregulasie genoem, uitgereik is.

M17. (3) Indien die salaris van 'n beampte of werknemer nie kragtens die bepalings van subregulasie (1) of die voorbehoudbepaling van subregulasie (2) verhoog word nie vanweë die uitreiking van 'n sertifikaat in subregulasie (2) genoem, word—

(a) sodanige beampte of werknemer deur die departementshoof skriftelik verwittig van die redes daarvoor, asook dat by verstryking van 'n aaneenlopende tydperk wat aangedui moet word en wat nie langer as 'n salarisverhogingstydperk moet wees nie, 'n salarisverhoging deur die departementshoof toegeken kan word op voorwaarde dat 'n sertifikaat deur die hoof van die kantoor uitgereik word waarin verklaar word dat die beampte of werknemer se werkverrigting en gedrag met betrekking tot die eienskappe in subregulasie (2) genoem, gedurende sodanige tydperk bevredigend was; en

(b) die saak by die Raad aangemeld in die geval van 'n beampte in 'n voorgeskrewe pos.

M17. (4) (a) Indien die tydperk in subregulasie (3) (a) genoem, korter is as 'n salarisverhogingstydperk, word een salarisverhoging deur die departementshoof aan die beampte of werknemer toegestaan met ingang van die eerste dag van die maand wat volg op die datum waarop genoemde tydperk verstryk: Met dien verstande dat sodanige salarisverhoging toegestaan kan word slegs as die hoof van die kantoor 'n sertifikaat uitreik waarin verklaar word dat die beampte of werknemer se werkverrigting en gedrag met betrekking tot die eienskappe in subregulasie (2) genoem, gedurende sodanige tydperk bevredigend was.

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

M17. (5) Indien 'n salarisverhoging kragtens subregulasie (4) (a) nie aan 'n beampte of werknemer toegestaan word nie—

(a) word sodanige beampte of werknemer weer eens deur die departementshoof skriftelik verwittig van die redes daarvoor, asook dat by verstryking

sobriety has not been uniformly satisfactory during an incremental period or that he has not performed his work uniformly satisfactorily during such incremental period, the salary of such officer or employee shall not be increased in terms of the provisions of subregulation (1): Provided that a head of department may, at his discretion, grant approval for the salary of an officer or employee to be increased in terms of the provisions of subregulation (1) even if a certificate mentioned in this subregulation has been issued.

M17. (3) If the salary of an officer or employee is not increased in terms of the provisions of subregulation (1) or of the proviso to subregulation (2) on account of the issue of a certificate mentioned in subregulation (2)—

(a) the head of department shall notify such officer or employee in writing of the reasons therefor and also that at the expiry of a continuous period to be indicated and which shall not be longer than an incremental period, a salary increment may be granted by the head of department on condition that a certificate is issued by the head of the office in which it is declared that the officer's or employee's work and his conduct in regard to the qualities mentioned in subregulation (2) were satisfactory during such period; and

(b) the case shall be reported to the Board in the case of an officer in a prescribed post.

M17. (4) (a) If the period mentioned in subregulation (3) (a) is shorter than an incremental period, the head of department shall grant the officer or employee one salary increment with effect from the first day of the month following the date on which such period expired: Provided that such salary increment may be granted only if the head of the office issues a certificate in which it is declared that the officer's or employee's work and conduct in regard to the qualities mentioned in subregulation (2) have been satisfactory during such period.

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

M17. (5) If an officer or employee is not granted a salary increment in terms of subregulation (4) (a)—

(a) such officer or employee shall again be notified in writing by the head of department of the reasons therefor as well as that at the expiry of a continuous period which shall be indicated and which shall be equal to the difference between the period mentioned in subregulation (3) (a) and an incremen-

van 'n aaneenlopende tydperk wat aangedui moet word en wat gelykstaande moet wees met die verskil tussen die tydperk in subregulasie (3) (a) genoem en 'n salarisverhogingstydperk, 'n salarisverhoging deur die departementshoof toegestaan kan word op voorwaarde dat 'n sertifikaat deur die hoof van die kantoor uitgereik word waarin verklaar word dat die beampte of werknemer se werkverrigting en gedrag met betrekking tot die eienskappe in subregulasie (2) genoem, bevredigend was gedurende genoemde aaneenlopende tydperk;

(b) is die bepalings van subregulasie (3) (b) *mutatis mutandis* van toepassing; en

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

M17. (6) Indien die tydperk in subregulasie (3) (a) genoem, gelyk is aan 'n salarisverhogingstydperk, word twee salarisverhogings deur die departementshoof aan sodanige beampte of werknemer toegestaan na verstryking van sodanige tydperk: Met dien verstande dat sodanige salarisverhogings toegestaan kan word slegs as die hoof van die kantoor 'n sertifikaat uitreik waarin verklaar word dat die beampte of werknemer se werkverrigting en gedrag met betrekking tot die eienskappe in subregulasie (2) genoem, gedurende sodanige tydperk bevredigend was: Met dien verstande voorts dat slegs een salarisverhoging aan sodanige beampte of werknemer toegestaan kan word as sy salaris reeds gelyk is aan die voorlaaste kerf van die toepaslike skaal.

M17. (7) Indien 'n salarisverhoging nie kragtens subregulasie (4) (b), subregulasie (5) (c) of subregulasie (6) aan 'n beampte of werknemer toegestaan word nie, tree die bepalings van subregulasies (2), (3), (4), (5) en (6) *mutatis mutandis* opnuut in werking.

M17. (8) Behoudens die bepalings van hierdie regulasie word die salaris van 'n beampte of werknemer aan wie 'n salarisverhoging kragtens subregulasie (4) (b), subregulasie (5) (c) of subregulasie (6) toegestaan is, by die verstryking van elke verdere salarisverhogingstydperk verhoog met een salarisverhoging binne die perke van die skaal wat op hom van toepassing is.

Delegasie van bevoegdheid van die Sekretaris van Samewerking en Ontwikkeling

M18. As hy dit raadsaam ag vir doeltreffende administrasie, kan die Sekretaris van Samewerking en Ontwikkeling enige bevoegdheid aan hom verleen ingevolge hierdie regulasies, aan 'n beampte of werknemer in die Departement van Samewerking en Ontwikkeling deleger op sodanige voorwaardes as wat hy bepaal, en kan hy te eniger tyd 'n delegasie ingevolge hierdie regulasie gemaak, herroep.

tal period, a salary increment may be granted by the head of department on condition that the head of the office issues a certificate in which it is declared that the officer's or employee's work and conduct in regard to the qualities mentioned in subregulation (2) have been satisfactory during the continuous period mentioned;

(b) the provisions of subregulation (3) (b) shall apply *mutatis mutandis*; and

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

M17. (6) If the period mentioned in subregulation (3) (a) is equal to an incremental period, the head of department shall grant such officer or employee two salary increments after the expiry of such period: Provided that such salary increment may be granted only if the head of the office issues a certificate in which it is declared that the officer's or employee's work and conduct in regard to the qualities mentioned in subregulation (2) have been satisfactory during such period: Provided further that such officer or employee may be granted one salary increment only if his salary is already equal to the penultimate notch of the appropriate scale.

M17. (7) If an officer or employee is not granted a salary increment in terms of subregulation (4) (b), subregulation (5) (c) or subregulation (6), the provisions of subregulations (2), (3), (4), (5) and (6) shall *mutatis mutandis* again become operative.

M17. (8) Subject to the provisions of this regulation, the salary of an officer or employee to whom a salary increment has been granted in terms of subregulation (4) (b), subregulation (5) (c) or subregulation (6) shall, at the expiry of each further incremental period, be increased by one salary increment within the limits of the scale applicable to him.

Delegation of powers of Secretary for Co-operation and Development

M18. If he deems it expedient for efficient administration, the Secretary for Co-operation and Development may delegate any power conferred upon him in terms of these regulations to an officer or employee in the Department of Co-operation and Development of the Republic on such conditions as he may determine and may at any time revoke a delegation made in terms of this regulation.

HOOFSTUK III

DEEL N

INWERKINGTREDING EN KORT TITEL

Inwerkingtreding

N1. (1) Hierdie regulasies tree in werking op 'n datum deur die Minister by kennisgewing in die *Staatskoerant* bepaal.

N1. (2) Verskillende datums kan ingevolge subregulasie (1) vir verskillende regulasies bepaal word.

Kort titel

N2. Vir alle doeleindes heet hierdie regulasies die KwaNdebele-personeelregulasies, 1979.

CHAPTER III

PART N

COMMENCEMENT AND SHORT TITLE

Commencement

N1. (1) These regulations shall come into operation on a date to be fixed by the Minister by notice in the *Government Gazette*.

N1. (2) Different dates may be fixed under subregulation (1) for different regulations.

Short title

N2. These regulations may be cited for all purposes as the KwaNdebele Staff Regulations, 1979.

EERSTE AANHANGSEL

AANSOEK OM VERLOF

Van (blokletters)..... Voorname.....

Datum van aanstelling..... Persoonsnommer..... Rang.....

Kantoor of afdeling.....

Soort verlof	Tydperk		Getal dae	Voorwaardes betreffende besoldiging
	Van	Tot		
Vakansie.....				
Siekte.....				
Spesiale.....				

Adres gedurende verloftyd.....

Handtekening van applikant
(wanneer verkrygbaar)

OPMERKINGS

Aflosreëlings.....

Ander.....

Plek..... Datum.....

In verlofregister aangeteken.

Datum.....

Verlofregisterklerk

Aan (Hoof):.....

Aangestuur en aanbeveel.

Verlof goedgekeur

Ampstitel

Ampstitel

Datum..... Datum.....

Plek.....

CERTIFIKAAT VAN ONGESTELDHEID

Naam van geneesheer/Tandarts.....

Kwalifikasies..... Adres.....

Ek verklaar hiermee dat..... deur my behandel is
(Naam van aanvrer)

vanaf.....19..... tot19....., en dat hy/sy ly aan—(vermeld sover moontlik in nie-tegniese bewoording die aard van die ongesteldheid, siekte of letsels met byvoeging van beknopte besonderhede oor die verloop, simptome, hewigheid en, vir sover bepaal kan word, oorsaak daarvan).

Verder sertifiseer ek dat hy/sy gevolglik nie in staat is om sy/haar ampspligte waar te neem nie, en ek ag dit vir sy/haar herstel nodig dat aan hom/haar verlof toegestaan word vanaf.....19..... tot19....., ten einde.....

Datum.....

Geheesheer of Tandarts

MEDIËSE VERSLAG

Sorgvuldige, duidelike en besliste bewoording is noodsaaklik. Terme soos "mag", "moontlik", "waarskynlik" moet vermy word.

1. Gee kortliks die wesenlike feite van die geskiedenis van die gebrek soos verkry van die persoon wat ondersoek word.....
2. Mediese ondersoek.—Moet besonderhede van 'n kliniese ondersoek, ens., onder die volgende hoofde insluit:
 - (a) Hart- en bloedvatesels.....
 - (b) Asemhalingstelsel.....
 - (c) Spysverteringstelsel.....
 - (d) Urinêre stelsel.....
 - (e) Senustelsel.....
 - (f) Verslag van enige laboratorium- of ander spesiale ondersoek wat die mediese beamptes nodig geag het, soos ondersoek van oë, bloed, urine, sputum, ens.....
 - (g) Dui presies die aard van die gebrek wat aangetref is, aan.....
3. Mening omtrent oorsaak van ongesteldheid of letsels.....
4. Mening omtrent huidige graad van ongeskiktheid (moet persentsgewys aangedui word):
 - (a) In huidige betrekking.....
 - (b) In die arbeidsmark oor die algemeen.....
5. Mening of huidige graad van ongeskiktheid—
 - (a) tydelik is (indien wel, vir hoe lank).....
 - (b) permanent is.....
6. Mening of ongeskiktheid sal—
 - (a) toeneem.....
 - (b) verminder.....
7. Mening of enige apparaat, operasie of ander behandeling, of toekenning van verlengde verlof die persoon geskik sou maak om sy/haar pligte behoorlik te vervul.....
8. Mening of ongeskiktheid veroorsaak is—
 - (a) sonder eie toedoen.....
 - (b) in die loop van sy/haar amptelike pligte.....
 - (c) deur omstandighede wat uit die uitvoer van sy/haar amptelike pligte ontstaan.....
9. Mening of die persoon permanent ongeskik is vir verdere diens.....
10. Mening of die gebrek 'n nadelige uitwerking op lewensduur of normale lewensverwagting het.....

Handtekening van Onderzoekende Mediese Beamptes:

Plek.....

Datum.....

11. Opmerkings deur die Sekretaris van Gesondheid.....

Datum.....

Sekretaris van Gesondheid

FIRST ANNEXURE
APPLICATION FOR LEAVE

Surname (block letters)..... First names.....

Date of appointment..... Identity number..... Rank.....

Office or division.....

Kind of leave	Period		No. of days	Conditions as to pay
	From	To		
Vacation.....				
Sick.....				
Special.....				

Address during leave.....

Signature of applicant
(when obtainable)

CONFIDENTIAL
THIRD ANNEXURE

MEDICAL REPORT ON OFFICER IN THE TERRITORIAL AUTHORITY SERVICE
(To be completed at Head Office and forwarded for information of examining medical officers.)

1. Name.....
2. Date of birth.....
3. Address.....
4. Particulars (with dates) of first and subsequent appointments, mentioning places where stationed and nature of duties at each station.....
5. Sick leave taken, with dates of each period. Copies of medical and laboratory reports (if any) to be attached.....
6. Vacation leave taken, with dates of each period.....
7. Vacation leave due.....
8. Any other facts available in official papers relative to the health or habits of the person to be examined.....

MEDICAL REPORT

Careful, clear and decisive wording is necessary. Terms such as "may", "might", "probable" should be avoided.

1. Give concisely the essential facts of the history of the disability as elicited from the examinee.....
2. Medical examination.—This should include the details of a clinical examination, etc., under the following headings:
 - (a) Cardio-vascular system.....
 - (b) Respiratory system.....
 - (c) Alimentary system.....
 - (d) Urinary system.....
 - (e) Nervous system.....
 - (f) Report of any laboratory or other special examination which the examining medical officers may consider necessary to have made such as sight tests, examination of blood, urine, sputum, etc.....
 - (g) Indicate in precise terms the nature of the disability found to exist.....
3. Opinion as to cause of illness or injury.....
4. Opinion as to present degree of incapacity (to be stated as a percentage):
 - (a) In present employment.....
 - (b) In the open labour market.....
5. Opinion as to whether present degree of incapacity is—
 - (a) temporary (if so, for what period).....
 - (b) permanent.....
6. Opinion as to whether incapacity will—
 - (a) increase.....
 - (b) decrease.....
7. Opinion as to whether any appliance, operative or other treatment, or grant of extended leave would render the person fit for the efficient discharge of his/her duties.....
8. Opinion as to whether incapacity was occasioned—
 - (a) without his/her default.....
 - (b) in the course of his/her official duties.....
 - (c) by circumstances arising out of the performance of his/her official duties.....
9. Opinion as to whether the person is permanently unfit for further service.....
10. Opinion as to whether the disability involves any impairment of longevity or normal expectation of life.....

Signatures of Examining Medical Officers:

.....
Place..... Date.....

11. Remarks by the Secretary for Health.....

Date.....

Secretary for Health

KWANDEBELE-PERSONEELREGULASIES, 1979

No. R. 2068

21 September 1979

Kragtens die bevoegdheid my verleen by regulasie N1 van die KwaNdebele-personeelregulasies, 1979, afgekondig by Goewermentskennisgewing R. 2067 van 21 September 1979 bepaal ek, Pieter Gerhardus Jacobus Koornhof, Minister van Samewerking en Ontwikkeling, dat regulasies A1, A2 en B1 tot en met B9 van genoemde personeelregulasies op die datum van afkondiging daarvan en regulasies C1 tot en met M18 van genoemde personeelregulasies op 28 September 1979 in werking tree.

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

(Lêer 1/2/2/13)

KWANDEBELE STAFF REGULATIONS, 1979

No. R. 2068

21 September 1979

Under and by virtue of the powers vested in me by regulation N1 of the KwaNdebele Staff Regulations, 1979, published under Government Notice R. 2067 of 21 September 1979 I, Pieter Gerhardus Jacobus Koornhof, Minister of Co-operation and Development, determine that regulations A1, A2 and B1 to B9, inclusive, of the said staff regulations shall come into operation on the date of publication thereof, and regulations C1 to M18, inclusive, of the said staff regulations shall come into operation on 28 September 1979.

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

(File 1/2/2/13)

INHOUD**CONTENTS**

No.		Bladsy No.	Staats- koerant No.	No.		Page No.	Gazette No.
Samewerking en Ontwikkeling, Departement van Goewermentskennisgewings				Co-operation and Development, Department of Government Notices			
R. 2067	Wet op Swart Owerhede (68/1951): Kwa- Ndebelepersoneelregulasies.....	1	6669	R. 2067	Black Authorities Act (68/1951): KwaNde- bele Staff Regulations.....	1	6669
R. 2068	do.: do.: Inwerkingtreding.....	59	6669	R. 2068	do.: do.: Coming in operation.....	59	6669

