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PROKLAMASIE

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

No. R. 12, 1980

**BEPALINGS BETREFFENDE DIE TOEPASSING
VAN SEKERE WETTE TEN OPSIGTE VAN EN
DIE ADMINISTRASIE VAN SEGOP'S LOCATION,
IN DIE DISTRIK LETABA, IN DIE PROVINSIE
TRANSVAAL**

Kragtens die bevoegdheid my verleen by artikel 25 (1) van die Swart Administrasie Wet, 1927 (Wet 38 van 1927), gelees met artikel 21 (1) van die Ontwikkelingstrust en Grond Wet, 1936 (Wet 18 van 1936), bepaal ek hierby dat—

(a) alle Wette deur die Lebowa- Wetgewende Vergadering gemaak, uitgesonderd die Lebowa-wet op die Instelling van Magistraatshowe, 1973 (Wet 5 van 1973), en enige wet deur 'n lid van die Kabinet van Lebowa gemaak, geag word van toepassing te gewees het of van toepassing is, na gelang van die geval, in die gebied wat bekend staan as Segop's Location 821 LS, in die distrik Letaba, in die provinsie Transvaal (hieronder Segop se lokasie genoem), met ingang van die datum waarop sodanige Wet of wet in werking getree het of tree, na gelang van die geval, en van krag bly totdat hulle deur die bevoegde gesag herroep of gewysig word: Met dien verstande dat enige sodanige Wet of wet gemaak ten opsigte van die instelling, jurisdiksie en administrasie van en die beheer oor laerhowe en die regspraak ten opsigte van Swartes nie in Segop se lokasie van toepassing is nie: Met dien verstande voorts dat geen sodanige Wet of wet wat vir 'n aangewese streek of plek in die gebied waarvoor die Lebowa- Wetgewende Vergadering ingestel is (hieronder Lebowa genoem) in Segop se lokasie van toepassing is nie, tensy dit uitdruklik aldus van toepassing verklaar word;

(b) 'n wet, uitgesonderd 'n wet gemaak ten opsigte van die instelling, jurisdiksie en administrasie van en die beheer oor laerhowe en die regspraak ten

PROCLAMATION

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

No. R. 12, 1980

**PROVISIONS REGARDING THE APPLICATION
OF CERTAIN LAWS IN RESPECT OF AND
REGARDING THE ADMINISTRATION OF
SEGOP'S LOCATION, IN THE DISTRICT OF
LETABA, IN THE PROVINCE OF THE TRANS-
VAAL**

By virtue of the powers vested in me by section 25 (1) of the Black Administration Act, 1927 (Act 38 of 1927), read with section 21 (1) of the Development Trust and Land Act, 1936 (Act 18 of 1936), I hereby determine that—

(a) all Acts made by the Lebowa Legislative Assembly, excluding the Lebowa Establishment of Magistrate's Courts Act, 1973 (Act 5 of 1973), and any law made by a member of the Cabinet of Lebowa shall be deemed to have applied in or shall apply in, as the case may be, the area known as Segop's Location 821 LS, in the District of Letaba, in the Province of the Transvaal (hereinafter referred to as Segop's Location), with effect from the date on which such Act or law came or comes into operation, as the case may be, and shall continue in force until repealed or amended by the competent authority: Provided that any such Act or law made in respect of the establishment, jurisdiction and administration of and the control over inferior courts and the administration of justice in respect of Blacks shall not apply in Segop's Location: Provided further that any such Act or law made for a specified region or place in the area in respect of which the Lebowa Legislative Assembly was established (hereinafter referred to as Lebowa) shall not apply in Segop's Location, unless it is expressly declared so to apply;

(b) any law, excluding a law made in respect of the establishment, jurisdiction and administration of and the control over inferior courts and the administration of justice in respect of Blacks, that

opsigte van Swartes, wat na 30 Junie 1971 gemaak is en wat nie in Lebowa van toepassing is nie, geag word nie in Segop se lokasie van toepassing te gewees het nie, tensy dit uitdruklik aldus van toepassing verklaar was;

(c) 'n wet, uitgesonderd 'n wet gemaak ten opsigte van die instelling, jurisdiksie en administrasie van en die beheer oor laerhove en die regspraak ten opsigte van Swartes, wat na die inwerkingtreding van hierdie Proklamasie gemaak word en wat nie in Lebowa van toepassing is nie, nie in Segop se lokasie van toepassing is nie, tensy dit uitdruklik aldus van toepassing verklaar word;

(d) ten opsigte van Segop se lokasie—

(i) iedere kennisgewing, lisensie, sertifikaat, magtiging, goedkeuring, vrystelling of enigiets wat uitgereik, verleen of gedoen is deur die bevoegde gesag ingevolge 'n bepaling van 'n wet wat by 'n Wet of wet in paragraaf (a) bedoel, herroep is of wat kragtens die bepalings van paragraaf (b) geag word nie in Segop se lokasie van toepassing te gewees het nie, geag word deur die bevoegde gesag kragtens die ooreenstemmende bepaling van 'n wet wat kragtens hierdie Proklamasie in Segop se lokasie van toepassing was of is, uitgereik, verleen of gedoen te gewees het en van krag bly solank dit kragtens die herroepe wet of wet wat geag word nie in Segop se lokasie van toepassing te gewees het nie, na gelang van die geval, van krag sou gebly het, tensy dit vroeër deur die bevoegde gesag ingetrek of gewysig word;

(ii) die herroeping van 'n wet by 'n Wet of wet in paragraaf (a) bedoel, nie 'n boete, verbeurdverklaring of straf opgeloop ten opsigte van 'n misdryf gepleeg ingevolge 'n wet aldus herroep, raak nie;

(iii) die bepalings van paragraaf (b) nie 'n opgelope boete, verbeurdverklaring of straf raak nie ten opsigte van 'n misdryf gepleeg ingevolge 'n wet wat kragtens die bepalings van sodanige paragraaf geag word nie in Segop se lokasie van toepassing te gewees het nie;

(iv) strafregtelike verrigtinge ten opsigte van 'n misdryf gepleeg ingevolge 'n wet by 'n Wet of wet in paragraaf (a) bedoel wat by die datum van inwerkingtreding van hierdie Proklamasie in 'n geregshof 'n aanvang geneem het, voortgesit of afgehandel word asof die betrokke wet nie herroep is nie, indien bedoelde verrigtinge op daardie datum nie afgehandel is nie;

(v) strafregtelike verrigtinge ten opsigte van 'n misdryf gepleeg ingevolge 'n wet wat kragtens die bepalings van paragraaf (b) geag word nie in Segop se lokasie van toepassing te gewees het nie wat op die datum van inwerkingtreding van hierdie Proklamasie in 'n geregshof 'n aanvang geneem het, voortgesit of afgehandel word asof die betrokke wet in Segop se lokasie van toepassing is, indien bedoelde verrigtinge op daardie datum nie afgehandel is nie;

(e) die administratiewe beheer oor, en alle regte, bevoegdhede, gesag, pligte, verpligtinge en werksaamhede in verband met die een of ander aangeleentheid, uitgesonderd administrasie en die beheer oor laerhove en die regspraak ten opsigte van Swartes, wat vanaf of na 1 Julie 1971 ingevolge die een of ander wet in Lebowa by die Kabinet van Lebowa of 'n persoon of liggaam berus het, geag word, in Segop se lokasie, by sodanige Kabinet, persoon of liggaam, na gelang van die geval, vanaf

was made after 30 June 1971 and that does not apply in Lebowa, shall be deemed not to have applied in Segop's Location, unless it was expressly declared so to apply;

(c) any law, excluding a law made in respect of the establishment, jurisdiction and administration of and the control over inferior courts and the administration of justice in respect of Blacks, that is made after the coming into operation of this Proclamation and that does not apply in Lebowa, shall not apply in Segop's Location unless it is expressly declared so to apply;

(d) in respect of Segop's Location—

(i) every notice, licence, certificate, authority, approval, exemption or anything issued, granted or done by the competent authority in terms of any provision of any law which is repealed by any Act or law contemplated in paragraph (a) or which in terms of the provisions of paragraph (b) is deemed not to have applied in Segop's Location shall be deemed to have been issued, granted or done by the competent authority in terms of the corresponding provision of any law which in terms of this Proclamation applied or applies in Segop's Location and shall remain in force for as long as it would have remained in force under the repealed law or law which is deemed not to have applied in Segop's Location, as the case may be, unless sooner withdrawn or amended by the competent authority;

(ii) the repeal of any law by any Act or law contemplated in paragraph (a) shall not affect any penalty, forfeiture or punishment incurred in respect of any offence committed under any law so repealed;

(iii) the provisions of paragraph (b) shall not affect any penalty, forfeiture or punishment incurred in respect of any offence committed under any law which, in terms of the provisions of such paragraph, is deemed not to have applied in Segop's Location;

(iv) criminal proceedings in respect of an offence committed under any law repealed by any Act or law contemplated in paragraph (a) which have at the date of coming into operation of this Proclamation been commenced in any court of law, shall, if such proceedings have at that date not been concluded, be continued and concluded as if the relevant law had not been repealed; and

(v) criminal proceedings in respect of an offence committed under any law which in terms of the provisions of paragraph (b) is deemed not to have applied in Segop's Location, which have at the date of coming into operation of this Proclamation been commenced in any court of law, shall, if such proceedings have at that date not been concluded, be continued and concluded as if the relevant law applied in Segop's Location;

(e) the administrative control of, and all rights, powers, authorities, duties, obligations and functions in connection with any matter, excluding the administration of and the control over inferior courts and the administration of justice in respect of Blacks, which from or after 1 July 1971, by virtue of any law, vested in Lebowa in the Cabinet of Lebowa or any person or body shall, in Segop's Location, be deemed to have vested in such Cabinet,

die datum waarop sodanige beheer, regte, bevoegdhede, gesag, pligte, verpligtinge en werksaamhede in Lebowa by sodanige Kabinet, persoon of liggaam berus het, te berus het;

(f) enige verrigtinge gehou in die magistratshof ingestel vir die gebied Sekgosese voor die inwerking-treding van hierdie Proklamasie met betrekking tot 'n aangeleentheid wat in Segop se lokasie ontstaan het ten opsigte waarvan 'n ander laerhof regsbevoegdheid gehad het, geag word verrigtinge in sodanige ander laerhof te gewees het;

(g) Segop se lokasie met ingang van 1 Junie 1972 geag word in die gebied waarvoor die hof van die Kommissaris vir die gebied Sekgosese ingestel is en nie in die gebied waarvoor die hof van die Kommissaris vir die gebied Tzaneen ingestel is nie, geleë te wees.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Durban, op hede die Agtiende dag van Desember Eenduisend Negehonderd Nege-en-sewentig.

M. VILJOEN, Staatspresident.

Op las van die Staatspresident-in-rade:

P. G. J. KOORNHOF.

person or body, as the case may be, with effect from the date on which such control, rights, powers, authorities, duties, obligations and functions vested in Lebowa in such Cabinet, person or body;

(f) any proceedings held in the magistrate's court established for the area of Sekgosese before the coming into operation of this Proclamation in relation to any matter which arose in Segop's Location and in respect of which any other inferior court had jurisdiction shall be deemed to have been proceedings in such other court;

(g) Segop's Location shall, with effect from 1 June 1972, be deemed to have been situated within the area for which the court of the Commissioner for the area of Sekgosese is constituted and not within the area for which the court of the Commissioner for the area of Tzaneen is constituted.

Given under my hand and the Seal of the Republic of South Africa at Durban this Eighteenth day of December, One thousand Nine hundred and Seventy-nine.

M. VILJOEN, State President.

By Order of the State President-in-Council:

P. G. J. KOORNHOF.

GOEWERMENSKENNISGEWINGS

DEPARTEMENT VAN DOEANE EN AKSYNS

No. R. 111 18 Januarie 1980

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 4 (No. 4/256)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae 4 by genoemde Wet hierby gewysig in die mate in die Bylae hiervan aangetoon.

P. T. C. DU PLESSIS, Adjunk-minister van Finansies.

GOVERNMENT NOTICES

DEPARTMENT OF CUSTOMS AND EXCISE

No. R. 111 18 January 1980

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 4 (No. 4/256)

Under section 75 of the Customs and Excise Act, 1964, Schedule 4 to the said Act is hereby amended to the extent set out in the Schedule hereto.

P. T. C. DU PLESSIS, Deputy Minister of Finance.

BYLAE

I Item	II Tariefpos en Beskrywing	III Mate van Korting
460.06	Deur tariefpos No. 29.04 deur die volgende te vervang: „29.04 (1) Pentaeritritol (uitgesonderd di- of tripentaeritritol), in die hoeveelhede en op die tye wat die Sekretaris van Nywerheidswese by bepaalde permit toelaat (2) Sorbitol, wat voor 30 Junie 1980 vir binnelandse verbruik geklaar word, in die hoeveelhede wat die Sekretaris van Nywerheidswese by bepaalde permit toelaat	Volle reg Volle reg min 10%”

Opmerking.—Voorsiening word gemaak vir 'n gedeeltelike korting op reg op sorbitol wat voor 30 Junie 1980 vir binnelandse verbruik geklaar word, in die hoeveelhede wat die Sekretaris van Nywerheidswese by bepaalde permit toelaat.

SCHEDULE

I Item	II Tariff Heading and Description	III Extent of Rebate
460.06	By the substitution for tariff heading No. 29.04 of the following: “29.04 (1) Pentaerythritol (excluding di- or tripentaerythritol), in such quantities and at such times as the Secretary for Industries may allow by specific permit (2) Sorbitol, entered for home consumption before 30 June 1980, in such quantities as the Secretary for Industries may allow by specific permit	Full duty Full duty less 10%”

Note.—Provision is made for a partial rebate of duty on sorbitol entered for home consumption before 30 June 1980, in such quantities as the Secretary for Industries may allow by specific permit.

No. R. 107

18 Januarie 1980

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/674)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae 1 by genoemde Wet hierby gewysig in die mate in die Bylae hiervan aangetoon.

P. T. C. DU PLESSIS, Adjunk-minister van Finansies.

No. R. 107

18 January 1980

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/674)

Under section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule 1 to the said Act is hereby amended to the extent set out in the Schedule hereto.

P. T. C. DU PLESSIS, Deputy Minister of Finance.

BYLAE

I Tariefpos	II Statistiese Eenheid	III IV V Skaal van Reg		
		Algemeen	M.B.N.	Voorkeur
22.08 en 22.09 Deur tariefposte Nos. 22.08 en 22.09 deur die volgende te vervang:				
„22.08 Etielalkohol of neutrale spiritus, nie gedensatureer nie, met 'n sterkte van minstens 80 persent alkohol volgens volume; gedensatureerde spiritus (met inbegrip van etielalkohol en neutrale spiritus) van enige sterkte:				
22.08.10 Nie gedensatureer nie	liter absolute alkohol	31 764c per 100 liter absolute alkohol		
22.08.20 Gedensatureer	liter absolute alkohol	31 764c per 100 liter absolute alkohol		
22.09 Spiritus (uitgesonderd dié in Pos No. 22.08 vermeld); likeure en ander spiritusdranke; saamgestelde alkoholiese preparate (bekend as „gekoncentreerde ekstrakte”) vir die vervaardiging van drankke:				
22.09.10 Saamgestelde alkoholiese preparate (gekoncentreerde ekstrakte) vir die vervaardiging van drankke:				
.10 Met 'n alkoholsterkte van hoogstens 1,713 persent alkohol volgens volume	liter absolute alkohol	25%		
.90 Ander	liter absolute alkohol	31 764c per 100 liter absolute alkohol		
22.09.20 Likeure, soetdranke en dergelike spiritusdranke wat bygevoegde suiker bevat, met of sonder geurende bestanddele	liter absolute alkohol	25% of 8 468c per 100 liter		
22.09.30 Brandewyn	liter absolute alkohol	31 764c per 100 liter absolute alkohol of 15 420c per 100 liter		
22.09.40 Whisky	liter absolute alkohol	31 764c per 100 liter absolute alkohol of 15 420c per 100 liter		
22.09.50 Rum en arak	liter absolute alkohol	31 764c per 100 liter absolute alkohol of 15 420c per 100 liter		

I Tariefpos	II Statistiese Eenheid	III IV V Skaal van Reg		
		Algemeen	M.B.N.	Voorkeur
22.09.60 'Geneva' of jenever	liter absolute alkohol	31 764c per 100 liter absolute alkohol of 15 420c per 100 liter		
22.09.90 Ander	liter absolute alkohol	31 764c per 100 liter absolute alkohol of 15 420c per 100 liter		

Opmerking.—Die statistiese eenheid vir die produkte van tariefposte Nos. 22.08 en 22.09 word na liter absolute alkohol gewysig.

SCHEDULE

I Tariff Heading	II Statistical Unit	III IV V Rate of Duty		
		General	M.F.N.	Preferential
22.08 and 22.09 By the substitution for tariff headings Nos. 22.08 and 22.09 of the following:				
22.08 Ethyl alcohol or neutral spirits, undenatured, of a strength of not less than 80 per cent alcohol by volume; denatured spirits (including ethyl alcohol and neutral spirits) of any strength:				
22.08.10 Undenatured	litre absolute alcohol	31 764c per 100 litres of absolute alcohol		
22.08.20 Denatured	litre absolute alcohol	31 764c per 100 litres of absolute alcohol		
22.09 Spirits (excluding those of heading No. 22.08); liqueurs and other spirituous beverages; compound alcoholic preparations (known as 'concentrated extracts') for the manufacture of beverages:				
22.09.10 Compound alcoholic preparations (concentrated extracts) for the manufacture of beverages:				
.10 Of an alcoholic strength not exceeding 1,713 per cent alcohol by volume	litre absolute alcohol	25%		
.90 Other	litre absolute alcohol	31 764c per 100 litres of absolute alcohol		
22.09.20 Liqueurs, cordials and similar spirituous beverages containing added sugar, with or without flavouring ingredients	litre absolute alcohol	25% or 8 468c per 100 litres		
22.09.30 Brandy	litre absolute alcohol	31 764c per 100 litres of absolute alcohol or 15 420c per 100 litres		

I Tariff Heading	II Statistical Unit	Rate of Duty		
		General	M.F.N.	Preferential
22.09.40 Whisky	litre absolute alcohol	31 764c per 100 litres of absolute alcohol or 15 420c per 100 litres		
22.09.50 Rum and arrack	litre absolute alcohol	31 764c per 100 litres of absolute alcohol or 15 420c per 100 litres		
22.09.60 Geneva or gin	litre absolute alcohol	31 764c per 100 litres of absolute alcohol or 15 420c per 100 litres		
22.09.90 Other	litre absolute alcohol	31 764c per 100 litres of absolute alcohol or 15 420c per 100 litres		

Note.—The statistical unit for the products of tariff headings Nos. 22.08 and 22.09 is amended to litres of absolute alcohol.

No. R. 108

18 Januarie 1980

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/675)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae 1 by genoemde Wet hierby gewysig in die mate in die Bylae hiervan aangetoon.

P. T. C. DU PLESSIS, Adjunk-minister van Finansies.

No. R. 108

18 January 1980

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/675)

Under section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule 1 to the said Act is hereby amended to the extent set out in the Schedule hereto.

P. T. C. DU PLESSIS, Deputy Minister of Finance.

BYLAE

I Tariefpos	II Statistiese Eenheid	Skaal van Reg		
		Algemeen	M.B.N.	Voorkeur
29.04 Deur subpos No. 29.04.80 deur die volgende te vervang:				
„29.04.77 Mannitol	kg	10%		
29.04.82 Sorbitol:	kg	20% of 43c per kg min 80%		
.10 Solied				
.20 Vloeibaar	kg	20% of 43c per kg min 80%		

Opmerking.—Spesifieke voorsiening word gemaak vir sorbitol en die skaal van reg daarop word van 10% na 20% of 43c per kg min 80% verhoog.

SCHEDULE

I Tariff Heading	II Statistical Unit	Rate of Duty		
		General	M.F.N.	Preferential
29.04 By the substitution for subheading No. 29.04.80 of the following: "29.04.77 Mannitol 29.04.82 Sorbitol: .10 Solid	kg	10%		
	kg	20% or 43c per kg less		
.20 Liquid	kg	80% 20% or 43c per kg less 80%"		

Note.—Specific provision is made for sorbitol and the rate of duty thereon is increased from 10% to 20% or 43c per kg less 80%.

No. R. 110

18 Januarie 1980

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/4/42)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 4 van Bylae 1 by genoemde Wet hierby gewysig in die mate in die Bylae hiervan aangetoon.

P. T. C. DU PLESSIS, Adjunk-minister van Finansies.

No. R. 110

18 January 1980

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/4/42)

Under section 48 of the Customs and Excise Act, 1964, Part 4 of Schedule 1 to the said Act is hereby amended to the extent set out in the Schedule hereto.

P. T. C. DU PLESSIS, Deputy Minister of Finance.

BYLAE

I Bobelastingitem	II Tariefpos en Beskrywing	III Skaal van Bobelasting
166.00	Deur tariefpos No. 29.00 deur die volgende te vervang: „29.00 Organiese chemikalieë (uitgesonderd goedere van poste of subposte Nos. 29.01.20, 29.01.40, 29.02.05, 29.02.35, 29.02.40, 29.02.45, 29.02.50, 29.03.25, 29.03.50, 29.04.10, 29.04.35, 29.04.85, 29.05.20, 29.06.60, 29.07.40, 29.08.60, 29.13.60, 29.14.05.10, 29.14.09.50, 29.14.09.60, 29.14.17.10, 29.14.19.10, 29.15.20, 29.15.30, 29.15.80, 29.16.10, 29.16.15, 29.16.20, 29.16.25, 29.16.50, 29.16.70, 29.16.75, 29.16.80, 29.19.30, 29.19.40, 29.19.90, 29.23.30, 29.23.40, 29.23.55, 29.23.80, 29.24.10, 29.26.10, 29.28.10, 29.31.50, 29.31.70, 29.35.07, 29.35.09, 29.35.11, 29.35.20, 29.35.50, 29.35.70, 29.37, 29.42.10 en 29.44.10)	7,5%”

Opmerking.—Hierdie wysiging spruit voort uit die herskryf van tariefpos No. 29.14 in Deel I van Bylae No. 1.

SCHEDULE

I Surcharge Item	II Tariff Heading and Description	III Rate of Surcharge
166.00	By the substitution for tariff heading No. 29.00 of the following: “29.00 Organic chemicals (excluding goods of headings or sub-headings Nos. 29.01.20, 29.01.40, 29.02.05, 29.02.35, 29.02.40, 29.02.45, 29.02.50, 29.03.25, 29.03.50, 29.04.10, 29.04.35, 29.04.85, 29.05.20, 29.06.60, 29.07.40, 29.08.60, 29.13.60, 29.14.05.10, 29.14.09.50, 29.14.09.60, 29.14.17.10, 29.14.19.10, 29.15.20, 29.15.30, 29.15.80, 29.16.10, 29.16.15, 29.16.20, 29.16.25, 29.16.50, 29.16.70, 29.16.75, 29.16.80, 29.19.30, 29.19.40, 29.19.90, 29.23.30, 29.23.40, 29.23.55, 29.23.80, 29.24.10, 29.26.10, 29.28.10, 29.31.50, 29.31.70, 29.35.07, 29.35.09, 29.35.11, 29.35.20, 29.35.50, 29.35.70, 29.37, 29.42.10 and 29.44.10)	7,5%”

Note.—This amendment is consequential to the restatement of tariff heading No. 29.14 in Part 1 of Schedule No. 1.

No. R. 109

18 Januarie 1980

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/676)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae 1 by genoemde Wet hierby gewysig in die mate in die Bylae hiervan aangetoon.

P. T. C. DU PLESSIS, Adjunk-minister van Finansies.

No. R. 109

18 January 1980

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/676)

Under section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule 1 to the said Act is hereby amended to the extent set out in the Schedule hereto.

P. T. C. DU PLESSIS, Deputy Minister of Finance.

BYLAE

I Tariefpos	II Statistiese Eenheid	III IV V Skaal van Reg		
		Algemeen	M.B.N.	Voorkeur
29.14 Deur tariefpos No. 29.14 deur die volgende te vervang: „29.14 Monokarboksielsure en anhidriede, haliede, peroksiede en persure daarvan, en gehalogeneerde, gesulfoneerde, genitreerde of genitroseerde derivate daarvan:				
29.14.05 Mieresuur en soute en esters daarvan:				
.10 Mieresuur	kg	15%		
.20 Soute van mieresuur	kg	10%		
.30 Vloeibare aromatiese esters van mieresuur	kg	vry		
.40 Ander esters van mieresuur	kg	10%		
29.14.07 Asynsuur en soute daarvan; asynsuuranhidried:				
.10 Asynsuur	kg	16c per kg		
.20 Natriumasetaat	kg	25%		
.30 Kobaltasetaat	kg	10%		
.40 Loodasetaat	kg	vry		
.70 Ander soute van asynsuur	kg	10%		
.80 Asynsuuranhidried	kg	10%		
29.14.09 Esters van asynsuur:				
.10 Etielasetaat	kg	20% of 27c per kg min 80%		
.20 Vinielasetaatmonomeer	kg	20% of 45c per kg min 80%		
.30 n-Butielasetaat	kg	20% of 60c per kg min 80%		
.40 Isobutielasetaat	kg	20% of 60c per kg min 80%		
.45 Ander butielasetaat	kg	20% of 60c per kg min 80%		
.50 2-Etoksiëtielasetaat (etileen- glikolmonoëtielerasetaat)	kg	vry		
.60 Diëtileenglikolmonobutieleter- asetaat; etileen- glikolmonobutieleterasetaat	kg	vry		
.70 Amielasetaat	kg	20% of 27c per kg min 80%		
.75 Etileen- glikolmonometielerasetaat; etileen- glikolmonopropielerasetaat	kg	25%		
.80 Ander vloeibare aromatiese esters van asynsuur	kg	vry		
.90 Ander	kg	10%		
29.14.13 Chloorasynsure en soute en esters daarvan:				
.10 Chloorasynsure	kg	15%		
.20 Soute en esters van chloor- asynsure	kg	10%		
29.14.17 Propioonsuur en soute en esters daarvan:				
.10 Propioonsuur	kg	15%		
.20 Soute en esters van propioen- suur	kg	10%		

I Tariefpos	II Statistiese Eenheid	III IV V Skaal van Reg		
		Algemeen	M.B.N.	Voorkuur
29.14.19 Bottersure en valeriaansure, en soute en esters daarvan: .10 Bottersure; valeriaansure .20 Soute en esters van bottersure en valeriaansure	kg kg	15% 10%		
29.14.23 Palmitiensuur en steariensuur, en soute en esters daarvan: .10 Palmitiensuur; steariensuur .20 Aluminiumstearaat	kg kg	15% 15% of 125c per kg min 85%		
.30 Sinkstearaat	kg	15% of 115c per kg min 85%		
.50 Geëpoksiede alkielesters van palmitiensuur en stearien- suur	kg	25%		
.90 Ander	kg	10%		
29.14.29 Akrielsuur en soute daarvan: .10 Akrielsuur .20 Soute van akrielsuur	kg kg	15% 10%		
29.14.31 Esters van akrielsuur	kg	10%		
29.14.33 Metakrielsuur en soute daarvan: .10 Metakrielsuur .20 Soute van metakrielsuur	kg kg	15% 10%		
29.14.34 Esters van metakrielsuur	kg	10%		
29.14.43 Oleïensuur, linoleïensuur, en lino- leensuur, en soute en esters daarvan: .10 Oleïensuur .20 Linoleïensuur; linoleensuur .30 Geëpoksiede alkielesters van oleïensuur, linoleïensuur en linoleensuur	kg kg kg	vry 15% 25%		
.40 Soute en ander esters van oleïensuur, linoleïensuur en linoleensuur	kg	10%		
29.14.47 Bensoësuur en soute en esters daa- ravan: .10 Bensoësuur .20 Vloeibare aromatiese esters van bensoësuur	kg kg	15% vry		
.30 Bensieldiëtiel [(2,6-xiëlkar- bamoiel) metiel]-ammonium- bensoaat	kg	vry		
.40 Soute en ander esters van bensoësuur	kg	10%		
29.14.49 Bensoëelperoksied; bensoëelchloried	kg	10%		
29.14.59 Feniëlasynsuur en soute en esters daarvan: .10 Feniëlasynsuur .20 Soute en esters van fenië- lasynsuur	kg kg	15% 10%		
29.14.90 Monokarboksiësure nie elders in hierdie pos voorsien nie, en soute en esters daarvan: .10 Sure .20 Geëpoksiede alkielesters van talolievetsure	kg kg	15% 25%		
.30 Bioalietrien	kg	vry		
.40 Disiklomienhidrochloried	kg	20% of 4 500c per kg min 80%		
.90 Ander	kg	10%		

Opmerking.—Tariefpos No. 29.14 word herskryf.

SCHEDULE

I Tariff Heading	II Statistical Unit	III IV V Rate of Duty		
		General	M.F.N.	Preferential
29.14 By the substitution for tariff heading No. 29.14 of the following: "29.14 Monocarboxylic acids and their anhy- drides, halides, peroxides and pera-				

I Tariff Heading	II Statistical Unit	Rate of Duty		
		General	M.F.N.	Preferential
cids, and their halogenated, sulphonated, nitrated or nitrosated derivatives:				
29.14.05 Formic acid and its salts and esters:				
.10 Formic acid	kg	15%		
.20 Salts of formic acid	kg	10%		
.30 Liquid aromatic esters of formic acid	kg	free		
.40 Other esters of formic acid	kg	10%		
29.14.07 Acetic acid and its salts; acetic anhydride:				
.10 Acetic acid	kg	16c per kg		
.20 Sodium acetate	kg	25%		
.30 Cobalt acetate	kg	10%		
.40 Lead acetate	kg	free		
.70 Other salts of acetic acid	kg	10%		
.80 Acetic anhydride	kg	10%		
29.14.09 Esters of acetic acid:				
.10 Ethyl acetate	kg	20% or 27c per kg less 80%		
.20 Vinyl acetate monomer	kg	20% or 45c per kg less 80%		
.30 n-Butyl acetate	kg	20% or 60c per kg less 80%		
.40 Isobutyl acetate	kg	20% or 60c per kg less 80%		
.45 Other butyl acetates	kg	20% or 60c per kg less 80%		
.50 2-Ethoxyethyl acetate (ethylene glycol monoethyl ether acetate)	kg	free		
.60 Diethylene glycol monobutyl ether acetate; ethylene glycol monobutyl ether acetate	kg	free		
.70 Amyl acetate	kg	20% or 27c per kg less 80%		
.75 Ethylene glycol monomethyl ether acetate; ethylene glycol monopropyl ether acetate	kg	25%		
.80 Other liquid aromatic esters of acetic acid	kg	free		
.90 Other	kg	10%		
29.14.13 Chloroacetic acids and their salts and esters:				
.10 Chloroacetic acids	kg	15%		
.20 Salts and esters of chloroacetic acids	kg	10%		
29.14.17 Propionic acid and its salts and esters:				
.10 Propionic acid	kg	15%		
.20 Salts and esters of propionic acid	kg	10%		
29.14.19 Butyric acids and valeric acids, and their salts and esters:				
.10 Butyric acids; valeric acids	kg	15%		
.20 Salts and esters of butyric acids and valeric acids	kg	10%		
29.14.23 Palmitic acid and stearic acid, and their salts and esters:				
.10 Palmitic acid; stearic acid	kg	15%		
.20 Aluminium stearate	kg	15% or 125c per kg less 85%		
.30 Zinc stearate	kg	15% or 115c per kg less 85%		
.50 Epoxidised alkyl esters of palmitic acid and stearic acid	kg	25%		
.90 Other	kg	10%		

I Tariff Heading	II Statistical Unit	III IV V Rate of Duty		
		General	M.F.N.	Preferential
29.14.29 Acrylic acid and its salts:				
.10 Acrylic acid	kg	15%		
.20 Salts of acrylic acid	kg	10%		
29.14.31 Esters of acrylic acid	kg	10%		
29.14.33 Methacrylic acid and its salts:				
.10 Methacrylic acid	kg	15%		
.20 Salts of methacrylic acid	kg	10%		
29.14.34 Esters of methacrylic acid	kg	10%		
29.14.43 Oleic acid, linoleic acid and linolenic acid, and their salts and esters:				
.10 Oleic acid	kg	free		
.20 Linoleic acid; linolenic acid	kg	15%		
.30 Epoxidised alkyl esters of oleic acid, linoleic acid and linolenic acid	kg	25%		
.40 Salts and other esters of oleic acid, linoleic acid and linolenic acid	kg	10%		
29.14.47 Benzoic acid and its salts and esters:				
.10 Benzoic acid	kg	15%		
.20 Liquid aromatic esters of benzoic acid	kg	free		
.30 Benzyl-diethyl [(2,6-xylyl carbamoyl) methyl] ammonium benzoate	kg	free		
.40 Salts and other esters of benzoic acid	kg	10%		
29.14.49 Benzoyl peroxide; benzoyl chloride	kg	10%		
29.14.59 Phenylacetic acid and its salts and esters:				
.10 Phenylacetic acid	kg	15%		
.20 Salts and esters of phenylacetic acid	kg	10%		
29.14.90 Monocarboxylic acids not elsewhere provided for under this heading, and their salts and esters:				
.10 Acids	kg	15%		
.20 Epoxidised alkyl esters of tall oil fatty acids	kg	25%		
.30 Bioallethrin	kg	free		
.40 Dicyclomine hydrochloride	kg	20% or 4 500c per kg less 80%		
.90 Other	kg	10%		

Note.—Tariff heading No. 29.14 is restated.

No. R. 118

18 Januarie 1980

BEPALINGS VAN TARIEFINDELING EN VERSTREKKING DAARVAN OP KLARINGSBRIEWE (LYS TAR/3)

Die volgende wysigings tot bepalinge word kragtens artikel 47 (9) van die Doeane- en Aksynswet, 1964 (Wet 91 van 1964), gepubliseer.

D. ODENDAL, Sekretaris van Doeane en Aksyns.

Opmerking.—Lys TAR/2 is in Goewermentskennisgewing R. 45 van 11 Januarie 1980 gepubliseer.

Wysigings tot bepalinge as gevolg van wysigings tot Deel 1 van Bylae 1 by die Doeane- en Aksynswet, 1964.

Die volgende vervang die bestaande bepalinge met ingang van die datum aangedui:

Met ingang van 18 Januarie 1980.

No. R. 118

18 January 1980

DETERMINATIONS OF TARIFF CLASSIFICATION AND FURNISHING THEREOF ON BILLS OF ENTRY (LIST TAR/3)

The following amendments to determinations are published in terms of section 47 (9) of the Customs and Excise Act, 1964 (Act 91 of 1964).

D. ODENDAL, Secretary for Customs and Excise.

Note.—List TAR/2 was published in Government Notice R. 45 of 11 January 1980.

Amendments to determinations resulting from amendments to Part 1 of Schedule 1 to the Customs and Excise Act, 1964.

The following are substituted for the existing determinations with effect from the date indicated:

With effect from 18 January 1980.

Beskrywing van goedere	Tariefpos/ -subpos Tariff heading/ subheading	Bepaling No. Determination No.	Description of goods
Veova 10, 'n ester van tersiere dekanoeësuur—'n monokarboksielsuurester nie elders vermeld nie, ander	29.14.90.90	1	Veova 10, an ester of tertiary decanoic acid—a monocarboxylic acid not elsewhere provided for, other
Edenol 186, 'n ester van 'n alifatiese monokool-suur—'n monokarboksielsuurester nie elders vermeld nie, ander	29.14.90.90	2	Edenol 186, an ester of an aliphatic mono carbonic acid—a monocarboxylic acid ester not elsewhere provided for, other
Hercolyn hidreerde harpui, 'n metielester van harpui—'n monokarboksielsuurester nie elders vermeld nie, ander	29.14.90.90	3	Hercolyn hydrogenated rosin, a methyl ester of rosin—a monocarboxylic acid ester not elsewhere provided for, other
Vinegarine—asynsuur (nie gekleur of geleur nie)	29.14.07.10	4	Vinegarine—acetic acid (not coloured or flavoured)
Isopropielmiristaat, die ester van isopropielalkohol en miristiensuur—'n monokarboksielsuurester nie elders vermeld nie, ander	29.14.90.90	5	Isopropyl-myristat, the ester of isopropyl alcohol and myristic acid—a monocarboxylic acid ester not elsewhere provided for, other
Alclofenac Zumaril (4 allieloksie-3-chlorofeniel-asynsuur)—'n monokarboksielsuurester nie elders vermeld nie	29.14.90.10	6	Alclofenac Zumaril (4 allyloxy-3-chlorophenyl-acetic acid)—a monocarboxylic acid not elsewhere provided for
Kodaflex TXIB, 'n ester van isobottersuur—'n ester van 'n bottersuur	29.14.19.20	7	Kodaflex TXIB, an ester of isobutyric acid—an ester of a butyric acid
Cardura E, 'n ester van die natriumsout van glisidielsuur plus epichloorhidrien—'n monokarboksielsuurester nie elders vermeld nie, ander	29.14.90.90	8	Cardura E, an ester of the sodium salt of glycidyl acid plus epichlorhydrin—a monocarboxylic acid ester not elsewhere provided for, other
Lankroflex ED3 en ED6 (oktielepoksiestearate)—geëpoksiedeerde alkielesters van steariensuur	29.14.23.50	9	Lankroflex ED3 and ED6 (octyl epoxy stearates)—epoxidised alkyl esters of stearic acid
Vereflex (oktielepoksiestearate)—geëpoksiedeerde alkielester van steariensuur	29.14.23.50	10	Vereflex (octyl epoxy stearate)—epoxidised alkyl ester of stearic acid
Desmorapid SO—'n monokarboksielsuursout nie elders vermeld nie, ander	29.14.90.90	11	Desmorapid SO—a monocarboxylic acid salt not elsewhere provided for, other
Phloxyl (paratersiere-butiel-sikloheksielasetaat)—ander vloeibare aromatiese ester van asynsuur (ander handelsname is Vertenex, Vetester, Oryclon, Dorisyl en Ylanat)	29.14.09.80	12	Phloxyl (para-tertiary-butyl cyclohexyl acetate)—other liquid aromatic ester of acetic acid (other trade names are Vertenex, Vetester, Oryclon, Dorisyl and Ylanat)
Bensieneokapraat ('n bensielester van 'n alifatiese suur)—'n monokarboksielsuurester nie elders vermeld nie, ander	29.14.90.90	13	Benzyl neocaprate (a benzyl ester of an aliphatic acid)—a monocarboxylic acid ester not elsewhere provided for, other

No. R. 112

18 Januarie 1980

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN REGULASIES (No. MR/42)

Kragtens artikel 120 van die Doeane- en Aksynswet, 1964, word die regulasies gepubliseer by Goewermments-kennissgewing R. 1770 van 5 Oktober 1973 gewysig in die mate in die Bylae hiervan aangetoon.

P. T. C. DU PLESSIS, Adjunk-minister van Finansies.

BYLAE

1. Deur regulasie 4.04.10 deur die volgende regulasie te vervang:

“4.04.10. Ondanks die bepalings van regulasie 4.04.09 moet elke vervaardiger van verkoopreggoedere of sinsbare goedere van Afdeling B van Deel 2 van Bylae No. 1, elke eienaar van verkoopreggoedere, of sodanige sinsbare goedere, wat vir hom ten dele of geheel en al van materiaal wat aan sodanige eienaar behoort, vervaardig is en elke vervaardiger van en handelaar in pèrels, edelstene en halfedelstene, edelmetale of artikels bevattende of vervaardig van sodanige pèrels, edelstene en halfedelstene of edelmetale kwartaalliks 'n rekening voorlê, in ooreenstemming met die voorskrifte van die Sekretaris, ten opsigte van enige goedere wat uit hulle persele wat as spesiale doeane-aksynspakhuse vir doeleindes van verkoopreg en sodanige aksynsreg gelisensieer is verwyder is. Bedoelde rekening moet aan die Kontroleur voorgelê word en die verskuldigde reg aan hom betaal word voor of op die 25ste dag van die maand wat volg op die kwartaal

No. R. 112

18 January 1980

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF REGULATIONS (No. MR/42)

Under section 120 of the Customs and Excise Act, 1964, the regulations published in Government Notice R. 1770 of 5 October 1973 are amended to the extent set out in the Schedule hereto.

P. T. C. DU PLESSIS, Deputy Minister of Finance.

SCHEDULE

1. By the substitution for regulation 4.04.10 of the following:

“4.04.10. Notwithstanding the provisions of regulation 4.04.09 every manufacturer of sales duty goods or excisable goods of section B of Part 2 of Schedule No. 1, every owner of sales duty goods, or such excisable goods, manufactured for him partly or wholly from materials owned by such owner, and every manufacturer of and dealer in pearls, precious and semi-precious stones, precious metals or articles containing or manufactured of such pearls, precious and semi-precious stones or precious metals, shall present quarterly an account, in accordance with the directions of the Secretary, in respect of any goods removed from their premises which have been licensed as special customs and excise warehouses for the purposes of sales duty or such excise duty. The said account shall be presented to the Controller and the duty due paid to him on or before the 25th day of the month following the quarter

waarop die rekening betrekking het: Met dien verstande dat, in die geval van motorvoertuie, rekeninge voorgelê en die reg betaal word op die tye voorgeskryf in regulasies 4.04.05 en 4.04.09, onderskeidelik."

2. Deur na regulasie 4.04.11 die volgende in te voeg:

"4.04.12. Op enige reg wat na die datums in regulasies 4.04.09 en 4.04.10 genoem betaal word, word rente teen 'n koers van 10 persent per jaar betaal vir elke volle maand wat die bedrag agterstallig is en 'n gedeelte van 'n maand word as 'n volle maand bereken: Met dien verstande dat die Sekretaris na goeëdunke sodanige rente kan kwytsteld indien hy van die oordeel is dat omstandighede aanwesig is waardeur sodanige agterstallige betaling onvermydelik was."

OPMERKINGS

1. Regulasie 4.04.10 word gewysig om voorsiening te maak vir reg wat kragtens Afdeling B van Deel 2 van Bylae No. 1 betaalbaar is.

2. Regulasie 4.04.12 word ingevoeg om voorsiening te maak vir die heffing van rente op reg wat na die datum waarop dit betaalbaar is, betaal word.

DEPARTEMENT VAN JUSTISIE

No. R. 91

18 Januarie 1980

TOELATING OM IN DIE REPUBLIEK TE PRAK-TISEER VAN ADVOKATE WAT ELDERS PRAK-TISEER

Kragtens die bevoegdheid my verleen by artikel 5 (1) (a) van die Wet op die Toelating van Advokate, 1964 (Wet 74 van 1964), wys ek, Alwyn Louis Schlebusch, Minister van Justisie, hierby die Republiek van Transkei vir die doeleindes van die genoemde artikel 5 aan.

A. L. SCHLEBUSCH, Minister van Justisie.

DEPARTEMENT VAN LANDBOU-EKONOMIE EN -BEMARKING

No. R. 100

18 Januarie 1980

VERBOD OP DIE VERKOOP OF INBRING VAN PERE BEHALWE SEKERE GRADE PERE IN SEKERE GEBIEDE

Kragtens artikel 79 (b) van die Bemarkingswet, 1968 (Wet 59 van 1968), maak ek, Hendrik Stephanus Johan Schoeman, Minister van Landbou, hierby bekend dat die Sagtevrugteraad, vermeld in artikel 6 van die Sagtevrugteskema, afgekondig by Proklamasie R. 220 van 1979, soos gewysig, kragtens artikels 47 en 52 van daardie Skema, met my goedkeuring die verbodsbepalings in die Bylae hiervan uiteengesit, opgelê het ter vervanging van die verbodsbepalings afgekondig by Goewermentskennisgewing R. 95 van 19 Januarie 1979, soos gewysig.

H. S. J. SCHOEMAN, Minister van Landbou.

BYLAE

1. In hierdie kennisgewing, tensy uit die samehang anders blyk, het 'n woord of uitdrukking waaraan in die Sagtevrugteskema, afgekondig by Proklamasie R. 220 van 1979, soos gewysig, 'n betekenis geheg is, 'n ooreenstemmende betekenis en beteken—

"klas" 'n klas voorgeskryf by regulasie kragtens artikel 89 van die Bemarkingswet, 1968 (Wet 59 van 1968);

to which the account relates: Provided that, in the case of motor vehicles, accounts be presented and the duty paid at the times prescribed in regulations 4.04.05 and 4.04.09, respectively."

2. By the insertion after regulation 4.04.11 of the following:

"4.04.12 On any duty paid after the dates mentioned in regulations 4.04.09 and 4.04.10 interest shall be paid at the rate of 10 per cent per annum for every full month the amount is in arrear and a portion of a month is calculated as a full month: Provided that the Secretary may in his discretion remit such interest if he is of the opinion that circumstances exist on account of which such arrear payment was unavoidable."

NOTES

1. Regulation 4.04.10 is amended to make provision for the duty payable in terms of section B of Part 2 of Schedule No. 1.

2. Regulation 4.04.12 is inserted to make provision for the levying of interest on duty paid after the date on which it becomes payable.

DEPARTMENT OF JUSTICE

No. R. 91

18 January 1980

ADMISSION TO PRACTISE IN THE REPUBLIC OF ADVOCATES PRACTISING ELSEWHERE

Under the powers vested in me by section 5 (1) (a) of the Admission of Advocates Act, 1964 (Act 74 of 1964), I, Alwyn Louis Schlebusch, Minister of Justice, hereby designate the Republic of Transkei for the purposes of the said section 5.

A. L. SCHLEBUSCH, Minister of Justice.

DEPARTMENT OF AGRICULTURAL ECONOMICS AND MARKETING

No. R. 100

18 January 1980

PROHIBITION OF THE SALE IN OR INTRODUCTION INTO CERTAIN AREAS OF PEARS EXCEPT CERTAIN GRADES OF PEARS

In terms of section 79 (b) of the Marketing Act, 1968 (Act 59 of 1968), I, Hendrik Stephanus Johan Schoeman, Minister of Agriculture, hereby make known that the Deciduous Fruit Board, referred to in section 6 of the Deciduous Fruit Scheme, published by Proclamation R. 220 of 1979, as amended, has, in terms of sections 47 and 52 of that Scheme, with my approval, imposed the prohibitions set out in the Schedule hereto in substitution of the prohibitions published by Government Notice R. 95 of 19 January 1979, as amended.

H. S. J. SCHOEMAN, Minister of Agriculture.

SCHEDULE

1. In this notice, unless inconsistent with the context, any word or expression to which a meaning has been assigned in the Deciduous Fruit Scheme, published by Proclamation R. 220 of 1979, as amended, shall have a corresponding meaning, and—

"class" means a class prescribed by regulation under section 89 of the Marketing Act, 1968 (Act 59 of 1968);

“gespesifiseerde gebied” enige een of meer van die volgende gebiede:

- (a) “Bloemfontein-gebied”, d.i. die munisipale gebied Bloemfontein;
- (b) “Durban-gebied”, d.i. die gebiede onder die beheer van die plaaslike besture van Durban, Amanzimtoti, Assegay, Clermont, Crestholme-Waterfall, Duffs Road, Everton, Gillitts-Emberton, Glen Anil, Glenashley, Hillcrest, Kingsburgh, Kloof, La Lucia, Mariannhill, Mhlathuzana, New Germany, Ottawa, Pinetown, Queensburgh, Tongaat, Umbogintwini, Umhlanga Rocks, Verulam, Westville en Yellow Wood Park;
- (c) “Kaapstad-gebied”, d.i. die munisipale gebiede Bellville, Durbanville, Goodwood, Kaapstad, Kuilsrivier, Milnerton, Parow, Pinelands, Simonstad, Vishoek en Wynberg en die plaaslike gebiede Bellville-Suid, Elsiesrivier en Parowvallei;
- (d) “Kimberley-gebied”, d.i. die munisipale gebied Kimberley;
- (e) “Klerksdorp-gebied”, d.i. die munisipale gebied Klerksdorp;
- (f) “Oos-Londen-gebied”, d.i. die munisipale gebied Oos-Londen;
- (g) “Pietermaritzburg-gebied”, d.i. die gebiede onder die beheer van die plaaslike besture van Pietermaritzburg, Ashburton, Edendale, Hilton, Howick, Howick-Wes, Merrivale, Midmar, Sweetwaters en Winterskloof;
- (h) “Port Elizabeth-gebied”, d.i. die munisipale gebiede Despatch, Port Elizabeth en Uitenhage;
- (i) “Pretoria-gebied”, d.i. die munisipale gebied Pretoria;
- (j) “Vrystaatse Goudvelde-gebied”, d.i. die munisipale gebiede Allanridge, Odendaalsrus, Virginia en Welkom;
- (k) “Witwatersrand-gebied”, d.i. die munisipale gebiede Alberton, Benoni, Boksburg, Brakpan, Edenvale, Elsburg, Germiston, Johannesburg, Kempton Park, Krugersdorp, Meyerton, Nigel, Randburg, Randfontein, Roodepoort, Sandton, Springs, Vereeniging en Westonaria.

2. Geen produsent mag pere wat hy geproduseer het, behalwe Klas 1 of Klas 2, vir varsverbruik verkoop nie.

3. Niemand mag pere, behalwe Klas 1 of Klas 2, in die gespesifiseerde gebied vir verkoop vir varsverbruik inbring nie.

4. Hierdie kennisgewing tree in werking op 1 Februarie 1980 en herroep Goewermentskennisgewing R. 95 van 19 Januarie 1979, soos gewysig deur Goewermentskennisgewing R. 1263 van 15 Junie 1979, met ingang van dieselfde datum.

No. R. 101

18 Januarie 1980

VOORGESTELDE WYSIGING VAN DIE SUIWELBEHEERSKEMA AFGEKONDIG BY PROKLAMASIE R. 290 VAN 1978, SOOS GEWYSIG

Besonderhede van 'n voorgestelde wysiging van die Suivelbeheerskema wat deur die Suivelbeheerraad aan die Minister van Landbou kragtens artikel 15 (1) (a) van die Bemarkingswet, 1968 (No. 59 van 1968), voorgelê is, word hierby vir algemene inligting gepubliseer ingevolge artikel 9 (2) (b), saamgelees met artikel 15 (3) van genoemde Wet.

Die Minister het kragtens artikel 9 (1) saamgelees met artikel 15 (3) van genoemde Wet, na oorlegpleging met die Nasionale Bemarkingsraad, die voorgestelde wysiging voorlopig goedgekeur.

“specified area” means one or more of the following areas:

- (a) “Bloemfontein area”, that is the municipal area of Bloemfontein;
- (b) “Cape Town area”, that is the municipal areas of Bellville, Cape Town, Durbanville, Fish Hoek, Goodwood, Kuils River, Milnerton, Parow, Pinelands, Simonstown and Wynberg and the local areas of Bellville South, Elsies River and Parowvallei;
- (c) “Durban area”, that is the areas under control of the local authorities of Durban, Amanzimtoti, Assegay, Clermont, Crestholme-Waterfall, Duffs Road, Everton, Gillitts-Emberton, Glen Anil, Glenashley, Hillcrest, Kingsburgh, Kloof, La Lucia, Mariannhill, Mhlathuzana, New Germany, Ottawa, Pinetown, Queensburgh, Tongaat, Umbogintwini, Umhlanga Rocks, Verulam, Westville and Yellow Wood Park;
- (d) “East London area”, that is the municipal area of East London;
- (e) “Free State Goldfields area”, consisting of the municipal areas of Allanridge, Odendaalsrus, Virginia and Welkom;
- (f) “Kimberley area”, that is the municipal area of Kimberley;
- (g) “Klerksdorp area”, that is the municipal area of Klerksdorp;
- (h) “Pietermaritzburg area”, that is the areas under control of the local authorities of Pietermaritzburg, Ashburton, Edendale, Hilton, Howick, Howick West, Merrivale, Midmar, Sweetwaters and Winterskloof;
- (i) “Port Elizabeth area”, that is the municipal areas of Despatch, Port Elizabeth and Uitenhage;
- (j) “Pretoria area”, that is the municipal area of Pretoria;
- (k) “Witwatersrand area”, that is the municipal areas of Alberton, Benoni, Boksburg, Brakpan, Edenvale, Elsburg, Germiston, Johannesburg, Kempton Park, Krugersdorp, Meyerton, Nigel, Randburg, Randfontein, Roodepoort, Sandton, Springs, Vereeniging and Westonaria.

2. No producer shall sell for fresh consumption pears which he has produced except Class 1 and Class 2.

3. No person shall introduce into the specified area for fresh consumption, pears except Class 1 and Class 2.

4. This notice shall come into operation on 1 February 1980 and repeals Government Notice R. 95 of 19 January 1979, as amended by Government Notice R. 1263 of 15 June 1979, with effect from the same date.

No. R. 101

18 January 1980

PROPOSED AMENDMENT TO THE DAIRY CONTROL SCHEME, PUBLISHED BY PROCLAMATION R. 290 OF 1978, AS AMENDED

Particulars of a proposed amendment to the Dairy Control Scheme, which has been submitted by the Dairy Control Board to the Minister of Agriculture under section 15 (1) (a) of the Marketing Act, 1968 (No. 59 of 1968), are hereby published for general information in terms of section 9 (2) (b), read with section 15 (3) of the said Act.

The Minister has under section 9 (1) read with section 15 (3) of the said Act, after consultation with the National Marketing Council, approved the said proposed amendment provisionally.

Iemand wat vertoë of besware in verband met die genoemde voorgestelde wysiging wil rig, moet sodanige vertoë of besware tot die Sekretaris van Landbou-ekonomie en -bemarking, Privaatsak X250, Pretoria, 0001, rig binne vier weke vanaf datum van publikasie van hierdie kennisgewing.

BYLAE

Die Suiwelbeheerskema, afgekondig by Proklamasie R. 290 van 1978, soos gewysig, word hierby verder soos volg gewysig:

(a) Deur na subparagraaf (e) (viii) van die omskrywing van "beheerde gebied" in artikel 1, die volgende paragraaf in te voeg:

"(f) 'Natal-gebied', dit is die gebied bestaande uit die volgende subgebiede:

(fA) 'Noord-Natal-subgebied' wat bestaan uit die landdrosdistrikte Dundee, Newcastle en Vryheid met uitsluiting van dié gebiede onder jurisdiksie van die KwaZulu-regering; en

(fB) 'Natal-subgebied', dit is die subgebied bestaande uit—

(i) die gebiede onder die beheer van die Munisipaliteite van Amanzimtoti, Colenso, Durban, Empangeni, Estcourt, Greytown, Howick, Isipingo, Kingsburgh, Kloof, Kokstad, Ladysmith, Margate, Mooirivier, New Germany, Pietermaritzburg, Pinetown, Port Shepstone, Queensburgh, Scottburgh, Stanger, Umhlanga Rocks, Verulam en Westville;

(ii) die gebiede onder beheer van die Gesondheidskomitees van Ashburton, Assagay, Blythedale Beach, Botha's Hill, Camperdown, Canelands, Cato Ridge, Darnall, Drummond, Everton, Gillitts-Emberton, Hilton, Kelso, Lower Illovo, Mariannhill, Marina Beach, Mount Michael, Mpolweni, Munster, Port Edward, Sinkwazi Beach, South Broom, Tugela, Umbogintwini, Umdloti Beach, Widenham en Yellow Wood Park;

(iii) die gebiede onder die beheer van die Dorpsrade van Ballito, Bendigo, Hibberdene, Hillcrest, Marburg, Richards Bay, Tongaat, Umhlali Beach, Umkomaas en Umtentweni;

(iv) die ontwikkelingsgebiede geproklameer onder Ordonnansie 20 van 1941, onder die beheer van die Raad op Ontwikkeling en Dienste, naamlik Bazley, Clansthal, Craigieburn, Crestholme, Duff's Road, Elysium, Glen Anil, Hammarsdale, Ifafa Beach, Inchanga, Inchanga West, Melville, Mtwalume, Ocean View, Ottawa, Palm Beach, Park Rynie, San Lameer, Shakaskraal, Shallcross, Tinley Manor Beach, Trafalgar Beach, Umzinto en Umzumbe;

(v) die gereguleerde gebiede geproklameer onder Ordonnansie 20 van 1941, onder die beheer van die Raad op Ontwikkeling en Dienste, naamlik Cliffdale, Darlington, Harrison, Midmar, Sunny Brae, Thornville en Umlaasweg;

(vi) die Swart woongebiede onder beheer van die Drakensberg Administrasieraad, ingestel kragtens Wet 45 van 1971, naamlik Ashdown, Bonghweni, Brandville, Clermont, Edendale, Imbali, Nkhanyezi, Old Howick Location, Sobantu en Steadville;

(vii) die Swart woongebiede onder beheer van die Port Natal Administrasieraad, ingestel kragtens Wet 45 van 1971, naamlik Chesterville, Hamba Nati, Klaarwater, Lamontville en Shakaville; en

Any person who wishes to submit representations or objections in connection with the said proposed amendment, must direct such representations or objections to the Secretary for Agricultural Economics and Marketing, Private Bag X250, Pretoria, 0001, within four weeks from the date of publication of this notice.

SCHEDULE

The Dairy Control Scheme, published by Proclamation R. 290 of 1978, as amended, is hereby further amended—

(a) by the insertion after subparagraph (e) (viii) of the definition of "controlled area" in section 1 of the following paragraph:

"(f) 'Natal area', that is the area consisting of the following subareas:

(fA) 'Northern Natal subarea', consisting of the Magisterial Districts of Dundee, Newcastle and Vryheid excluding those areas under jurisdiction of the KwaZulu Government; and

(fB) 'Natal subarea', that is the subarea consisting of—

(i) the areas under control of the Boroughs of Amanzimtoti, Colenso, Durban, Empangeni, Estcourt, Greytown, Howick, Isipingo, Kingsburgh, Kloof, Kokstad, Ladysmith, Margate, Mooirivier, New Germany, Pietermaritzburg, Pinetown, Port Shepstone, Queensburgh, Scottburgh, Stanger, Umhlanga Rocks, Verulam and Westville;

(ii) the areas under control of the Health Committees of Ashburton, Assagay, Blythedale Beach, Botha's Hill, Camperdown, Canelands, Cato Ridge, Darnall, Drummond, Everton, Gillitts-Emberton, Hilton, Kelso, Lower Illovo, Mariannhill, Marina Beach, Mount Michael, Mpolweni, Munster, Port Edward, Sinkwazi Beach, South Broom, Tugela, Umbogintwini, Umdloti Beach, Widenham and Yellow Wood Park;

(iii) the areas under control of the Town Boards of Ballito, Bendigo, Hibberdene, Hillcrest, Marburg, Richards Bay, Tongaat, Umhlali Beach, Umkomaas and Umtentweni;

(iv) the development areas proclaimed under Ordinance 20 of 1941 under control of the Development and Services Board, viz Bazley, Clansthal, Craigieburn, Crestholme, Duff's Road, Elysium, Glen Anil, Hammarsdale, Ifafa Beach, Inchanga, Inchanga West, Melville, Mtwalume, Ocean View, Ottawa, Palm Beach, Park Rynie, San Lameer, Shakaskraal, Shallcross, Tinley Manor Beach, Trafalgar Beach, Umzinto and Umzumbe;

(v) the regulated areas proclaimed under Ordinance 20 of 1941, under control of the Development and Services Board, viz Cliffdale, Darlington, Harrison, Midmar, Sunny Brae, Thornville and Umlaas Road;

(vi) the Black residential areas under control of the Drakensberg Administration Board, established in terms of Act 45 of 1971, viz Ashdown, Bonghweni, Brandville, Clermont, Edendale, Imbali, Nkhanyezi, Old Howick Location, Sobantu and Steadville;

(vii) the Black residential areas under control of the Port Natal Administration Board, established in terms of Act 45 of 1971, viz Chesterville, Hamba Nati, Klaarwater, Lamontville and Shakaville; and

(viii) die Swart woongebiede onder beheer van die Suid-Afrikaanse Bantu Trust, naamlik kwaDabela en kwaDengezi.”;

(b) deur na die omskrywing van “room” in artikel 1 die volgende omskrywing in te voeg:

“subgebied” ’n omskrewe gedeelte van ’n beheerde gebied en wat vir die doeleindes van die toepassing van artikels 37, 38, 39 en 40 ook “beheerde gebied” beteken.

No. R. 122

18 Januarie 1980

REGULASIES MET BETREKKING TOT DIE GRADERING, VERPAKKING EN MERK VAN DRUIWE BESTEM VIR UITVOER UIT DIE REPUBLIEK VAN SUID-AFRIKA.—WYSIGING

Die Minister van Landbou het, kragtens die bevoegdheid hom verleen by artikel 4 van die Wet op Uitvoer van Landbouprodukte, 1971 (Wet 51 van 1971), die regulasies in die Bylae hiervan uiteengesit, gemaak.

BYLAE

1. In hierdie Bylae beteken “regulasies” die regulasies afgekondig by Goewermenskennisgewing R. 442 van 10 Maart 1978, soos gewysig deur Goewermenskennisgewing R. 2581 van 29 Desember 1978 en R. 336 van 2 Maart 1979.

2. Regulasie 10 van die regulasies word hierby gewysig deur paragraaf (h) van subregulasie (3) deur die volgende paragraaf te vervang:

Gehaltiefaktor	Klas 1 en Klas 2 (Bestemmings A, B en C)
	Toleransie (mg/kg)
“(h) Vreemde stowwe (Chemikalieë):	
Asefaat.....	0,05
Benomil.....	1,00
Bromopropilaat.....	0,20
Kaptab (kaptan).....	15,00
Karbaril.....	2,50
Chlordaan.....	0,01
Chloorbensilaat.....	0,10
Koperoksichloried.....	20,00 (As Cu)
Dichlofluaniid.....	1,00
Dichlorvos.....	0,10
Dieldrin.....	0,01
Dimetoaat.....	1,50
Dinokap.....	1,00
Endosulfan.....	0,50
Fenchlorfos.....	0,50
Fenthion.....	0,50
Folpet.....	15,00
Formotion.....	0,10
Iprodion.....	5,00
Kalkswawel (Polisulfiedswawel).....	50,00 (As S)
Mankoseb.....	2,00*
Merkaptotien (malation).....	0,50
Metidation.....	0,20
Metiokarb.....	0,05
Metiram.....	2,00*
Mevinfos.....	0,10
Ometoat.....	0,40
Permetrien.....	0,05
Propineb.....	2,00*
Propoksur.....	0,05
Protiofos.....	1,00
Swawel.....	50,00
Triadimefon.....	0,05
Trichlorfon.....	0,20
Sineb.....	2,00*
Ongespesifiseerd.....	0,05

* Ditiokarbamate gesamentlik bereken as CS₂”.

(viii) the Black residential areas under control of the South African Bantu Trust, viz kwaDabela and kwaDengezi.”.

(b) by the insertion after the definition of “skim-milk powder” in section 1 of the following definition:

“subarea” a defined portion of a controlled area which, for the purposes of the application of sections 37, 38, 39 and 40, also means “controlled area”.

No. R. 122

18 January 1980

REGULATIONS RELATING TO THE GRADING, PACKING AND MARKING OF GRAPES INTENDED FOR EXPORT FROM THE REPUBLIC OF SOUTH AFRICA.—AMENDMENT

The Minister of Agriculture has, under the powers vested in him by section 4 of the Agricultural Produce Export Act, 1971 (Act 51 of 1971), made the regulations set out in the Schedule hereto.

SCHEDULE

1. In this Schedule “regulations” means regulations published by Government Notice R. 442 of 10 March 1978, as amended by Government Notices R. 2581 of 29 December 1978 and R. 336 of 2 March 1979.

2. Regulation 10 of the regulations is hereby amended by the substitution for paragraph (h) of subregulation (3) of the following paragraph:

Quality factor	Class 1 and Class 2 (Destinations A, B and C)
	Tolerance (mg/kg)
“(h) Foreign matter (Chemicals):	
Acephate.....	0,05
Benomyl.....	1,00
Bromopropylate.....	0,20
Captab (captan).....	15,00
Carbaryl.....	2,50
Chlorodane.....	0,01
Chlorobenzilate.....	0,10
Copper Oxychloride.....	20,00 (As Cu)
Dichlofluaniid.....	1,00
Dichlorvos.....	0,10
Dieldrin.....	0,01
Dimethoate.....	1,50
Dinocap.....	1,00
Endosulfan.....	0,50
Fenchlorphos.....	0,50
Fenthion.....	0,50
Folpet.....	15,00
Formothion.....	0,10
Iprodione.....	5,00
Lime Sulphur (Polysulphide Sulphur).....	50,00 (As S)
Mancozeb.....	2,00*
Mercaptothion (malathion).....	0,50
Methidathion.....	0,20
Methiocarb.....	0,05
Metiram.....	2,00*
Mevinphos.....	0,10
Omethoate.....	0,40
Permethrin.....	0,05
Propineb.....	2,00*
Propoxur.....	0,05
Prothiophos.....	1,00
Sulphur.....	50,00
Triadimefon.....	0,05
Trichlorfon.....	0,20
Zineb.....	2,00*
Unspecified.....	0,05

* Dithiocarbamates combined, calculated as CS₂”.

3. Regulasie 11 van die regulasies word hierby gewysig deur—

“(a) paragraaf (g) deur die volgende paragraaf te vervang:

“(g) na gelang van die bestemming en metode van vervoer, bestaan uit een of meer van die volgende tipes houters:

Bestemming	Metode van vervoer	Tipe houer
A.....	Oppervlakvervoer.....	Tipe S1
A.....	Lugvervoer.....	Tipe L1 en L3
B en C....	Oppervlakvervoer en lugvervoer	Tipe L3 en S1”; en

(b) paragraaf (h) te skrap.

4. Regulasie 12 van die regulasies word hierby deur die volgende regulasie vervang:

“Spesifikasies

12. Behoudens die bepalings van regulasie 11 is die spesifikasies vir die onderskeie tipes houters soos volg:

(1) *Type L1.*—’n Houer vervaardig van dubbelvlak-riffelkarton van A-groef of enige geskikte tipe materiaal met buite-afmetings van 400 mm in lengte, 300 mm in breedte en waarvan die diepte hoogstens 130 mm is.

(2) (a) *Type L3.*—’n Teleskopiese tipe houer bekend as ’n ‘swaeltstertkarton’ vervaardig van dubbelvlakriffelkarton van A-groef met buite-afmetings van 500 mm in lengte, 300 mm in breedte en binne-diepte van 114 mm: Met dien verstande dat die massa en sterkte van die materiaal, konstruksie, ventilasiegate en drukontwerp in alle opsigte vir uitvoer geskik moet wees.

(b) Voorsiening moet op een ent van die buite-komponent van die houer gemaak word waar die nodige identifikasiemerke met gewone stempels aangebring kan word, tensy sodanige identifikasiemerke alreeds daarop gedruk is.

(3) *Type S1.*—’n Samegestelde houer, vervaardig van A-groef dubbelvlakriffelkarton, hardbord en plastiekklampies, soos gepatenteer onder Patent SA75/6116 met buite-afmetings 500 mm in lengte, 300 mm in breedte en ’n binne-diepte soos in regulasie 14 (3) voorgeskryf: Met dien verstande dat—

(a) die hoogte van hardbord-entstukke wat by elke sodanige binne-diepte gebruik moet word, soos volg sal wees:

Houerdiepte mm	Hardbordentstuk mm
114.....	122
102.....	110

(b) die twee entstukke van hardbord, 3,2 mm in dikte, vervaardig moet wees; en

(c) die twee klampies van hoëdigtheid poli-propileenplastiek (graad PPR 1042) vervaardig moet wees.

3. Regulation 11 of the regulations is hereby amended by—

(a) the substitution for paragraph (g) of the following paragraph:

“(g) depending on the destination and method of transport, shall consist of one or more of the following types of containers:

Destination	Method of transport	Type of container
A.....	Surface transport.....	Type S1
A.....	Air transport.....	Type L1 and L3
B and C...	Surface transport and air transport	Type L3 and S1”; and

(b) the deletion of paragraph (h).

4. The following regulation is hereby substituted for regulation 12 of the regulations:

“Specifications

12. Subject to the provisions of regulation 11 the specifications for the respective types of containers shall be as follows:

(1) *Type L1.*—A container manufactured from A-flute double faced corrugated cardboard or any other suitable type of material with external dimensions of 400 mm in length, 300 mm in width and a maximum depth of 130 mm.

(2) (a) *Type L3.*—A telescopic type of container known as a ‘dovetail carton’ manufactured from A-flute double faced corrugated cardboard with external dimensions of 500 mm in length, 300 mm in width and an internal depth of 114 mm: Provided that the mass and strength of the material, construction, ventilation holes and press draft shall in all respects be suitable for export.

(b) Provision shall be made on one end of the outer component of the container whereon the necessary identification marks can be applied with ordinary rubber stamps, except where such identification marks have already been printed thereon.

(3) *Type S1.*—A composite container, manufactured from A-flute double faced corrugated cardboard, hardboard and plastic clips as patented under Patent SA75/6116, with external dimensions of 500 mm in length, 300 mm in width and an inside depth as prescribed in regulation 14 (3): Provided that—

(a) the height of the hardboard end-pieces which shall be used with each such inside depth, shall be as follows:

Container depth mm	Hardboard end-piece mm
114.....	122
102.....	110

(b) the two end-pieces shall be manufactured from hardboard, 3,2 mm thick; and

(c) the two clips shall be manufactured from high density polypropylene plastic (grade PPR 1042).

(4) Die onderdele en verpakkingsmateriaal van die Tipe L3- en S1-houers moet aan die volgende Sagtevrugteraad materiaalspesifikasie- en sketsnommers voldoen:

<i>Materiaalspesifikasienommers</i>	<i>Sketsnommers</i>
Samegestelde kartonromp/400/500/1/79	C79/102/11, C79/114/10
Hardebord entstukke/400/500/1/79....	C79/102/13, C79/114/12
Plastieklampies/500/400/2/78.....	—
Enkelvlakruffelvoering/400/500/1/79....	C79/17
Bovel en bodemvel/400/500/1/79.....	C79/18
Laedigheid Poli-etileensak/1/79.....	—
Swaelstert Kartonromp—Binne- en Buitedeel/400/500/1/79	C79/20
Swaweldioksiedvel/C/500—2/78.....	—

5. Regulasie 13 van die regulasies word hierby deur die volgende regulasie vervang:

“Montering van Tipe L3-houers

13. (1) (a) Die platgevoude karton moet gevou word om 'n reghoekige houer te vorm.

(b) Die buitekomponent se kort klappe moet eerste ingevou word en dan die lang klappe.

(c) Die lang klappe van die binnekomponent moet eerste ingevou word en dan die kort klappe.

(d) Die houer moet met geskikte gom of met minstens 20 kramme (agt aan die buite- en 12 aan binnekomponent gemonteer wees).

(e) In die geval van swart of rooi druïwe, bestem vir Bestemming C, moet die buite- en binnekomponente met twee stroke kleeflint aanmekaar vasgeheg wees: Met dien verstande dat, in alle ander gevalle die buite- nie aan die binnekomponent vasgeheg hoef te wees nie.

(f) Indien gom gebruik word moet dit van 'n geskikte tipe wees en aangewend word volgens die vervaardiger se voorskrifte.

(2) Die kramme moet van plat staaldraad vervaardig wees, en moet—

(a) 'n minimum dwarsdeursnee-oppervlakte van 0,635 mm² hê;

(b) 'n bedekking soos sink, tin, koper of emalje bevat, wat tydens vaskramming nie maklik sal afsplinter nie; en

(c) 'n minimum buitewydte van 12,0 mm en 'n minimum buiteskaglengte van 9,5 mm hê: Met dien verstande dat die lengte voldoende moet wees om te verseker dat die kram behoorlik omgeklink kan word en ook te verseker dat die punte van die kram deeglik ingebuig sal kan word sonder dat daar skerp uitsteeksels is.”

6. Regulasie 14 van die regulasies word hierby deur die volgende regulasie vervang:

“Algemeen

14. (1) Druïwe van verskillende cultivars mag nie saam in dieselfde houer verpak wees nie.

(2) Elke houer moet vol verpak wees.

(3) Die diepte van Tipe S1-houers waarin druïwe verpak moet word, na gelang van die cultivar daarin verpak, soos volg wees:

<i>Cultivar</i>	<i>Diepte</i> mm	<i>Cultivar</i>	<i>Diepte</i> mm
Alphonse Lavallée..	114	Queen of the Vineyard	114
Barlinka.....	114	Salba.....	114
Bien Donné.....	114	Almeria.....	102
Dan-ben-Hannah..	114	Golden Hill.....	102
New Cross.....	114	Red Emperor.....	102
Olivette.....	114	Waltham Cross.....	102
Prune de Cazouls...	114		

(4) The components and packing material of the Type L3 and S1 containers shall comply with the following Deciduous Fruit Board Specification and sketch numbers:

<i>Material specification numbers</i>	<i>Sketch numbers</i>
Composite carton body/400/500/1/79..	C79/102/11, C79/114/10
Hardboard end pieces/400/500/1/79....	C79/102/13, C79/114/12
Plastic clips/500/400/2/78.....	—
Single faced corrugated liner/400/500/1/79	C79/17
Top and bottom sheet/400/500/1/79....	C79/18
Low-density polyethylene bag/1/79....	—
Dovetail carton body—Inner and Outer component/400/500/1/79	C79/20
Sulphurdioxide sheet/C/500—2/78.....	—

5. The following regulation is hereby substituted for regulation 13 of the regulations:

“Assembly of Type L3 containers

13. (1) (a) The flat folded container shall be folded to form a rectangular container.

(b) The short flaps of the outer component shall be folded in first and then the longer flaps.

(c) The long flaps of the inner component shall be folded in first and then the shorter flaps.

(d) The container shall be assembled with suitable glue or at least 20 staples (eight on the outer and 12 on the inner component).

(e) In the case of black or red grapes, destined for Destination C, the outer and inner components shall be fastened together by means of two strips of adhesive tape: Provided that, in all other cases, the outer component need not be fastened to the inner component.

(f) In the event of glue being used it shall be of a suitable type and applied in accordance with the manufacturer's instructions.

(2) The staples shall be manufactured from flat steel wire and shall—

(a) have a minimum cross-sectional area of 0,635 mm²;

(b) have a coating such as zinc, tin, copper or enamel that shall not easily splinter off during the stapling process; and

(c) have a minimum external crown of 12,0 mm and a minimum external shank length of 9,5 mm: Provided that the length shall be such that an adequate clinch is obtained and that the staple points are properly turned in without any sharp points protruding.”

6. The following regulation is hereby substituted for regulation 14 of the regulations:

“General

14. (1) Grapes of different cultivars may not be packed together in the same container.

(2) Each container shall be packed to capacity.

(3) The depth of Type S1 containers in which grapes are packed shall, as the case may be, for the cultivar packed therein, be as follows:

<i>Cultivar</i>	<i>Depth</i> mm	<i>Cultivar</i>	<i>Depth</i> mm
Alphonse Lavallée..	114	Queen of the Vineyard	114
Barlinka.....	114	Salba.....	114
Bien Donné.....	114	Almeria.....	102
Dan-ben-Hannah..	114	Golden Hill.....	102
New Cross.....	114	Red Emperor.....	102
Olivette.....	114	Waltham Cross.....	102
Prune de Cazouls...	114		

(4) Slegs Tipe L3-houers moet vir die verpakking van Klas 2 druiwe bestem vir Bestemming B gebruik word.

(5) Druive moet volgens die ryverpakkings- of sardynverpakkingsmetode of 'n kombinasie van beide hierdie metodes verpak wees.

(6) Elke tros druiwe moet in 'n omslag van masjinaal geglasuurde, suiwer, ongebleikte sulfietpapier of gebleikte sulfaatpapier wat aan die vereistes van S.A.B.S.-Spesifikasie 526 van 1974 voldoen, toegedraai wees."

7. Regulasie 17 van die regulasies word hierby geskrap.

8. Regulasie 18 van die regulasies word hierby gewysig deur—

(a) paragraaf (b) van subregulasie (3) deur die volgende paragraaf te vervang:

"(b) In die geval van Tipe L3- en S1-houers:

(i) 'n Suiwer, wit, vetdigte, enkelvlakriffelvoering van B-groef met afmetings 445 mm by 635 mm moet met die gladde vlak na bo oor die bodem en langs die binnekant van die karton gesprei word.

(ii) 'n Sak vervaardig van laedigheid poliëteleen van 37,5 mikrometer, met afmetings 450 mm in lengte, 350 mm in wydte en 525 mm in diepte, moet oopgeskud word en bo-op die voering in die houer geplaas word.

(iii) 'n Enkelvlakriffelvel met afmetings 264 mm x 445 mm moet met die gladde vlak na bo binne-in en op die bodem van die houer in die poliëteleensak geplaas word: Met dien verstande dat—'n geel poliuretaaneterskuimvel met afmetings 451 mm in lengte, 270 mm in wydte en 5 mm dik, mag tot 31 Augustus 1980 in plaas van die riffelvel gebruik word.

(iv) Die druiwe moet verpak word en daarna 'n enkelvlakriffelvel soos in subparagraaf (iii) voorgeskryf moet bo-op die vrugte, met die gladde vlak na die vrugte toe, geplaas word.

(v) 'n Swaweldioksiedvel moet met wit, behandelde vlak na die vrugte toe in die middel bo-op die boriffelvel geplaas word.

(vi) Na verpakking moet die plastieksak op die volgende wyse sorgvuldig toegevou en verseël word:

(aa) Die boonste deel van die sak moet aan die vier hoeke opgelig word.

(bb) Die twee kort ente moet dan een vir een oor die druiwe gevou en met kleefband vasgeheg word.

(cc) Daarna moet die twee lang ente stewig en sorgvuldig bo-oor die druiwe ingevou word. Die boonste lang ent, wat laaste ingevou word, moet styf getrek en met twee stukkie kleefband oor die punt daarvan vasgeheg word. Enige gate in die sak moet met kleefband verseël word."; en

(b) paragraaf (c) van subregulasie (3) te skrap.

9. Regulasie 19 van die regulasies word hierby deur die volgende regulasie vervang:

"Minimum netto massa"

19. Die minimum netto massa van houers moet, ten tye van ondersoek, soos volg wees:

Tipe houer	Minimum netto massa
	kg
L1.....	4,1
L3.....	5,1
S1.....	5,1".

(4) Only Type L3 containers shall be used for packing Class 2 grapes destined for Destination B.

(5) Grapes shall be packed according to the row pack or sardine pack method or a combination of both of these methods.

(6) Each bunch of grapes shall be wrapped in a wrapper of machine glazed, pure, unbleached sulphite paper or of bleached sulphate paper which complies with the S.A.B.S. Specification 526 of 1974."

7. Regulation 17 of the regulations is hereby deleted.

8. Regulation 18 of the regulations is hereby amended by—

(a) the substitution for paragraph (b) of subregulation (3) of the following paragraph:

"(b) In the case of Type L3 and Type S1 containers—

(i) A pure, white, grease-proof, single faced corrugated liner of B-flute with dimensions 445 mm by 635 mm shall be spread over the bottom and along the inside of the container with the smooth side uppermost.

(ii) A bag manufactured from low density polyethylene of 37,5 micro metres with dimensions 450 mm in length, 350 mm in width and 525 mm in depth, shall be shaken open and placed in the container on top of the liner.

(iii) A single faced corrugated sheet with dimensions 264 mm x 445 mm shall be placed, with the smooth face uppermost, in the polyethylene bag on the bottom of the container: Provided that a yellow polyurethane ether foam pad with dimensions 451 mm in length, 270 mm in width and 5 mm in thickness may be used in place of the corrugated sheet until 31 August 1980.

(iv) The grapes shall be packed and thereafter a single faced corrugated sheet as described in sub-paragraph (iii) shall be placed on top of the fruit with the smooth surface facing the fruit.

(v) A sulphurdioxide sheet shall be placed, with the white treated surface facing the fruit, on top and in the middle of the top corrugated sheet.

(vi) After packing, the plastic bag shall be carefully folded, closed and sealed as follows:

(aa) The top portion of the bag shall be lifted by its four corners.

(bb) The two short ends shall be folded alternately over the grapes and secured with adhesive tape.

(cc) The two long ends shall thereafter be folded firmly and carefully over the grapes. The top long end, that is folded in last, shall be pulled tight and the end secured with two pieces of adhesive tape. Any holes in the bag shall be sealed with adhesive tape."; and

(b) by deleting paragraph (c) of subregulation (3).

9. The following regulation is hereby substituted for regulation 19 of the regulations:

"Minimum net mass"

19. The minimum net mass of containers shall, at the time of inspection, be as follows:

Type of container	Minimum net mass
	kg
L1.....	4,1
L3.....	5,1
S1.....	5,1".

10. Regulasie 20 van die regulasies word hierby geskrap.

11. Regulasie 21 van die regulasies word hierby gewysig deur na subregulasie (2) die volgende subregulasies by te voeg:

“(3) Wanneer duiwe op palette versend word, moet ’n kodemerk wat die datum waarop die duiwe gepluk is, aantoon, op elk van die vier kante, op die onderste laag, van elke paletstapel gemerk word.

(4) Behoudens die bepalings van subregulasies (1), (2) en (3), moet die netto massa van duiwe wat in Tipe L3-houers verpak is op die houers in letters van minstens 6 mm hoog gemerk wees.”

12. Regulasie 23 van die regulasies word hierby deur die volgende regulasies vervang:

“Métode van merk

23. Tipe L1-, L3- en S1-houers wat duiwe bevat moet gemerk word deur die vereiste gegewens op die een ent te druk of te stempel.”

DEPARTEMENT VAN MANNEKRAG-BENUTTING

No. R. 120

18 Januarie 1980

WET OP NYWERHEIDSVERSOENING, 1956
YSTER-, STAAL-, INGENIEURS- EN METALLURGIESE NYWERHEID. — HYSBAKINGENIEURSOOREENKOMS

Ek, Stephanus Petrus Botha, Minister van Mannekragebenutting, verklaar hierby—

(a) kragtens artikel 48 (1) (a) van die Wet op Nywerheidsversoening, 1956, dat die bepalings van die Ooreenkoms wat in die Bylae hiervan verskyn en op die Yster-, Staal-, Ingenieurs- en Metallurgiese Nywerheid betrekking het, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 30 Junie 1980 eindig, bindend is vir die werkgewers-organisasie en die vakverenigings wat genoemde Ooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasie of verenigings is;

(b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van genoemde Ooreenkoms, uitgesonderd dié vervat in klousules 1, 2, 3 (2) en 5, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 30 Junie 1980 eindig, bindend is vir alle ander werkgewers en werknemers as dié genoem in paragraaf (a) van hierdie kennisgewing, wat betrokke is by of in diens is in genoemde Nywerheid in die Republiek van Suid-Afrika, uitgesonderd die hawe en nedersetting van Walvisbaai; en

(c) kragtens artikel 48 (3) (a) van genoemde Wet, dat die bepalings van genoemde Ooreenkoms, uitgesonderd dié vervat in klousules 1, 2, 3 (2) en (3) en 5, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 30 Junie 1980 eindig, in die Republiek van Suid-Afrika, uitgesonderd die hawe en nedersetting van Walvisbaai, *mutatis mutandis* bindend is vir alle persone wat nie werknemers is nie en wat in diens is in genoemde Nywerheid by dié werkgewers vir wie enigeen van genoemde bepalings ten opsigte van werknemers bindend is en vir daardie werkgewers ten opsigte van sodanige persone in hul diens.

S. P. BOTHA, Minister van Mannekragebenutting.

10. Regulation 20 of the regulations is hereby deleted.

11. Regulation 21 of the regulations is hereby amended by the addition of the following subregulations after subregulation (2):

“(3) A code mark reflecting the date on which the grapes were picked shall be marked on the four sides, on the bottom layer, on every pallet stack, when grapes are consigned on pallets.

(4) Subject to the provisions of subregulations (1), (2) and (3), the net mass of grapes packed in Type L3 containers shall be marked on the containers in letters of at least 6 mm in height.”

12. The following regulation is hereby substituted for regulation 23 of the regulations:

“Method of marking

23. Type L1, L3 and S1 containers which contain grapes shall be marked by printing or stamping the required particulars on one end.”

DEPARTMENT OF MANPOWER UTILISATION

No. R. 120

18 January 1980

INDUSTRIAL CONCILIATION ACT, 1956
IRON, STEEL, ENGINEERING AND METALLURGICAL INDUSTRIES.—LIFT ENGINEERING AGREEMENT

I, Stephanus Petrus Botha, Minister of Manpower Utilisation, hereby—

(a) in terms of section 48 (1) (a) of the Industrial Conciliation Act, 1956, declare that the provisions of the Agreement which appears in the Schedule hereto and which relates to the Iron, Steel, Engineering and Metallurgical Industries, shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 30 June 1980, upon the employers' organisation and the trade unions which entered into the said Agreement and upon the employers and employees who are members of the said organisation or unions;

(b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the said Agreement, excluding those contained in clauses 1, 2, 3 (2) and 5, shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 30 June 1980, upon all employers and employees other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Industry in the Republic of South Africa, excluding the port and settlement of Walvis Bay; and

(c) in terms of section 48 (3) (a) of the said Act, declare that in the Republic of South Africa, excluding the port and settlement of Walvis Bay, and with effect from the second Monday after the date of publication of this notice and for the period ending 30 June 1980, the provisions of the said Agreement, excluding those contained in clauses 1, 2, 3 (2) and (3) and 5, shall *mutatis mutandis* be binding upon all persons who are not employees and who are employed in the said Industry by the employers upon whom any of the said provisions are binding in respect of employees and upon those employers in respect of such persons in their employ.

S. P. BOTHA, Minister of Manpower Utilisation.

YSTER-, STAAL-, INGENIEURS- EN METALLURGIESE NYWERHEID. — HYSERINGENIEURSNYWERHEIDSOOREENKOMS

BYLAE

NASIONALE NYWERHEIDSRaad VIR DIE YSTER-, STAAL-, INGENIEURS- EN METALLURGIESE NYWERHEID

OOREENKOMS

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

Lift Engineering Association of South Africa

(hierna die "werkgewers" of die "werkgewersorganisasie" genoem), aan die een kant, en die

Electrical and Allied Trades Union of South Africa

en die

S.A. Electrical Workers' Association

(hierna die "werknemers" of die "vakverenigings" genoem), aan die ander kant,

wat die partye is by die Nasionale Nywerheidsraad vir die Yster-, Staal-, Ingenieurs- en Metallurgiese Nywerheid.

1. TOEPASSINGSBESTEK VAN OOREENKOMS

Hierdie Ooreenkoms moet oral in die Republiek van Suid-Afrika, uitgesonderd die hawe en nedersetting van Walvisbaai, nagekom word deur alle werkgewers en werknemers in die Yster-, Staal-, Ingenieurs- en Metallurgiese Nywerheid ten opsigte van die installering en/of onderhoud en/of herstel van slegs hysers en/of roltrappe.

2. GELDIGHEIDSDUUR VAN OOREENKOMS

Hierdie Ooreenkoms tree in werking op 'n datum wat die Minister van Mannekragbenutting kragtens artikel 48 van die Wet mag vasstel en bly van krag tot 30 Junie 1980 of vir dié tydperk of tydperke wat deur hom bepaal mag word.

3. ALGEMENE BEPALINGS

Die volgende bepalinge van die Hofooreenkoms van die Yster-, Staal-, Ingenieurs- en Metallurgiese Nywerheid, soos gepubliseer en gewysig of van tyd tot tyd (hierna die "Hofooreenkoms" genoem) verleng, en soos gewysig by klousule 4 hiervan (Spesiale Diensvoorwaardes), is *mutatis mutandis* van toepassing op werkgewers en werknemers op wie hierdie Ooreenkoms van toepassing is:

- (1) Klousules 3, 4, 5 (1) tot 5 (9), 6 tot 8 (3) (d), 8 (3) (f), 8 (3) (g), 8 (3) (i) tot 8 (4), 9 tot 22, 24 tot 27 en 29 tot 35 van Deel I en al die bepalinge van Deel II;
- (2) klousules 8 (3) (e), 8*bis*, 28 van Deel I; en
- (3) klousule 8 (3) (h) van Deel I.

4. SPESIALE DIENSVoorWAARDES

(1) *Werkure*.—Klousule 4 van die Hofooreenkoms word gewysig in soverre dat die gewone werkure hoogstens 40 uur in 'n week moet wees.

(2) *Oortydwerk en besoldiging vir werk op Sondae*.—Klousule 5 van die Hofooreenkoms word gewysig in soverre dat vir oortydwerkure en vir tyd op Saterdag gewerk een en 'n half maal die uurloon, betaalbaar kragtens klousule 3 van hierdie Ooreenkoms, betaal moet word en vir tyd op Sondae gewerk een en twee derde maal die genoemde uurloon.

(3) *Gereedheidsdienste*.—'n Werknemer van wie vereis word om gereedheidsdiens te verrig, moet 'n gereedheidstoelae van R3 per dag ontvang en wanneer hy uitgeroep word, moet hy oortydloon betaal word vir die ure wat hy gewerk het.

(4) *Uitroepings*.—(a) Wanneer 'n werknemer wat op gereedheidsdiens is, uitgeroep word, moet hy besoldig word teen 'n oortydloon soos in subklousule (2) van hierdie klousule gespesifiseer word; en

(b) in die geval van 'n werknemer wat nie op gereedheidsdiens is nie maar wat uitgeroep word en hom te eniger tyd tussen 18h00 en 06h00 enige nag van die week vir diens aanmeld, moet sodanige werknemer 'n minimum van vier ure se loon betaal word teen 'n oortydloon soos in subklousule (2) van hierdie klousule gespesifiseer word;

Met dien verstande dat hy daarbenewens betaal moet word teen 'n oortydloon soos gespesifiseer in klousule 5 van die Hofooreenkoms, gelees met klousule 4 (2) hierbo; vir reistyd na en van sy woonplek af.

(5) *Gereedskap*.—Die werknemer moet die volgende gereedskap en uitrusting, in goeie orde en toestand, aan hyserwerk-tuigkundiges verskaf:

Draadsnygereedskap soos stokke, snyblokke, snytappe en pypskroewe; blaaslampe, vyle; ystersaaglemme; groot hamers van 1,5 kg en meer; beitels vir nasnywerk; staaltrekbande; ompolingsgereedskap; spanskroewe en veiligheids gordels.

IRON, STEEL, ENGINEERING AND METALLURGICAL INDUSTRY.—LIFT ENGINEERING INDUSTRY AGREEMENT

SCHEDULE

NATIONAL INDUSTRIAL COUNCIL FOR THE IRON, STEEL, ENGINEERING AND METALLURGICAL INDUSTRY

AGREEMENT

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

Lift Engineering Association of South Africa

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

Electrical and Allied Trades Union of South Africa

and the

S.A. Electrical Workers' Association

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

being parties to the National Industrial Council for the Iron, Steel, Engineering and Metallurgical Industry.

1. SCOPE OF APPLICATION OF AGREEMENT

The terms of this Agreement shall be observed throughout the Republic of South Africa, excluding the port and settlement of Walvis Bay, by all employers and employees in the Iron, Steel, Engineering and Metallurgical Industries in respect of the installation and/or maintenance and/or repair of lifts and/or escalators only.

2. PERIOD OF APPLICATION OF AGREEMENT

The terms of this Agreement shall come into operation on such date as may be fixed by the Minister of Manpower Utilisation in terms of section 48 of the Act, and shall remain in force until 30 June 1980 or for such period or periods as may be determined by him.

3. GENERAL PROVISIONS

The following provisions of the Main Agreement of the Iron, Steel, Engineering and Metallurgical Industries as published and amended or extended from time to time (hereinafter referred to as the "Main Agreement"), and as amended by section 4 hereof (Special Conditions of Employment), shall *mutatis mutandis* apply to employers and employees to whom this Agreement applies:

- (1) Sections 3, 4, 5 (1) to 5 (9), 6 to 8 (3) (d), 8 (3) (f), 8 (3) (g), 8 (3) (i) to 8 (4), 9 to 22, 24 to 27 and 29 to 35 of Part I and all the provisions of Part II;
- (2) sections 8 (3) (e), 8*bis*, 28 of Part I; and
- (3) section 8 (3) (h) of Part I.

4. SPECIAL CONDITIONS OF EMPLOYMENT

(1) *Hours of work*.—Section 4 of the Main Agreement is amended to the extent that the ordinary hours of work shall not exceed 40 hours in any one week.

(2) *Overtime and payment for work on Sundays*.—Section 5 of the Main Agreement is amended to the extent that overtime hours worked and time worked on Saturdays shall be paid for at one and a half times the hourly rate payable in terms of section 3 of this Agreement and time worked on Sundays shall be paid for at one and two-thirds times the said hourly rate.

(3) *Standby duties*.—An employee required to stand by shall receive a standby allowance of R3 per day and when called out shall be paid overtime rates of pay for the hours worked.

(4) *Call-outs*.—(a) Where an employee on standby duty is called out he shall be remunerated at overtime rates as specified in subsection (2) of this section; and

(b) in the case of an employee who is not on standby duty but is called out and reports for duty at any time between 18h00 and 06h00 on any night of the week, such employee shall be paid a minimum of four hours' pay at overtime rates as specified in subsection (2) of this section: Provided that in addition, the employees referred to in paragraphs (a) and (b) shall be paid at overtime rates as specified in section 5 of the Main Agreement read with section 4 (2) above for travelling time to and from his place of residence.

(5) *Tools*.—The employer shall provide, in good order and condition, the following tools and equipment to lift mechanics:

Screwing tackle such as stocks, dies, taps and pipe vices; blowlamps, files; hacksaw blades; large hammers of 1,5 kg and over; chisels for chasing; steel draw tapes; plugging tools; drawvices and safety belts.

(6) *Openbare vakansiedae met besoldiging.*—Klousule 11 van die Hoofdooreenkoms word gewysig in soverre dat benewens die openbare vakansiedae daarin opgenoem, Setlaarsdag geag moet word 'n openbare vakansiedag met besoldiging te wees; en wanneer 'n werknemer op 'n openbare vakansiedag met besoldiging werk, moet hy benewens 'n gewone dag se loon een en 'n half maal die uurloon betaal word vir die tyd gewerk.

(7) *Toelaes.*—Klousule 16 van die Hoofdooreenkoms word soos volg gewysig:

(a) *Reis- en verblyftoelae.*—(i) Wanneer werk verrig word op 'n ander plek as die werkgewer se bedryfsinrigting of die werknemer se werkplek en sodanige werk meebring dat die werknemer moet reis, moet die werknemer wat gestuur word om sodanige werk te verrig, vergoed word met die bedrag deur hom bestee om na en vanaf die werkplek te reis.

(ii) Wanneer van 'n werknemer vereis word om op 'n ander plek as sy gewone woonplek te woon, moet hotelakkommodasie verskaf word; of anders, met wedersydse toestemming, is 'n verblyftoelae van R11 per dag betaalbaar ten opsigte van werknemers in Loongroepe 1 en 2, en R3,50 per dag ten opsigte van werknemers in Loongroepe 3 en 4.

(iii) Die werkgewer is daarop geregtig om geskikte vervoer na en van die werkplek af te verskaf in plaas van die vergoeding waarvoor daar in subparagraaf (i) voorsiening gemaak word.

(iv) Die tyd wat dit 'n werknemer neem om na en van die werk te gaan, moet buite die gewone werkure soos voorgeskryf, val, behoudens die bepalings van subparagraaf (v).

(v) (aa) *Werknemers wat by 'n werkgewersdepot of -kantoor aanmeld.*—Sodanige werknemers moet, wanneer die kortste reisafstand na die werk meer as 8 km van die depot of kantoor is, vergoed word ingevolge klousule 16 (A) van die Hoofdooreenkoms.

(bb) *Konstruksie en herstelwerk.*—Werknemers betrokke by reise na die werkerrein moet, wanneer die afstand oor die kortste reisroete vanaf die stadsaal naaste aan die plaaslike depot of kantoor van die werkgewer meer as 8 km is, vergoed word ingevolge klousule 16 (A) van die Hoofdooreenkoms.

(vi) Wanneer daar van 'n werknemer vereis word om sy eie vervoer te gebruik, moet hy teen 17c per kilometer vergoed word: Met dien verstande dat—

(aa) magtiging om sy eie vervoer te gebruik, vooraf van die werkgewer verkry is;

(bb) enigiemand wat sy eie vervoer ingevolge hierdie Ooreenkoms gebruik, hom teen alle derdepartyrisiko's moet verseker, benewens die verpligte derdepartyversekerings-risiko's, en ook seker moet maak dat hierdie bykomende polis 'n klousule bevat wat die werkgewer vrywaar in die geval van so 'n eis;

(cc) die vergoedingstarief aangepas moet word tot die naaste volle sent bokant die koste per kilometer vir 'n middelslagmotor soos van tyd tot tyd deur die Automobile Association of South Africa genoteer word; en

(dd) wanneer daar van die werknemer wat sy eie vervoer gebruik, vereis word om gereedskap en uitrusting, die eiendom van sy werkgewer, te vervoer en dit 'n massa van meer as 25 kg het, hy vergoed moet word teen 'n tarief bereken teen een en 'n half maal die tarief in subparagraaf (vi) (cc).

(vii) Die werkgewer moet aan 'n werknemer wat op bogenoemde toelae geregtig is, genoemde toelae betaal tegekyntyd wanneer betaling van die werknemer se gewone besoldiging geskied.

(b) *Vuilwerktoelae.*—'n Vuilwerktoelae van 50c per dag moet aan hyserwerktuigkundiges betaal word wat van bestaande installasies moet demonteer.

(c) *Sertifikaattoelae.*—Behoudens klousule 6 van hierdie Ooreenkoms, en benewens die lone en ander toelaes in hierdie Ooreenkoms voorgeskryf, moet die werkgewer aan elke werknemer wat die houër is van 'n registrasiesertifikaat uitge-reik kragtens die Wet op Elektrotegniese Draadwerkers en Aannemers, 1939, 'n toelae van 5c per uur betaal, insluitende oortydbetaling.

(d) *Ondergrondtoelae.*—'n Toelae van R2 per dag moet aan hyserwerktuigkundiges betaal word van wie vereis word om vir 'n skof of deel van 'n skof onderkant die kraag van 'n mynskag te werk. 'n Soortgelyke toelae van 50c moet op dieselfde grondslag aan ander werknemers betaal word.

(8) *Vakansiebesoldiging.*—Vir die toepassing van hierdie Ooreenkoms moet die kwalifiserende skofte, in klousule 12 van die Hoofdooreenkoms bedoel, gewysig word om te lui 237 skofte, met die verdere bepaling dat in die geval van 'n werknemer wat vir 'n bykomende week se verlof kwalifiseer, die ooreenstemmende syfer 232 skofte is.

(6) *Paid public holidays.*—Section 11 of the Main Agreement is amended to the extent that in addition to the public holidays enumerated therein, Settlers' Day shall be observed as a paid public holiday; and whenever an employee works on any paid public holiday, he shall be paid, in addition to an ordinary day's pay, at one and a half times the hourly rate for the time worked.

(7) *Allowances.*—Section 16 of the Main Agreement is amended as follows:

(a) *Travelling and subsistence allowance.*—(i) Where work is done away from the employer's establishment or the employee's working place necessitating travelling, the employee sent to do such work shall be reimbursed with the amount expended by him in travelling to and from the job.

(ii) Where an employee is required to live away from his usual place of domicile, hotel accommodation shall be provided; alternatively, by mutual consent, a subsistence allowance of R11 per day shall be payable in respect of employees in Wage Groups 1 and 2, and R3,50 per day in respect of employees in Wage Groups 3 and 4.

(iii) The employer shall be entitled to provide suitable transport both ways in lieu of that provided for in subparagraph (i).

(iv) Any time occupied by an employee in proceeding to and from work, shall be outside the ordinary working hours as prescribed, subject to the provisions of subparagraph (v).

(v) (aa) *Employees reporting to an employer's depot or office.*—Such employees, where the shortest travelling distance to the job exceeds 8 km from the depot or office, shall be reimbursed in terms of section 16 (A) of the Main Agreement.

(bb) *Construction and repair work.*—Employees involved in journeys to site, where the distance by the shortest travelling route from the town hall nearest to the local depot or office of the employer exceeds 8 km shall be reimbursed in terms of section 16 (A) of the Main Agreement.

(vi) Where an employee is required to use his own transport he shall be compensated at 17c per kilometer: Provided that—

(aa) prior authority to use his own transport has been obtained from the employer;

(bb) anyone using his own transport in terms of this Agreement shall insure himself against all third party risks in addition to the compulsory third party insurance risks, and also ensure that this additional policy shall contain a clause indemnifying the employer in the event of any such claim;

(cc) the rate of compensation shall be adjusted to the next full cent above the cost per kilometer for a medium motor-car as quoted by the Automobile Association of South Africa from time to time; and

(dd) where the employee using his own transport is required to convey tools and equipment, the property of his employer, and having a mass in excess of 25 kg, he shall be compensated at a rate calculated at one and a half times the rate provided in subparagraph (vi) (cc).

(vii) The employer shall pay to any employee, entitled to the above allowance, the same at the time of payment of the employee's ordinary remuneration.

(b) *Dirt allowance.*—A dirt allowance of 50c per day shall be paid to lift mechanics engaged on the dismantling of existing installations.

(c) *Certificate allowance.*—Subject to the provisions of section 6 of this Agreement, and in addition to wages and other allowances prescribed in this Agreement, the employer shall pay to each employee who is the holder of a certificate of registration issued in terms of the Electrical Wireman's and Contractor's Act, 1939, an allowance of 5c per hour, including overtime.

(d) *Underground allowance.*—An allowance of R2 per day shall be paid to lift mechanics who are required to work below the collar of any mine shaft for a shift or part of a shift. A similar allowance for other employees of 50c shall be paid on the same basis.

(8) *Holiday pay.*—For the purposes of this Agreement, the qualifying shifts referred to in section 12 of the Main Agreement shall be amended to read 237 shifts, with the further provision that in the case of an employee who qualifies for an additional week's leave, the corresponding figure shall be 232 shifts.

5. INDIENSNEEMING VAN VAKVERENIGINGARBEID

(1) Geen werknemer wat nie lid van die S.A. Electrical Workers' Association of the Electrical and Allied Trades Union of South Africa is, mag deur 'n werkgever wat lid van die Lift Engineering Association of South Africa is in diens geneem word nie en geen werknemer wat lid van voormelde vakverenigings is, mag vir 'n werkgever werk wat nie lid van voormelde werkgewersorganisasie is nie: Met dien verstande dat die toepassing van hierdie subklousule beperk is tot werknemers wat werk verrig wat as "Hyserwerktuigkundige se werk" ingedeel is.

(2) Die bepalings van hierdie klousule is nie ten opsigte van 'n immigrant gedurende die eerste jaar na sy aankoms in die Republiek van Suid-Afrika van toepassing nie: Met dien verstande dat as 'n immigrant te eniger tyd na sy eerste drie maande diens in die Nywerheid die uitnodiging van voormelde vakvereniging om aansoek om lidmaatskap daarvan te doen, van die hand gewys het, die bepalings van hierdie klousule onmiddellik in werking tree.

(3) Vrystelling van die bepalings van subklousule (1) kan deur die partye by die Ooreenkoms na gesamentlike oorlegpleging om 'n regsgeldige rede verleen word, en voorts is genoemde subklousule nie van toepassing nie op enigiemand wat, na die mening van die partye, sonder 'n grondige rede lidmaatskap van 'n party by hierdie Ooreenkoms geweier word.

6. LONE

(1) Geen werkgever mag aan werknemers wat werk verrig wat in subklousule (4) van hierdie klousule ingedeel is, laer lone betaal as dié wat voorgeskryf is nie en geen werknemer mag laer lone aanvaar as dié wat voorgeskryf is nie, naamlik:

In Loongroep 1: R3,35 per uur.
In Loongroep 2: R2,62 per uur.
In Loongroep 3: R1,43 per uur.
In Loongroep 4: R1 per uur.

(2) Elke werknemer wat by die inwerkingtreding van hierdie Ooreenkoms by 'n werkgever in diens is vir die verrigting van werk wat in hierdie Ooreenkoms ingedeel is, moet, terwyl hy by dieselfde werkgever in diens is en ongeag of sy werklike tarief van besoldiging onmiddellik vóór vermelde datum hoër was as die tarief vir sy klas werk in hierdie Ooreenkoms gespesifiseer, al dan nie, minstens die werklike tarief van besoldiging betaal word wat hy onmiddellik vóór vermelde datum ontvang het, plus die volgende addisionele bedrag vir sy loongroep:

Klas werk	Bedrag per uur
	c
Werknemers, Loongroep 1.....	25
Werknemers, Loongroep 2.....	20
Werknemers, Loongroep 3.....	10
Werknemers, Loongroep 4.....	10

Met dien verstande dat—

(i) die addisionele bedrag ingevolge hierdie subklousule betaalbaar aan 'n werknemer vir sy klas werk, verminder kan word met die bedrag van 'n verhoging wat op of na 1 Julie 1979 aan sodanige werknemer toegestaan is;

(ii) 'n werknemer wat na 1 Julie 1979 in diens geneem is teen 'n tarief van besoldiging van minstens die tarief van besoldiging wat vir sy klas werk voorgeskryf is by die inwerkingtreding van hierdie Ooreenkoms, nie geregtig is op die ontvangs van die addisionele bedrag wat in hierdie subklousule vir sy klas werk gespesifiseer is nie;

(iii) geen werkgever die tarief van besoldiging van 'n werknemer aan wie 'n verhoging op of na 1 Julie 1979 toegestaan is wat hoër is as die addisionele bedrag in hierdie subklousule vir sy klas werk gespesifiseer, mag verminder nie, en aan geen werknemer lone teen 'n tarief laer as die tarief vir sy klas werk in hierdie Ooreenkoms gespesifiseer, betaal mag word nie.

(3) *Skema vir Erkenning as Vakman*.—Gedurende die kontraktydperk van 'n ooreenkoms ingevolge die Skema vir Erkenning as Vakman vir die Yster-, Staal-, Ingenieurs- en Metalurgiese Nywerheid of 'n ander reëlend deur die partye aangegaan, is die loontarief wat vir die duur van die kontrak vir erkenning as vakman op 'n werknemer van toepassing is, R2,75 per uur.

5. EMPLOYMENT OF TRADE UNION LABOUR

(1) No employee who is not a member of the S.A. Electrical Workers' Association or the Electrical and Allied Trades Union of South Africa shall be employed by an employer who is a member of the Lift Engineering Association of South Africa and no employee, who is a member of the aforesaid trade unions, shall work for an employer who is not a member of the aforesaid employer's organisation: Provided that this subsection shall be limited in its application to employees performing work scheduled as "Lift Mechanic's" work.

(2) The provisions of this section shall not apply in respect of an immigrant during the first year after the date of his entry into the Republic of South Africa: Provided that if any immigrant has at any time after the first three months of his employment in the Industry refused an invitation from the aforesaid trade union to apply for membership thereof, the provisions of this section shall immediately come into operation.

(3) Exemption may be granted from the provisions of subsection (1) by the parties to the Agreement after joint consultation for any good and sufficient reason and, further, the said subsection shall not apply to persons who, in the opinion of the parties, are refused membership of a party to this Agreement without reasonable cause.

6. WAGES

(1) No employer shall pay to employees engaged on work classified in subsection (4) of this section, wages lower than those stipulated and no employee shall accept wages lower than those stipulated, viz:

In Wage Group 1: R3,35 per hour.
In Wage Group 2: R2,62 per hour.
In Wage Group 3: R1,43 per hour.
In Wage Group 4: R1 per hour.

(2) Every employee who on the coming into operation of this Agreement is employed by an employer on work classified in this Agreement shall, whilst in the employ of the same employer and whether or not his actual rate of pay immediately prior to the said date was in excess of the rate specified for his class of work in this Agreement, be paid not less than the actual rate of pay he was receiving immediately prior to the said date, plus an additional amount for his wage group as follows:

Class of work	Amount per hour
	c
Wage Group 1 employees.....	25
Wage Group 2 employees.....	20
Wage Group 3 employees.....	10
Wage Group 4 employees.....	10

Provided that—

(i) the additional amount payable in terms of this subsection to an employee for his class of work may be reduced by the amount of any increase granted to such employee on or subsequent to 1 July 1979;

(ii) any employee who was engaged after 1 July 1979 at a rate of pay not less than the rate of pay prescribed for his class of work as at the coming into operation of this Agreement shall not be entitled to be paid the additional amount specified in this subsection for his class of work;

(iii) no employer shall reduce the rate of pay of any employee to whom an increase in excess of the additional amount specified in this subsection for his class of work has been awarded on or subsequent to 1 July 1979, and no employee shall be paid wages at a rate less than the rate for his class of work specified in this Agreement.

(3) *Journeyman Recognition Scheme*.—During the period of contract of any agreement in terms of the Journeyman Recognition Scheme for the Iron, Steel, Engineering and Metallurgical Industry or any other arrangement made by the parties, the wage rates applicable to an employee for the duration of the journeyman recognition contract shall be R2,75 per hour.

(4) Loonbylae:

Werk-saamheid No.	Beskrywing van werk	Loon-groep
	A. HYSER- EN/OF ROLTRAPIN-STALLERING OP PERSEEL	
1.	Hyserwerktuigkundige se werk (n.e.v.)..	1
2.	Aanwending van emalje en/of verf (n.e.v.)	2
	Die volgende werksaamhede in Kategorie 3 moet volgens die instruksies en onder die doeltreffende toesig van 'n hyserwerktuigkundige gedoen word:	
3.	Oprig van steierwerk, met inbegrip van die saag van planke	3
4.	Boor van gate en bevestiging van ankers, uitgesonderd die gebruik van patroongedrewe plofgereedskap	3
5.	Aanhegting, uitgesonderd die sweis van staalskagverdelers volgens patroon en loodlyn wat vooraf deur 'n vakman gestel is, uitgesonderd die gebruik van gekalibreerde meetgereedskap	3
6.	Hysing van leirelings en/of materiaal in hysskag, uitgesonderd masjinerie en beheeruitrusting, waar die gebruik van hystoestelle en/of hand-en/of kragwenasse onder die regstreekse toesig van 'n hyserwerktuigkundige is	3
7.	Aanhegting, uitgesonderd die sweis van drumpelsteunhoek volgens patroon wat vooraf deur 'n vakman gestel is, uitgesonderd die gebruik van gekalibreerde meetgereedskap	3
8.	Monteer van platformdeuringange volgens setmate en/of patrone wat vooraf deur 'n vakman gestel is	3
9.	Vooraf gemonteerde platformingange en/of -deure in posisie plaas en vasheg, met gebruikmaking van setmate en/of patrone wat vooraf deur 'n vakman gestel is	3
10.	Installering van skaguitrusting, waar die hyserspoed hoogstens 2,5 m/s is	3
11.	Monteer van slegs hysbakpanele volgens patrone	3
12.	Vashegting van fassieplate wat vooraf gesny en geboor is	3
13.	Monteer van uitlaatkaste en/of seintoebehore volgens patroon, wanneer hulle deel van die argitraaf is	3
14.	Teenwigramwerk en vulmassastukke slegs in posisie plaas	3
15.	Hysbakraamwerk slegs in posisie plaas	3
16.	Afwerking van leirelinglasse met die hand en/of met 'n skuurmasjien	3
17.	Sny van bedradingskanale met gebruik van handgereedskap	3
18.	Bevestiging van bedradingskanale...	4
19.	Leipype en/of pype sny, draadsny en saals aansit met gebruik van handgereedskap, uitgesonderd die gebruik van patroongedrewe plofgereedskap	4
20.	Soldeer en/of aansweet deur indompeling	4
21.	Herhaalde afsny van drade volgens lengtemeters	4
22.	Olie en smeer.....	4
23.	Alle skoonmaak- en/of verfwerksaamhede, uitgesonderd vir dekoratiewe afwerkings	4
24.	Metaalpolering.....	4
25.	Arbeiders se werk.....	4
	B. ONDERHOUD EN/OF HERSTEL VAN HYSERS EN/OF ROLTRAPPE	
26.	Hyserwerktuigkundige se werk. Werknemers wat op Werksaamheid 26 werksaam is, moet bevoegde persone wees ingevolge die Regulasies van die	1

(4) Wage Schedule:

Operation No.	Job description	Wage group
	A. LIFT AND/OR ESCALATOR INSTALLATION ON SITE	
1.	Lift mechanic's work (n.e.s.).....	1
2.	Application of enamels and/or paints (n.e.s.)	2
	The following operations in Category 3 shall be performed to the instructions, and under the effective supervision, of a lift mechanic:	
3.	Erection of scaffolding, including cutting of timber planks	3
4.	Drilling of holes and setting anchors excluding use of cartridge drive explosive tools	3
5.	Fastening, excluding welding of shaft steel dividers to template and plumb lines pre-set by a journeyman, excluding the use of calibrated measuring tools	3
6.	Hoisting of guide rails and/or materials in hoistway, excluding machinery and control gear, where the use of lifting tackle and/or hand and/or power driven winches is under the direct supervision of a lift mechanic	3
7.	Fastening, excluding welding of cylinder support angle to template pre-set by a journeyman, excluding the use of calibrated measuring tools	3
8.	Assembling of landing door entrances to jigs and/or templates pre-set by a journeyman	3
9.	Positioning and securing of pre-assembled landing entrances and/or doors, using jigs and/or templates pre-set by a journeyman	3
10.	Installation of pit equipment, where the lift speed does not exceed 2,5 m/s	3
11.	Assembly of car body panels only to templates	3
12.	Securing of pre-cut and pre-drilled fascia plates	3
13.	Mounting of outlet boxes and/or signal fixtures to template when these are part of the architrave	3
14.	Positioning only of counterweight frame and filler mass pieces	3
15.	Positioning only of car frame.....	3
16.	Dressing by hand and/or by sanding machine of guide rail joints	3
17.	Cutting of trunking, using hand tools	3
18.	Fixing of trunking.....	4
19.	Cutting, screwing and saddling of conduits and/or pipes, using hand tools, excluding the use of cartridge driven explosive tools	4
20.	Soldering and/or sweating by dipping	4
21.	Repetition cutting of wires to length gauges	4
22.	Oiling and greasing.....	4
23.	All cleaning and/or painting operations other than for decorative finishes	4
24.	Metal polishing.....	4
25.	Labourer's work.....	4
	B. MAINTENANCE AND/OR REPAIR OF LIFTS AND/OR ESCALATORS	
26.	Lift mechanic's work. Employees employed on Operation 26 shall be competent persons in terms of the	1

Werk-saamheid No.	Beskrywing van werk	Loon-groep
27.	Wet op Fabriek, Masjinerie en Bouwerk (22/1941), in soverre as wat die Regulasies betrekking het op die inspeksie van hysers	4
28.	Vervanging van lampe vir verligting, uitgesonderd dié in hyskag	4
29.	Olie en smeer onder regstreekse toesig. Arbeider se werk.....	4

Namens die partye op hede die 28ste dag van September 1979 in Johannesburg onderteken.

J. E. FAURE, Ondervoorsitter.

Dr. E. P. DRUMMOND, Lid.

A. O. DE JAGER, Hoofsekretaris.

No. R. 121 18 Januarie 1980

WET OP FABRIEKE, MASJINERIE EN BOUWERK, 1941

YSTER-, STAAL-, INGENIEURS- EN METALLURGIESE NYWERHEID

Ek, Stephanus Petrus Botha, Minister van Mannekragbenutting, verklaar hierby, kragtens artikel 22 (1) van die Wet op Fabriek, Masjinerie en Bouwerk, 1941, dat die bepalings van die Ooreenkoms en kennisgewing in verband met die Yster-, Staal-, Ingenieurs- en Metallurgiese Nywerheid, gepubliseer by Goewermmentskennisgewing R. 120 van 18 Januarie 1980, oor die algemeen vir werknemers wie se werkure en besoldiging ten opsigte van oortydwerk, openbare feesdae en werk op Sondae en openbare feesdae daarby gereël word, nie minder gunstig is nie as die desbetreffende bepalings van genoemde Wet.

S. P. BOTHA, Minister van Mannekragbenutting.

DEPARTEMENT VAN SAMEWERKING EN ONTWIKKELING

No. R. 106 18 Januarie 1980
VERBETERINGSKENNISGEWING

FINANSIËLE REGULASIES BETREFFENDE DIE GEMEENSKAPSRAAD VAN CRADOCK

Die Finansiële Regulasies afgekondig by Goewermmentskennisgewing R. 2492 van 9 November 1979 word hierby as volg verbeter:

1. In die Afrikaanse teks:

Regulasie 1.—In die woordskrywing van “administrasieraad” vervang “Kaapse” deur “Oos-Kaapse”.

DEPARTEMENT VAN SPOORWEE EN HAWENS

No. R. 102 18 Januarie 1980

Regulasie 266 van die Algemene Spoorwegregulasies, afgekondig by Goewermmentskennisgewing R. 1560 van 11 Oktober 1963, word hierby soos volg gewysig:

Voeg (a) in teenoor die bestaande paragraaf en voeg die volgende in as paragraaf (b):

Die bepalings van paragraaf (a) is ook van toepassing op die Suid-Afrikaanse Lugdiens.

Operation No.	Job description	Wage group
27.	Regulations of the Factories, Machinery and Building Work Act (22/1941), in so far as the Regulations refer to the inspection of elevators	4
28.	Changing of illumination lamps, excluding any in hoistway	4
29.	Oiling and greasing under direct supervision	4
	Labourer's work.....	4

Signed at Johannesburg for and on behalf of the parties this 28th day of September 1979.

J. E. FAURE, Vice-Chairman.

Dr E. P. DRUMMOND, Member.

A. O. DE JAGER, General Secretary.

No. R. 121 18 January 1980

FACTORIES, MACHINERY AND BUILDING WORK ACT, 1941

IRON, STEEL, ENGINEERING AND METALLURGICAL INDUSTRIES

I, Stephanus Petrus Botha, Minister of Manpower Utilisation, hereby, in terms of section 22 (1) of the Factories, Machinery and Building Work Act, 1941, declare the provisions of the Agreement and notice relating to the Iron, Steel, Engineering and Metallurgical Industries published under Government Notice R. 120 of 18 January 1980, to be, on the whole, not less favourable to the employees whose hours of work and remuneration in respect of overtime, public holidays and work on Sundays and public holidays are regulated thereby than the relative provisions of the said Act.

S. P. BOTHA, Minister of Manpower Utilisation.

DEPARTMENT OF CO-OPERATION AND DEVELOPMENT

No. R. 106 18 January 1980
CORRECTION NOTICE

FINANCIAL REGULATIONS GOVERNING THE COMMUNITY COUNCIL OF CRADOCK

The Financial Regulations published in Government Notice R. 2492 dated 9 November 1979, are hereby corrected as follows:

1. In the Afrikaans text:

Regulation 1.—In the definition of “administrasieraad” substitute “Kaapse” for “Oos-Kaapse”.

DEPARTMENT OF RAILWAYS AND HARBOURS

No. R. 102 18 January 1980

Regulation 266 of the General Railway Regulations, published under Government Notice R. 1560 of 11 October 1963, is hereby amended as follows:

Insert (a) against the existing paragraph and insert the following as paragraph (b):

The provisions of paragraph (a) shall also apply to the South African Airways.

DEPARTEMENT VAN WATERWES

No. R. 92

18 Januarie 1980

REGULASIES UITGEVAARDIG KRAGTENS ARTIKEL 2 (d) VAN DIE WATERWET, 1956 (WET 54 VAN 1956)

Die Minister van Waterwese het kragtens die bevoegdheid hom verleen by artikel 2 (d) van die Waterwet, 1956 (Wet 54 van 1956), die volgende regulasies uitgevaardig betreffende die boor van boorgate vir enige persoon.

WOORDOMSKRYWING

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

“applikant” ’n eienaar van grond soos in artikel 1 van die Wet omskryf of ’n persoon of instansies bedoel in regulasie 22, wat ooreenkomstig hierdie regulasies aansoek doen om die boor van ’n boorgat;

“boorgat” ’n gat wat in die aarde geboor is deur middel van ’n Staatsboor met die doel om onderaardse water te vind;

“boorkoste” die koste waarvoor ’n applikant ingevolge hierdie regulasies aanspreeklik is;

“boorman” ’n beampte van die Departement van Waterwese regstreeks in beheer van boorwerk;

“bystand” die hulp wat die Departement van Waterwese verleen ten opsigte van die koste verbonde aan die boor van gate vir doeleindes van veesuijing en huishoudelike gebruik by wyse van korting ingevolge hierdie regulasies of subsidie ingevolge die voorwaardes betreffende boorwerk deur private boorkontrakteurs uitgevoer;

“inspekteur” ’n beampte van die Departement van Waterwese verantwoordelik vir die inspeksie van boorwerk in ’n boorinspektoraat;

“sekretaris” die Sekretaris van Waterwese of sy behoorlik gemagtigde verteenwoordiger;

“Wet” die Waterwet, 1956 (Wet 54 van 1956), soos gewysig;

en het enige uitdrukking waaraan ’n betekenis in die Wet geheg is, dieselfde betekenis wanneer dit in hierdie regulasies gebruik word.

AANSOEKE OM DIE BOOR VAN ’N BOORGAT

2. ’n Aansoek om korting op die koste van boorwerk word oorweeg alleenlik indien—

(a) die eiendom waarop geboor moet word, nie binne die watervoorsieningsgebied van ’n plaaslike bestuur of ander statutêre liggaam vir dié doel ingestel, geleë is nie;

(b) die eiendom waarop geboor moet word, ten minste 25 hektaar groot is: Met dien verstande dat vir doeleindes van die bepaling van die grootte van ’n eiendom enige breukgedeelte geag word ’n volle hektaar te wees; en

(c) die water van die voorgestelde boorgat slegs vir veesuijings- en/of huishoudelike doeleindes bestem is en volgens die oordeel van die sekretaris

DEPARTMENT OF WATER AFFAIRS

No. R. 92

18 January 1980

REGULATIONS MADE IN TERMS OF SECTION 2 (d) OF THE WATER ACT, 1956 (ACT 54 OF 1956)

The Minister of Water Affairs has, by virtue of the powers vested in him by section 2 (d) of the Water Act, 1956 (Act 54 of 1956), made the following regulations pertaining to the drilling of boreholes for any person.

DEFINITIONS

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

“Act” means the Water Act, 1956 (Act 54 of 1956), as amended;

“applicant” means an owner of land as defined in section 1 of the Act, or a person or bodies referred to in regulation 22, who applies for the drilling of a borehole in terms of these regulations;

“assistance” means the assistance granted by the Department of Water Affairs in respect of the cost involved in the drilling of holes for purposes of stock-watering and domestic use by way of a rebate in terms of these regulations or a subsidy in terms of the conditions relating to the drilling of holes by private drilling contractors;

“borehole” means a hole drilled into the earth by means of a Government drill for the purpose of finding underground water;

“boring charges” means the charges to which an applicant is liable in terms of these regulations;

“driller” means an official of the Department of Water Affairs directly in charge of drilling operations;

“inspector” means an official of the Department of Water Affairs responsible for the inspection of drilling operations in a boring inspectorate;

“secretary” means the Secretary for Water Affairs or his duly authorised representative;

and any expression to which a meaning has been assigned in the Act bears the same meaning when used in these regulations.

APPLICATIONS FOR THE DRILLING OF A BOREHOLE

2. An application for a rebate on drilling costs will be considered only if—

(a) the property on which drilling is to be done is not situated within the water supply area of a local authority or other statutory body instituted for that purpose;

(b) the property on which drilling is to be done is at least 25 hectares in extent: Provided that for the purpose of determining the extent of a property, any fraction shall be deemed to be a full hectare; and

(c) the water of the proposed borehole is intended solely for stock-watering and/or domestic purposes and, in the opinion of the secretary is needed for

vir hierdie doel nodig is met inagneming van aspekte soos ander beskikbare bronne, weidingsafstand, soort vee wat aangehou word, drakrag van grond en behoeftes vir huishoudelike gebruik.

3. Aansoek om die boor van 'n boorgat, met of sonder korting, moet op 'n voorgeskrewe vorm deur die applikant gedoen en aan die sekretaris gestuur word.

4. 'n Afsonderlike aansoek moet ingedien word ten opsigte van elke eiendom wat op datum van die aansoek afsonderlik opgemeet en kragtens die Registrasie van Aktes Wet, 1937 (Wet 47 van 1937), in die Aktekantoor geregistreer is.

5. Aansoeke en goedkeurings daarvan is nie oordraagbaar nie.

6. Die aanname van 'n aansoek berus by die sekretaris en hy kan sodanige ondersoek as wat hy in verband met enige aansoek nodig ag, laat instel en 'n aansoek sonder opgaaf van redes afwys, of 'n aansoek aanneem onderworpe aan die voorwaardes wat hy nodig ag met betrekking tot—

(a) die aanwysing, verspreiding en ligging van boorplekke;

(b) die aantal suksesvolle boorgate;

(c) die maksimum aantal pogings, wat egter nie 4 (vier) per aansoek mag oorskry nie; en

(d) die diepte van die boorgate.

AANNAME VAN AANSOEKE EN TERUGTREKKING DAARVAN

7. Wanneer die sekretaris 'n aansoek aanneem, stel hy die applikant skriftelik daarvan in kennis asook van enige voorwaardes, insluitende vereistes in verband met vrywaring teen moontlike skade aan of verlies van uitrusting, waaraan dit onderworpe is. Die aanname van 'n aansoek verplig nie die sekretaris om boorwerk vir 'n applikant uit te voer nie en die sekretaris kan te eniger tyd die aanname van 'n aansoek skriftelik terugtrek: Met dien verstande dat 'n aansoek om boorwerk ingevolge regulasie 2 of 22 ten opsigte van 'n eiendom geleë binne 'n ondergrondse waterbeheergebied nie deur die sekretaris aangeneem word nie tensy 'n permit ingevolge die betrokke regulasies kragtens artikel 30 (2) van die Wet vir dié doel bekom is.

8. Die sekretaris stel 'n applikant, van wie hy 'n aansoek kragtens hierdie regulasies aangeneem het, van enige wesentlike wysigings van hierdie regulasies in kennis as daar nie reeds ten tyde van die afkondiging van die wysiging met die boorwerk op die eiendom ten opsigte waarvan die aansoek gedoen is, begin is nie.

9. 'n Applikant wat ingevolge die bepalings van regulasie 8 in kennis gestel is, moet binne twee maande vanaf die datum van kennisgewing sy aansoek deur skriftelike kennisgewing aan die sekretaris terugtrek of hernieu.

10. As 'n applikant sy aansoek hernieu, word die aansoek ooreenkomstig die bepalings van die gewysigde regulasies behandel.

11. As 'n applikant in gebreke bly om binne die vasgestelde tydperk aan die bepalings van regulasie 9 te voldoen, vervel sy aansoek en die aanname daarvan.

this purpose, regard being had to aspects such as other available sources, distance of grazing, type of livestock kept, carrying capacity of the land and domestic needs.

3. An application for the drilling of a borehole, with or without rebate, shall be made by the applicant on a prescribed form and submitted to the secretary.

4. A separate application shall be submitted in respect of each property which on the date of the application is separately surveyed and registered in the Deeds Office in terms of the Registration of Deeds Act, 1937 (Act 47 of 1937).

5. Applications and approvals in respect thereof shall not be transferable.

6. The acceptance of an application shall be in the discretion of the secretary, who may cause such investigation as he deems fit to be made in respect of such application and may reject an application without furnishing any reason or accept an application subject to such conditions as he deems fit in relation to—

(a) the indication, distribution and situation of boring sites;

(b) the number of successful boreholes;

(c) the maximum number of efforts, which shall not exceed 4 (four) per application; and

(d) the depth of the boreholes.

ACCEPTANCE OF APPLICATIONS AND CANCELLATION THEREOF

7. When the secretary accepts an application, the applicant shall be notified in writing thereof as well as of any provisions relating thereto, including requirements in respect of safeguarding against possible loss or damage to equipment to which it may be subjected. The acceptance of such an application shall not render the secretary liable to undertake drilling for the said applicant and the secretary may at any time withdraw the acceptance of the said application in writing: Provided that an application for drilling in terms of regulation 2 or 22 in respect of a property situated within a subterranean water control area, shall not be accepted by the secretary unless a permit in terms of the relevant regulations, framed in terms of section 30 (2) of the Act, has been obtained for this purpose.

8. The secretary shall notify any applicant from whom he has accepted an application under these regulations of any material amendment to these regulations if at the time of promulgation of such amendment drilling has not commenced on the property in respect of which the application was made.

9. An applicant who has been notified in terms of regulation 8 shall, within two months of the date of notification, by notice in writing to the secretary, withdraw or renew his application.

10. If an applicant renews his application, such application shall be dealt with in accordance with the provisions of the revised regulations.

11. If an applicant fails to comply with the provisions of regulation 9 within the period specified, his application and the acceptance thereof shall lapse.

BESKIKBAARHEID VAN 'N STAATSBOOR

12. Die sekretaris stel 'n applikant van wie 'n aansoek aangeneem is, skriftelik in kennis wanneer by benadering 'n Staatsboor beskikbaar sal wees om boorwerk vir hom te onderneem. Die tipe boor wat gebruik word, berus by die sekretaris.

13. As 'n applikant sy aansoek terugtrek nadat hy ingevolge die bepalings van regulasie 12 in kennis gestel is, is hy aanspreeklik vir enige onkoste wat aangegaan is as gevolg van sy aansoek om die boor van 'n boorgat.

BOORKOSTE

14. Die koste betaalbaar deur 'n applikant vir 'n boorgat wat deur 'n Staatsboor geboor is, word gebaseer op die diepte geboor en word, behoudens die bepalings van regulasies 18 en 22, bereken volgens die basiese tarief in regulasie 15 bedoel, soos van toepassing op die datum waarop met boorwerk begin word.

15. Die basiese tarief vir boorwerk word deur die Minister bepaal en van tyd tot tyd in die *Staatskoerant* afgekondig en kan na sy goedgekeurde gewysig word en sluit in—

(a) 'n tarief per meter geboor; plus

(b) die koste van 'n uitpompptoets soos in regulasie 29 bedoel; plus

(c) behoudens die bepalings van regulasie 17, die koste van enige voering, soos in regulasie 28 bedoel, wat noodwendig in die boorgat gelaat moet word, insluitend voering wat nie herwin kan word nie.

16. Benewens die koste in regulasies 15, 33, 35 en 36 genoem, is die applikant ook aanspreeklik vir die beraamde koste van boorwerk, soos deur die sekretaris bepaal, vir elke uur of gedeelte van 'n uur wat boorwerk deur die applikant vertraag word deur sy versuim om die dienste in regulasies 33, 35 en 36 genoem, te lewer, of weens enige ander vertraging deur sy toedoen veroorsaak.

17. Geen betaling word gevorder vir 'n boorgat of nie-herwinbare voering indien die boorwerk na die mening van die sekretaris om tegniese redes nie behoorlik voltooi is nie.

BOORKORTING

18. Behoudens die bepalings van regulasie 20 word die koste bedoel in regulasie 15, van boorwerk ingevolge regulasie 2, maar nie die koste bedoel in regulasie 16 nie, soos volg verminder:

(a) 'n Kortings wat afhang van die diepte (bereken tot die naaste meter) van 'n boorgat en wat soos volg bepaal word:

55 persent ten opsigte van die eerste 75 meter;

60 persent ten opsigte van die daaropvolgende 30 meter tot 105 meter;

65 persent ten opsigte van die daaropvolgende 30 meter tot 135 meter;

70 persent ten opsigte van die daaropvolgende 30 meter tot 165 meter; en

75 persent ten opsigte van die gedeelte van 'n boorgat dieper as 165 meter;

(b) 'n persentasie van die koste van voering bedoel in regulasie 28, bereken op die basis uiteengesit in paragraaf (a) van hierdie regulasie; en

AVAILABILITY OF A GOVERNMENT DRILL

12. The secretary shall notify an applicant whose application has been accepted, in writing, of approximately when a Government drill will be available to undertake drilling for him. The type of drill to be used shall be in the discretion of the secretary.

13. If an applicant cancels his application after having been notified, in terms of regulation 12, he shall be liable for any expenditure incurred as a result of his application for the drilling of a borehole.

BORING CHARGES

14. The charges to be paid by an applicant for a borehole drilled by a Government drill shall be based on the depth drilled, and shall, subject to the provisions of regulations 18 and 22, be calculated according to the basic tariff referred to in regulation 15, as applicable on the date drilling commences.

15. The basic tariff for drilling shall be fixed by the Minister and published in the *Gazette* from time to time, and may be amended at his discretion and shall include—

(a) a tariff per metre drilled; plus

(b) the cost of a pumping test referred to in regulation 29; plus

(c) subject to the provisions of regulation 17, the cost of any casing, referred to in regulation 28, necessarily left in the borehole, including casing that cannot be regained.

16. The applicant shall, in addition to the charges referred to in regulations 15, 33, 35 and 36, also be liable for the estimated cost of drilling, as determined by the secretary, for each hour or part thereof during which boring operations are delayed by the applicant owing to his failure to supply the service referred to in regulations 33, 35 and 36 or owing to any other delay for which he is responsible.

17. No charge shall be made for a borehole or non-recoverable casing which, in the opinion of the secretary, is not properly completed for technical reasons.

BORING REBATE

18. Notwithstanding the provisions of regulation 20, the cost referred to in regulation 15 of drilling in terms of regulation 2, but not the cost referred to in regulation 16, shall be reduced as follows:

(a) A rebate which depends on the depth (calculated to the nearest metre) of a borehole and which is determined as follows:

55 per cent in respect of the first 75 metres;

60 per cent in respect of the subsequent 30 metres up to 105 metres;

65 per cent in respect of the subsequent 30 metres up to 135 metres;

70 per cent in respect of the subsequent 30 metres up to 165 metres;

75 per cent in respect of that part of a borehole deeper than 165 metres;

(b) a percentage of the cost of casing referred to in regulation 28, calculated on the basis set out in paragraph (a) of this regulation; and

(c) 'n korting van 55 persent op die koste van 'n uitpompstoets bedoel in regulasie 29.

19. Die maksimum bystand wat ingevolge regulasie 18 ten opsigte van enige bepaalde eiendom, soos geregistreer op die datum van hierdie regulasies, toegestaan mag word, word—

(a) in die geval van boorwerk vir veesuiplingsdoeleindes bepaal op R25 per grootvee-eenheid, maar mag nie die bedrag van R8 000 per geregistreerde eiendom oorskry nie;

(b) in die geval van boorwerk vir huishoudelike doeleindes beperk tot 'n maksimum bedrag van R500 per eiendom;

(c) in die geval van boorwerk vir beide huishoudelike en veesuiplingsdoeleindes bepaal ooreenkomstig paragraaf (a) of (b) hierbo, wat ook al die voordeligste vir die applikant is.

20. Indien 'n eiendom na die datum van hierdie regulasies onderverdeel word, deel elke onderverdeling *pro rata* volgens grootte in die ongebruikte balans van die maksimum bystand wat ingevolge regulasie 19 ten opsigte van die oorspronklike eiendom toegestaan mag word.

21. Geen korting op die koste van 'n boorgat word toegestaan nie tensy die voltooiingsvorm bedoel in regulasie 44 deur die applikant of sy gevolmagtigde verteenwoordiger onderteken is nie.

SPEZIALE KOSTE EN VOORWAARDES

22. Wanneer—

(a) boorwerk vir persone of instansies onderneem word wat nie aan die vereistes van regulasie 2 voldoen nie;

(b) die aard van die grond waarin geboor moet word, dit vereis;

(c) moeilikheid ondervind word om die boorplek te bereik;

(d) ekstra werk in verband met 'n bestaande boorgat verlang word;

(e) ander omstandighede bestaan wat na die mening van die sekretaris buitengewoon is; of

(f) 'n diepte van 250 meter oorskry word;

kan die Minister spesiale voorwaardes met betrekking tot tariewe en die wyse van betaling ople.

BETALING VAN BOORKOSTE

23. Boorkoste word betaal—

(a) deur kontant gestort voor die aanvang of ten tyde van die boorwerk: Met dien verstande dat as daar by voltooiing van die boorwerk gevind word dat 'n groter bedrag as die werklike boorkoste gestort is, die oortollige aldus gestorte bedrag aan die applikant terugbetaal word, en as die totale bedrag wat gestort is, onvoldoende is om die boorkoste te dek, moet die applikant die verskil tussen die bedrag wat hy gestort het en die werklike boorkoste betaal voor of op 'n datum wat die sekretaris vasstel; of

(b) deur middel van 'n lening vir boorwerk toegestaan kragtens artikel 10 van die Wet op Landboukrediet, 1966 (Wet 28 van 1966).

(c) a rebate of 55 per cent on the cost of a pumping test referred to in regulation 29.

19. The maximum rebate to be granted in terms of regulation 18 on any particular property as registered on the date of these regulations shall—

(a) in the case of drilling for stock-watering purposes, be determined at R25 per large stock unit, but shall not exceed an amount of R8 000 per registered property;

(b) in the case of drilling for domestic purposes, be limited to a maximum amount of R500 per property; and

(c) in the case of drilling for both domestic and stock-watering purposes, be determined in accordance with paragraph (a) or (b) above, whichever is more advantageous to the applicant.

20. If a property is subdivided after the date of these regulations, each subdivision shall be entitled, in accordance with its size, to a *pro rata* share in the unused balance of the maximum assistance that may be granted to the original property in terms of regulation 19.

21. No rebate on the cost of drilling of a borehole shall be granted unless the completion form referred to in regulation 44 is signed by the applicant or his authorised representative.

SPECIAL CHARGES AND CONDITIONS

22. When—

(a) drilling is undertaken for persons or bodies who do not comply with the requirements of regulation 2;

(b) necessitated by the nature of the ground in which the borehole is to be drilled;

(c) difficulty is experienced in reaching the boring site;

(d) additional work is desired in connection with an existing borehole;

(e) any other circumstances exist which the secretary may consider to be exceptional; or

(f) a depth of 250 metres is exceeded;

the Minister may impose special conditions with reference to tariffs and means of payment.

PAYMENT OF BORING CHARGES

23. Boring charges shall be redeemed—

(a) by cash deposited before boring operations commence or during the course of such operations: Provided that if, on completion of boring operations, it appears that an amount exceeding the actual boring charges has been deposited, the excess amount so deposited shall be refunded to the applicant, and if the total amount deposited is insufficient to meet the boring charges the applicant shall pay the difference between the amount deposited and the actual boring charges before or on a date fixed by the secretary; or

(b) by means of a loan for drilling granted in terms of section 10 of the Agricultural Credit Act, 1966 (Act 28 of 1966).

24. As 'n applikant boorwerk op 'n kontantbasis verlang, moet hy, voordat die Staatsboor na die boorterrein vertrek, by die sekretaris of 'n ander behoorlik gemagtigde beaampte van die Staat 'n bedrag wat die sekretaris bepaal, stort, en daarna gedurende die tydperk van die boorwerk verdere bedrae wat die sekretaris van tyd tot tyd vereis.

25. As betaling van die boorkoste nie binne 30 dae na aanvraag geskied nie, is rente teen 'n rentekoers wat van tyd tot tyd deur die Minister van Finansies ingevolge artikel 26 (1) van die Skatkis- en Ouditwet, 1975, bepaal word, op die uitstaande bedrag betaalbaar vanaf die datum van aanvraag tot die dag wat die datum van betaling onmiddellik voorafgaan.

VOERING

26. Die hoeveelheid, tipe, kwaliteit en deursnee van voering wat in 'n boorgat gelaat word, berus by die sekretaris.

27. Kortings word nie toegestaan op voering wat op versoek van 'n applikant in 'n onsuksesvolle boorgat gelaat word nie. Vir hierdie doel word 'n boorgat geag onsuksesvol te wees indien dit minder as 125 milliliter per sekond lewer: Met dien verstande dat die sekretaris na goedgekeurde 'n boorgat met 'n lewering van minder as 125 milliliter per sekond suksesvol kan verklaar indien hy van oordeel is dat die boorgat in die besondere omstandighede bruikbaar is.

28. Die koste vir die applikant van voering wat in 'n boorgat agtergelaat word, word behoudens die bepalinge van regulasie 18 bereken teen 'n tarief deur die Minister bepaal.

UITPOMPTOETS VAN BOORGAT

29. By voltooiing van 'n boorgat laat die sekretaris, behoudens die bepalinge van regulasie 18, 'n uitpomp-toets van hoogstens nege uur uitvoer om die lewering van die boorgat vas te stel teen die tarief per uur deur die Minister bepaal, tensy die applikant skriftelik versoek dat die boorgat nie getoets word nie: Met dien verstande dat in so 'n geval die beslissing van die sekretaris met betrekking tot die sukses van die boorgat al dan nie, vir die doeleindes van regulasie 27, finaal is.

30. Die applikant moet homself tydens die uitpomp-toets vergewis van die betroubaarheid van die uitslag daarvan.

PLIGTE VAN DIE SEKRETARIS EN VAN DIE APPLIKANT

31. Die sekretaris laat die Staatsboor, toebehore en uitrusting, personeel en bagasie na en van die boorterrein vervoer.

32. Die boorman in beheer van die betrokke Staatsboor verrig die boorwerk onder toesig van 'n inspekteur van die Departement, en is net aan die sekretaris verantwoordelik vir die uitvoering van sy pligte.

33. Behoudens die bepalinge van regulasie 36 moet die applikant op eie koste voldoende water van geskikte gehalte vir die doeltreffende bediening van die Staatsboor en voldoende water van geskikte gehalte vir die gebruik van die boorpersoneel verskaf en vervoer.

34. Waar vervoer deur 'n applikant in geval van ongelukke of ander noodgevallen wat voortspruit uit amptelike werksaamhede verskaf word, word hy teen normale Staatstariewe vergoed vir die afstand waarvoor hy vervoer verskaf het.

24. If an applicant requires drilling on a cash basis he shall, before the Government drill proceeds to the boring site, deposit with the secretary or with any other duly authorised officer of the Government, an amount as the secretary may determine and thereafter, during the course of boring operations, make such further deposits as may be required by the secretary from time to time.

25. If payment of boring charges is not made within 30 days of demand, interest at a rate fixed by the Minister of Finance, from time to time, in terms of section 26 (1) of the Exchequer and Audit Act, 1975, shall be payable on the amount outstanding from the date of demand to the date immediately preceding that on which payment is made.

CASING

26. The quantity, type, quality and diameter of casing left in a borehole shall be at the discretion of the secretary.

27. Rebate shall not be granted on casing left in an unsuccessful borehole at the request of an applicant. For this purpose a borehole shall be deemed to be unsuccessful if the yield is less than 125 millilitres per second: Provided that the secretary may, in his discretion, declare a borehole yielding less than 125 millilitres per second as successful should he be of the opinion that in the particular circumstances the borehole is serviceable.

28. The cost to an applicant of casing left in a borehole shall, subject to the provisions of regulation 18, be calculated at a tariff fixed by the Minister.

PUMPING TEST OF BOREHOLE

29. On completion of a borehole the secretary shall, subject to the provisions of regulation 18, cause a pumping test of not more than nine hours to be carried out to determine the yield of the borehole at a tariff per hour fixed by the Minister, unless the applicant requests in writing that the borehole shall not be tested: Provided that in such a case the decision of the secretary with reference to the success or otherwise of the borehole shall, for the purposes of regulation 27, be final.

30. The applicant shall during the pumping test make sure of the reliability of the result.

DUTIES OF THE SECRETARY AND APPLICANT

31. The secretary shall cause the Government drill, accessories and equipment, staff and baggage to be transported to and from the boring site.

32. The driller in charge of the Government drill concerned shall carry out boring operations under the supervision of an inspector of the Department, and shall only be responsible to the secretary for carrying out his duties.

33. Subject to the provisions of regulation 36, the applicant shall at his own cost supply and transport sufficient water of suitable quality for the efficient working of the Government drill and sufficient water of suitable quality for the use of the drilling staff.

34. Where the applicant provides transport in the event of accidents or other emergencies resulting from official activities, he shall be reimbursed at normal Government rates for the distance the transport had to be provided.

35. Die applikant is verantwoordelik vir—

(a) 'n toegangspad, wat geskik is vir die vervoer van die Staatsboor tot by die boorterrein(e) en enige ander pad wat nodig mag wees tot by die boorkamp(e) en wat geskik is vir die Staatsvoertuig wat op die terrein gebruik word; en

(b) die aanvanklike skoonmaak van die boorterrein(e) en kampplek(ke) en voorsiening van voorbrande soos verlang deur die boorman om alle Staatseigendom op die terrein te beskerm en veldbrande te voorkom.

36. Wanneer 'n applikant nie by magte is nie of in gebreke bly om die dienste in regulasies 33 en 35 genoem, te lewer, kan die sekretaris na goeëdunke die dienste of vervoer wat nodig is, verskaf om die boorwerk op doeltreffende en snelle wyse uit te voer en die koste aan sodanige dienste of vervoer verbonde by die ander koste voeg wat deur die applikant verskuldig is.

STAKING VAN BOORWERK

37. Boorwerk vir 'n applikant kan na goeëdunke van die sekretaris gestaak word—

(a) nadat 'n geskikte voorraad water in die boorgat aangetref is;

(b) as daar 'n moontlikheid bestaan dat die boormasjien beskadig kan word of dat die toebehore beskadig kan word of verlore kan raak;

(c) as daar na sy mening geen bevredigende resultate met verdere boorwerk verkry sal word nie;

(d) as na sy mening die koste van verdere boorwerk nie deur 'n moontlike genoegsame verhoging van die lewering geregverdig kan word nie; of

(e) nadat 'n diepte van 250 meter bereik is, tensy daar ooreengekom word deur die sekretaris en die applikant om dieper te boor behoudens die bepalings van regulasie 22:

Met dien verstande dat indien die sekretaris in enige besondere geval besluit dat boorwerk gestaak moet word en die applikant nogtans skriftelik aansoek doen dat die boorwerk voortgaan en onderneem om te betaal vir sodanige boorwerk teen die tariewe voorgeskryf kragtens regulasie 22, maar sonder die korting bedoel in regulasie 18, kan die sekretaris, volgens sy diskresie, voortgaan met sodanige boorwerk.

38. Die vasstelling van die getal boorgate wat op enige bepaalde stuk grond ingevolge 'n aanname kragtens regulasie 6 geboor word, berus by die sekretaris en as die boorwerk op sy gesag gestaak word, word alle boorwerk wat ooreenkomstig die aansoek verrig moes word, as voltooi beskou.

AANSPREKLIKHEID VIR DIE SUKSES VAN BOORWERK

39. Die sekretaris waarborg geen suksesvolle resultate van boorwerk nie.

KEUSE VAN BOORPLEKKE

40. Die applikant is verantwoordelik vir die aanwysing van boorplekke onderworpe aan die goedkeuring daarvan deur die sekretaris.

41. Die sekretaris het die reg om te weier om boorwerk uit te voer op 'n boorplek wat nie deur hom goedgekeur is nie.

KLAGTES EN GESKILLE

42. 'n Applikant moet enige klagte in verband met die boorwerk wat vir hom uitgevoer word, binne 48 (agt-en-veertig) uur na voltooiing van 'n boorgat skriftelik by die boorinspekteur in beheer van die betrokke gebied indien en die inspekteur moet die saak ondersoek.

35. The applicant shall be responsible for—

(a) an access road suitable for the transport of a Government drill to the boring site(s) and any other road necessary to reach the boring camp(s) and suitable for the Government transport to be used on the site; and

(b) the initial clearing of the boring site(s) and camping place(s) and the provision of fire-breaks as required by the driller to safeguard all Government property on the site and to prevent veld fires.

36. If an applicant is unable or fails to provide the services referred to in regulations 33 and 35, the secretary may, in his discretion, provide such services or transport as may be necessary to carry out boring operations in an efficient and expeditious manner, and the cost of such services or transport shall be added to the other charges to be paid by the applicant.

CESSATION OF BORING OPERATIONS

37. Boring operations for an applicant may be discontinued at the discretion of the secretary—

(a) when a suitable supply of water has been obtained in the borehole;

(b) when there is a possibility of the drill being damaged or accessories being damaged or lost;

(c) when in his opinion satisfactory results from further boring operations will not be obtained;

(d) when, in his opinion, the cost of additional boring cannot be justified by a possible sufficient increase in yield; or

(e) when a depth of 250 metres is reached, unless the secretary and the applicant come to an agreement to drill deeper, subject to the provisions of regulation 22:

Provided that if the secretary in any particular instance decides that boring operations should cease and an applicant should, nevertheless, apply in writing for boring operations to continue and undertake to pay for such boring operations at tariffs laid down in terms of regulation 22, excluding the rebate referred to in regulation 18, the secretary may, in his discretion, continue such operations.

38. The fixing of the number of boreholes drilled on any particular piece of land subject to an acceptance in terms of regulation 6 shall be at the discretion of the secretary and if boring operations are discontinued on his authority, all boring work which should have been done in terms of the application shall be deemed to have been completed.

LIABILITY FOR SUCCESS OF BORING OPERATIONS

39. The secretary does not guarantee any successful results of boring operations.

SELECTION OF BORING SITES

40. The applicant shall be responsible for indicating the boring sites, subject to the approval thereof by the secretary.

41. The secretary shall have the right to refuse to carry out boring on a site not approved by him.

COMPLAINTS AND DISPUTES

42. An applicant shall submit in writing any complaint concerning the boring operations being carried out for him, within 48 (forty-eight) hours after completion of the borehole, to the boring inspector in charge of the area concerned, who shall investigate the matter.

43. Indien 'n applikant nie met die uitpompptoets van 'n boorgat tevrede is nie, moet hy sy klagte op die dag van die toets skriftelik aan die boorman of aan die inspekteur, as laasgenoemde teenwoordig is, voorleë.

44. Na voltooiing van 'n boorgat moet die voorgeskrewe voltooiingsvorm deur die applikant of sy gevolmagtigde verteenwoordiger onderteken word en dit word aanvaar as bewys van voltooiing van die boorwerk ingevolge hierdie regulasies en daarna word geen klagtes oorweeg nie.

KERNS

45. Die sekretaris behou hom die reg voor om alle kers en boorsels wat met die boorwerk verkry word, te ondersoek en gedeeltes daarvan vir ontledingsdoeleindes te verwyder, in welke geval sodanige kern en boorsels geag word die eiendom van die Departement van Waterwese te wees.

DIVERSE

46. Indien 'n aansoek om korting ten opsigte van 'n boorgat aangeneem is op grond van valse of misleidende inligting deur die applikant verstrekk, vervall enige korting wat ten opsigte van die aansoek toegelaat is en is die applikant aanspreeklik vir die volle koste ingevolge regulasie 15.

47. Die sekretaris is nie verantwoordelik vir die juistheid van enige verklarings van die boormanne of inspekteurs betreffende die formasie waarin geboor word of betreffende die vertolking van enige bepaling van hierdie regulasies nie.

48. Indien 'n aansoek om korting aangeneem is voor die datum waarop hierdie regulasies van krag geword het, word die betrokke aansoek ooreenkomstig die voorwaardes by Goewermentskennisgewing R. 73 van 14 Januarie 1966 afgekondig, behandel asof genoemde Goewermentskennisgewing nie herroep is nie: Met dien verstande dat enige applikant in omstandighede waar die boorwerk na die datum waarop hierdie regulasies van krag geword het, uitgevoer is, skriftelik kan kies om die korting ingevolge hierdie voorwaardes te laat bereken, in welke geval die aansoek om korting vir alle doeleindes geag word 'n goedkeuring ingevolge hierdie regulasies te wees.

DATUM VAN INWERKINGTREDING

49. Hierdie regulasies tree in werking op 1 April 1980.

HERROEPING VAN VORIGE REGULASIES

50. Die volgende Goewermentskennisgewings word hierby herroep:

(a) Goewermentskennisgewing R. 73, gedateer 14 Januarie 1966.

(b) Goewermentskennisgewing 87, gedateer 12 Februarie 1971.

(c) Goewermentskennisgewing R. 1813, gedateer 11 Oktober 1974.

No. R. 93

18 Januarie 1980

VOORWAARDES VIR DIE TOEKENNING VAN SUBSIDIES OP DIE KOSTE VAN BOORWERK UITGEVOER DEUR 'N PRIVATE BOORKONTRAKTEUR

Hierby word bekendgemaak dat die Minister van Waterwese met die oog op beter beheer oor weiding die betaling, uit fondse vir hierdie doel deur die Parlement bewillig, van subsidies op die koste verbonde aan boorwerk verrig deur 'n private boorkontrakteur, onderworpe aan die volgende voorwaardes kan oorweeg.

43. If the applicant is dissatisfied with the pumping test he shall submit his complaint in writing on the day of the test to the driller or the inspector, if the latter is present.

44. On completion of a borehole the prescribed completion form shall be signed by the applicant or his authorised representative and shall be accepted as proof that such boring operations have been completed in accordance with these regulations and thereafter no complaints will be entertained.

CORES

45. The secretary shall reserve the right to examine all cores and boring samples obtained in drilling and to remove portions for analytical purposes, in which case such cores and boring samples shall be deemed to be the property of the Department of Water Affairs.

MISCELLANEOUS

46. If an application for a rebate in respect of a borehole is accepted as a result of false or misleading information furnished by the applicant, the rebate allowed in respect of the application will no longer apply and the applicant shall be liable for the full cost in terms of regulation 15.

47. The secretary shall not be responsible for the accuracy of any statement by drillers or inspectors regarding the formation drilled, or concerning the interpretation of any provision of these regulations.

48. If an application for a rebate was accepted prior to the date on which these regulations came into force, the application concerned shall be dealt with in terms of the conditions of Government Notice R. 73 of 14 January 1966, as if the said Government Notice had not been repealed: Provided that any applicant, in circumstances where the boring operations commenced after the date on which these regulations became effective, shall have the option, in writing, of having the rebate assessed in terms of these conditions, in which case the application for the rebate shall for all purposes be deemed to be an approval in terms of these regulations.

DATE OF COMMENCEMENT

49. These regulations shall come into operation on 1 April 1980.

REPEALING OF PREVIOUS REGULATIONS

50. The following Government Notices are hereby repealed:

(a) Government Notice R. 73, dated 14 January 1966.

(b) Government Notice 87, dated 12 February 1971.

(c) Government Notice R. 1813, dated 11 October 1974.

No. R. 93

18 January 1980

CONDITIONS FOR THE PAYMENT OF SUBSIDIES ON THE COSTS IN RESPECT OF DRILLING DONE BY A PRIVATE DRILLING CONTRACTOR

It is hereby notified that the Minister of Water Affairs may, with a view to improving control over grazing, consider the payment from funds voted by Parliament for this purpose of subsidies on the costs in respect of drilling done by a private drilling contractor, subject to the following conditions:

WOORDOMSKRYWING

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

“applikant” ’n eienaar van grond soos in artikel 1 van die Wet omskryf, wat ooreenkomstig hierdie voorwaardes aansoek doen om ’n subsidie op die koste van ’n boorgat wat deur ’n private boorkontrakteur geboor sal word;

“boorgat” ’n gat wat in die aarde geboor is deur ’n private boorkontrakteur met die doel om onderaardse water te vind;

“bystand” die hulp wat die Departement van Waterwese verleen ten opsigte van die koste verbonde aan die boor van gate vir doeleindes van veesuiping en huishoudelike gebruik by wyse van korting ingevolge die regulasies betreffende Staatsboorwerk of ’n subsidie ingevolge hierdie voorwaardes;

“sekretaris” die Sekretaris van Waterwese of sy behoorlik gemagtigde verteenwoordiger;

“Wet” die Waterwet, 1956 (Wet 54 van 1956), soos gewysig;

en het enige uitdrukking waaraan ’n betekenis in die Wet geheg is, dieselfde betekenis wanneer dit in hierdie voorwaardes gebruik word.

AANSOEKE OM SUBSIDIE

2. ’n Aansoek om subsidie op die koste van ’n boorgat geboor deur ’n private boorkontrakteur word oorweeg alleenlik indien—

(a) die eiendom waarop geboor moet word, nie binne die watervoorsieningsgebied van ’n plaaslike bestuur of ander statutêre liggaam vir dié doel ingestel, geleë is nie;

(b) die eiendom waarop geboor moet word, ten minste 25 hektaar groot is: Met dien verstande dat vir doeleindes van die bepaling van die grootte van ’n eiendom enige breukgedeelte geag word ’n volle hektaar te wees;

(c) die water van die voorgestelde boorgat slegs vir veesuipings- en/of huishoudelike doeleindes bestem is en volgens die oordeel van die sekretaris vir hierdie doel nodig is met inagneming van aspekte soos ander beskikbare bronne, weidingsafstand, soort vee wat aangehou word, drakrag van grond en behoeftes vir huisgebruik; en

(d) daar in die geval van ’n eiendom geleë binne ’n ondergrondse waterbeheergebied ’n permit ingevolge die betrokke regulasies kragtens artikel 30 (2) van die Wet bekom is vir die sink van ’n boorgat.

VOORWAARDES VAN AANNAME

3. Behoudens die bepalinge van voorwaarde 2 kan die sekretaris die toekenning van ’n subsidie op die koste van ’n boorgat, uit fondse vir dié doel deur die Parlement bewillig, goedkeur, onderworpe aan die volgende voorwaardes:

(a) Aansoek om subsidie moet op ’n voorgeskrewe vorm deur die applikant gedoen en aan die sekretaris gestuur word.

(b) ’n Afsonderlike aansoek moet ingedien word ten opsigte van elke eiendom wat op die datum van die aansoek afsonderlik opgemeet en kragtens die Registrasie van Aktes Wet, 1937 (Wet 47 van 1937), in die Aktekantoor geregistreer is.

DEFINITIONS

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

“Act” means the Water Act, 1956 (Act 54 of 1956), as amended;

“applicant” means an owner of land as defined in section 1 of the Act, who applies for a subsidy in terms of these conditions on the cost of drilling a borehole by a private drilling contractor;

“assistance” means the assistance granted by the Department of Water Affairs by way of a reduction in terms of the regulations governing Government drilling or a subsidy in terms of these conditions in respect of the costs related to the drilling of holes for the purpose of stock-watering and domestic use;

“borehole” means a hole drilled into the earth by a private drilling contractor for the purpose of finding underground water;

“secretary” means the Secretary for Water Affairs or his duly authorised representative;

and any expression to which a meaning has been assigned in the Act bears the same meaning when used in these conditions.

APPLICATIONS FOR SUBSIDY

2. An application for subsidy on the cost of a borehole drilled by a private drilling contractor shall only be considered if—

(a) the property on which the drilling is to be done is not situated within the water supply area of a local authority or other statutory body established for that purpose;

(b) the property on which the drilling is to be done is at least 25 hectares in extent: Provided that for the purpose of determining the extent of a property, any fraction shall be deemed to be a full hectare;

(c) the water of the proposed borehole is intended solely for stock-watering and/or domestic purposes and, in the opinion of the secretary, is necessary for this purpose, regard being had to aspects such as other available sources, distance of grazing, type of livestock kept, carrying capacity of the land and domestic needs; and

(d) in the case of a property situated in a subterranean water control area, a permit in accordance with the relevant regulations in terms of section 30 (2) of the Act has been obtained for the drilling of a borehole.

CONDITIONS OF ACCEPTANCE

3. Subject to the provisions of condition 2, the secretary may approve, from funds voted by Parliament for this purpose, the granting of a subsidy on the cost of a borehole, subject to the following conditions:

(a) An application for a subsidy shall be made by the applicant on a prescribed form and submitted to the secretary.

(b) A separate application shall be submitted in respect of each property which, on the date of the application, has been separately surveyed and registered in the Deeds Office in terms of the Registration of Deeds Act, 1937 (Act 47 of 1937).

(c) Die aanname van 'n aansoek berus by die sekretaris en hy kan sodanige ondersoek as wat hy in verband met enige aansoek nodig ag, laat instel en 'n aansoek sonder opgaaf van redes afwys, of 'n aansoek aanneem onderworpe aan die voorwaardes wat hy nodig ag met betrekking tot—

- (i) die aanwysing, verspreiding en ligging van boorplekke;
- (ii) die aantal suksesvolle boorgate;
- (iii) die maksimum aantal pogings, wat egter nie 4 (vier) per aansoek mag oorskry nie; en
- (iv) die diepte van boorgate.

(d) Geen kontrak of ooreenkoms tussen die applikant en die boorkontrakteur vir die boor van 'n boorgat mag aangegaan word en daar mag nie met die boorwerk begin word nie alvorens die applikant skriftelik in kennis gestel is dat sy aansoek om 'n subsidie deur die sekretaris goedgekeur is: Met dien verstande dat indien die sekretaris van mening is dat daar goeie rede bestaan waarom daar nie aan voormelde vereiste voldoen is nie, die Minister die betaling van 'n subsidie desondanks kan goedkeur.

(e) Die sekretaris behou hom die reg voor om te bepaal op watter gedeelte van die eiendom geboor moet word, maar die applikant wys die boorplek aan: Met dien verstande dat die sekretaris vir doeleindes van die betaling van subsidie—

- (i) die boorplek kan afkeur;
- (ii) te eniger tyd volgens sy diskresie kan eis dat alle boorwerk op die betrokke eiendom gestaak word;
- (iii) kan eis dat 'n boorgat dieper gemaak word as wat die applikant voornemens is of dat boorwerk ten opsigte van enige besondere boorgat op 'n bepaalde diepte gestaak word; en

enige boorwerk wat strydig met die sekretaris se opdrag of beslissing gedoen word, kom nie vir subsidie in aanmerking nie.

(f) 'n Boorgat moet minstens 15 meter diep en 100 millimeter in deursnee wees en moet voldoen aan die Suid-Afrikaanse Buro vir Standaarde se vereistes soos bepaal in die Handleiding vir die Toets van Waterboorgate, S.A.B.S. 045-1960, soos van tyd tot tyd gewysig.

(g) Die applikant waarborg die sekretaris toegang tot die betrokke grond tydens boorwerkzaamhede en na voltooiing daarvan, vir inspeksiedoeleindes.

(h) By voltooiing van die boorgat moet die applikant 'n onafgebroke uitpompstoets deur middel van 'n behoorlike pompstoetsel (nie skeplepel of blaastoets nie) vir minstens nege uur laat uitvoer ten einde die lewering van die boorgat te bepaal: Met dien verstande dat die subsidie bereken word ten opsigte van die lewering en koste van slegs 'n nege-uur-toets in gevalle waar die applikant 'n langer toets laat uitvoer: Met dien verstande voorts dat waar die applikant nalaat om sodanige uitpompstoets te laat uitvoer, die boorgat vir die doeleindes van voorwaardes 3 (i) en 8 geag word onsuksesvol te wees.

(i) Geen subsidie word toegestaan op voering wat op versoek van 'n applikant in 'n onsuksesvolle boorgat gelaat word nie. Vir hierdie doel word 'n boorgat geag onsuksesvol te wees indien dit minder as 125 milliliter per sekond lewer: Met dien verstande dat die sekretaris 'n boorgat met 'n lewering van minder as 125 milliliter per sekond suksesvol kan verklaar indien hy van oordeel is dat die boorgat in die besondere omstandighede bruikbaar is.

(c) The acceptance of an application shall be in the discretion of the secretary, who may cause such investigation as he deems necessary to be made in connection with any application, reject an application without furnishing any reasons or accept an application subject to such conditions as he may deem necessary in relation to—

- (i) the indication, distribution and situation of boring sites;
- (ii) the number of successful boreholes;
- (iii) the maximum number of attempts, which, however, may not exceed 4 (four) per application; and
- (iv) the depth of the boreholes.

(d) No contract or agreement between the applicant and the drilling contractor for the drilling of a borehole may be concluded and the drilling may not commence before the applicant has been notified in writing that his application for a subsidy has been approved by the secretary: Provided that if the secretary is of the opinion that there are good reasons why the aforementioned requirement has not been complied with, the Minister may nevertheless approve the payment of a subsidy.

(e) The secretary reserves the right to determine on which portion of the property drilling shall be carried out, but the applicant shall indicate the drilling site: Provided that the secretary may, for the purpose of payment of a subsidy—

- (i) reject the drilling site;
- (ii) at any time in his discretion demand that all drilling on the property in question be stopped; and
- (iii) demand that a borehole be drilled to a depth exceeding that intended by the applicant, or that drilling in respect of any particular borehole be stopped at a specified depth; and

any drilling carried out contrary to the instruction or decision of the secretary shall not be considered for the payment of a subsidy.

(f) A borehole shall be at least 15 metres deep and 100 millimetres in diameter and shall comply with the requirements contained in the South African Bureau of Standards Code of Practice for Testing Water Boreholes, S.A.B.S. 045-1960, as amended from time to time.

(g) The applicant guarantees the secretary right of access to the land concerned for inspection purposes during and after completion of the drilling operations.

(h) After completion of the borehole the applicant shall cause a continuous pumping test by means of suitable pumping equipment (not a bailer or an air-blast) to be carried out for at least 9 hours in order to determine the yield of the borehole: Provided that a subsidy shall be calculated only in respect of the delivery and cost of a nine hour test in cases where the applicant causes a longer test to be carried out: Provided further that if the applicant fails to have such a test carried out the borehole will, for the purposes of conditions 3 (i) and 8, be regarded as unsuccessful.

(i) No subsidy shall be granted on casing which is left in an unsuccessful borehole at the request of an applicant. For this purpose a borehole shall be regarded as unsuccessful if the yield is less than 125 millilitres per second: Provided that the secretary may declare a borehole with a yield of less than 125 millilitres per second successful if he is of the opinion that the borehole is serviceable in the particular circumstances.

(j) Geen subsidie ten opsigte van 'n boorgat is betaalbaar nie—

(i) tensy die boorgatvoltooiingsvorm, behoorlik deur die boorkontrakteur ingevul en deur die applikant mede-onderteken, deur die sekretaris ontvang is;

(ii) as die sekretaris van mening is dat die koste van 'n boorgat ten opsigte waarvan aansoek om 'n subsidie gedoen is, buitensporig hoog is: Met dien verstande dat hy die betaling kan oorweeg van 'n subsidie op 'n bedrag wat nie hoër is nie as die bedrag wat vir dié doel deur die Minister bepaal is;

(iii) tensy kwitansies of ander aanneemlike bewyse ter staving van die uitgawes in paragraaf (ii) bedoel, ingedien is; en

(iv) indien die boorplek deur die sekretaris afgekeur is, tensy die boorgat meer as 125 milliliter bruikbare water per sekond lewer en minstens 15 meter diep is. In sulke gevalle moet die plaaslike inspekteur betyds in kennis gestel word om hom in staat te stel om die uitpompptoets by te woon.

AANNAME VAN AANSOEKE EN TERUG-TREKKING DAARVAN

4. Wanneer die sekretaris 'n aansoek aanneem, stel hy die applikant skriftelik daarvan in kennis, asook van enige voorwaardes waaraan dit onderworpe is.

5. Indien 'n applikant in gebreke bly om binne een jaar na aanname van sy aansoek met die voorgestelde boorwerk te begin, word sy aansoek as gekanselleer beskou: Met dien verstande dat sodanige aansoek op skriftelike versoek van die applikant deur die sekretaris, behoudens die bepalings van voorwaarde 3 (c), vir 'n maksimum periode van een jaar by elke geleentheid verleng kan word.

6. 'n Aansoek om subsidie en die goedkeuring daarvan is nie oordraagbaar nie.

7. (a) Die sekretaris stel 'n applikant van wie hy 'n aansoek kragtens hierdie voorwaardes aangeneem het, van enige wesentlike wysiging van hierdie voorwaardes in kennis, as daar nie reeds ten tyde van die afkondiging van die wysiging met die boorwerk op die eiendom ten opsigte waarvan die aansoek gedoen is, begin is nie.

(b) 'n Applikant wat ingevolge die bepalings van paragraaf (a) in kennis gestel is, moet binne twee maande vanaf die datum van kennisgewing sy aansoek deur skriftelike kennisgewing aan die sekretaris terugtrek of hernieu.

(c) As 'n applikant sy aansoek hernieu, word die aansoek ingevolge die bepalings van die gewysigde voorwaardes behandel.

(d) As 'n applikant in gebreke bly om binne die vasgestelde tydperk aan die bepalings van paragraaf (b) te voldoen, verval sy aansoek en die aanname daarvan.

BOORKOSTE

8. Die totale koste van 'n boorgat vir doeleindes van die betaling van 'n subsidie word, behoudens die bepalings van voorwaardes 3 (i) en 3 (j) (ii), bereken op—

(a) die tarief per meter geboor; plus

(b) die koste van 'n uitpompptoets soos in voorwaarde 3 (h) bedoel; plus

(c) die koste van voering wat noodwendig in die boorgat gelaat moet word, insluitend voering wat nie herwin kan word nie.

(j) No subsidy in respect of a borehole shall be payable—

(i) unless the borehole completion form, duly completed by the drilling contractor and countersigned by the applicant, has been received by the secretary;

(ii) if the secretary is of the opinion that the cost of a borehole in respect of which application for a subsidy has been made is excessively high: Provided that he may consider the payment of a subsidy on an amount which is not higher than an amount determined by the Minister for this purpose;

(iii) unless receipts or other acceptable proof in support of the expenses mentioned in paragraph (ii) are submitted; and

(iv) if the drilling site has been rejected by the secretary, unless the borehole yields more than 125 millilitres of usable water per second and is at least 15 metres deep. In such cases the local inspector must be notified in time in order to enable him to attend the pumping test.

ACCEPTANCE OF APPLICATIONS AND THE WITHDRAWAL THEREOF

4. When the secretary accepts an application he notifies the applicant in writing thereof as well as of any conditions to which it is subject.

5. If an applicant fails to commence with the proposed drilling within one year after his application has been accepted, his application will be deemed to be cancelled: Provided that such application can, upon written request by the applicant, subject to the provisions of condition 3 (c), be extended by the secretary for a maximum period of one year on each occasion.

6. An application for a subsidy and approval thereof are not transferable.

7. (a) The secretary shall notify an applicant from whom he has accepted an application in terms of these conditions of any material amendment of these conditions if, at the time of promulgation of the amendment, drilling has not already commenced on the property in respect of which the application has been made.

(b) An applicant who has been notified in accordance with the provisions of paragraph (a) must, within two months of the date of notification, notify the secretary in writing whether he intends to withdraw or renew his application.

(c) If an applicant renews his application, the application shall be dealt with in accordance with the provisions of the amended conditions.

(d) If an applicant fails to comply with the provisions of paragraph (b) within the prescribed period his application and the acceptance thereof shall lapse.

DRILLING COSTS

8. The total cost of a borehole for purposes of payment of a subsidy shall, subject to the provisions of conditions 3 (i) and 3 (j) (ii) be calculated on—

(a) the tariff per metre drilled; plus

(b) the cost of a pumping test referred to in condition 3 (h); plus

(c) the cost of casing which shall of necessity be left in a borehole, including casing that is not recoverable.

BOORSUBSIDIES

9. Die bedrag van die subsidie op die koste van 'n boorgat bedoel in voorwaarde 8, word, behoudens die bepalinge van voorwaardes 3 en 11, gebaseer op—

(a) die diepte van elke afsonderlike boorgat, afgerond tot die naaste meter, en word bereken op die basis van 'n persentasie van die koste van boorwerk, bedoel in voorwaarde 8 (a), ooreenkomstig die volgende tabel:

55 persent ten opsigte van die eerste 75 meter;
60 persent ten opsigte van die daaropvolgende 30 meter tot 105 meter;
65 persent ten opsigte van die daaropvolgende 30 meter tot 135 meter;
70 persent ten opsigte van die daaropvolgende 30 meter tot 165 meter; en
75 persent ten opsigte van dié gedeelte van 'n boorgat dieper as 165 meter;

(b) 'n persentasie van die koste van voering, bedoel in voorwaarde 8 (c), bereken op die basis uiteengesit in paragraaf (a) van hierdie voorwaarde; en

(c) 55 persent van die koste van 'n uitpompptoets, bedoel in voorwaarde 8 (b).

PERKE VAN BYSTAND

10. Die maksimum bystand wat ingevolge voorwaarde 9 ten opsigte van enige bepaalde eiendom, soos geregistreer op die datum van hierdie voorwaardes, toegestaan mag word, word—

(a) in die geval van boorwerk vir veesuipingsdoeleindes, bepaal op R25 per grootvee-eenheid, maar mag nie die bedrag van R8 000 per geregistreerde eiendom oorskry nie;

(b) in die geval van boorwerk vir huishoudelike doeleindes, beperk tot 'n maksimum bedrag van R500 per eiendom;

(c) in die geval van boorwerk vir beide huishoudelike en veesuipingsdoeleindes, bepaal ooreenkomstig paragraaf (a) of (b) hierbo, wat ook al die voordeligste vir die applikant is.

11. Indien 'n eiendom na die datum van hierdie voorwaardes onderverdeel word, deel elke onderverdeling pro rata volgens grootte in die ongebruikte balans van die maksimum bystand wat ingevolge voorwaarde 10 toegestaan mag word.

AANSPREEKLIKHEID VIR OOREENKOMSTE MET KONTRAKTEUR

12. Die sekretaris aanvaar hoegenaamd geen aanspreeklikheid vir enige ooreenkoms aangegaan tussen 'n applikant en 'n boorkontrakteur nie, asook geen aanspreeklikheid vir enige koste in verband met die boorwerk nie en doen geen betaling aan sodanige kontrakteur en het ook geen deel in enige geskil nie.

13. Die aangaan van 'n ooreenkoms in voorwaarde 3 (d) bedoel, berus uitsluitlik by die applikant en enige gevolge wat voortvloei uit sodanige ooreenkoms, is 'n saak wat uitsluitlik by die applikant en die kontrakteur berus.

DIVERSE

14. Indien dit aan die lig kom dat 'n aansoek om subsidie ten opsigte van 'n boorgat aangeneem is op grond van valse of misleidende inligting deur die applikant verstrek, vervel enige subsidie wat ten opsigte van die aansoek toegelaat is en moet die volle bedrag wat aan die applikant uitbetaal is, op hom verhaal word.

DRILLING SUBSIDIES

9. The amount of the subsidy on the cost of a borehole referred to in condition 8 shall, subject to the provisions of conditions 3 and 11, be based on—

(a) the depth of each separate borehole rounded off to the nearest metre, and shall be calculated on the basis of a percentage of the cost of the drilling referred to in condition 8 (a), in accordance with the following table:

55 per cent in respect of the first 75 metres;
60 per cent in respect of the subsequent 30 metres up to 105 metres;
65 per cent in respect of the subsequent 30 metres up to 135 metres;
70 per cent in respect of the subsequent 30 metres up to 165 metres; and
75 per cent in respect of that part of a borehole deeper than 165 metres;

(b) a percentage of the cost of the casing referred to in condition 8 (c), calculated on the basis set out in paragraph (a) of this condition; and

(c) 55 per cent of the cost of a pumping test referred to in condition 8 (b).

LIMITS OF ASSISTANCE

10. The maximum assistance that may be granted in terms of condition 9 in respect of any particular property, as registered on the date of these conditions, shall—

(a) in the case of drilling for stock-watering purposes, be determined at R25 per large stock unit, but may not exceed the amount of R8 000 per registered property;

(b) in the case of drilling for domestic purposes, be limited to a maximum amount of R500 per property;

(c) in the case of drilling for both domestic and stock-watering purposes, be determined in terms of paragraph (a) or (b) above, whichever may be more advantageous to the applicant.

11. If a property is subdivided after the date of these conditions, each subdivision shall be entitled, in accordance with its size, to a pro rata share in the unused balance of the maximum assistance that may be granted in terms of condition 10.

LIABILITY FOR AGREEMENTS WITH CONTRACTOR

12. The secretary accepts no liability whatsoever for any agreement entered into between an applicant and a drilling contractor, nor any liability for any costs in connection with the drilling, makes no payment to such contractor and is not a party to any dispute.

13. The entering into an agreement referred to in condition 3 (d) shall be vested exclusively in the applicant and any consequences arising therefrom shall be a matter entirely between the applicant and the contractor.

MISCELLANEOUS

14. If it is discovered that an application for a subsidy in respect of a borehole has been accepted on the basis of false or misleading information furnished by the applicant, any subsidy granted in respect of the application shall lapse and the full amount paid to the applicant shall be recovered from him.

15. Indien 'n aansoek om subsidie aangeneem is voor die datum waarop hierdie voorwaardes van krag geword het, word die betrokke aansoek ooreenkomstig die voorwaardes afgekondig by Goewermentskennisgewing R. 74 van 14 January 1966, soos gewysig, behandel asof genoemde Goewermentskennisgewing nie herroep is nie: Met dien verstande dat enige applikant in omstandighede waar die boorwerk na die datum waarop hierdie voorwaardes van krag geword het, uitgevoer is, skriftelik kan kies om die subsidie ingevolge hierdie voorwaardes te laat bereken, in welke geval die aansoek om subsidie vir alle doeleindes geag word 'n goedkeuring ingevolge hierdie voorwaardes te wees.

DATUM VAN INWERKINGTREDING

16. Hierdie voorwaardes tree in werking op 1 April 1980.

HERROEPING VAN VORIGE VOORWAARDES

17. Die volgende Goewermentskennisgewings word hierby herroep:

- (a) Goewermentskennisgewing R. 74 van 14 Januarie 1966.
- (b) Goewermentskennisgewing 87 van 12 Februarie 1971.
- (c) Goewermentskennisgewing 260 van 13 April 1973.
- (d) Goewermentskennisgewing R. 1812 van 11 Oktober 1974.

No. R. 94

18 Januarie 1980

REGULASIES UITGEVAARDIG KRAGTENS ARTIKEL 164 VAN DIE WATERWET, 1956 (WET 54 VAN 1956), EN VOORWAARDES KRAGTENS ARTIKEL 162 VAN GENOEMDE WET

Die Minister van Waterwese het kragtens die bevoegdheid hom verleen by artikel 164 van die Waterwet, 1956 (Wet 54 van 1956), saamgelees met artikel 162 van genoemde Wet, die volgende regulasies en voorwaardes uitgevaardig betreffende bykomende werke ten opsigte van boorgate vir veesuipings- en huishoudelike doeleindes en die toekenning van subsidies op die koste van sodanige werke.

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

“applikant” ’n eienaar van grond soos in artikel 1 van die Wet omskryf, wat ooreenkomstig hierdie regulasies/voorwaardes aansoek doen om ’n subsidie op die koste van bykomende werke ten opsigte van ’n boorgat;

“boorgat” ’n gat wat in die aarde geboor is met die doel om onderaardse water te vind;

“bykomende werke” toestelle, pylpleidings, reservoirs en suipbakke wat aangelê of opgerig word om water uit boorgate te onttrek, op te gaar, te versprei en vir veesuipings- en huishoudelike doeleindes beskikbaar te stel;

“sekretaris” die sekretaris van Waterwese of sy behoorlik gemagtigde verteenwoordiger;

“Wet” die Waterwet, 1956 (Wet 54 van 1956);

en het enige uitdrukking waaraan ’n betekenis in die Wet geheg is, dieselfde betekenis wanneer dit in hierdie regulasies/voorwaardes gebruik word.

BEDRAG VAN SUBSIDIE

2. Die Minister kan die toekenning van ’n subsidie op die koste van bykomende werke op ’n boorgat, uit fondse vir dié doel deur die Parlement bewillig, goedkeur onderworpe aan die voorwaardes omskryf in die Bylae hiervan. Die bedrag wat vir doeleindes van

15. If an application for a subsidy has been accepted prior to the date on which these conditions came into force, the application concerned shall be dealt with in accordance with the conditions promulgated under Government Notice R. 74 of 14 January 1966, as amended, as if the said Government Notice had not been repealed: Provided that any applicant, in circumstances where the drilling has been carried out after the date on which these conditions became effective, may indicate in writing his option to have the subsidy calculated in terms of these conditions, in which event the application for a subsidy shall for all purposes be deemed to be an approval in terms of these conditions.

DATE OF COMMENCEMENT

16. These conditions shall come into operation on 1 April 1980.

REPEAL OF PREVIOUS CONDITIONS

17. The following Government Notices are hereby repealed:

- (a) Government Notice R. 74 of 14 January 1966.
- (b) Government Notice 87 of 12 February 1971.
- (c) Government Notice 260 of 13 April 1973.
- (d) Government Notice R. 1812 of 11 October 1974.

No. R. 94

18 January 1980

REGULATIONS MADE IN TERMS OF SECTION 164 OF THE WATER ACT, 1956 (ACT 54 OF 1956), AND CONDITIONS IN TERMS OF SECTION 162 OF THE SAID ACT

The Minister of Water Affairs has, by virtue of the powers vested in him by section 164 of the Water Act, 1956 (Act 54 of 1956), read with section 162 of the said Act, made the following regulations and conditions pertaining to additional works in respect of boreholes for stock-watering and domestic purposes and the granting of subsidies on the cost of such works.

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

“Act” means the Water Act, 1956 (Act 54 of 1956);

“additional works” means appliances, pipelines, reservoirs and drinking troughs laid or erected to withdraw water from boreholes and to conserve, distribute and make it available for stock-watering and domestic purposes;

“applicant” means an owner of land as defined in section 1 of the Act, who applies for a subsidy on the cost of additional works in respect of a borehole in terms of these regulations/conditions;

“borehole” means a hole drilled into the earth for the purpose of finding underground water;

“secretary” means the secretary for Water Affairs or his duly authorised representative;

and any expression to which a meaning has been assigned in the Act bears the same meaning when used in these regulations/conditions.

AMOUNT OF SUBSIDY

2. The Minister may approve, from funds voted by Parliament for this purpose, the granting of a subsidy on the cost of additional works on a borehole, subject to the conditions set out in the Annexure hereto.

artikel 162 (2) (c) van die Wet bepaal moet word, word hierby op R6 000 bepaal.

AANNAME VAN AANSOEKE

3. Aansoek om 'n subsidie moet op 'n voorgeskrewe vorm deur die applikant gedoen en aan die sekretaris gestuur word. 'n Afsonderlike aansoek moet ingedien word ten opsigte van elke boorgat.

4. Die aanname van 'n aansoek berus by die Minister en hy kan sodanige ondersoek as wat hy in verband met enige aansoek nodig ag, laat instel en 'n aansoek sonder opgaaf van redes afwys, of 'n aansoek aanneem onderworpe aan die voorwaardes wat hy nodig ag met betrekking tot—

- (i) die vereistes van die boorgattoerusting;
- (ii) die lengte en tipe pypleiding asook die wyse waarop dit gelê moet word; en
- (iii) die spesifikasies van aanjaagpompe, reservoires en suipkrippe, waar sodanige werke vereis word.

5. Indien 'n aansoek om subsidie aangeneem is voor die datum waarop hierdie regulasies en die voorwaardes omskryf in die Bylae hiervan van krag geword het, word die betrokke aansoek ooreenkomstig die regulasies afgekondig by Goewermentskennisgewing R. 1017 van 5 Julie 1963, soos gewysig, behandel asof genoemde Goewermentskennisgewing nie herroep is nie.

DATUM VAN INWERKINGTREDING

6. Hierdie regulasies en voorwaardes tree in werking op 1 April 1980.

HERROEPING VAN VORIGE REGULASIES

7. Goewermentskennisgewing R. 1017 van 5 Julie 1963 met alle wysigings daarvan word hierby herroep.

BYLAE

VOORWAARDES MET BETREKKING TOT AANSOEKE OM 'N SUBSIDIE OP BYKOMENDE WERKE TEN OPSIGTE VAN BOORGATE VIR VEESUIPINGS- EN HUISHOUDELIKE DOEL-EINDES

VEREISTES VIR OORWEGING

1. 'n Aansoek om 'n subsidie op die koste van bykomende werke word oorweeg alleenlik indien—

(a) die eiendom waarop die boorgat geboor is, nie binne die watervoorsieningsgebied van 'n plaaslike bestuur of ander statutêre liggaam vir dié doel ingestel, geleë is nie;

(b) die eiendom waarop die boorgat geboor is, ten minste 25 hektaar groot is: Met dien verstande dat vir doeleindes van die bepaling van die grootte van 'n eiendom enige breukgedeelte geag word 'n volle hektaar te wees;

(c) die boorgat minstens 15 meter diep en 100 millimeter in deursnee is, voldoen aan die Suid-Afrikaanse Buro vir Standaard se vereistes soos bepaal in die Handleiding vir die Toets van Waterboorgate, S.A.B.S. 045-1960, soos van tyd tot tyd gewysig, en na die mening van die sekretaris 'n genoegsame hoeveelheid bruikbare water lewer;

(d) die water van die boorgat slegs vir veesuipings- en/of huishoudelike doeleindes bestem is en volgens die oordeel van die sekretaris vir hierdie doel nodig is, met inagneming van aspekte soos ander beskikbare bronne, weidingsafstand, soort vee wat aangehou word, drakrag van grond en behoeftes vir huisgebruik;

The amount to be determined for purposes of section 162 (2) (c) of the Act is hereby determined at R6 000.

ACCEPTANCE OF APPLICATIONS

3. An application for a subsidy shall be made by the applicant on a prescribed form and submitted to the secretary. A separate application shall be submitted in respect of each borehole.

4. The acceptance of an application shall be in the discretion of the Minister, who may cause such investigation as he deems necessary to be made in connection with any application, reject an application without furnishing any reasons, or accept an application subject to such conditions as he may deem necessary in relation to—

- (i) the requirements of the borehole equipment;
- (ii) the length and type of pipeline as well as the manner in which it is to be laid; and
- (iii) the specifications of booster pumps, reservoirs and drinking troughs, where such works are required.

5. If an application for a subsidy has been accepted prior to the date on which these regulations and the conditions set out in the Annexure hereto came into force, the application in question shall be dealt with in accordance with the regulations promulgated under Government Notice R. 1017 of 5 July 1963, as amended, as if the said Government Notice had not been repealed.

DATE OF COMMENCEMENT

6. These regulations and conditions shall come into operation on 1 April 1980.

REPEALING OF PREVIOUS REGULATIONS

7. Government Notice R. 1017 of 5 July 1963, together with all amendments thereto, are hereby repealed.

ANNEXURE

CONDITIONS REGARDING APPLICATIONS FOR A SUBSIDY ON ADDITIONAL WORKS IN RESPECT OF BOREHOLES FOR STOCK-WATERING AND DOMESTIC PURPOSES

REQUIREMENTS FOR CONSIDERATION

1. An application for a subsidy on the cost of additional works shall only be considered if—

(a) the property on which the borehole was drilled is not situated within the water supply area of a local authority or other statutory body established for that purpose;

(b) the property on which the borehole was drilled is at least 25 hectares in extent: Provided that for the purpose of determining the extent of a property, any fraction shall be deemed to be a full hectare;

(c) the borehole is at least 15 metres deep and 100 millimetres in diameter and complies with the requirements contained in the South African Bureau of Standards Code of Practice for Testing Water Boreholes, S.A.B.S. 045-1960, as amended from time to time, and in the opinion of the secretary yields sufficient usable water;

(d) the water of the borehole is intended solely for stock-watering and/or domestic purposes and, in the opinion of the secretary, is necessary for this purpose, regard being had to aspects such as other available sources, distance of grazing, type of live-stock kept, carrying capacity of the land and domestic needs; and

(e) daar in die geval van 'n eiendom geleë binne 'n ondergrondse waterbeheergebied 'n permit ingevolge die betrokke regulasies kragtens artikel 30 (2) van die Wet bekom is vir die aanbring van bykomende werke op die boorgat.

AANNAME VAN AANSOEKE EN KANSELLASIE DAARVAN

2. Wanneer 'n aansoek goedgekeur is, stel die sekretaris die applikant skriftelik daarvan in kennis, asook van enige voorwaardes waaraan dit onderworpe is.

3. 'n Applikant wat kennis ontvang het dat sy aansoek goedgekeur is, moet die beoogde werke binne 12 maande vanaf die datum van kennisgewing voltooi. Met dien verstande dat die applikant skriftelik aansoek kan doen dat die vasgestelde tydperk vir 'n verdere tydperk van hoogstens 12 maande verleng word.

4. As 'n applikant in gebreke bly om binne die vasgestelde tydperk aan die bepalinge van voorwaarde 3 te voldoen, word sy aansoek as gekanselleer beskou.

VOORWAARDES VAN AANNAME

5. Geen subsidie is betaalbaar nie ten opsigte van enige gedeelte van 'n bykomende werk waaraan werk begin is of op uitgawes, insluitende die betaling of aankoop van materiaal, wat direk of indirek aangegaan is voor die datum waarop 'n applikant skriftelik in kennis gestel is dat die beoogde werk goedgekeur is en dat die Minister 'n subsidie ten opsigte van die beoogde werk toegeken het.

6. By berekening van die bedrag van die subsidie wat aan 'n applikant betaalbaar is na bevredigende voltooiing van die werk, word slegs die koste van die werklike konstruksie van die bykomende werke, soos deur die Minister goedgekeur, in aanmerking geneem.

7. Geen subsidie ten opsigte van bykomende werke is betaalbaar nie—

(i) tensy kwitansies of ander aanneemlike bewys ter staving van uitgawes ontvang is;

(ii) tensy 'n voltooiingsvorm, deur die sekretaris voorgeskryf, behoorlik deur die applikant onderteken, ontvang is en die werk na die oordeel van die Minister bevredigend en in ooreenstemming met die goedgekeurde planne en spesifikasies voltooi is; en

(iii) as die applikant vir enige komponent van die bykomende werke van tweedehandse materiaal gebruik gemaak het.

8. Die beslissing van die Minister in verband met alle aangeleenthede wat betrekking het op die betaling van subsidies aan applikante is finaal, en indien gevind word dat enige subsidie of gedeelte daarvan foutiewelik aan enige grondeienaar betaal is, is die eienaar aanspreeklik vir die terugbetaling van sodanige subsidie of gedeelte daarvan.

9. Die applikant waarborg die sekretaris toegang tot die bykomende werke vir inspeksiedoeleindes.

DIVERSE

10. Aansoeke om subsidie en die goedkeuring daarvan is nie oordraagbaar nie.

11. Indien 'n aansoek om subsidie ten opsigte van bykomende werke aangeneem is op grond van valse of misleidende inligting deur die applikant verstrekk, verval enige subsidie wat ten opsigte van die aansoek toegelaat is en moet die volle bedrag wat aan die applikant uitbetaal is, op hom verhaal word.

(e) in the case of a property situated in a subterranean water control area, a permit in accordance with the relevant regulations in terms of section 30 (2) of the Act has been obtained for the erection of additional works on the borehole.

ACCEPTANCE OF APPLICATIONS AND CANCELLATION THEREOF

2. When an application has been approved, the secretary will notify the applicant in writing thereof, as well as of any conditions to which it is subject.

3. An applicant who has been notified that this application has been approved, shall complete the proposed works within 12 months from the date of notification: Provided that the applicant may apply in writing for the fixed period to be extended for a further period of not more than 12 months.

4. If an applicant fails to comply with the provisions of condition 3 within the fixed period, his application shall be deemed to be cancelled.

CONDITIONS OF ACCEPTANCE

5. No subsidy shall be payable in respect of any portion of an additional work on which work started or in respect of expenses, including the payment or purchase of material, which were incurred directly or indirectly prior to the date on which an applicant has been notified in writing that the intended work has been approved and that the Minister has granted a subsidy in respect of the intended work.

6. In calculating the amount of the subsidy payable to an applicant after satisfactory completion of the work, only the cost of the actual construction of the additional works, as approved by the Minister, shall be taken into consideration.

7. No subsidy in respect of additional works shall be payable—

(i) unless receipts or any other acceptable proof have been received in support of the expenses;

(ii) unless a completion form, prescribed by the secretary, duly signed by the applicant has been received and the work has, in the opinion of the Minister, been completed satisfactorily and in accordance with the approved plans and specifications; and

(iii) if the applicant has made use of second-hand material for any component of the additional works.

8. The decision of the Minister in connection with all matters appertaining to the payment of subsidies to applicants shall be final and if it is found that any subsidy or part thereof has erroneously been paid to any owner of land, the owner shall be liable for the repayment of such subsidy or part thereof.

9. The applicant guarantees the secretary right of access to the additional works for inspection purposes.

MISCELLANEOUS

10. Applications for a subsidy and approval thereof are not transferable.

11. If an application for a subsidy in respect of additional works has been accepted on false or misleading information furnished by the applicant, any subsidy granted in respect of the application shall lapse and the full amount paid to the applicant shall be recovered from him.

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