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PROKLAMASIES

van die Staatspresident van die Republiek van Suid-Afrika

No. R. 49, 1980

VERPLIGTE BYDRAES TOT DIE KOSTE VAN JAKKALSHEININGS IN DIE AFDELING KLEIN KAROO-LANGKLOOF

Kragtens die bevoegdheid my verleen by artikel 3 (1) van die Omheiningswet, 1963 (Wet 31 van 1963), verklaar ek hierby dat—

(a) bydraes tot die koste van—

(i) die verandering van 'n grensheining in 'n jakkalsheining; of

(ii) die oprigting van 'n jakkalsheining as 'n grensheining, verpligtend is in daardie gedeeltes van Wyke 9, 11 en 12 van die afdeling Klein Karoo-Langkloof, wat in die Bylae hierby beskryf word;

(b) Proklamasie 156 van 1978 herroep is.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Eenen-twintigste dag van Februarie Eenduisend Negehonderd-en-tagtig.

M. VILJOEN, Staatspresident.

Op las van die Staatspresident-in-rade:

H. S. J. SCHOEMAN.

BYLAE

Wyk 9.—Daardie gedeelte wat bestaan uit die plase Andrieskraal Geo. Q. 7-44, Andrieskraal Geo. Freehold 12-16, Zwartkop Geo. Q. 7-36 en Uitvlugt Geo. Q. 3-72.

Wyk 11.—Daardie gedeelte wat bestaan uit die plase Quarrieveldt Geo. Q. 9-11, Kleinberg Oud. Q. 2-13, Huisrivier S.W. Q. 13-72 en Groot Lang Kloof Geo. Q. 7-37.

Wyk 12.—Daardie gedeelte wat bestaan uit die plase Matjes Valley Geo. Q. 8-4, Kweek Kraal Geo. Q. 3-59, Buffelskloof Geo. Q. 3-61, Lemrick Geo. Q. 3-13, Doornkloof Geo. Q. 7-46 en Rietfontein Geo. Q. 3-58.

PROCLAMATIONS

by the State President of the Republic of South Africa

No. R. 49, 1980

OBLIGATORY CONTRIBUTIONS TOWARDS THE COST OF JACKALPROOF FENCING IN THE DIVISION OF KLEIN KAROO-LANGKLOOF

Under the powers vested in me by section 3 (1) of the Fencing Act, 1963 (Act 31 of 1963), I hereby declare that—

(a) contributions towards the cost of—

(i) converting a boundary fence into a jackalproof fence; or

(ii) erecting a jackalproof fence as a boundary fence, shall be obligatory in those portions of Wards 9, 11 and 12 of the Division of Klein Karoo-Langkloof, described in the Schedule hereto;

(b) Proclamation 156 of 1978 is repealed.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this Twenty-first day of February, One thousand Nine hundred and Eighty.

M. VILJOEN, State President.

By Order of the State President-in-Council:

H. S. J. SCHOEMAN.

SCHEDULE

Ward 9.—That portion consisting of the farms Andrieskraal Geo. Q. 7-44, Andrieskraal Geo. Freehold 12-16, Zwartkop Geo. Q. 7-36 and Uitvlugt Geo. Q. 3-72.

Ward 11.—That portion consisting of the farms Quarrieveldt Geo. Q. 9-11, Kleinberg Oud. Q. 2-13, Huisrivier S.W. Q. 13-72 and Groot Lang Kloof Geo. Q. 7-37.

Ward 12.—That portion consisting of the farms Matjes Valley Geo. Q. 8-4, Kweek Kraal Geo. Q. 3-59, Buffelskloof Geo. Q. 3-61, Lemrick Geo. Q. 3-13, Doornkloof Geo. Q. 7-46 and Rietfontein Geo. Q. 3-58.

No. R. 50, 1980

PIESANGSKEMA.—WYSIGING

Nademaal die Minister van Landbou kragtens artikel 9 (2) (c) saamgelees met artikel 15 (3) van die Bemerkingswet, 1968 (Wet 59 van 1968), die voorgestelde wysiging in die Bylae hiervan uiteengesit, van die Piesangskema, afgekondig by Proklamasie R. 109 van 1976, soos gewysig, aangeneem het en kragtens artikel 12 (1) (b) van genoemde Wet goedkeuring van die voorgestelde wysiging aanbeveel het;

So is dit dat ek, kragtens die bevoegdheid my verleen by artikel 14 (1) (a), saamgelees met genoemde artikel 15 (3) van genoemde Wet, hierby verklaar dat genoemde wysiging op 1 Julie 1980 in werking tree.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Ses-entwintigste dag van Februarie Eenduisend Negehonderden-tagtig.

M. VILJOEN, Staatspresident.

Op las van die Staatspresident-in-rade:

H. S. J. SCHOEMAN.

BYLAE

Die Piesangskema, afgekondig by Proklamasie R. 109 van 1976, soos gewysig, word hierby verder gewysig deur die woordskrywing van "produksiegebied" in artikel 1 deur die volgende woordskrywing te vervang:

" 'produksiegebied'—

(a) die landdrosdistrikte Barberton, Belfast, Carolina, Letaba, Lydenburg, Nelspruit, Pelgrimsrus, Pietersburg, Soutpansberg en Witrivier in Transvaal; en

(b) die landdrosdistrikte Eshowe, Lower Umfolozi, Lower Tugela, Mtunzini, Port Shepstone en Umzinto in Natal."

GOEWERMENSKENNISGEWINGS**DEPARTEMENT VAN DOEANE EN AKSYNS**

No. R. 476

14 Maart 1980

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/679)

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. 50, 1980

BANANA SCHEME.—AMENDMENT

Whereas the Minister of Agriculture has, under section 9 (2) (c), read with section 15 (3) of the Marketing Act, 1968 (Act 59 of 1968), accepted the proposed amendment, set out in the Schedule hereto, to the Banana Scheme, published by Proclamation R. 109 of 1976, as amended; and has, under section 12 (1) (b) of the said Act, recommended the approval of the proposed amendment;

Now therefore, under the powers vested in me by section 14 (1) (a), read with the said section 15 (3) of the said Act, I do hereby declare that the said amendment shall come into operation on 1 July 1980.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Twenty-sixth day of February, One thousand Nine hundred and Eighty.

M. VILJOEN, State President.

By Order of the State President-in-Council:

H. S. J. SCHOEMAN.

SCHEDULE

The Banana Scheme, published by Proclamation R. 109 of 1976, as amended, is hereby further amended by the substitution for the definition of "production area" in section 1 of the following definition:

" 'production area' means—

(a) the Magisterial Districts of Barberton, Belfast, Carolina, Letaba, Lydenburg, Nelspruit, Pilgrim's Rest, Pietersburg, Soutpansberg and White River in Transvaal; and

(b) the Magisterial Districts of Eshowe, Lower Umfolozi, Lower Tugela, Mtunzini, Port Shepstone and Umzinto in Natal."

GOVERNMENT NOTICES**DEPARTMENT OF CUSTOMS AND EXCISE**

No. R. 476

14 March 1980

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/679)

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 Skaal van Reg	
		Algemeen	M.B.N.
84.21 Deur subposte Nos. 84.21.30.30 en 84.21.30.40 deur die volgende te vervang:			
„ 30 Handbedien, toegerus met reservoirs met 'n inhouds-vermoë van hoogstens 7 liter	getal	15%	
40 Handbedien, toegerus met reservoirs met 'n inhouds-vermoë van meer as 7 liter	getal	vry	

Opmerking.—Die uitwerking van hierdie kennisgewing is dat die skaal van reg op handbediende sprinke-laars en sproeiërs, geskik vir gebruik met insekte-, swam- en plantdoders, toegerus met reservoirs met 'n inhouds-vermoë van meer as 5 liter maar hoogstens 7 liter, van vry na 15% verhoog word.

SCHEDULE

I Tariff Heading	II Statistical Unit	III IV Rate of Duty	
		General	M.F.N.
84.21 By the substitution for subheadings Nos. 84.21.30.30 and 84.21.30.40 of the following:			
".30 Manually operated, fitted with reservoirs with a capacity not exceeding 7 litres	no.	15%	
.40 Manually operated, fitted with reservoirs with a capacity exceeding 7 litres	no.	free"	

Note.—The effect of this notice is that the rate of duty on manually operated sprinklers and sprayers, suitable for use with insecticides, fungicides and herbicides, fitted with reservoirs with a capacity exceeding 5 litres but not exceeding 7 litres, is increased from free to 15%.

No. R. 477 14 Maart 1980

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/680)

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. 477

14 March 1980

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/680)

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 Skaal van Reg	
		Algemeen	M.B.N.
85.05 Deur tariefpos No. 85.05 deur die volgende te vervang:			
"85.05 Handgereedskap met ingeboude elektriese motor:			
85.05.10 Snyers van die swaailyntipe, geskik vir gebruik by die sny van grasperkrande	getal	23%	
85.05.90 Ander	getal	3%"	

Opmerking.—Spesifieke voorsiening word gemaak vir snyers van die swaailyntipe, geskik vir gebruik by die sny van grasperkrande, en die skaal van reg daarop word van 3% na 23% verhoog.

SCHEDULE

I Tariff Heading	II Statistical Unit	III IV Rate of Duty	
		General	M.F.N.
85.05 By the substitution for tariff heading No. 85.05 of the following:			
"85.05 Tools for working in the hand, with self-contained electric motor:			
85.05.10 Cutters of the flail line type, suitable for use for cutting lawn edges	no.	23%	
85.05.90 Other	no.	3%"	

Note.—Specific provision is made for cutters of the flail line type, suitable for use for cutting lawn edges, and the rate of duty thereon is increased from 3% to 23%.

No. R. 478

14 Maart 1980

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 3 (No. 3/624)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae 3 by genoemde Wet hierby gewysig in die mate in die Bylae hiervan aangetoon.

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

No. R. 478

14 March 1980

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 3 (No. 3/624)

Under section 75 of the Customs and Excise Act, 1964, Schedule 3 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
306.04	Deur tariefpos No. 39.03 deur die volgende te vervang: „39.03 Etilsellulose; metiellsellulose; sellulose-asetaatbutiraat; hidroksiëtiel-sellulose; hidroksiopropielmetiellsellulose	Volle reg
311.18	Deur voor tariefpos No. 55.09 die volgende in te voeg: „51.01 Garing van sellulosiese vesels (kontinu), rek of uitbult, van meer as 150 dtex maar hoogstens 780 dtex, vir die vervaardiging van polbedspreie	Volle reg

Opmerkings.—(1) Voorsiening word gemaak vir 'n volle korting op reg op hidroksiopropielmetiellsellulose vir die vervaardiging van kleursels, verwe, vernisse en verwante produkte.

(2) Voorsiening word gemaak vir 'n volle korting op reg op sekere garing van sellulosiese vesels vir die vervaardiging van polbedspreie.

SCHEDULE

I Item	II Tariff Heading and Description	III Extent of Rebate
306.04	By the substitution for tariff heading No. 39.03 of the following: „39.03 Ethylcellulose; methylcellulose; cellulose acetate-butyrate; hydroxy-ethylcellulose; hydroxypropylmethylcellulose	Full duty
311.18	By the insertion before tariff heading No. 55.09 of the following: „51.01 Yarn of cellulosic fibres (continuous), stretch or bulked, exceeding 150 dtex but not exceeding 780 dtex, for the manufacture of tufted bedspreads	Full duty

Notes.—(1) Provision is made for a rebate of the full duty on hydroxypropylmethylcellulose for the manufacture of colours, paints, varnishes and allied products.

(2) Provision is made for a rebate of the full duty on certain yarn of cellulosic fibres for the manufacture of tufted bedspreads.

No. R. 479

14 Maart 1980

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 3 (No. 3/625)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae 3 by genoemde Wet hierby gewysig in die mate in die Bylae hiervan aangetoon.

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

No. R. 479

14 March 1980

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 3 (No. 3/625)

Under section 75 of the Customs and Excise Act, 1964, Schedule 3 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
316.16	Deur na item 316.15 die volgende in te voeg: „316.16 Nywerheid: Handgereedskap met ingeboude elektriese motor 85.05 Snykoppe, van kunsplastiekstof, vir die vervaardiging van snyers van die swaailintipe, geskik vir gebruik by die sny van grasperkrande	Volle reg

Opmerking.—Voorsiening word gemaak vir 'n volle korting op reg op snykoppe, van kunsplastiekstof, vir die vervaardiging van snyers van die swaailintipe, geskik vir gebruik by die sny van grasperkrande.

SCHEDULE

I Item	II Tariff Heading and Description	III Extent of Rebate
316.16	By the insertion after item 316.15 of the following: "316.16 Industry: Tools for working in the hand, with self-contained electric motor 85.05 Cutting heads, of artificial plastic material, for the manufacture of cutters of the flail line type, suitable for use for cutting lawn edges	Full duty"

Note.—Provision is made for a rebate of the full duty on cutting heads, of artificial plastic material, for the manufacture of cutters of the flail line type, suitable for use for cutting lawn edges.

No. R. 480

14 Maart 1980

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 5 (No. 5/95)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae 5 by genoemde Wet hierby gewysig in die mate in die Bylae hiervan aangetoon.

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

No. R. 480

14 March 1980

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 5 (No. 5/95)

Under section 75 of the Customs and Excise Act, 1964, Schedule 5 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 Teruggawe
516.01	Deur na tariefpos No. 32.09 die volgende in te voeg: „39.07 Druppers, van kunsplastiekstof, gebruik by die vervaardiging van besproeiingstelsels	Volle reg"

Opmerking.—Voorsiening word gemaak vir 'n teruggawe van dié volle reg op druppers, van kunsplastiekstof, gebruik by die vervaardiging van besproeiingstelsels vir uitvoer.

SCHEDULE

I Item	II Tariff Heading and Description	III Extent of Drawback
516.01	By the insertion after tariff heading No. 32.09 of the following: "39.07 Drippers, of artificial plastic material, used in the manufacture of irrigation systems	Full duty"

Note.—Provision is made for a drawback of the full duty on drippers, of artificial plastic material, used in the manufacture of irrigation systems for export.

No. R. 506

14 Maart 1980

BEPALINGS VAN TARIEFINDELING EN VERSTREKKING DAARVAN OP KLARINGSBRIEWE (LYS TAR/7)

Die volgende wysigings tot bepalings 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/6 is in Goewermentskennisgewing R. 382 van 29 Februarie 1980 gepubliseer.

No. R. 506

14 March 1980

DETERMINATIONS OF TARIFF CLASSIFICATION AND FURNISHING THEREOF ON BILLS OF ENTRY (LIST TAR/7)

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/6 was published in Government Notice R. 382 of 29 February 1980.

1. Errors in the following determinations are corrected as indicated:

- (i) The following determinations are deleted:

<u>Tariff Heading</u>	<u>Determination no.</u>
84.17	53
84.59	225

- (ii) The following are substituted for the existing determinations:

<u>Description of goods</u>	<u>Tariff sub=heading Tarief= subpos</u>	<u>Determina- tion no. Bepaling no.</u>
Fucidin ointment and Fucidin H ointment - medicaments with an antibiotic basis of sodium fusidate	30.03.20.90	104
Shockwatch Trim Shields - articles of artificial plastic material	39.07.90.90	227
Starret Power Band, high speed steel band saw blades - band saw blades, other	82.02.88.90	14
Robot HW-1000 submersible pumps - centrifugal pumps, other	84.10.50.90	12
VAR-SPE hydraulic variable speed coupling - other industrial machinery, other	84.59.80.90	295

1. Foute in die volgende bepalinge word reggestel soos aangedui:

- (i) Die volgende bepalinge word geskrap:

<u>Tariefpos</u>	<u>Bepaling no.</u>
84.17	53
84.59	225

- (ii) Die volgende vervang die bestaande bepalinge:

<u>Beskrywing van goedere</u>
Fucidin-salf en Fucidin H-salf - geneesmiddels met 'n antibiotiese basis van natriumfusidaat
Shockwatch Trim Shields - artikels van kunspastiekstof
Starret Power Band, bandsaaglemme - lemme, ander
Robot HW-1000 dompelpompe - sentrifugale pompe, ander
VAR-SPE hidrouliese wisselspoedkoppeling - ander industriële masjinerie, ander

2. Amendments to determinations resulting from amendments to Part 1 of Schedule No. 1 to the Customs and Excise Act, 1964

The following is substituted for the existing determination with effect from 14 March 1980:

Description of goods

Spray Doc funnel top sprayer - a mechanical sprayer suitable for use with insecticides, fungicides and herbicides, hand operated, fitted with a reservoir of 5,7 lt.

3. Amendments to determinations in terms of section 47(9)(d) of the Customs and Excise Act (Act 91 of 1964)

Determination no. 28 under tariff heading 84.19 is withdrawn and replaced by the following determination with effect from 7 March 1980:

Better Pack 555 electric gummed tape sealer - other office machine, other

Tariff sub==	Determi=
heading	nation no.
Tarief=	Bepaling
subpos	no.

84.21.30.30	55
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84.54.90	1
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2. Wysigings tot bepalinge as gevolg van wysigings tot Deel 1 van Bylae No. 1 by die Doeane- en Aksynswet, 1964

Die volgende vervang die bestaande bepaling met ingang van 14 Maart 1980:

Beskrywing van goedere

Spray Doc-tregterkopsproeier - 'n meganiese sproeier geskik vir gebruik met insekte-, swam- en plantdoders, handbedien, toegerus met 'n reservoier met 'n inhoudsvermoë van 5,7 lt.

3. Wysigings tot bepalinge kragtens artikel 47(9)(d) van die Doeane- en Aksynswet (Wet 91 van 1964)

Bepaling no. 28 onder tariefpos 84.19 word ingetrek en vervang deur die volgende bepaling met ingang van 7 Maart 1980:

Better Pack 555 elektriese gegomde bandverseëlaar - ander kantoor- masjien, ander

DEPARTEMENT VAN GESONDHEID

No. R. 449

14 Maart 1980

AFKONDIGING VAN ROOKBEHEERSTREEK-BEVEL INGEVOLGE ARTIKEL 20 (1) VAN WET 45 VAN 1965

Ingevolge artikel 20 (1) van die Wet op Voorkoming van Lugbesoedeling, 1965 (Wet 45 van 1965), en ná oorlegpleging met die Nasionale Adviserende Komitee op Lugbesoedeling, kondig ek Lourens Albertus Petrus Anderson Munnik, Minister van Gesondheid, hierby die volgende Bevel af wat op 30 Januarie 1980 deur my bekragtig is en wat met ingang van 30 Oktober 1980 op die regsgebied van die Munisipaliteit van Newcastle van toepassing is:

MUNISIPALITEIT VAN NEWCASTLE.—VYFDE ROOKBEHEERSTREEKBEVEL

Die Munisipaliteit van Newcastle vaardig kragtens die bevoegdheid hom verleen by artikel 20 van die Wet op Voorkoming van Lugbesoedeling, 1965, hierby die volgende Bevel uit:

1. Die gebied soos in die Bylae hiervan omskryf, word hierby tot 'n rookbeheerstreek verklaar.

2. Geen eienaar of okkupeerder van 'n perseel in klousule 3 genoem, mag in hierdie rookbeheerstreek die voortkoming of uitlating van rook van so 'n digtheid of inhoud dat dit lig in groter mate as 20 persent verdonker, uit sodanige perseel veroorsaak of toelaat nie.

3. (1) Hierdie Bevel is van toepassing op—

(a) alle persele of geboue in gebruikstreke geklassifiseer as spesiale woon-, algemene woon-, algemene woon- 1, algemene woon- 2, algemene, algemene besigheid- en spesiale besigheidstreke en streke vir spesiale, onbepaalde, landbou-, inrigtings-, onderrig- en munisipale doeleindes: Met dien verstande dat waar industriële geboue geleë is in enige van bogenemde gebruikstreke, enige persoon skriftelik by die Stadsraad van Newcastle aansoek kan doen om vrystelling van die bepalinge van hierdie Bevel, en indien die Raad oortuig is dat daar voldoende redes bestaan vir sodanige vrystelling, hy by skriftelike kennisgewing aan die aansoeker sodanige vrystelling kan verleen;

(b) woonhuise, woongeboue, winkels, besigheidsgeboue, pakhuse, gemeenskapsale, vermaaklikheidsplekke, plekke vir openbare Godsdiensbeoefening, onderrigplekke, parkeergarages, openbare garages, inrigtings, sportterreine en spesiale geboue in gebruikstreke geklassifiseer as spesiale nywerheidstreke.

(ii) Die woorde en uitdrukkings wat in hierdie klousule vervat is, het die betekenis wat daaraan geheg word in die dorpsbeplanningskema(s) wat op die betrokke gebied van toepassing is.

4. Die Stadsraad van Newcastle kan van tyd tot tyd enige fabriek, tipe, klas of model huishoudelike brandstof-verbruikende toestel wat ontwerp is om enige vaste of vloeibare brandstof te verbrand, vrystel van die bepalinge van klousule 2 hiervan op voorwaarde dat—

(a) sodanige toestel ingerig, in stand gehou en gebruik word ooreenkomstig die vervaardiger se voorskrifte wat saam met die toestel verskaf is;

(b) sodanige toestel op so 'n wyse gebruik word dat die uitlating van rook tot 'n minimum beperk word;

DEPARTMENT OF HEALTH

No. R. 449

14 March 1980

PROMULGATION OF SMOKE CONTROL ZONE ORDER, IN TERMS OF SECTION 20 (1) OF ACT 45 OF 1965

In terms of section 20 (1) of the Atmospheric Pollution Prevention Act, 1965 (Act 45 of 1965), and after consultation with the National Air Pollution Advisory Committee, I, Lourens Albertus Petrus Anderson Munnik, Minister of Health, hereby promulgate the following Order, which was confirmed by me on 30 January 1980 and which shall apply to the area of jurisdiction of the Municipality of Newcastle, with effect from 30 October 1980.

MUNICIPALITY OF NEWCASTLE.—FIFTH SMOKE CONTROL ZONE ORDER

The Municipality of Newcastle hereby, under and by virtue of the powers vested in it by section 20 of the Atmospheric Pollution Prevention Act, 1965, makes the following Order:

1. The area defined in the Schedule hereto is hereby declared to be a smoke control zone.

2. In this smoke control zone no owner or occupier of any premises referred to in clause 3 shall cause or permit the emanation or emission from such premises of smoke of such a density or content as will obscure light to an extent greater than 20 per cent.

3. (1) This Order shall apply to—

(a) all premises or buildings in use zones classified as special residential, general residential, general residential 1, general residential 2, general, general business and special business zones, and zones for special, undetermined, agricultural, institutional, educational and municipal purposes: Provided that, where industrial premises are situated in any of the above-mentioned use zones, any person may apply in writing to the Town Council of Newcastle for exemption from the provisions of this Order and that, if the Council is satisfied that there are adequate reasons for such exemption, it may, by notice in writing to the applicant grant such exemption;

(b) dwelling-houses, residential buildings, shops, business premises, warehouses, community halls, places of amusement, places of public worship, places of instruction, parking garages, public garages, institutions, sports grounds and special buildings in use zones classified as special industrial zones.

(ii) The words and expressions contained in this clause shall bear the meanings assigned to them in the particular town-planning scheme(s) applicable to the use zones concerned.

4. The Town Council of Newcastle may from time to time exempt from the provisions of clause 2 of this Order any make, type, class or model of household fuel burning appliance designed to burn any solid or liquid fuel, on condition that—

(a) such appliance is installed, maintained and used in accordance with the manufacturer's instructions supplied with the appliance;

(b) such appliance is so used as to minimise the emission of smoke;

(c) die vrystelling te eniger tyd na die uitsluitlike goedgekeurde van die Stadsraad van Newcastle ingetrek kan word.

5. Hierdie Bevel tree in werking op 30 Oktober 1980.

6. Hierdie Bevel heet die Vyfde Rookbeheerstreek-bevel.

BYLAE

Vanaf die punt waar Hastie- en Birdstraat kruis; daarvandaan in 'n suidwestelike rigting tot by die punt waar Savillestraat-verlenging en Elwakstraat-verlenging kruis; daarvandaan in 'n suidoostelike rigting en dan weer reguit in 'n westelike rigting tot by die suidelikste grensbaken van Lennoxton; daarvandaan weswaarts reguit tot by die suidoostelike wal van die Ncandurivier; daarvandaan met die suidoostelike wal van die Ncandurivier as grens langs tot by 'n punt waar Lincolnstraat-verlenging by die Ncandurivier aansluit; daarvandaan suidooswaarts tot by 'n punt waar Kirklandstraat-verlenging by Greenstraat-verlenging aansluit; daarvandaan suidooswaarts oor Hospitaalstraat; daarvandaan noordooswaarts met Hospitaalstraat as grens langs tot by Birdstraat; daarvandaan in 'n suidoostelike rigting tot 'n punt waar Birdstraat en Hastiestraat kruis, die beginpunt.

No. R. 450

14 Maart 1980

AFKONDIGING VAN ROOKBEHEERSTREEK-BEVEL INGEVOLGE ARTIKEL 20 (1) VAN WET 45 VAN 1965

Kragtens artikel 20 (1) van die Wet op Voorkoming van Lugbesoedeling, 1965 (Wet 45 van 1965), en na oorlegpleging met die Nasionale Adviserende Komitee op Lugbesoedeling, kondig ek, Lourens Albertus Petrus Anderson Munnik, Minister van Gesondheid, hierby die volgende Bevel af wat op 25 Januarie 1980 deur my bekragtig is en wat met ingang van 25 Oktober 1980 op die regsgebied van die Munisipaliteit van Standerton van toepassing is:

MUNISIPALITEIT VAN STANDERTON.—VIERDE ROOKBEHEERSTREEKBEVEL

Die Munisipaliteit van Standerton vaardig kragtens die bevoegdheid hom verleen by artikel 20 van die Wet op Voorkoming van Lugbesoedeling, 1965, hierby die volgende Bevel uit:

1. Die gebied soos in die Bylae hiervan omskryf, word hierby tot 'n rookbeheerstreek verklaar.

2. Geen eienaar of okkupeerder van 'n perseel in klousule 3 genoem, mag in hierdie rookbeheerstreek die uitlating of voortkoming van rook van so 'n digtheid of inhoud dat dit lig in groter mate as 20 persent verdonker, uit sodanige perseel veroorsaak of toelaat nie.

3. Hierdie Bevel is van toepassing op alle persele of geboue in gebruikstreke geklassifiseer as spesiale woon-, algemene woon-, algemene besigheid-, bepaalde besigheid- en spesiale besigheidstreke, en streke vir hotel-, teater-, onbepaalde, landbou-, inrigtings-, onderrig-, kommersiële, professionele en munisipale doeleindes en parke: Met dien verstande dat enige persoon skriftelik by die Stadsraad van Standerton aansoek kan doen om vrystelling van die bepalinge van hierdie Bevel en dat indien die Raad daarvan oortuig is dat daar afdoende redes vir sodanige vrystelling bestaan, hy by skriftelike kennisgewing, aan die aansoeker sodanige vrystelling kan verleen.

(c) the exemption may be withdrawn at any time at the sole discretion of the Town Council of Newcastle.

5. This Order shall come into effect on 30 October 1980.

6. This Order shall be called the Fifth Smoke Control Zone Order.

SCHEDULE

Starting from the point of intersection of Hastie Street and Bird Street and proceeding south-westwards to the point where Saville Street Extension intersects Elwak Street Extension; thence south-eastwards and westwards in a straight line to the southernmost boundary beacon of Lennoxton; thence north-westwards in a straight line to the south-eastern bank of the Ncandu River; thence along the south-eastern bank of the Ncandu River to a point where Lincoln Street Extension joins the Ncandu River; thence south-eastwards to a point where Kirkland Street Extension joins Green Street Extension; thence south-eastwards in a straight line across Hospital Street; thence north-eastwards, with Hospital Street as the boundary, to Bird Street; thence south-eastwards to the point where Bird Street intersects Hastie Street, the point of beginning.

No. R. 450

14 March 1980

PROMULGATION OF SMOKE CONTROL ZONE ORDER IN TERMS OF SECTION 20 (1) OF ACT 45 OF 1965

In terms of section 20 (1) of the Atmospheric Pollution Prevention Act, 1965 (Act 45 of 1965), and after consultation with the National Air Pollution Advisory Committee, I Lourens Albertus Petrus Anderson Munnik, Minister of Health, hereby promulgate the following Order, which was confirmed by me on 25 January 1980 and which shall apply to the area of jurisdiction of the Municipality of Standerton with effect from 25 October 1980:

MUNICIPALITY OF STANDERTON.—FOURTH SMOKE CONTROL ZONE ORDER

The Municipality of Standerton hereby, under and by virtue of the powers vested in it by section 20 of the Atmospheric Pollution Prevention Act, 1965, makes the following Order:

1. The area defined in the Schedule hereto is hereby declared to be a smoke control zone.

2. In this smoke control zone no owner or occupier of any premises referred to in clause 3 shall cause or permit the emanation or emission from such premises of smoke of such a density or content as will obscure light to an extent greater than 20 per cent.

3. This Order shall apply to all premises or buildings in use zones classified as special residential, general residential, general business, particular business and special business zones, and zones for hotel, theatre, undetermined, agricultural, institutional, educational, commercial, professional and municipal purposes and parks: Provided that any person may apply in writing to the Town Council of Standerton for exemption from the provisions of this Order, and that, if the Council is satisfied that there are adequate reasons for such exemption, it may by notice in writing to the applicant grant such exemption.

4. Die Stadsraad van Standerton kan van tyd tot tyd enige fabrikaat, tipe, klas of model huishoudelike brandstofverbruikende toestel wat ontwerp is om enige vaste of vloeibare brandstof te verbrand, vrystel van die bepalings van klousule 2 hiervan, op voorwaarde dat—

4.1 sodanige toestel ingerig, in stand gehou en gebruik word ooreenkomstig die vervaardiger se voorskrifte wat saam met die toestel verskaf is;

4.2 sodanige toestel op so 'n wyse gebruik word dat die uitlating van rook tot 'n minimum beperk word;

4.3 die vrystelling te eniger tyd na die uitsluitlike goeddunke van die Stadsraad van Standerton ingetrek kan word.

5. Hierdie Bevel tree in werking op 25 Oktober 1980.

6. Hierdie Bevel heet die Vierde Rookbeheerstreekbevel.

BYLAE

Die gebied algemeen as Meyerville bekend.

DEPARTEMENT VAN HANDEL EN VERBRUIKERSAKE

No. R. 469

14 Maart 1980

WET OP HANDELSPRAKTYKE, 1976

OPLEGGING VAN VOORWAARDES TEN OPSIGTE VAN 'N PIRAMIDEVERKOPESKEMA

Ek, Schalk Willem van der Merwe, Minister van Handel en Verbruikersake, vaardig hierby, kragtens artikel 15 van die Wet op Handelspraktyke, 1976 (Wet van 1976), die regulasies uit in die Bylae hierby uiteengesit.

BYLAE

1. In hierdie kennisgewing, tensy uit die samehang anders blyk, het enige woord waaraan in die Wet, 'n betekenis geheg is, daardie betekenis, en beteken—

“piramideverkopeskema” enige handelskema, insluitende enige reëlins wat in verband met die dryf van 'n besigheid getref is, hetsy daardie reëlins in die geheel of gedeeltelik skriftelik getref of op skrif gestel is of nie, wat die volgende elemente insluit, te wete—

(a) goedere of dienste of beide moet verskaf word—

(i) deur die persoon wat die skema instel (in hierdie kennisgewing “die promotor” genoem), of volgens reëlins waaraan daardie persoon deel het; of

(ii) in geval van 'n skema wat gestig word deur twee of meer persone wat gesamentlik optree (in hierdie kennisgewing “die promotors” genoem), deur een of meer as een van daardie persone, of volgens reëlins waaraan een van daardie persone deel het;

(b) die goedere of dienste bedoel in paragraaf (a) moet aan of vir ander persone verskaf word in gevolge transaksies aangegaan deur een of meer as een persoon (wat nie die promotor of enige van die promotors is nie) wat aan die skema deelneem (van wie elk in hierdie kennisgewing “'n deelnemer” genoem word);

(c) daardie transaksies, of die meerderheid daarvan, moet aangegaan word op 'n ander plek as op die sakeperseel waar die promotor of enige van die promotors of die deelnemer wat daardie transaksies aangaan, gewoonlik sake doen; en

4. The Town Council of Standerton may from time to time exempt from the provisions of clause 2 hereof any make, type, class or model of household fuel burning appliance designed to burn any solid or liquid fuel, on condition that—

4.1 such appliance is installed, maintained and used in accordance with the manufacturer's instructions supplied with the appliance;

4.2 such appliance is so used as to minimise the emission of smoke;

4.3 the exemption may, at the sole discretion of the Town Council of Standerton, be withdrawn at any time.

5. This Order shall come into effect on 25 October 1980.

6. This Order shall be called the Fourth Smoke Control Zone Order.

SCHEDULE

The area generally known as Meyerville.

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

No. R. 469

14 March 1980

TRADE PRACTICES ACT, 1976

IMPOSITION OF CONDITIONS IN RESPECT OF A PYRAMID SELLING SCHEME

I, Schalk Willem van der Merwe, Minister of Commerce and Consumer Affairs do hereby promulgate in terms of section 15 of the Trade Practices Act, 1976 (Act 76 of 1976), the regulations set out in the Schedule hereto.

SCHEDULE

1. In this notice, unless the context otherwise indicates, any work to which a meaning has been assigned in the Act, shall have a corresponding meaning, and—

“pyramid selling scheme” means any trading scheme, including any arrangements made in connection with the carrying on of a business, whether those arrangements are made or recorded wholly or partly in writing or not, which includes the following elements, that is to say—

(a) goods or services, or both, are to be provided—

(i) by the person, promoting the scheme (in this notice referred to as “the promoter”) or under arrangements to which that person is a party; or

(ii) in the case of a scheme promoted by two or more persons acting in concert (in this notice referred to as “the promotors”), by one or more than one of those persons or under arrangements to which any of those persons is a party;

(b) the goods or services referred to in paragraph (a) are to be supplied to or for other persons under transactions effected by one or more persons (other than the promoter or any of the promotors) who participate in the scheme (each of whom is referred to in this notice as “a participant”);

(c) those transactions, or most of them, are to be effected elsewhere than at the premises at which the promoter or any of the promotors or the participant effecting such transaction carries on business; and

(d) 'n deelnemer moet die vooruitsig voorgehou word dat hy betalings of ander voordele sal ontvang ten opsigte van een of meer van die volgende aangeleenthede:

(i) Die voorstelling van persone wat deelnemers word;

(ii) die bevordering, verplasing, of verandering in status, van enige deelnemer binne die handelskema;

(iii) die verskaffing van goedere aan ander deelnemers;

(iv) die verskaffing van opleidingsfasiliteite of ander dienste aan ander deelnemers;

(v) transaksies deur ander deelnemers aangegaan ingevolge waarvan goedere verskaf moet word aan, of dienste gelewer moet word vir, ander persone;

en so 'n vooruitsig word geag aan 'n deelnemer voorgehou te word—

(aa) hetsy dit so voorgehou word dat dit 'n regtens afdwingbare reg aan hom verleen al dan nie; en

(bb) vir sover dit betrekking het op die voorstelling van nuwe deelnemers, hetsy dit beperk is tot die voorstelling van nuwe deelnemers deur hom, of ook die voorstelling van nuwe lede deur ander persone omvat;

Met dien verstande dat, by die toepassing van hierdie kennisgewing—

(i) 'n "transaksie" ook 'n transaksie insluit waarvolgens 'n persoon 'n deelnemer aan 'n handelskema word;

(ii) 'n handelskema geag word die beginsel bedoel in paragraaf (b) in te sluit, ongeag of 'n transaksie bedoel in daardie paragraaf deur 'n deelnemer in die hoedanigheid van werknemer of agent van die promotor of van enige van die promotors, of in enige ander hoedanigheid, aangegaan moet word; en

(iii) wanneer vir doeleindes van paragraaf (c) bepaal word of 'n perseel die perseel is waarop 'n deelnemer aan 'n handelskema gewoonlik sake doen, geen transaksie wat ingevolge daardie skema deur hom aangegaan is of gaan word, in aanmerking geneem word nie.

2. Hierdie kennisgewing is nie van toepassing nie op 'n handelskema ingevolge waarvan—

(a) die vooruitsig van die ontvangs van betalings of ander voordele ten opsigte van enige of alle aangeleenthede gespesifiseer in paragraaf (d) van die woordomscrijwing van "piramideverkopeskema", aan slegs een deelnemer in die Republiek van Suid-Afrika voorgehou word; of

(b) die enigste vooruitsig wat aan enige deelnemer voorgehou word wat betref die ontvangs van betalings ten opsigte van aangeleenthede aldus gespesifiseer, die vooruitsig is op die ontvangs van 'n bedrag van hoogstens R30 ten opsigte van die voorstelling deur hom van 'n ander persoon wat 'n deelnemer word.

3. Niemand mag 'n dokument uitreik, sirkuleer of versprei of deur iemand laat uitreik, sirkuleer of versprei nie wat 'n advertensie, prospektus, omsendbrief of kennisgewing is en wat 'n uitnodiging aan persone bevat om deelnemers aan 'n piramideverkopeskema te word of wat enige inligting bevat wat daarop bereken is om regstreeks of onregstreeks daartoe aanleiding te gee dat persone deelnemers aan so 'n skema word, tensy sodanige dokument—

(a) die datum vermeld waarop dit die eerste maal gepubliseer is;

(d) the prospect is held out to participants of receiving payments or other benefits in respect of any one or more of the following matters:

(i) The introduction of other persons who become participants;

(ii) the promotion, transfer or change of status of participants within the trading scheme;

(iii) the supply of goods to other participants;

(iv) the supply of training facilities or other services for other participants;

(v) transactions effected by other participants under which goods are to be supplied to, or services are to be supplied for, other persons;

and such a prospect shall be taken to be held out to a participant—

(aa) whether it is held out so as to confer on him a legally enforceable right or not; and

(bb) in so far as it relates to the introduction of new participants, whether it is limited to the introduction of new participants by him or extends to the introduction of new participants by other persons:

Provided that, for the purposes of this notice—

(i) a "transaction" shall include a transaction whereby any person becomes a participant in a trading scheme;

(ii) a trading scheme shall be deemed to include the element referred to in paragraph (b), irrespective of whether any transaction referred to in that paragraph is to be effected by a participant in the capacity of employee or agent of the promoter or of any of the promoters, or in any other capacity; and

(iii) in determining for the purposes of paragraph (c) whether any premises are premises at which a participant in a trading scheme carries on business no account shall be taken of transactions effected or to be effected by him under that trading scheme.

2. This notice shall not apply to a trading scheme under which—

(a) the prospect of receiving payments or other benefits in respect of all or any of the matters specified in paragraph (d) of the definition of "pyramid selling scheme" is held out to only one participant in the Republic of South Africa; or

(b) the only prospect held out to any participant of receiving payments or other benefits in respect of matters so specified is the prospect of receiving a sum not exceeding R30 in respect of the introduction by him of another person who becomes a participant.

3. No person shall issue, circulate or distribute or cause any person to issue, circulate or distribute any document which is an advertisement, prospectus, circular or notice and contains an invitation to persons to become participants in a pyramid selling scheme or any information calculated to lead directly or indirectly to persons becoming participants in such a scheme, unless such document—

(a) states the date on which it was first published;

(b) die datum vermeld waarop die skema vir die eerste maal in die Republiek begin bedryf is, of, in die geval van 'n beoogde skema, die datum waarop dit die voorneme is om daardie skema te begin bedryf;

(c) die naam en adres vermeld van die promotor, of, in die geval van 'n skema wat deur meer as een persoon bedryf word, die name en adresse van al die promotors;

(d) die goedere of dienste beskryf wat die onderwerp van die skema uitmaak met vermelding daarvan of die deelnemer die hele reeks van hierdie goedere moet neem of aanbied en of hy te eniger tyd deur die promotor verplig kan word om addisionele goedere en dienste te neem of aan te bied;

(e) meld of die transaksies wat ingevolge die skema deur deelnemers aangegaan moet word, deur hulle in die hoedanigheid van werknemer of agent van die promotor of promotors of van een van die promotors, of as 'n prinsipaal, aangegaan moet word;

(f) die rol van deelnemers of, as daar twee of meer as twee klasse deelnemers is, die rol van elke klas deelnemer, beskryf en, as daar van deelnemers verwag word om ander persone daartoe te beweeg om goedere te koop of van 'n diens gebruik te maak, aandui dat daar van die deelnemers verwag word om daardie ander persone daartoe te beweeg;

(g) 'n uiteensetting bevat van die bepalinge en voorwaardes van die ooreenkoms onderworpe waarvan die persone wat genooi word om by die piramideverkopeskema aan te sluit, daaraan sal deelneem, en om duidelik te vermeld of daar van die deelnemer verwag sal word om te betaal of om te onderneem om te betaal vir enige goedere, onderrig materiaal of ander goedere ten einde aan die skema te kan deelneem, spesifiserend in elke geval die minimum bedrag aldus betaalbaar;

(h) melding maak van die totale getal deelnemers aan die betrokke skema, of, indien verskillende klasse deelnemers by die skema betrokke is, die totale getal deelnemers in elke klas, op die datum van publikasie van die dokument of op 'n datum daarin aangegee wat nie vroeër as drie maande voor die datum van publikasie is nie; en

(i) indien die betrokke skema in werking was op die datum 12 maande voor die datum van publikasie van die dokument, melding maak van die totale getal deelnemers of, indien meer as een klas deelnemer op eersbedoelde datum by die skema betrokke was, die totale getal deelnemers in elke klas, op daardie eersbedoelde datum.

4. Niemand mag 'n dokument bedoel in regulasie 3 uitreik, sirkuleer of versprei of deur iemand laat uitreik, sirkuleer of versprei nie, indien sodanige dokument—

(a) enige bewering of verklaring bevat dat die werwing van deelnemers maklik is, of dat deelnemers aan 'n piramideverkopeskema noodwendig finansiële deur die skema sal baat;

(b) 'n voorbeeld of illustrasie van die werking van die skema bevat, waarin die voordele wat aan 'n deelnemer kan toeval, verduidelik word by wyse van die saamvoeging van bepaalde voordele waartoe 'n deelnemer as gevolg van elk van 'n reeks soortgelyke transaksies of ander gebeurtenisse geregtig is;

(c) aandui of suggereer dat 'n deelnemer te eniger tyd of gedurende enige tydperk as gevolg van deelname aan 'n skema 'n bepaalde finansiële voordeel

(b) states the date from which the scheme first operated in the Republic or, in the case of a proposed scheme, the date on which it is proposed to operate that scheme;

(c) states the name and address of the promoter or, in the case of a scheme operated by more than one person, the names and addresses of all the promoters;

(d) describes the goods or services which form the subject of the scheme stating whether the participant is required to handle the full range of these goods or offer the full range of these services and whether he can be obliged to handle additional goods or offer additional services from that promoter at any stage;

(e) states whether the transactions to be effected under the scheme by participants are to be effected in the capacity of employee or agent of the promoter or promoters or of one of the promoters or as a principal;

(f) describes the role of participants or, if there are two or more classes of participants, the role of each class of participant and, if participants are expected to induce other persons to purchase goods or acquire services, indicates that the participants are expected so to induce those other persons;

(g) sets out the terms and conditions of the agreement on which persons invited to join the pyramid selling scheme are to participate; and states specifically whether the participant will be required to pay for or undertake to pay for any goods, instruction materials or other matter in order to participate in the scheme, specifying the minimum payments required in each instance;

(h) states the total number of participants in the relevant scheme or, if the scheme involves different classes of participants, the total number of participants in each class at the date of publication of the document or at a date specified therein not being earlier than three months before the date of publication; and

(i) where the relevant scheme was in operation at the date 12 months before the date of publication of the document states the total number of participants or, if the scheme at the first-mentioned date involved different classes of participants, the total number of participants in each class, at the first-mentioned date.

4. No person shall issue, circulate or distribute or cause any person to issue, circulate or distribute any document referred to in regulation 3 if such document—

(a) includes any assertion or suggestion that the recruitment of participants is easy or that participants in the pyramid selling scheme will inevitably benefit financially from the scheme;

(b) includes any example or illustration of the operation of the scheme in which the benefits which may accrue to a participant are demonstrated by aggregating the particular benefits to which a participant is entitled in consequence of each of a series of similar transactions or other occurrences;

(c) indicates or suggests that a participant will as a result of the participation in a scheme derive at any time or during any period a specified financial

sal bekom of 'n finansiële voordeel sal bekom wat nie minder is nie of wat groter is, as 'n bepaalde bedrag.

5. Waar 'n persoon aangekla word van 'n misdryf ten opsigte van 'n oortreding van die verbod in regulasie 3 of 4 wat betrekking het op 'n advertensie, het hy 'n verweer indien hy bewys dat hy 'n persoon is wie se besigheid bestaan uit die publikasie of die tref van reëlins vir die publikasie van advertensies, en dat hy die advertensie vir publikasie ontvang het in die gewone loop van sake, en nie geweet het, en nie rede gehad het om te vermoed dat die publikasie daarvan neerkom op 'n oortreding van hierdie regulasies nie.

6. Geen promotor van of deelnemer aan 'n piramide-verkopeskema mag—

(a) goedere of 'n diens aan 'n deelnemer aan die skema verskaf nie;

(b) goedere of 'n diens verskaf ingevolge 'n transaksie deur so 'n deelnemer aangegaan nie;

(c) aan 'n reëling deelneem ingevolge waarvan goedere of 'n diens soos voormeld, verskaf word nie; of

(d) van 'n deelnemer 'n betaling of onderneming om te betaal, aanvaar ten opsigte van goedere of 'n diens wat verskaf word soos in enige van die voorgaande regulasies vermeld, of ten opsigte van goedere of 'n diens wat aldus verskaf moet word nie;

tensy—

(i) al die bepalings van die ooreenkoms ingevolge waarvan die betrokke deelnemer aan die skema deelneem, uiteengesit is in 'n skriftelike ooreenkoms aangegaan tussen hom en die promotor of, indien daar meer as een promotor is, tussen hom en elkeen van daardie promotors;

(ii) 'n afskrif van die ooreenkoms aan daardie deelnemer verskaf is; en

(iii) daardie deelnemer die regte het bedoel in regulasie 7:

Met dien verstande dat, indien die betrokke deelnemer voor die inwerkingtreding van hierdie kennisgewing aan die skema deelgeneem het, subparagraaf (i) of (ii) nie so uitgelê word dat die doen van enigiets vermeld in paragrafe (a) tot en met (d) belet word nie.

7. Die regte bedoel in regulasie 6 is die volgende:

(a) Die reg om te eniger tyd sonder boete deelname aan die skema te beëindig deur sewe dae skriftelik kennis van beëindiging, by wyse van vooruitbetaalde geregistreerde pos, te gee aan die promotor of enige van die promotors by 'n adres in die Republiek wat skriftelik aan die deelnemer verstrekk is;

(b) indien kennis aldus gegee word hoogstens 14 dae nadat die deelnemer aanvanklik ingestem het om aan die piramideverkopeskema deel te neem en die deelnemer na die inwerkingtreding van hierdie kennisgewing aldus ingestem het, die reg om van die promotor of enige van die promotors te vereis dat hy of hulle binne 21 dae na afsending deur die deelnemer van sodanige skriftelike kennisgewing van beëindiging, alle gelde aan hom terugbetaal wat hy betaal het aan of tot voordeel van die promotor of enige van die promotors in verband met sy deelname aan die skema of wat aan enige ander deelnemer betaal is ooreenkomstig die bepalings van die skema, min—

(i) enige bedrag wat deur hom aan die promotor verskuldig is ten opsigte van goedere wat hy verkoop het;

(ii) 'n bedrag gelyk aan die waarde van enige ander goedere wat ingevolge die skema aan hom verskaf is en wat hy nie aan die promotor of promotors

benefit or a financial benefit which will be not less than or greater than a specified sum.

5. Where a person is charged with an offence in respect of a contravention of the prohibition in regulation 3 or 4 which relates to an advertisement, it shall be a defence for him to prove that he is a person whose business it is to publish or arrange for the publication of advertisements and that he received the advertisement for publication in the ordinary course of business and did not know, and had no reason to suspect that its publication would amount to a contravention of these regulations.

6. No promoter of, or participant in, a pyramid selling scheme shall—

(a) provide goods or a service to a participant in the scheme;

(b) provide goods or a service under a transaction effected by such a participant;

(c) be a party to any arrangement under which goods or a service are provided as aforesaid; or

(d) accept from any such participant any payment, or undertaking to make a payment in respect of goods or a service provided as stated in any of the preceding regulations or in respect of goods or a service to be so provided;

unless—

(i) all the terms of the agreement under which the relevant participant is participating in the scheme are set out in an agreement in writing made between him and the promoter or, if more than one, each of the promotors;

(ii) a copy of that agreement has been furnished to that participant; and

(iii) that participant has the rights referred to in regulation 7:

Provided that, if the relevant participant was participating in the scheme before the commencement of this notice, subparagraph (i) or (ii) shall not be so construed that the doing of anything mentioned in paragraph (a) to and including (d) is precluded.

7. The rights referred to in regulation 6 shall be as follows:

(a) The right to terminate participation in the scheme at any time without penalty by giving seven days written notice by prepaid registered post of termination to the promoter or any of the promotors at an address in the Republic which has been furnished to the participant in writing;

(b) where notice is so given not more than 14 days after the participant first agreed to participate in the pyramid selling scheme and the participant so agreed after the commencement of this notice, the right to require the promoter or any of the promotors to repay him within 21 days after despatch of such written notice by the participant any moneys which he had paid to or for the benefit of the promoter or any of the promotors in connection with his participation in the scheme or paid to any other participant in accordance with the provisions of the scheme, less—

(i) any amount owed by him to the promoter in respect of goods which he had sold;

(ii) an amount equal to the value of any other goods which have been provided to him under the scheme and which he has not re-delivered at his

of aan 'n persoon wat deur die promotor of promotors aangewys is om daardie goedere te ontvang, teruggelewer het nie;

(c) waar kennis van beëindiging deur die deelnemer in enige ander omstandighede gegee is, die reg om van die promotor of enige van die promotors te vereis dat hy of hulle enige goedere wat die deelnemer na die inwerkingtreding van hierdie kennisgewing ingevolge die skema aangekoop het, koop—

(i) teen 'n prys wat nie minder is as 90 per sent van die prys wat die deelnemer betaal het;

(ii) op voorwaarde dat die prys by lewering van die goedere betaal word of, indien die goedere reeds deur die promotor of enige van die promotors gehou word, onmiddellik betaal word; en

(iii) vir aflewering, binne 21 dae na die kennisgewing, op koste van die deelnemers by 'n plek wat die deelnemer redelikerwys mag aanwys;

(d) die reg om by die beëindiging van sy deelname van alle kontraktuele aanspreeklikheid teenoor die promotor of enige van die promotors in verband met die skema onthef te word, behalwe—

(i) aanspreeklikheid in verband met betalings aan hom gedoen ingevolge kontrakte deur hom aangegaan as agent van die promotor of enige van die promotors;

(ii) in 'n geval waar beëindiging van deelname nie aanleiding gee tot die reg in paragraaf (b) bedoel nie, aanspreeklikheid om die prys te betaal van goedere wat reeds deur die promotor of enige van die promotors aan hom verkoop is;

(e) indien die promotor of enige van die promotors die deelnemer se deelname aan die skema ooreenkomstig die bepalings daarvan beëindig, die reg om van die promotor of enige van die promotors te vereis dat hy of hulle enige goedere wat die deelnemer na die inwerkingtreding van hierdie kennisgewing ingevolge die skema aangekoop het, koop—

(i) teen die prys wat die deelnemer vir die goedere betaal het;

(ii) op voorwaarde dat die koopprys by lewering van die goedere betaal word of, indien die goedere reeds deur die promotor of enige van die promotors gehou word, onmiddellik betaal word; en

(iii) vir aflewering, binne 21 dae vanaf sodanige kennisgewing, op koste van die promotor, by 'n plek wat die promotor redelikerwys mag aanwys.

8. Geen promotor van, of deelnemer aan, 'n piramideverkopeskema mag na die inwerkingtreding van hierdie kennisgewing, indien die bedrag van die betrokke betaling of die bedrag van daardie betaling plus enige bedrag wat die deelnemer reeds vir ander goedere betaal het of onderneem het om te betaal R50 te bowe gaan, van 'n deelnemer enige betaling of onderneming om te betaal ten opsigte van goedere wat ingevolge die skema verskaf is of moet word, aanvaar nie, tensy die deelnemer skriftelik versoek het dat die betrokke goedere verskaf word en hy minstens sewe dae voordat hy daardie versoek gedoen het, skriftelik ingestem het om aan die skema deel te neem.

9. Geen promotor van, of deelnemer aan, 'n piramideverkopeskema mag van 'n deelnemer—

(a) 'n betaling by wyse van sekerheidstelling aanvaar vir goedere, of ter betaling van die prys van goedere wat aan die deelnemer verskaf is of moet word en wat, deur hom ten behoeve van die promotor of 'n promotor of 'n ander deelnemer aan die skema verkoop moet word nie; of

own expense to the promoter or promoters or to a person nominated by the promoter or promoters to receive those goods;

(c) where notice of termination is given by the participant in any other circumstances, the right to require the promoter or any of the promoters to purchase—

(i) at a price which is not less than 90 per cent of the price which the participant paid for them;

(ii) on terms whereby the price is payable upon delivery of the goods or, if the goods are already held by the promoter or any of the promoters, forthwith; and

(iii) for delivery, within 21 days of the giving of the notice at the participants expense at any place which the participant may reasonably nominate;

any goods which he has purchased under the scheme after the commencement of this notice;

(d) the right to be discharged upon the termination of his participation from all contractual liabilities towards the promoter or any of the promoters in connection with the scheme; except—

(i) liabilities relating to payments made to him under contracts which he has made as agent for the promoter or any of the promoters;

(ii) in a case where termination of participation does not give rise to the right referred to in paragraph (b), any liability to pay the price of goods already sold to him by the promoter or any of the promoters;

(e) if the promoter or any of the promoters terminates the participant's participation in the scheme in accordance with its provisions, the right to require the promoter or any of the promoters to purchase—

(i) at the price which the participant paid for them;

(ii) on terms whereby the purchase price is payable upon delivery of the goods or, if the goods are already held by the promoter or any of the promoters, forthwith; and

(iii) for delivery within 21 days of such determination at the promoter's expense at any place which the promoter may reasonably nominate;

any goods which the participant has purchased under the scheme after the commencement of this notice.

8. No promoter of, or participant in, a pyramid selling scheme shall, after the commencement of this notice, if the amount of the payment in question or the amount of that payment plus any amount which the participant has already paid or undertaken to pay for such other goods exceeds R50, accept from a participant any payment or undertaking to make a payment in respect of goods supplied or to be supplied under the scheme unless the participant has requested in writing that the relevant goods be provided and he agreed in writing to participate in the scheme at least seven days before he made that request.

9. No promoter of, or participant in, a pyramid selling scheme shall accept from a participant—

(a) any payment by way of security for goods, or for the payment of the price of goods provided or to be provided to the participant for sale by him on behalf of the promoter or a promoter or another participant under the scheme; or

(b) 'n onderneming aanvaar om 'n betaling vir goedere of die prys daarvan soos bedoel in paragraaf (a) te doen nie;

tensy die ontvanger van die onderneming skriftelik ingestem het dat die betaling terugbetaalbaar is by die teruglewering deur die deelnemer van die betrokke goedere aan die promotor of 'n promotor of daardie ander deelnemer, behoudens die bepalinge van regulasie 7.

10. (a) Geen promotor, of geen een van die promotors (indien daar meer as een is) mag enige betaling aanvaar of ontvang nie as dit aan hom of tot sy voordeel gedoen word deur 'n persoon wat 'n deelnemer aan 'n piramideverkopskema is waarop hierdie kennisgewing van toepassing is of was, of wat uitgenooi is om 'n deelnemer te word aan so 'n handelskema, indien daardie persoon daartoe beweeg is om daardie betaling te doen deurdat die vooruitsig hom voorgehou is van die ontvangs van betalings of ander voordele ten opsigte van die voorstelling van ander persone wat deelnemers word aan die piramideverkopskema.

(b) Geen promotor of (indien daar meer as een is) geen een van die promotors van 'n piramideverkopskema waarop hierdie kennisgewing van toepassing is, of enigiemand anders wat ingevolge so 'n piramideverkopskema optree, mag poog om deur 'n persoon die vooruitsig voor te hou van die ontvangs van betaling of enige ander voordeel ten opsigte van die voorstelling van ander persone wat deelnemers aan die piramideverkopskema word, daardie persoon daartoe te beweeg nie om—

(i) indien hy reeds 'n deelnemer aan die piramideverkopskema is, enige betaling te doen aan of tot voordeel van die promotor of enige van die promotors, of aan of tot voordeel van 'n deelnemer aan die piramideverkopskema; of

(ii) indien hy nog nie 'n deelnemer aan die piramideverkopskema is nie, so 'n deelnemer te word en om enige sodanige betaling te doen as wat in subparagraaf (i) gemeld word.

(c) By die bepaling, vir doeleindes van paragraaf (a) of (b) hiervan, of enige oorrëding of poging tot oorrëding gedoen is by wyse van die voorhou van 'n vooruitsig soos wat daarin genoem is, is dit voldoende indien sodanige vooruitsig 'n wesenlike deel van sodanige oorrëding uitmaak of sou uitmaak.

(d) Indien die persoon wat die verbodsbepaling vervat in paragraaf (a) of (b) hiervan oortree, nie die alleenpromotor van die betrokke piramideverkopskema is nie, word enige ander persoon wat die promotor of (na gelang van die geval) een van die promotors van die piramideverkopskema is, geag sodanige verbodsbepaling te oortree het.

(e) In hierdie artikel word 'n verwysing na die maak van 'n betaling aan of tot voordeel van 'n persoon, so uitgelê dat dit die maak van 'n betaling gedeeltelik aan of tot voordeel van daardie persoon of gedeeltelik aan of tot voordeel van een of meer ander persone insluit.

(f) Indien 'n persoon uit hoofde van paragraaf (d) hiervan aangekla word van 'n misdryf betreffende die oortreding van 'n verbodsbepaling in paragraaf (a) of (b) hiervan, het hy 'n verweer indien hy bewys—

(i) dat die piramideverkopskema waarop die aanklag betrekking het, in werking was voor die inwerkingtreding van hierdie kennisgewing; en

(ii) dat die handeling wat die misdryf uitmaak, gepleeg is sonder sy toestemming of sonder dat hy dit oogluikend toegelaat het.

(b) any undertaking to make a payment for goods or the price thereof as referred to in paragraph (a);

unless the recipient of the undertaking has agreed in writing that the payment is refundable upon the participant returning the relevant goods to the promoter or a promoter or that other participant, subject of the provisions of regulation 7.

10. (a) No promoter, or (if there is more than one) none of the promoters, shall accept or receive any payment if it is made to him or for his benefit by any person who is a participant in a pyramid selling scheme to which this notice applies or has applied, or has been invited to become a participant in such a trading scheme, if that person is induced to make that payment by reason that the prospect is held out to him of receiving payments or other benefits in respect of the introduction of other persons who become participants in the pyramid selling scheme.

(b) No promoter, or (if there is more than one) none of the promoters, of a pyramid selling scheme to which this notice applies, nor any other person acting in accordance with such a pyramid selling scheme, shall attempt to induce any person, by holding out to him the prospect of receiving payment or other benefits in respect of the introduction of other persons who become participants in the pyramid selling scheme—

(i) if he is already a participant in the pyramid selling scheme, to make any payment to or for the benefit of the promoter or any of the promoters or to or for the benefit of a participant in the pyramid selling scheme; or

(ii) if he is not already a participant in the pyramid selling scheme, to become such a participant and to make any such payment as is mentioned in subparagraph (i).

(c) In determining for the purposes of paragraph (a) or (b) hereof whether an inducement or attempt to induce is made by holding out such a prospect as is therein mentioned, it shall be sufficient if such a prospect constitutes or would constitute a substantial part of the inducement.

(d) Where the person contravening the prohibition in paragraph (a) or (b) hereof is not the sole promoter of the pyramid selling scheme in question, any other person who is the promoter or (as the case may be) one of the promoters of the pyramid selling scheme shall also be deemed to have contravened such prohibition.

(e) In this section reference to the making of a payment to or for the benefit of a person shall be construed as including the making of a payment partly to or for the benefit of that person and partly to or for the benefit of one or more other persons.

(f) Where a person is charged, by virtue of paragraph (d) hereof, with an offence in regard to the contravention of a prohibition in paragraph (a) or (b) hereof, it shall be a defence for him to prove—

(i) that the pyramid selling scheme to which the charge relates was in operation before the commencement of this notice; and

(ii) that the act constituting the offence was committed without his consent or connivance.

11. Geen promotor van of deelnemer aan 'n piramide-verkopeskema mag—

- (a) enige opleidingsfasiliteite of ander diens aan 'n deelnemer aan die skema verskaf nie; of
- (b) deelhê aan 'n reëling waarvolgens sodanige fasiliteite aan 'n deelnemer verskaf word of moet word nie;

tensy die fasiliteite of diens sonder enige koste vir die deelnemer verskaf word of gaan word.

12. (a) Indien 'n deelnemer 'n betaling maak aan of tot voordeel van 'n promotor van, of aan 'n ander deelnemer aan, 'n piramideverkopeskema, en die aanvaarding van daardie betaling 'n oortreding van regulasies 6, 8, 9 of 10 (a) behels, het die deelnemer die reg om daardie betaling van die promotor of van enige van die promotors of, indien die betaling aan 'n ander deelnemer gemaak is, van daardie deelnemer te verhaal.

(b) Geen onderneming om 'n betaling te maak, deur 'n deelnemer aan 'n piramideverkopeskema gegee in enige omstandighede wat 'n oortreding van regulasies 6, 8, 9 of 10 (a) behels, is in 'n siviele geding teen hom afdwingbaar nie.

(c) Geen deelnemer aan 'n piramideverkopeskema is verplig om vir goedere te betaal wat aan hom verskaf is in omstandighede wat 'n oortreding van regulasie 6 behels nie.

(d) Geen deelnemer aan 'n piramideverkopeskema is verplig om te betaal vir enige opleidingsfasiliteite of ander diens wat ingevolge regulasie 11 alleenlik sonder koste vir hom verskaf kan word nie en hy het die reg om enige gelde te verhaal wat hy vir sodanige fasiliteite of diens betaal het.

13. (a) Geen ooreenkoms bedoel in regulasie 6 mag deur borgstelling versekureer word nie en, indien so 'n ooreenkoms aldus versekureer is, is die borgstelling van nul en gener waarde;

(b) geen verpligting van 'n deelnemer ingevolge 'n ooreenkoms bedoel in regulasie 6 mag deur eiendom versekureer word nie en, indien so 'n aanspreeklikheid aldus versekureer is, is die sekerheidstelling van nul en gener waarde;

(c) geen sessie deur 'n promotor van 'n reg wat uit 'n ooreenkoms bedoel in regulasie 6 ontstaan, verleen aan die sessionaris 'n reg teen die deelnemer nie.

11. No promoter of or participant in a pyramid selling scheme shall—

- (a) provide any training facilities or other service to a participant in the scheme; or
- (b) be party to any arrangement under which such facilities are provided or are to be provided to a participant;

unless the facilities or service are provided or are to be provided without charge to the participant.

12. (a) When a participant makes any payment to or for the benefit of a promoter of, or to another participant in, a pyramid selling scheme and the acceptance of that payment involves a contravention of regulation 6, 8, 9 or 10 (a) the participant shall be entitled to recover that payment from the promoter or any of the promoters or where the payment is made to another participant, from that participant.

(b) No undertaking to make any payment given by a participant in a pyramid selling scheme in any circumstances involving a contravention of regulation 6, 8, 9 or 10 (a) shall be enforceable against him in any civil proceedings.

(c) No participant in a pyramid selling scheme shall be under a liability to pay for goods provided to him in circumstances involving a contravention of regulation 6.

(d) No participant in a pyramid selling scheme shall be under a liability to pay for any training facilities or other service required by regulation 11 to be provided only without charge to him and he shall be entitled to recover any payment made for such facilities or service.

13. (a) No agreement referred to in regulation 6 shall be secured by any surety and, if any agreement is so secured, the suretyship shall be null and void.

(b) No liability of any participant under an agreement referred to in regulation 6 shall be secured by any property and, if any such liability is so secured, such security shall be null and void.

(c) No cession by any promoter of any rights arising out of any agreement referred to in regulation 6 shall give rise to any rights of the cessionary against any participant.

No. R. 470

14 Maart 1980

WET OP HANDELSPRAKTYKE, 1976

Ek, Schalk Willem van der Merwe, Minister van Handel en Verbruikersake, publiseer hiermee kragtens artikel 16 (4) van die Wet op Handelspraktike, 1976 (Wet 76 van 1976), die aanbeveling aan my gemaak deur die Handelspraktike-advieskomitee kragtens artikel 16 (2) van die genoemde Wet, soos in die Bylae uiteengesit.

BYLAE

AANBEVELING DEUR DIE HANDELSPRAKTYKE-ADVIESKOMITEE AAN DIE MINISTER VAN HANDEL EN VERBRUIKERSAKE KRAGTENS ARTIKEL 16 (2) VAN DIE WET OP HANDELSPRAKTYKE, 1976

Ingevolge Kennisgewing 267 van 1978 gepubliseer op 5 Mei 1978, kragtens artikel 16 van die Wet op Handelspraktike, 1976, en na oorweging van alle besware en vertoe wat in verband met daardie kennisgewing by die Sekretaris van Handel en Verbruikersake ingedien is, het die Handelspraktike-advieskomitee besluit om die volgende aanbeveling kragtens artikel 16 (2)

No. R. 470

14 March 1980

TRADE PRACTICES ACT, 1976

I, Schalk Willem van der Merwe, Minister of Commerce and Consumer Affairs, do hereby publish, in terms of section 16 (4) of the Trade Practices Act, 1976 (Act 76 of 1976), the recommendation made to me by the Trade Practices Advisory Committee in terms of section 16 (2) of the said Act as set out in the Schedule.

SCHEDULE

RECOMMENDATION TO THE MINISTER OF COMMERCE AND CONSUMER AFFAIRS IN TERMS OF SECTION 16 (2) OF THE TRADE PRACTICES ACT, 1976 BY THE TRADE PRACTICES ADVISORY COMMITTEE

Pursuant to Notice 267 of 1978 published on 5 May 1978 in terms of section 16 of the Trade Practices Act, 1976 and after due consideration of all objections and representations regarding that notice lodged with the Secretary for Commerce and Consumer Affairs, the Trade Practices Advisory Committee has

van die Wet op Handelspraktyke, 1976, aan die Minister van Nywerheidswese en van Handel en Verbruikersake te maak:

Die Handelspraktyke-advieskomitee beveel aan dat die handelspraktyk bekend as "piramideverkope" kragtens artikel 15 van die Wet op Handelspraktyke, 1976 gereguleer word deur die oplegging van die volgende voorwaardes:

1. In hierdie kennisgewing, tensy uit die samehang anders blyk, het enige woord waaraan in die Wet, 'n betekenis geheg is, daardie betekenis, en beteken—

"piramideverkopeskema" enige handelskema, insluitende enige reëlins wat in verband met die dryf van 'n besigheid getref is, hetsy daardie reëlins in die geheel of gedeeltelik skriftelik getref of op skrif gestel is of nie, wat die volgende elemente insluit, te wete—

(a) goedere of dienste of beide moet verskaf word—

(i) deur die persoon wat die skema instel (in hierdie kennisgewing "die promotor" genoem), of volgens reëlins waaraan daardie persoon deel het; of

(ii) in geval van 'n skema wat gestig word deur twee of meer persone wat gesamentlik optree (in hierdie kennisgewing "die promotors" genoem), deur een of meer as een van daardie persone, of volgens reëlins waaraan een van daardie persone deel het;

(b) die goedere of dienste bedoel in paragraaf (a) moet aan of vir ander persone verskaf word ingevolge transaksies aangegaan deur een of meer as een persoon (wat nie die promotor of enige van die promotors is nie) wat aan die skema deelneem (van wie elk in hierdie kennisgewing "n deelnemer" genoem word);

(c) daardie transaksies, of die meerderheid daarvan, moet aangegaan word op 'n ander plek as op die sakeperseel waar die promotor of enige van die promotors of die deelnemer wat daardie transaksies aangaan, gewoonlik sake doen; en

(d) 'n deelnemer moet die vooruitsig voorgehou word dat hy betalings of ander voordele sal ontvang ten opsigte van een of meer van die volgende aangeleenthede:

(i) Die voorstelling van persone wat deelnemers word;

(ii) die bevordering, verplasing, of verandering in status, van enige deelnemer binne die handelskema;

(iii) die verskaffing van goedere aan ander deelnemers;

(iv) die verskaffing van opleidingsfasiliteite of ander dienste aan ander deelnemers;

(v) transaksies deur ander deelnemers aangegaan ingevolge waarvan goedere verskaf moet word aan, of dienste gelewer moet word vir, ander persone;

en so 'n vooruitsig word geag aan 'n deelnemer voorgehou te word—

(aa) hetsy dit so voorgehou word dat dit 'n regtens afdwingbare reg aan hom verleen al dan nie; en

(bb) vir sover dit betrekking het op die voorstelling van nuwe deelnemers, hetsy dit beperk is tot die voorstelling van nuwe deelnemers deur hom, of ook die voorstelling van nuwe lede deur ander persone omvat;

Met dien verstande dat, by die toepassing van hierdie kennisgewing—

(i) 'n "transaksie" ook 'n transaksie insluit waarvolgens 'n persoon 'n deelnemer aan 'n handelskema word;

resolved to make the following recommendation to the Minister of Commerce and Consumer Affairs in terms of section 16 (2) of the Trade Practices Act, 1976:

The Trade Practices Advisory Committee recommends that the Trade Practice known as "pyramid selling" be regulated in terms of section 15 of the Trade Practices Act by the imposition in respect thereof of the following conditions—

1. In this notice, unless the context otherwise indicates, any work to which a meaning has been assigned in the Act, shall have a corresponding meaning, and—

"pyramid selling scheme" means any trading scheme, including any arrangements made in connection with the carrying on of a business, whether those arrangements are made or recorded wholly or partly in writing or not, which includes the following elements, that is to say—

(a) goods or services, or both, are to be provided—

(i) by the person promoting the scheme (in this notice referred to as "the promoter") or under arrangements to which that person is a party; or

(ii) in the case of a scheme promoted by two or more persons acting in concert (in this notice referred to as "the promotors"), by one or more than one of those persons or under arrangements to which any of those persons is a party;

(b) the goods or services referred to in paragraph (a) are to be supplied to or for other persons under transactions effected by one or more persons (other than the promoter or any of the promotors) who participate in the scheme (each of whom is referred to in this notice as "a participant");

(c) those transactions, or most of them, are to be effected elsewhere than at the premises at which the promoter or any of the promotors or the participant effecting such transaction carries on business; and

(d) the prospect is held out to participants of receiving payments or other benefits in respect of any one or more of the following matters:

(i) The introduction of other persons who become participants;

(ii) the promotion, transfer or change of status of participants within the trading scheme;

(iii) the supply of goods to other participants;

(iv) the supply of training facilities or other services for other participants;

(v) transactions effected by other participants under which goods are to be supplied to, or services are to be supplied for, other persons;

and such a prospect shall be taken to be held out to a participant—

(aa) whether it is held out so as to confer on him a legally enforceable right or not; and

(bb) in so far as it relates to the introduction of new participants, whether it is limited to the introduction of new participants by him or extends to the introduction of new participants by other persons;

Provided that, for the purposes of this notice—

(i) a "transaction" shall include a transaction whereby any person becomes a participant in a trading scheme;

(ii) 'n handelskema geag word die beginsel bedoel in paragraaf (b) in te sluit, ongeag of 'n transaksie bedoel in daardie paragraaf deur 'n deelnemer in die hoedanigheid van werknemer of agent van die promotor of van enige van die promotors, of in enige ander hoedanigheid, aangegaan moet word; en

(iii) wanneer vir doeleindes van paragraaf (c) bepaal word of 'n perseel die perseel is waarop 'n deelnemer aan 'n handelskema gewoonlik sake doen, geen transaksie wat ingevolge daardie skema deur hom aangegaan is of gaan word, in aanmerking geneem word nie.

2. Hierdie kennisgewing is nie van toepassing nie op 'n handelskema ingevolge waarvan—

(a) die vooruitsig van die ontvangs van betalings of ander voordele ten opsigte van enige of alle aangeleenthede gespesifiseer in paragraaf (d) van die woordskrywing van "piramideverkopeskema", aan slegs een deelnemer in die Republiek van Suid-Afrika voorgehou word; of

(b) die enigste vooruitsig wat aan enige deelnemer voorgehou word wat betref die ontvangs van betalings ten opsigte van aangeleenthede aldus gespesifiseer, die vooruitsig is op die ontvangs van 'n bedrag van hoogstens R30 ten opsigte van die voorstelling deur hom van 'n ander persoon wat 'n deelnemer word.

3. Niemand mag 'n dokument uitreik, sirkuleer of versprei of deur iemand laat uitreik, sirkuleer of versprei nie wat 'n advertensie, prospektus, omsendbrief of kennisgewing is en wat 'n uitnodiging aan persone bevat om deelnemers aan 'n piramideverkopeskema te word of wat enige inligting bevat wat daarop bereken is om regstreeks of onregstreeks daartoe aanleiding te gee dat persone deelnemers aan so 'n skema word, tensy sodanige dokument—

(a) die datum vermeld waarop dit die eerste maal gepubliseer is;

(b) die datum vermeld waarop die skema vir die eerste maal in die Republiek begin bedryf is, of, in die geval van 'n beoogde skema, die datum waarop dit die voorneme is om daardie skema te begin bedryf;

(c) die naam en adres vermeld van die promotor, of, in die geval van 'n skema wat deur meer as een persoon bedryf word, die name en adresse van al die promotors;

(d) die goedere of dienste beskryf wat die onderwerp van die skema uitmaak met vermelding daarvan of die deelnemer die hele reeks van hierdie goedere moet neem of aanbied en of hy te eniger tyd deur die promotor verplig kan word om addisionele goedere en dienste te neem of aan te bied;

(e) meld of die transaksies wat ingevolge die skema deur deelnemers aangegaan moet word, deur hulle in die hoedanigheid van werknemer of agent van die promotor of promotors of van een van die promotors, of as 'n prinsipaal, aangegaan moet word;

(f) die rol van deelnemers of, as daar twee of meer as twee klasse deelnemers is, die rol van elke klas deelnemer, beskryf en, as daar van deelnemers verwag word om ander persone daartoe te beweeg om goedere te koop of van 'n diens gebruik te maak, aandui dat daar van die deelnemers verwag word om daardie ander persone daartoe te beweeg;

(g) 'n uiteensetting bevat van die bepalinge en voorwaardes van die ooreenkoms onderworpe waarvan die persone wat genoem word om by die piramideverkopeskema aan te sluit, daaraan sal deelneem, en om duidelik te vermeld of daar van die

(ii) a trading scheme shall be deemed to include the element referred to in paragraph (b), irrespective of whether any transaction referred to in that paragraph is to be effected by a participant in the capacity of employee or agent of the promoter or of any of the promoters, or in any other capacity; and

(iii) in determining for the purposes of paragraph (c) whether any premises are premises at which a participant in a trading scheme carries on business no account shall be taken of transactions effected or to be effected by him under that trading scheme.

2. This notice shall not apply to a trading scheme under which—

(a) the prospect of receiving payments or other benefits in respect of all or any of the matters specified in paragraph (d) of the definition of "pyramid selling scheme" is held out to only one participant in the Republic of South Africa; or

(b) the only prospect held out to any participant of receiving payments or other benefits in respect of matters so specified is the prospect of receiving a sum not exceeding R30 in respect of the introduction by him of another person who becomes a participant.

3. No person shall issue, circulate or distribute or cause any person to issue, circulate or distribute any document which is an advertisement, prospectus, circular or notice and contains an invitation to persons to become participants in a pyramid selling scheme or any information calculated to lead directly or indirectly to persons becoming participants in such a scheme, unless such document—

(a) states the date on which it was first published;

(b) states the date from which the scheme first operated in the Republic or, in the case of a proposed scheme, the date on which it is proposed to operate that scheme;

(c) states the name and address of the promoter or, in the case of a scheme operated by more than one person, the names and addresses of all the promoters;

(d) describes the goods or services which form the subject of the scheme stating whether the participant is required to handle the full range of these goods or offer the full range of these services and whether he can be obliged to handle additional goods or offer additional services from that promoter at any stage;

(e) states whether the transactions to be effected under the scheme by participants are to be effected in the capacity of employee or agent of the promoter or promoters or of one of the promoters or as a principal;

(f) describes the role of participants or, if there are two or more classes of participants, the role of each class of participant and, if participants are expected to induce other persons to purchase goods or acquire services, indicates that the participants are expected so to induce those other persons;

(g) sets out the terms and conditions of the agreement on which persons invited to join the pyramid selling scheme are to participate; and states specifically whether the participant will be required to pay for or undertake to pay for any goods, instruction

deelnemer verwag sal word om te betaal of om te onderneem om te betaal vir enige goedere, onderrig materiaal of ander goedere ten einde aan die skema te kan deelneem, spesifiserend in elke geval die minimum bedrag aldus betaalbaar;

(h) melding maak van die totale getal deelnemers aan die betrokke skema, of, indien verskillende klasse deelnemers by die skema betrokke is, die totale getal deelnemers in elke klas, op die datum van publikasie van die dokument of op 'n datum daarin aangegee wat nie vroeër as drie maande voor die datum van publikasie is nie; en

(i) indien die betrokke skema in werking was op die datum 12 maande voor die datum van publikasie van die dokument, melding maak van die totale getal deelnemers of, indien meer as een klas deelnemer op eersbedoelde datum by die skema betrokke was, die totale getal deelnemers in elke klas, op daardie eersbedoelde datum.

4. Niemand mag 'n dokument bedoel in regulasie 3 uitreik, sirkuleer of versprei of deur iemand laat uitreik, sirkuleer of versprei nie, indien sodanige dokument—

(a) enige bewering of verklaring bevat dat die werwing van deelnemers maklik is, of dat deelnemers aan 'n piramideverkopeskema noodwendig finansiële deur die skema sal baat;

(b) 'n voorbeeld of illustrasie van die werking van die skema bevat, waarin die voordele wat aan 'n deelnemer kan toeval, verduidelik word by wyse van die saamvoeging van bepaalde voordele waartoe 'n deelnemer as gevolg van elk van 'n reeks soortgelyke transaksies of ander gebeurtenisse geregtig is;

(c) aandui of suggereer dat 'n deelnemer te eniger tyd of gedurende enige tydperk as gevolg van deelname aan 'n skema 'n bepaalde finansiële voordeel sal bekom of 'n finansiële voordeel sal bekom wat nie minder is nie of wat groter is as 'n bepaalde bedrag.

5. Waar 'n persoon aangekla word van 'n misdryf ten opsigte van 'n oortreding van die verbod in regulasie 3 of 4 wat betrekking het op 'n advertensie, het hy 'n verweer indien hy bewys dat hy 'n persoon is wie se besigheid bestaan uit die publikasie of die tref van reëlins vir die publikasie van advertensies, en dat hy die advertensie vir publikasie ontvang het in die gewone loop van sake, en nie geweet het, en nie rede gehad het om te vermoed dat die publikasie daarvan neerkom op 'n oortreding van hierdie regulasies nie.

6. Geen promotor van of deelnemer aan 'n piramideverkopeskema mag—

(a) goedere of 'n diens aan 'n deelnemer aan die skema verskaf nie;

(b) goedere of 'n diens verskaf ingevolge 'n transaksie deur so 'n deelnemer aangegaan nie;

(c) aan 'n reëling deelneem ingevolge waarvan goedere of 'n diens soos voormeld, verskaf word nie; of

(d) van 'n deelnemer 'n betaling of onderneming om te betaal, aanvaar ten opsigte van goedere of 'n diens wat verskaf word soos in enige van die voorgaande regulasies vermeld, of ten opsigte van goedere of 'n diens wat aldus verskaf moet word nie;

tensy—

(i) al die bepalings van die ooreenkoms ingevolge waarvan die betrokke deelnemer aan die skema deelneem, uiteengesit is in 'n skriftelike ooreenkoms aangegaan tussen hom en die promotor of, indien daar meer as een promotor is, tussen hom en elkeen van daardie promotors;

materials or other matter in order to participate in the scheme, specifying the minimum payments required in each instance;

(h) states the total number of participants in the relevant scheme or, if the scheme involves different classes of participants, the total number of participants in each class at the date of publication of the document or at a date specified therein not being earlier than three months before the date of publication; and

(i) where the relevant scheme was in operation at the date 12 months before the date of publication of the document states the total number of participants or, if the scheme at the first-mentioned date involved different classes of participants, the total number of participants in each class, at the first-mentioned date.

4. No person shall issue, circulate or distribute or cause any person to issue, circulate or distribute any document referred to in regulation 3 if such document—

(a) includes any assertion or suggestion that the recruitment of participants is easy or that participants in the pyramid selling scheme will inevitably benefit financially from the scheme;

(b) includes any example or illustration of the operation of the scheme in which the benefits which may accrue to a participant are demonstrated by aggregating the particular benefits to which a participant is entitled in consequence of each of a series of similar transactions or other occurrences;

(c) indicates or suggests that a participant will as a result of the participation in a scheme derive at any time or during any period a specified financial benefit or a financial benefit which will be not less than or greater than a specified sum.

5. Where a person is charged with an offence in respect of a contravention of the prohibition in regulation 3 or 4 which relates to an advertisement, it shall be a defence for him to prove that he is a person whose business it is to publish or arrange for the publication of advertisements and that he received the advertisement for publication in the ordinary course of business and did not know, and had no reason to suspect that its publication would amount to a contravention of these regulations.

6. No promoter of, or participant in, a pyramid selling scheme shall—

(a) provide goods or a service to a participant in the scheme;

(b) provide goods or a service under a transaction effected by such a participant;

(c) be a party to any arrangement under which goods or a service are provided as aforesaid; or

(d) accept from any such participant any payment, or undertaking to make a payment in respect of goods or a service provided as stated in any of the preceding regulations or in respect of goods or a service to be so provided;

unless—

(i) all the terms of the agreement under which the relevant participant is participating in the scheme are set out in an agreement in writing made between him and the promoter or, if more than one, each of the promoters;

(ii) 'n afskrif van die ooreenkoms aan daardie deelnemer verskaf is; en

(iii) daardie deelnemer die regte het bedoel in regulasie 7:

Met dien verstande dat, indien die betrokke deelnemer voor die inwerkingtreding van hierdie kennisgewing aan die skema deelgeneem het, subparagraaf (i) of (ii) nie so uitgelê word dat die doen van enigiets vermeld in paragrawe (a) tot en met (d) belet word nie.

7. Die regte bedoel in regulasie 6 is die volgende:

(a) Die reg om te eniger tyd sonder boete deelname aan die skema te beëindig deur sewe dae skriftelik kennis van beëindiging, by wyse van vooruitbetaalde geregistreerde pos, te gee aan die promotor of enige van die promotors by 'n adres in die Republiek wat skriftelik aan die deelnemer verstrek is;

(b) indien kennis aldus gegee word hoogstens veertien dae nadat die deelnemer aanvanklik ingestem het om aan die piramideverkopeskema deel te neem en die deelnemer na die inwerkingtreding van hierdie kennisgewing aldus ingestem het, die reg om van die promotor of enige van die promotors te vereis dat hy of hulle binne 21 dae na afsending deur die deelnemer van sodanige skriftelike kennisgewing van beëindiging, alle gelde aan hom terugbetaal wat hy betaal het aan of tot voordeel van die promotor of enige van die promotors in verband met sy deelname aan die skema of wat aan enige ander deelnemer betaal is ooreenkomstig die bepalings van die skema, min—

(i) enige bedrag wat deur hom aan die promotor verskuldig is ten opsigte van goedere wat hy verkoop het;

(ii) 'n bedrag gelyk aan die waarde van enige ander goedere wat ingevolge die skema aan hom verskaf is en wat hy nie aan die promotor of promotors of aan 'n persoon wat deur die promotor of promotors aangewys is om daardie goedere te ontvang, teruggelewer het nie;

(c) waar kennis van beëindiging deur die deelnemer in enige ander omstandighede gegee is, die reg om van die promotor of enige van die promotors te vereis dat hy of hulle enige goedere wat die deelnemer na die inwerkingtreding van hierdie kennisgewing ingevolge die skema aangekoop het, koop—

(i) teen 'n prys wat nie minder is nie as 90 per sent van die prys wat die deelnemer betaal het;

(ii) op voorwaarde dat die prys by lewering van die goedere betaal word of, indien die goedere reeds deur die promotor of enige van die promotors gehou word, onmiddellik betaal word; en

(iii) vir aflewering, binne 21 dae na die kennisgewing, op koste van die deelnemers by 'n plek wat die deelnemer redelikerwys mag aanwys;

(d) die reg om by die beëindiging van sy deelname van alle kontraktuele aanspreeklikheid teenoor die promotor of enige van die promotors in verband met die skema onthef te word, behalwe—

(i) aanspreeklikheid in verband met betalings aan hom gedoen ingevolge kontrakte deur hom aangegaan as agent van die promotor of enige van die promotors;

(ii) in 'n geval waar beëindiging van deelname nie aanleiding gee tot die reg in paragraaf (b) bedoel nie, aanspreeklikheid om die prys te betaal van goedere wat reeds deur die promotor of enige van die promotors aan hom verkoop is;

(ii) a copy of that agreement has been furnished to that participant; and

(iii) that participant has the rights referred to in regulation 7:

Provided that, if the relevant participant was participating in the scheme before the commencement of this notice, subparagraph (i) or (ii) shall not be so construed that the doing of anything mentioned in paragraph (a) to and including (d) is precluded.

7. The rights referred to in regulation 6 shall be as follows:

(a) The right to terminate participation in the scheme at any time without penalty by giving seven days written notice by prepaid registered post of termination to the promoter or any of the promoters at an address in the Republic which has been furnished to the participant in writing;

(b) where notice is so given not more than fourteen days after the participant first agreed to participate in the pyramid selling scheme and the participant so agreed after the commencement of this notice, the right to require the promoter or any of the promoters to repay him within 21 days after despatch of such written notice by the participant any moneys which he had paid to or for the benefit of the promoter or any of the promoters in connection with his participation in the scheme or paid to any other participant in accordance with the provisions of the scheme, less—

(i) any amount owed by him to the promoter in respect of goods which he had sold;

(ii) an amount equal to the value of any other goods which have been provided to him under the scheme and which he has not re-delivered at his own expense to the promoter or promoters or to a person nominated by the promoter or promoters to receive those goods;

(c) where notice of termination is given by the participant in any other circumstances, the right to require the promoter or any of the promoters to purchase—

(i) at a price which is not less than 90 per cent of the price which the participant paid for them;

(ii) on terms whereby the price is payable upon delivery of the goods or, if the goods are already held by the promoter or any of the promoter, forthwith; and

(iii) for delivery, within 21 days of the giving of the notice at the participants expense at any place which the participant may reasonably nominate;

any goods which he has purchased under the scheme after the commencement of this notice;

(d) the right to be discharged upon the termination of his participation from all contractual liabilities towards the promoter or any of the promoters in connection with the scheme; except—

(i) liabilities relating to payments made to him under contracts which he has made as agent for the promoter or any of the promoters;

(ii) in a case where termination of participation does not give rise to the right referred to in paragraph (b), any liability to pay the price of goods already sold to him by the promoter or any of the promoters;

(e) indien die promotor of enige van die promotors die deelnemer se deelname aan die skema ooreenkomstig die bepalings daarvan beëindig, die reg om van die promotor of enige van die promotors te vereis dat hy of hulle enige goedere wat die deelnemer na die inwerkingtreding van hierdie kennisgewing ingevolge die skema aangekoop het, koop—

(i) teen die prys wat die deelnemer vir die goedere betaal het;

(ii) op voorwaarde dat die kooprys by lewering van die goedere betaal word of, indien die goedere reeds deur die promotor of enige van die promotors gehou word, onmiddellik betaal word; en

(iii) vir aflewering, binne 21 dae vanaf sodanige kennisgewing, op koste van die promotor, by 'n plek wat die promotor redelikerwys mag aanwys.

8. Geen promotor van, of deelnemer aan, 'n piramideverkopeskema mag na die inwerkingtreding van hierdie kennisgewing, indien die bedrag van die betrokke betaling of die bedrag van daardie betaling plus enige bedrag wat die deelnemer reeds vir ander goedere betaal het of onderneem het om te betaal R50 te bowe gaan, van 'n deelnemer enige betaling of onderneming om te betaal ten opsigte van goedere wat ingevolge die skema verskaf is of moet word, aanvaar nie, tensy die deelnemer skriftelik versoek het dat die betrokke goedere verskaf word en hy minstens sewe dae voordat hy daardie versoek gedoen het, skriftelik ingestem het om aan die skema deel te neem.

9. Geen promotor van, of deelnemer aan, 'n piramideverkopeskema mag van 'n deelnemer—

(a) 'n betaling by wyse van sekerheidstelling aanvaar vir goedere, of ter betaling van die prys van goedere wat aan die deelnemer verskaf is of moet word en wat, deur hom ten behoeve van die promotor of 'n promotor of 'n ander deelnemer aan die skema verkoop moet word nie; of

(b) 'n onderneming aanvaar om 'n betaling vir goedere of die prys daarvan soos bedoel in paragraaf (a) te doen nie;

tensy die ontvanger van die onderneming skriftelik ingestem het dat die betaling terugbetaalbaar is by die teruglewering deur die deelnemer van die betrokke goedere aan die promotor of 'n promotor of daardie ander deelnemer, behoudens die bepalings van regulasie 7.

10. (a) Geen promotor, of geeneen van die promotors (indien daar meer as een is) mag enige betaling aanvaar of ontvang nie as dit aan hom of tot sy voordeel gedoen word deur 'n persoon wat 'n deelnemer aan 'n piramideverkopeskema is waarop hierdie kennisgewing van toepassing is of was, of wat uitgenooi is om 'n deelnemer te word aan so 'n handelskema, indien daardie persoon daartoe beweeg is om daardie betaling te doen deurdat die vooruitsig hom voorgehou is van die ontvangs van betalings of ander voordele ten opsigte van die voorstelling van ander persone wat deelnemers word aan die piramideverkopeskema.

(b) Geen promotor of (indien daar meer as een is) geeneen van die promotors van 'n piramideverkopeskema waarop hierdie kennisgewing van toepassing is, of enigiemand anders wat ingevolge so 'n piramideverkopeskema optree, mag poog om deur 'n persoon die vooruitsig voor te hou van die ontvangs van betaling of enige ander voordeel ten opsigte van die voorstelling

(e) if the promoter or any of the promoters terminates the participant's participation in the scheme in accordance with its provisions, the right to require the promoter or any of the promoters to purchase—

(i) at the price which the participant paid for them;

(ii) on terms whereby the purchase price is payable upon delivery of the goods or, if the goods are already held by the promoter or any of the promoters, forthwith; and

(iii) for delivery within 21 days of such determination at the promoter's expense at any place which the promoter may reasonably nominate;

any goods which the participant has purchased under the scheme after the commencement of this notice.

8. No promoter of, or participant in, a pyramid selling scheme shall, after the commencement of this notice, if the amount of the payment in question or the amount of that payment plus any amount which the participant has already paid or undertaken to pay for such other goods exceeds R50, accept from a participant any payment or undertaking to make a payment in respect of goods supplied or to be supplied under the scheme unless the participant has requested in writing that the relevant goods be provided and he agreed in writing to participate in the scheme at least seven days before he made that request.

9. No promoter of, or participant in, a pyramid selling scheme shall accept from a participant—

(a) any payment by way of security for goods, or for the payment of the price of goods provided or to be provided to the participant for sale by him on behalf of the promoter or a promoter or another participant under the scheme; or

(b) any undertaking to make a payment for goods or the price thereof as referred to in paragraph (a);

unless the recipient of the undertaking has agreed in writing that the payment is refundable upon the participant returning the relevant goods to the promoter or a promoter or that other participant, subject to the provisions of regulation 7.

10. (a) No promoter, or (if there is more than one) none of the promoters, shall accept or receive any payment if it is made to him or for his benefit by any person who is a participant in a pyramid selling scheme to which this notice applies or has applied, or has been invited to become a participant in such a trading scheme, if that person is induced to make that payment by reason that the prospect is held out to him of receiving payments or other benefits in respect of the introduction of other persons who become participants in the pyramid selling scheme.

(b) No promoter, or (if there is more than one) none of the promoters, of a pyramid selling scheme to which this notice applies, nor any other person acting in accordance with such a pyramid selling scheme, shall attempt to induce any person, by holding out to him the prospect of receiving payment or

van ander persone wat deelnemers aan die piramide-verkopeskema word, daardie persoon daartoe te bewoeg nie om—

(i) indien hy reeds 'n deelnemer aan die piramide-verkopeskema is, enige betaling te doen aan of tot voordeel van die promotor of enige van die promotors, of aan of tot voordeel van 'n deelnemer aan die piramideverkopeskema; of

(ii) indien hy nog nie 'n deelnemer aan die piramideverkopeskema is nie, so 'n deelnemer te word en om enige sodanige betaling te doen as wat in subparagraaf (i) gemeld word.

(c) By die bepaling, vir doeleindes van paragraaf (a) of (b) hiervan, of enige oortreding of poging tot oortreding gedoen is by wyse van die voorhou van 'n vooruitsig soos wat daarin genoem is, is dit voldoende indien sodanige vooruitsig 'n wesenlike deel van sodanige oortreding uitmaak of sou uitmaak.

(d) Indien die persoon wat die verbodsbepaling vervat in paragraaf (a) of (b) hiervan oortree, nie die alleenpromotor van die betrokke piramideverkopeskema is nie, word enige ander persoon wat die promotor of (na gelang van die geval) een van die promotors van die piramideverkopeskema is, geag sodanige verbodsbepaling te oortree het.

(e) In hierdie artikel word 'n verwysing na die maak van 'n betaling aan of tot voordeel van 'n persoon, so uitgelê dat dit die maak van 'n betaling gedeeltelik aan of tot voordeel van daardie persoon of gedeeltelik aan of tot voordeel van een of meer ander persone insluit.

(f) Indien 'n persoon uit hoofde van paragraaf (d) hiervan aangekla word van 'n misdryf betreffende die oortreding van 'n verbodsbepaling in paragraaf (a) of (b) hiervan, het hy 'n verweer indien hy bewys—

(i) dat die piramideverkopeskema waarop die aanklag betrekking het, in werking was voor die inwerkingtreding van hierdie kennisgewing; en

(ii) dat die handeling wat die misdryf uitmaak, gepleeg is sonder sy toestemming of sonder dat hy dit oogluikend toegelaat het.

11. Geen promotor van of deelnemer aan 'n piramideverkopeskema mag—

(a) enige opleidingsfasiliteite of ander diens aan 'n deelnemer aan die skema verskaf nie; of

(b) deelhê aan 'n reëling waarvolgens sodanige fasiliteite aan 'n deelnemer verskaf word of moet word nie;

teny die fasiliteite of diens sonder enige koste vir die deelnemer verskaf word of gaan word.

12. (a) Indien 'n deelnemer 'n betaling maak aan of tot voordeel van 'n promotor van, of aan 'n ander deelnemer aan, 'n piramideverkopeskema, en die aanvaarding van daardie betaling 'n oortreding van regulasie 6, 8, 9 of 10 (a) behels, het die deelnemer die reg om daardie betaling van die promotor of van enige van die promotors of, indien die betaling aan 'n ander deelnemer gemaak is, van daardie deelnemer te verhaal.

(b) Geen onderneming om 'n betaling te maak, deur 'n deelnemer aan 'n piramideverkopeskema gegee in enige omstandighede wat 'n oortreding van regulasie 6, 8, 9 of 10 (a) behels, is in 'n siviele geding teen hom afdwingbaar nie.

(c) Geen deelnemer aan 'n piramideverkopeskema is verplig om vir goedere te betaal wat aan hom verskaf is in omstandighede wat 'n oortreding van regulasie 6 behels nie.

other benefits in respect of the introduction of other persons who become participants in the pyramid selling scheme—

(i) if he is already a participant in the pyramid selling scheme, to make any payment to or for the benefit of the promotor or any of the promotors or to or for the benefit of a participant in the pyramid selling scheme; or

(ii) if he is not already a participant in the pyramid selling scheme, to become such a participant and to make any such payment as is mentioned in subparagraph (i).

(c) In determining for the purposes of paragraph (a) or (b) hereof whether an inducement or attempt to induce is made by holding out such a prospect as is therein mentioned, it shall be sufficient if such a prospect constitutes or would constitute a substantial part of the inducement.

(d) Where the person contravening the prohibition in paragraph (a) or (b) hereof is not the sole promotor of the pyramid selling scheme in question, any other person who is the promotor or (as the case may be) one of the promotors of the pyramid selling scheme shall also be deemed to have contravened such prohibition.

(e) In this section reference to the making of a payment to or for the benefit of a person shall be construed as including the making of a payment partly to or for the benefit of that person and partly to or for the benefit of one or more other persons.

(f) Where a person is charged, by virtue of paragraph (d) hereof, with an offence in regard to the contravention of a prohibition in paragraph (a) or (b) hereof, it shall be a defence for him to prove—

(i) that the pyramid selling scheme to which the charge relates was in operation before the commencement of this notice; and

(ii) that the act constituting the offence was committed without his consent or connivance.

11. No promotor of or participant in a pyramid selling scheme shall—

(a) provide any training facilities or other service to a participant in the scheme; or

(b) be party to any arrangement under which such facilities are provided or are to be provided to a participant;

unless the facilities or service are provided or are to be provided without charge to the participant.

12. (a) When a participant makes any payment to or for the benefit of a promotor of, or to another participant in, a pyramid selling scheme and the acceptance of that payment involves a contravention of regulation 6, 8, 9 or 10 (a) the participant shall be entitled to recover that payment from the promotor or any of the promotors or where the payment is made to another participant, from that participant.

(b) No undertaking to make any payment given by a participant in a pyramid selling scheme in any circumstances involving a contravention of regulation 6, 8, 9 or 10 (a) shall be enforceable against him in any civil proceedings.

(c) No participant in a pyramid selling scheme shall be under a liability to pay for goods provided to him in circumstances involving a contravention of regulation 6.

(d) Geen deelnemer aan 'n piramideverkopeskema is verplig om te betaal vir enige opleidingsfasiliteite of ander diens wat ingevolge regulasie 11 alleenlik sonder koste vir hom verskaf kan word nie en hy het die reg om enige gelde te verhaal wat hy vir sodanige fasiliteite of diens betaal het.

13. (a) Geen ooreenkoms bedoel in regulasie 6 mag deur borgstelling versekureer word nie en, indien so 'n ooreenkoms aldus versekureer is, is die borgstelling van nul en gener waarde;

(b) geen verpligting van 'n deelnemer ingevolge 'n ooreenkoms bedoel in regulasie 6 mag deur eiendom versekureer word nie en, indien so 'n aanspreeklikheid aldus versekureer is, is die sekerheidstelling van nul en gener waarde;

(c) geen sessie deur 'n promotor van 'n reg wat uit 'n ooreenkoms bedoel in regulasie 6 ontstaan, verleen aan die sessionaris 'n reg teen die deelnemer nie.

DEPARTEMENT VAN LANDBOU-EKONOMIE EN -BEMARKING

No. R. 448

14 Maart 1980

SPRINGS NASIONALE VARSPRODUKTE-MARK

Kennis geskied hiermee dat die Minister van Landbou, kragtens die bevoegdheid hom verleen by artikel 19 van die Wet op die Kommissie vir Varsprodukte-marke, 1970 (Wet 82 van 1970), die tarief in die Bylae hiervan uiteengesit ten opsigte van die Nasionale Varsprodukte-mark, Vyfde Laan, Springs-uitbreiding, Springs, met ingang van 17 Maart 1980, vasgestel het.

BYLAE

Verskaffing deur markowerheid van verkoopstrookies tesame met afskrifte daarvan: 2c per stel.

No. R. 504

14 Maart 1980

HEFFING EN SPESIALE HEFFING OP KARAKOELPELSE

Kragtens artikel 79 (a) van die Bemarkingswet, 1968 (Wet 59 van 1968), maak ek, Hendrik Stephanus Johan Schoeman, Minister van Landbou, hierby bekend dat die Karakoelraad vermeld in artikel 3 van die Karakoelskema, afgekondig by proklamasie R. 172 van 1968, kragtens artikel 15 van daardie Skema met my goedkeuring en met ingang van datum van publikasie hiervan, 'n heffing en spesiale heffing soos in die Bylae hiervan uiteengesit, opgelê het ter vervanging van die heffing en spesiale heffing afgekondig by Goewerkennisgewing R. 513 van 17 Maart 1978 wat hierby herroep word.

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

BYLAE

1. In hierdie kennisgewing, tensy in stryd met die samehang, het 'n woord of uitdrukking waaraan in die Karakoelskema, afgekondig by Proklamasie R. 172 van 1968, 'n betekenis geheg is, 'n ooreenstemmende betekenis, en beteken—

“gemiddelde waarde per pels” die bruto beswaarde gemiddelde prys per pels wat behaal was op die Londonse SWAKARA veilings gedurende die periode wat strek vanaf die eerste dag van Maart van enige jaar tot die laaste dag van Februarie van die daaropvolgende jaar albei dae ingesluit wat die betaling van die heffing onmiddellik voorafgegaan het.

(d) No participant in a pyramid selling scheme shall be under a liability to pay for any training facilities or other service required by regulation 11 to be provided only without charge to him and he shall be entitled to recover any payment made for such facilities or service.

13. (a) No agreement referred to in regulation 6 shall be secured by any surety and, if any agreement is so secured, the suretyship shall be null and void.

(b) No liability of any participant under an agreement referred to in regulation 6 shall be secured by any property and, if any such liability is so secured, such security shall be null and void.

(c) No cession by any promoter of any rights arising out of any agreement referred to in regulation 6 shall give rise to any rights of the cessionary against any participant.

DEPARTMENT OF AGRICULTURAL ECONOMICS AND MARKETING

No. R. 448

14 March 1980

SPRINGS NATIONAL FRESH PRODUCE MARKET

Notice is hereby given that the Minister of Agriculture under the powers vested in him by section 19 of the Commission for Fresh Produce Markets Act, 1970 (Act 82 of 1970), fixed the tariff set out in the Schedule hereto in respect of the National Fresh Produce Market, Fifth Avenue, Springs Extension, Springs, with effect from 17 March 1980.

SCHEDULE

Supplying by market authority of sales dockets together with copies thereof: 2c per set.

No. R. 504

14 March 1980

LEVY AND SPECIAL LEVY ON KARAKUL PELTS

In terms of section 79 (a) of the Marketing Act, 1968 (Act 59 of 1968), I, Hendrik Stephanus Johan Schoeman, Minister of Agriculture, hereby make known that the Karakul Board, referred to in section 3 of the Karakul Scheme, Published by Proclamation R. 172 of 1968, has in terms of section 15 of the said Scheme, with my approval and with effect from the date of publication hereof, imposed a levy and special levy on karakul pelts as set out in the Schedule hereto, in substitution of the levy and special levy published by Government Notice R. 513 of 17 March 1978, which is hereby repealed.

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

SCHEDULE

1. In this notice, unless inconsistent with the context, a word or expression to which a meaning has been assigned in the Karakul Scheme, published by Proclamation R. 172 of 1968, shall have a corresponding meaning, and—

“average value per pelt” means the gross weight average price per pelt realised at the London SWAKARA auctions during the period extending from the first day of March on any year to the last day of February of the ensuing year, both days inclusive which immediately preceded payment of the levy.

(2) Hierby word 'n heffing teen 'n koers van 0,121 persent en 'n spesiale heffing teen 'n koers van 3,879 persent van die gemiddelde waarde per pels opgelê op elke karakoelpels wat—

(a) uit die beheerde gebied uitgevoer word, uitgesonderd karakoelpelse wat voorheen in die beheerde gebied ingevoer is vir verwerking of ten opsigte waarvan sulke heffings voorheen deur 'n verwerker betaal is;

(b) in die beheerde gebied deur 'n verwerker verwerk word, uitgesonderd karakoelpelse wat in die beheerde gebied ingevoer is vir verwerking en heruitvoer uit die beheerde gebied of wat voorheen uit die beheerde gebied uitgevoer is;

(c) in die beheerde gebied ingevoer word, uitgesonderd karakoelpelse wat aldus ingevoer word vir verwerking en heruitvoer uit die beheerde gebied of wat voorheen uit die beheerde gebied uitgevoer is.

No. R. 505

14 Maart 1980

VERBOD OP DIE VERKOOP VAN PIESANGS

Ingevolge artikel 79 (1) (b) van die Bemarkingswet, 1968 (Wet 59 van 1968), maak ek, Hendrik Stephanus Johan Schoeman, Minister van Landbou, hierby bekend dat die Piesangraad, vermeld in artikel 6 van die Piesangskema, afgekondig by Proklamasie R. 109 van 1976, soos gewysig, kragtens die bevoegdheid hom verleen by artikel 35 en 39 van genoemde Skema, met my goedkeuring die verbodsbepaling opgelê het soos in die Bylae hiervan uiteengesit, ter vervanging van die verbod afgekondig by Goewermentskennisgewing R. 1799 van 23 Oktober 1970.

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 Piesangskema, afgekondig by Proklamasie R. 109 van 1976, soos gewysig, 'n betekenis geheg is, 'n ooreenstemmende betekenis.

2. Behoudens die bepalinge van artikel 35 (1) van genoemde Skema, mag geen produsent van piesangs enige piesangs wat deur hom in die produksiegebied geproduseer of in die Republiek ingevoer is buite die produksiegebied verkoop nie, behalwe deur bemiddeling van die Raad.

3. Niemand mag in die produksiegebied piesangs van enige persoon, anders as die Raad, aankoop met die doel om sodanige piesangs buite die produksiegebied te verkoop of dit deur 'n gebied buite die produksiegebied te vervoer nie, behalwe kragtens 'n permit wat die Raad uitreik onderworpe aan die voorwaarde (indien enige) deur die Raad bepaal.

DEPARTEMENT VAN LANDBOU-TEGNIÏSE DIENSTE

No. R. 471

14 Maart 1980

WET OP DIERESIEKTES EN -PARASIE, 1956 (WET 13 VAN 1956)

REGULASIES BETREFFENDE DIE BEHEER VAN BEESTUBERKULOSE

Die Minister van Landbou het die volgende regulasies kragtens artikel 27 (1) van die Wet op Dieresiektes en -parasiete, 1956 (Wet 13 van 1956), uitgevaardig:

2. A levy at the rate of 0,121 per cent and a special levy at the rate of 3,879 per cent of the average value per pelt are hereby imposed on each karakul pelt which—

(a) is exported from the controlled area, including karakul pelts previously imported into the controlled area for processing or in respect of which such levies have previously been paid by a processor;

(b) is processed by a processor in the controlled area, excluding karakul pelts imported into the controlled area for processing and re-exportation from the controlled area or which has previously been exported from the controlled area;

(c) is imported into the controlled area, excluding karakul pelts so imported for processing and re-exportation from the controlled area or which has previously been exported from the controlled area.

No. R. 505

14 March 1980

PROHIBITION OF THE SALE OF BANANAS

In terms of section 79 (1) (b) of the Marketing Act, 1968 (Act 59 of 1968), I, Hendrik Stephanus Johan Schoeman, Minister of Agriculture, hereby make known that the Banana Board, referred to in section 6 of the Banana Scheme, published by Proclamation R. 109 of 1976, as amended, has under the powers vested in it by sections 35 and 39 of the said Scheme, with my approval imposed the prohibitions set out in the Schedule hereto, in substitution of the prohibition published by Government Notice R. 1799 of 23 October 1970.

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 Banana Scheme, published by Proclamation R. 109 of 1976, as amended, shall have a corresponding meaning.

2. Subject to the provisions of section 35 (1) of the said Scheme, no producer of bananas shall sell outside the production area any bananas produced by him in the production area or imported into the Republic, except through the Board.

3. No person shall purchase bananas in the production area from any person, other than the Board, for the purpose of selling such bananas outside the production area or conveying them through an area outside the production area, except under the authority of a permit issued by the Board subject to such conditions (if any) which the Board may determine.

DEPARTMENT OF AGRICULTURAL TECHNICAL SERVICES

No. R. 471

14 March 1980

ANIMAL DISEASES AND PARASITES ACT, 1956 (ACT 13 OF 1956)

REGULATIONS RELATING TO THE CONTROL OF BOVINE TUBERCULOSIS

The Minister of Agriculture has made the following regulations under section 27 (1) of the Animal Diseases and Parasites Act, 1956 (Act 13 of 1956):

Woordbepalings

1. Tensy uit die samehang anders blyk, het woorde en uitdrukkings in hierdie regulasies die betekenis in die Wet daaraan toegeken, en beteken—

“die Wet” die Wet op Dieresiektes en -parasiete, 1956 (Wet 13 van 1956); en

“eiendom”—

(a) enige grond wat in 'n Aktekantoor as 'n afsonderlike stuk grond geregistreer is en ook enige aangrensende stuk grond wat aldus in die naam van een en dieselfde eienaar gehou word;

(b) 'n afgesonderde Swart gebied soos omskryf in artikel 49 van die Ontwikkelingstrust en Grond Wet, 1936 (Wet 18 van 1936), of 'n oopgestelde gebied in artikel 2 van genoemde Wet vermeld;

(c) 'n lokasie soos omskryf in artikel 35 van die Swart Administrasie Wet, 1927 (Wet 38 van 1927); en

(d) enige grond waarop die bepalings van die Wet op Landelike Kleurlinggebiede, 1963 (Wet 24 van 1963), van toepassing is.

Verpligte toets van beeste in 'n beestuberkulose-uitroeingsgebied

2. (1) Elke eienaar van beste op 'n eiendom geleë in 'n beestuberkulose-uitroeingsgebied in Tabel A omskryf, moet by ontvangs van 'n skriftelike kennisgewing deur 'n staatsveearts al die beeste op so 'n eiendom vir beestuberkulose laat toets op die datum, tyd en plek wat in so 'n kennisgewing bepaal is.

(2) So 'n eienaar moet die redelike bystand verleen wat 'n beamppte of gemagtigde persoon in verband met die uitvoering van sodanige toets mag verlang.

Beperking op die beweging van beeste na, binne of uit 'n beestuberkulose-uitroeingsgebied

3. (1) Behoudens die bepalings van subregulasies (2) en (3), mag niemand, behalwe op gesag van 'n permit—

(a) beeste in 'n beestuberkulose-uitroeingsgebied in regulasie 2 (1) vermeld, inbring of laat inbring nie, of toelaat dat beeste in sodanige gebied inbring word nie;

(b) beeste van een eiendom binne 'n beestuberkulose-uitroeingsgebied na 'n ander eiendom binne sodanige gebied beweeg of laat beweeg nie, of toelaat dat beeste aldus beweeg word nie; of

(c) beeste van 'n eiendom binne 'n beestuberkulose-uitroeingsgebied na 'n eiendom buite sodanige gebied beweeg of laat beweeg nie, of toelaat dat beeste aldus beweeg word nie.

(2) Die bepalings van subregulasie (1) is nie van toepassing nie op—

(a) beeste wat afkomstig is van 'n kudde ten opsigte waarvan 'n geldige amptelike sertifikaat van beestuberkulose-vryheid bestaan;

(b) beeste wat negatiewe resultate vir tuberkulose getoon het in twee opeenvolgende toetse wat nie minder as ses weke en nie meer as drie maande na mekaar uitgevoer is nie: Met dien verstande dat beeste wat aldus getoets is in afsondering gehou moet word vanaf sodanige eerste negatiewe toets totdat hulle hul bestemming bereik het; of

(c) beeste wat vir die uitsluitlike doel om by 'n abattoir geslag te word, beweeg word.

Definitions

1. Unless the context otherwise indicates, words and phrases in these regulations shall have the meaning assigned thereto in the Act, and—

“property” means—

(a) any land which is registered in any Deeds Registry as a separate piece of land and also each adjoining piece of land thus registered in the name of one and the same owner;

(b) a scheduled Black area as defined in section 49 of the Development Trust and Land Act, 1936 (Act 18 of 1936), or a released area referred to in section 2 of the said Act;

(c) a location as defined in section 35 of the Black Administration Act, 1927 (Act 38 of 1927); and

(d) any land to which the provisions of the Rural Coloured Areas Act, 1963 (Act 24 of 1963), apply; and

“the Act” means the Animal Diseases and Parasites Act, 1956 (Act 13 of 1956).

Compulsory testing of cattle in a bovine tuberculosis eradication area

2. (1) Every owner of cattle on a property situated in a bovine tuberculosis eradication area defined in Table A shall on receipt of a written notice by a state veterinarian, have all the cattle on such property tested for bovine tuberculosis on the date and time and at the place determined in such notice.

(2) Such owner shall render the reasonable assistance which an officer or authorized person may require in relation to the performance of such test.

Restriction on the movement of cattle into, within or from a bovine tuberculosis eradication area

3. (1) Subject to the provisions of subregulations (2) and (3), no person shall, except under the authority of a permit—

(a) introduce cattle into a bovine tuberculosis eradication area referred to in regulation 2 (1), or cause or permit cattle to be introduced into such area;

(b) move cattle from one property within a bovine tuberculosis eradication area to another property within such area, or cause or permit cattle to be thus moved; or

(c) move cattle from a property in a bovine tuberculosis eradication area to a property outside such area, or cause or permit cattle to be thus moved.

(2) The provisions of subregulation (1) shall not apply to—

(a) cattle originating from a herd in respect of which a valid official certificate of freedom from bovine tuberculosis exists;

(b) cattle which have shown negative results for bovine tuberculosis in two successive tests which were conducted not less than six weeks and not more than three months apart: Provided that cattle thus tested shall be kept in isolation for the period from such first negative test until they reached their destination; or

(c) cattle which are moved for the sole purpose to be slaughtered at an abattoir.

(3) Die persoon in beheer van die beweging van beeste in subregulasie (2) vermeld, moet—

(a) in die geval van beeste vermeld in paragraaf (a) van daardie subregulasie, in besit wees van 'n afskrif van die sertifikaat van beestuberkulose-vryheid ten opsigte van die betrokke beeste;

(b) in die geval van beeste vermeld in paragraaf (b) van daardie subregulasie, in besit wees van 'n skriftelike bevestiging deur 'n staatsveearts dat die betrokke beeste negatiewe resultate vir beestuberkulose getoon het in twee toetse in genoemde paragraaf vermeld; of

(c) in die geval van beeste vermeld in paragraaf (c) van daardie subregulasie, in besit wees van 'n verklaring deur die eienaar van sodanige beeste waarin vermeld word—

(i) die naam en adres van die eienaar;

(ii) die naam van die persoon in beheer van die beweging;

(iii) die naam van die eiendom waarvandaan die beeste beweeg word;

(iv) die bestemming van die beeste;

(v) die ras van die betrokke beeste, of indien hulle kruisings is, die rasse daarby betrokke;

(vi) die getal manlike en vroulike diere, en indien van toepassing, die getal osse wat beweeg word;

(vii) die kleur en brandmerk, tatoeëermerk, oormerk of ander identifikasiemerk van elke betrokke bees; en

(d) op versoek van 'n beampte, polisiebeampte, gemagtigde persoon of die eienaar of bewoner van 'n eiendom waaroor die betrokke beeste beweeg word die stuk vermeld in paragraaf (a), (b) of (c), na gelang van die geval, vir ondersoek toon.

Beperkings op die inbring van beeste in 'n beestuberkulose-beskermdgebied

4. (1) Behalwe op gesag van 'n permit mag niemand beeste in 'n beestuberkulose-beskermdgebied in Tabel B omskryf, inbring of laat inbring nie, of toelaat dat beeste in sodanige gebied ingebring word nie: Met dien verstande dat so 'n permit slegs uitgereik sal word ten opsigte van—

(a) beeste in regulasie 3 (2) (a) of (b) vermeld; of

(b) beeste wat in 'n beestuberkulose-beskermdgebied ingebring word met die uitsluitlike doel om by 'n abattoir geslag te word wat binne sodanige gebied geleë is.

(2) Ondanks die bepalinge van subregulasie (1), mag 'n persoon slegs beeste vermeld in regulasie 3 (2) (a) of (b) in die Gebied Suidwes-Afrika inbring, laat inbring of toelaat dat sodanige beeste daarheen ingebring word: Met dien verstande dat indien sodanige beeste—

(a) afkomstig is van 'n kudde vermeld in regulasie 3 (2) (a) hulle in afsondering gehou moet word vanaf hulle verwydering van die eiendom waarop die betrokke kudde aangehou word totdat hulle op die eiendom in die Gebied Suidwes-Afrika aankom waarheen hulle ingebring word; of

(b) negatiewe resultate vir beestuberkulose getoon het soos in regulasie 3 (2) (b) beoog, hulle in afsondering gehou moet word vanaf sodanige eerste negatiewe toets totdat hulle op die eiendom in die Gebied Suidwes-Afrika aankom waarheen hulle ingebring word.

(3) The person in charge of any movement of cattle referred to in subregulation (2) shall—

(a) in the case of cattle referred to in paragraph (a) of that subregulation, be in possession of a copy of the certificate of freedom from bovine tuberculosis in respect of the cattle concerned;

(b) in the case of cattle referred to in paragraph (b) of that subregulation, be in possession of a written confirmation by a state veterinarian that the cattle concerned have shown negative results for bovine tuberculosis in two tests referred to in the said paragraph; or

(c) in the case of cattle referred to in paragraph (c) of that subregulation, be in possession of a statement by the owner of such cattle in which is stated—

(i) the name and address of the owner;

(ii) the name of the person in charge of the movement;

(iii) the name of the property from which the cattle are being moved;

(iv) the destination of the cattle;

(v) the breed of the cattle concerned, or if they are crossbreds, the breeds concerned;

(vi) the number of male and female animals and if applicable, the number of oxen being moved;

(vii) the colour and brand, tattoo or ear or other identification mark of each bovine concerned; and

(d) on demand by an officer, police officer, authorized person or the owner or occupier of a property across which the cattle concerned are being moved, produce the document referred to in paragraph (a), (b) or (c), as the case may be, for inspection.

Restrictions on the introduction of cattle into a bovine tuberculosis protected area

4. (1) Except under the authority of a permit, no person shall introduce cattle into a bovine tuberculosis protected area defined in Table B, or cause or permit cattle to be introduced into such area: Provided that such permit shall only be issued in respect of—

(a) cattle referred to in regulation 3 (2) (a) or (b); or

(b) cattle which are introduced into a bovine tuberculosis protected area for the sole purpose to be slaughtered at an abattoir situated within such area.

(2) Notwithstanding the provisions of subregulation (1) a person may only introduce cattle referred to in regulation 3 (2) (a) or (b) into the Territory of South West Africa or cause or permit such cattle to be introduced therein: Provided that if such cattle—

(a) originate from a herd referred to in regulation 3 (2) (a), they shall be kept in isolation from their removal from the property on which the herd concerned is kept until their arrival on the property in the Territory of South West Africa to which they are introduced; or

(b) have shown negative results for bovine tuberculosis as contemplated in regulation 3 (2) (b), they shall be kept in isolation from such first negative test until their arrival on the property in the Territory of South West Africa to which they are introduced.

Aansoek om 'n permit

5. (1) Iemand wat 'n permit vermeld in regulasie 3 (1) of 4 (1) verlang, moet skriftelik daarom aansoek doen by die staatsveearts van die area waarin die eiendom waarvandaan die beeste beweeg sal word geleë is.

(2) Sodanige aansoek moet, benewens die besonderhede vermeld in regulasie 3 (3) (c) (i), (ii) en (iv)—

(a) die roete aandui waarlangs die betrokke beeste beweeg sal word;

(b) die metode aandui waarvolgens die beeste beweeg sal word;

(c) die voorgenome datum aandui waarop die beweging sal geskied;

(d) die getal beeste aandui waarvoor die permit verlang word.

Misdrywe en strawwe

6. 'n Eienaar van beeste op 'n eiendom wat in 'n beestuberkulose-uitroeingsgebied geleë is wat, nadat hy ingevolge regulasie 2 (1) in kennis gestel is, dat hy sodanige beeste moet laat toets vir beestuberkulose, opsetlik weier of versuim om sodanige beeste vir die toediening van tuberkulien of na 72 uur van sodanige toediening vir die bepaling van die resultaat beskikbaar te stel, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar soos in paragraaf (ii) van artikel 28 (1) van die Wet aangedui.

Herroeping van regulasies

7. Die woordomsrywings van "grondeiendom" en "tuberkulose-vry bees" in regulasie 1 van die regulasies gepubliseer by Goewermentskennisgewing R. 1924 van 25 Oktober 1974, vir sover dit op Deel IV van daardie regulasies betrekking het en daardie Deel word hierby herroep.

Datum van inwerkingtreding

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

TABEL A**BEESTUBERKULOSE-UITROEIINGSGBIED**

Die landdrosdistrikte Bellville, Caledon, Die Kaap, Hermanus, Hopefield, Malmesbury, Paarl, Piketberg, Simonstad, Somerset-Wes, Stellenbosch, Strand, Tulbagh, Vredenburg, Wellington, Worcester en Wynberg.

TABEL B**BEESTUBERKULOSE-BESKERMDEGBIED**

Die Gebied Suidwes-Afrika en die landdrosdistrikte Bredasdorp, Calvinia, Ceres, Clanwilliam, Heidelberg (KP), Ladismith, Laingsburg, Montagu, Namakwaland, Riversdal, Robertson, Sutherland, Swellendam, Vanrhynsdorp, Vredendal, Walvisbaai en Williston.

No. R. 472

14 Maart 1980

WET OP MISSTOWWE, VEEVOEDSEL, LANDBOUMIDDELS EN VEEMIDDELS, 1947 (WET 36 VAN 1947)

VERBOD OP DIE VERKOOP OF GEBRUIK VAN SUPERFOSFAAT + Cu IN SEKERE GEBIEDE

Ek, Hendrik Stephanus Johan Schoeman, Minister van Landbou, handelende kragtens die bevoegdheid

Application for a permit

5. (1) A person requiring a permit referred to in regulation 3 (1) or 4 (1) shall apply therefor in writing to the state veterinarian of the area in which the property from where the cattle concerned are to be moved, is situated.

(2) Such application shall, in addition to the particulars referred to in regulation 3 (3) (c) (i), (ii) and (iv) indicate—

(a) the route along which the cattle concerned are to be moved;

(b) the method by which the cattle will be moved;

(c) the intended date on which the movement will occur;

(d) the number of cattle for which the permit is required.

Offences and penalties

6. An owner of cattle on a property situated in a bovine tuberculosis eradication area who, after having been notified in terms of regulation 2 (1) to have such cattle tested for bovine tuberculosis, wilfully refuses or fails to present such cattle for the administration of tuberculin or for the determination of the result after 72 hours of such administration, shall be guilty of an offence and liable on conviction as indicated in paragraph (ii) of section 28 (1) of the Act.

Repeal of regulations

7. The definitions of "landed property" and "tuberculosis-free bovine" in regulation 1 of the regulations published by Government Notice R. 1924 of 25 October 1974, in so far as it relates to Part IV of those regulations, and that Part are hereby repealed.

Date of commencement

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

TABLE A**BOVINE TUBERCULOSIS ERADICATION AREA**

The Magisterial Districts of Bellville, Caledon, Hermanus, Hopefield, Malmesbury, Paarl, Piketberg, Simonstown, Somerset West, Stellenbosch, Strand, The Cape, Tulbagh, Vredenburg, Wellington, Worcester and Wynberg.

TABLE B**BOVINE TUBERCULOSIS PROTECTED AREA**

The Territory of South West Africa and the Magisterial Districts of Bredasdorp, Calvinia, Ceres, Clanwilliam, Heidelberg (CP), Ladismith, Laingsburg, Montagu, Namaqualand, Riversdale, Robertson, Sutherland, Swellendam, Vanrhynsdorp, Vredendal, Walvis Bay and Williston.

No. R. 472

14 March 1980

FERTILIZERS, FARM FEEDS, AGRICULTURAL REMEDIES AND STOCK REMEDIES ACT, 1947 (ACT 36 OF 1947)

PROHIBITION ON THE SALE OR USE OF SUPER PHOSPHATE + Cu IN CERTAIN AREAS

I, Hendrik Stephanus Johan Schoeman, Minister of Agriculture, acting under the powers vested in me by

aan my verleen by artikel 7bis van die Wet op Misstowwe, Veevoedsel, Landboumiddels en Veemiddels, 1947 (Wet 36 van 1947)—

(a) verbied hierby die verkoop of gebruik van die misstof "Superfosfaat + Cu" in die Republiek, behalwe in die landdrosdistrikte in die Tabel hierby aangedui; en

(b) herroep hierby Goewermmentskennisgewing R. 1933 van 6 November 1970.

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

TABEL/TABLE

LANDDROSDISTRIKTE WAARIN SUPERFOSFAAT + Cu VERKOOP OF GEBRUIK MAG WORD/MAGISTERIAL DISTRICTS IN WHICH SUPER PHOSPHATE + Cu MAY BE SOLD OR USED

Bellville, Bredasdorp, Caledon, Calitzdorp, Ceres, Clanwilliam, Heidelberg, Hermanus, Hopefield, Jou-

section 7bis of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act 36 of 1947)—

(a) hereby prohibit the sale or use of the fertilizer "Super phosphate + Cu" in the Republic, except in the magisterial districts indicated in the Table hereto; and

(b) hereby repeal Government Notice R. 1933 of 6 November 1970.

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

bertina, Die Kaap/The Cape, Knysna, Ladismith, Malmesbury, Montagu, Mosselbaai, Namakwaland/Namqualand, Oudshoorn, Paarl, Pearston, Piketberg, Prins Albert/Prince Albert, Riversdal, Robertson, Simonstad, Somerset-Wes/Somerset West, Stellenbosch, Strand, Swellendam, Tulbagh, Uniondale, Vredenburg, Vredendal, Wellington, Worcester en Wynberg.

No. R. 473

14 Maart 1980

WET OP MISSTOWWE, VEEVOEDSEL, LANDBOUMIDDELS EN VEEMIDDELS, 1947 (WET 36 VAN 1947)

WYSIGING VAN DIE REGULASIES MET BETREKKING TOT MISSTOWWE

Die Minister van Landbou het kragtens artikel 23 (1) van die Wet op Misstowwe, Veevoedsel, Landboumiddels, 1947 (Wet 36 van 1947), die regulasies met betrekking tot misstowwe soos gepubliseer by Goewermmentskennisgewing R. 799 van 20 Mei 1977, verbeter by Goewermmentskennisgewing R. 1371 van 22 Julie 1977 en gewysig by Goewermmentskennisgewings R. 2296 van 1 November 1977 en R. 775 van 21 April 1978, verder soos volg gewysig:

(1) Regulasie 13 word gewysig deur—

(a) die woord "en" aan die einde van paragraaf (a) van subregulasie (1) te skrap;

(b) die punt aan die einde van paragraaf (b) van subregulasie (1) deur 'n kommapunt te vervang;

(c) die volgende paragraaf na paragraaf (b) van subregulasie (1) in te voeg:

"(c) in die geval van beenfosfaat, dit aan die vereistes vermeld in regulasie 16 (4) voldoen."

(2) Regulasie 15 word gewysig deur—

(a) subregulasie (1) deur die volgende subregulasie te vervang:

"(1) 'n Misstof wat chemies saamgestel is en meer as een van die plantvoedingstowwe stikstof, fosfor en kalium bevat asook waarby sink gevoeg is, word slegs onder 'n naam in kolom 1 van Tabel 4 hierby aangedui, geregistreer en verkoop indien die stikstofinhoud, fosforinhoud oplosbaar in 'n 2 persent sitroensuuroplossing en wateroplosbare kaliuminhoud en, wanneer sink bygevoeg is, die sinkinhoud daarvan is soos onderskeidelik in kolomme 2, 3, 4 en 5 van vermelde Tabel teenoor elke sodanige naam gespesifiseer."

(b) subregulasie (2) te skrap.

(3) Regulasie 17 word gewysig deur subregulasie (2) deur die volgende subregulasie te vervang:

"(2) Behoudens die bepalinge van subregulasie (1), word 2:3:0+Zn, 2:3:2+Zn, 2:3:4—chloorvry+Zn,

No. R. 473

14 March 1980

FERTILIZERS, FARM FEEDS, AGRICULTURAL REMEDIES AND STOCK REMEDIES ACT, 1947 (ACT 36 OF 1947)

AMENDMENT OF THE REGULATIONS REGARDING FERTILIZERS

The Minister of Agriculture has under section 23 (1) of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act 36 of 1947), further amended the regulations regarding fertilizers as published under Government Notice R. 779 of 20 May 1977, corrected by Government Notice R. 1371 of 22 July 1977 and amended by Government Notices R. 2296 of 1 November 1977 and R. 775 of 21 April 1978, as follows:

(1) Regulation 13 is amended by—

(a) the deletion of the word "and" at the end of paragraph (a) of subregulation (1);

(b) the substitution for the full stop at the end of paragraph (b) of subregulation (1) by a semicolon;

(c) the insertion after paragraph (b) of subregulation (1) of the following paragraph:

"(c) in the case of bone phosphate, it complies with the requirements specified in regulation 16 (4)."

(2) Regulation 15 is amended by—

(a) the substitution for subregulation (1) of the following subregulation:

"(1) A fertilizer which has been compounded chemically and which contains more than one of the plant nutrients nitrogen, phosphorus and potassium as well as to which zinc is added, shall only be registered and sold under a name indicated in column 1 of Table 4 hereto if the nitrogen contents, phosphorus contents soluble in a 2 per cent citric acid solution and water-soluble potassium contents and, when zinc is added, the zinc contents thereof are as respectively specified in columns 2, 3, 4 and 5 of the said Table opposite each such name."

(b) the deletion of subregulation (2).

(3) Regulation 17 is amended by the substitution for subregulation (2) of the following subregulation:

"(2) Subject to the provisions of subregulation (1) 2:3:0+Zn, 2:3:2+Zn, 2:3:4—chlorine free+Zn,

3:2:0+Zn en 3:2:1+Zn slegs aldus geregistreer en verindien die bygevoegde sinkinhoud daarvan—

(a) 0,5 percent of 1,0 percent is waar die som van die stikstof- en fosforinhoud van so 'n misstof minder as 20,0 percent is; of

(b) 0,75 percent of 1,5 percent is waar die som van die stikstof- en fosforinhoud van so 'n misstof 20,0 percent of meer is.”

(4) Tabele 2, 4 en 6 by vermelde regulasies word deur die ooreenstemmende Tabele hierby vervang.

3:2:0+Zn and 3:2:1+Zn shall only thus be registered and sold if the added zinc contents thereof—

(a) is 0,5 per cent or 1,0 per cent where the sum of the nitrogen and phosphorus contents of such fertilizer is less than 20,0 per cent; or

(b) is 0,75 per cent or 1,5 per cent where the sum of the nitrogen and phosphorus contents of such fertilizer is more than 20,0 per cent.”

(4) Tables 2, 4 and 6 to the said regulations are substituted for the corresponding Tables hereto.

TABEL/TABLE 2

VEREISTES VIR FOSFAATMISSTOWWE (Reg. 13)/REQUIREMENTS FOR PHOSPHATIC FERTILIZERS (Reg. 13)

Naam van misstof Name of fertilizer	Water-oplosbare fosforinhoud Water soluble phosphorus contents	Fosfor- inhoud oplosbaar in 'n 2 per- sent sitroen- suur- oplossing Phosphorus contents soluble in a 2 per cent citric acid solution	Totale fosfor- inhoud Total phosphorus contents	Verdere vereistes Further requirements	Besonderhede van plant- voedingstowwe wat aange- dui moet word Particulars of plant nutrients to be indicated
1	2	3	4	5	6
Superfosfaat (super)/Superphosphate (super)	% 8,0 minimum	% —	% —	—	Wateroplosbare fosforinhoud / Water-soluble phosphorus contents (P)
Superfosfaat & Cu/Superphosphate & Cu	8,0 minimum	—	—	1,0% Koper (Cu) as Koper-oksichloried/1,0% Copper (Cu) as Copper-oxychloride	
Dubbelsuperfosfaat (dubbelsuper)/Double superphosphate (double super)	19,5 minimum	—	—	—	
Basiese superfosfaat (basiese super)/Basic superphosphate (basic super)	1,3 maksimum/ maximum	7,5 minimum	—	Moet uit 'n mengsel van superfosfaat en kalk bestaan/ Shall consist of a mixture of superphosphate and lime	Fosforinhoud oplosbaar in 'n 2 percent sitroensuur-oplossing/Phosphorus contents soluble in a 2 per cent citric acid solution (P).
Basiese dubbelsuperfosfaat Basic double superphosphate	3,5 maksimum/ maximum	18,0 minimum	—	Moet uit 'n mengsel van dubbelsuperfosfaat en kalk bestaan/ Shall consist of a mixture of double superphosphate and lime	
Slakmeel/Basic slag.....	—	7,0 minimum	—	Moet 'n neweproduk by die vervaardiging van staal wees en so fyn wees dat minstens 80 percent daarvan deur 'n 150 mikrometer standaard sif sal gaan/ Shall be a by-product of the manufacturing of steel and be so fine that at least 80 per cent thereof will pass through a 150 micrometre standard sieve	

Naam van misstof Name of fertilizer	Water-oplosbare fosforinhoud Water soluble phosphorus contents	Fosfor- inhoud oplosbaar in 'n 2 per- sent sitroen- suur oplossing Phosphorus contents soluble in a 2 per cent citric acid solution	Totale fosfor- inhoud Total phosphorus contents	Verdere vereistes Further requirements	Besonderhede van plant- voedingstowwe wat aange- dui moet word Particulars of plant nutrients to be indicated
1	2	3	4	5	6
Behandelde fosfaat/Treat- ed phosphate	%	% 6,0 minimum	% 8,0 minimum	(i) Moet 'n natuurlike fosfaat wees wat deur samesmelting met 'n ander stof of deur chemiese behandeling meer doeltreffend as 'n misstof geword het/Shall be a natural phosphate which, through fusion with another substance or chemical treatment, has become more effective as a fertilizer (ii) Indien in korrelvorm, moet dit so fyn wees dat alles daarvan deur 'n 1,70-mm-standaardsif sal gaan/If in granular form it shall be so fine that all of it will pass through a 1,70 mm standard sieve (iii) Indien in poeivorm, moet dit so fyn wees dat minstens 80 persent daarvan deur 'n 150 mikrometer standaard-sif sal gaan/If in powder form it shall be so fine that at least 80 per cent thereof will pass through a 150 micrometre standard sieve	
Rufosfaat/Raw phosphate..	—	2,6 minimum	8,0 minimum	(i) Moet 'n natuurlike fosfaat wees wat hoofsaaklik uit trikalsiumfosfaat bestaan en wat aan geen verwerking anders as vergruising, droging, sifting of meganiese konsentrasie onderwerp is nie/Shall be a natural phosphate consisting mainly of tricalcium phosphate and which has been subjected to no processing other than crushing, drying, sifting or mechanical concentration (ii) Moet so fyn wees dat minstens 80 persent daarvan deur 'n 150 mikrometer standaard-sif sal gaan/Shall be so fine that at least 80 per cent thereof will pass through a 150 micrometre standard sieve Moet uit 'n mengsel van superfosfaat (super) en rufosfaat bestaan/Shall consist of a mixture of superphosphate (super) and raw phosphate	(i) Fosforinhoud oplosbaar in 'n 2 persent sitroensuuroplossing / Phosphorus contents soluble in a 2 per cent citric acid solution (P). (ii) Totale fosforinhoud/ Total phosphorus contents (P).
Super en rufosfaat/Super and raw phosphate	3,5 minimum	5,7 minimum	11,0 minimum		(i) Wateroplosbare fosforinhoud / Water-soluble phosphorus contents (P). (ii) Fosforinhoud oplosbaar in 'n 2 persent sitroensuuroplossing / Phosphorus contents soluble in a 2 per cent citric acid solution (P). (iii) Totale fosforinhoud/ Total phosphorus contents (P).
Fosforsuur/Phosphoric acid	—	—	20,0	—	Totale fosforinhoud/Total phosphorus contents (P).
Beenfosfaat/Bone phosphate	—	4,4 minimum	11,4 minimum	Moet so fyn wees dat alles deur 'n 1,70-mm-standaardsif sal gaan/Shall be so fine that all of it will pass through a 1,70-mm standard sieve	(i) Fosforinhoud oplosbaar in 'n 2% sitroensuurooplossing/Phosphorus contents soluble in a 2% citric acid solution (P). (ii) Totale fosforinhoud/ Total phosphorus contents (P).

TABEL/TABLE 4

VEREISTES VIR CHEMIESE SAAMGESTELDE MISSTOWWE (Reg. 15)
 REQUIREMENTS FOR CHEMICAL COMPOUND FERTILIZERS (Reg. 15)

Naam van misstof Name of fertilizer	Minimum stikstof- inhoud Minimum nitrogen contents	Minimum fosforinhoud oplosbaar in 'n 2% sitroensuur- oplossing Minimum phosphorus contents soluble in a 2% citric acid solution	Minimum water- oplosbare kaliuminhoud Minimum water- soluble potassium contents	Sinkinhoud waar sink bygevoeg mag word Zinc contents where zinc may be added	Besonderhede van plantvoeding- stowwe wat aangedui moet word Particulars of plant nutrients to be indicated
1	2	3	4	5	6
Kaliumnitraat/Potassium nitrate.....	10,0	—	29,9	—	(i) Stikstofinhoud/Nitrogen contents (N) (ii) Wateroplosbare kaliuminhoud / Water soluble potassium contents (K)
Ammoniumfosfaat/Ammonium phosphate	10,0	20,0	—	—	
Geammonifiseerde superfosfaat/Ammoniated superphosphate	2,5	8,0	—	—	
Geammonifiseerde dubbel super fosfaat / Ammoniated double superphosphate	5,5	18,0	—	—	
Ammoniumfosfaat + Zn / Ammonium phosphate + Zn	10,0	20,0	—	0,5 of/or 0,75 of/or 1,0 of/or 1,25 of/or 1,50	(i) Stikstofinhoud/Nitrogen contents (N)
Geammonifiseerde superfosfaat + Zn / Ammoniated superphosphate + Zn	2,5	8,0	—		(ii) Fosforinhoud oplosbaar in 'n 2% sitroensuurooplossing/Phosphorus contents soluble in a 2% citric acid solution (P)
Geammonifiseerde dubbelsuperfosfaat + Zn / Ammoniated double superphosphate + Zn	5,5	18,0	—		(iii) Sinkinhoud/Zinc contents (Zn)

TABEL/TABLE 6

VEREISTES VIR KUNSMATIGE GEMENGDE MISSTOWWE (Reg. 17)
 REQUIREMENTS FOR ARTIFICIALLY MIXED FERTILIZERS (Reg. 17)

Naam van misstof en verhouding (in volgorde) van van stikstof, fosfor en kalium daarin Name of fertilizer and ratio (in sequence) of nitrogen, phosphorus and potassium therein	Minimum van som van stikstofinhoud en fosfor- en kaliuminhoud oplosbaar in 'n 2 persent sitroensuurooplossing Minimum of sum of nitrogen contents and phosphorus and potassium contents soluble in a 2 per cent citric acid solution	Besonderhede van plantvoedingstowwe wat aangedui moet word Particulars of plant nutrients to be indicated	Besonderhede wat saam met naam aangedui moet word Particulars to be indicated together with name
1	2	3	4
1:0:1.....	29.....	(i) Stikstofinhoud/Nitrogen contents (N) (ii) Fosforinhoud oplosbaar in 'n 2 persent sitroensuurooplossing / Phosphorus contents soluble in a 2 per cent citric acid solution (P) (iii) Kaliuminhoud oplosbaar in 'n 2 persent sitroensuurooplossing/ Potassium contents soluble in a 2 per cent citric acid solution (K)	(i) Die som van die plantvoedingstowwe in kolom 2 vermeld/The sum of the plant nutrients referred to in column 2 (ii) Die toepaslike uitdrukking/The applicable expression: "Korrel"/"Granulated". "Poeier"/"Powder". "Vloeistof"/"Liquid". "Oplossing"/"Solution". "Wateroplosbaar" of die afkorting "WO" daarvoor/"Water-soluble" or the abbreviation "WS" therefore
2:2:1.....	22.....		
2:3:0.....	15.....		
2:3:2.....	14.....		
2:3:4.....	21.....		
2:3:4 Cl-vry/free.....	21.....		
3:2:0.....	20.....		
3:2:1.....	22.....		
3:1:5.....	26.....		
3:1:5 Cl-vry/free.....	26.....		
4:1:0.....	20.....	(i) Stikstofinhoud / Nitrogen contents (N) (ii) Fosforinhoud oplosbaar in 'n 2 persent sitroensuurooplossing/ Phosphorus contents soluble in a 2 per cent citric acid solution (P) (iii) Kaliuminhoud oplosbaar in 'n 2 persent sitroensuurooplossing/ Potassium contents soluble in a 2 per cent citric acid solution (K) (iv) Die werklike persentasie sink (0,5 of 0,75 of 1,0 of 1,25 of 1,5, na gelang van die geval)/ The actual percentage of zinc (0,5 or 0,75 or 1,0 or 1,25 or 1,5, as the case may be)	
4:1:1.....	21.....		
5:1:5.....	22.....		
2:3:0+Zn.....	15.....		
2:3:2+Zn.....	14.....		
2:3:4 Cl-vry/free+Zn.....	21.....		
3:2:0+Zn.....	20.....		
3:2:1+Zn.....	22.....		

DEPARTEMENT VAN MANNEKRAG-BENUTTING

No. R. 510

14 Maart 1980

WET OP NYWERHEIDSVERSOENING, 1956

VERVOERBEDRYF—NIE-BLANKE PASSASIERE, DURBAN.—VERLENGING VAN HOOFOOREENKOMS

Ek, Stephanus Petrus Botha, Minister van Mannekragbenutting, verleng hierby, kragtens artikel 48 (4) (a) (i) van die Wet op Nywerheidsversoening, 1956, die tydperke vasgestel in Goewermentskennisgewings R. 1672 van 17 September 1976, R. 809 van 13 Mei 1977 en R. 2138 van 21 September 1979, met 'n verdere tydperk van 12 maande wat op 26 Maart 1981 eindig.

S. P. BOTHA, Minister van Mannekragbenutting.

No. R. 511

14 Maart 1980

WET OP NYWERHEIDSVERSOENING, 1956

VERVOERBEDRYF—NIE-BLANKE PASSASIERE, DURBAN.—WYSIGING VAN HOOFOOREENKOMS

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

(a) kragtens artikel 48 (1) (a) van die Wet op Nywerheidsversoening, 1956, dat die bepalings van die Ooreenkoms (hierna die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en op die Vervoerbedryf—Nie-Blanke Passasiers betrekking het, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 26 Maart 1981 eindig, bindend is vir die werkgewersorganisasie en die vakvereniging wat die Wysigingsooreenkoms aangegaan het en vir die werknemers wat lede van genoemde organisasie of vereniging is;

(b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 26 Maart 1981 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 Bedryf in die landroosdistrik Durban (uitgesonderd daardie gedeelte wat voor die publikasie van Goewermentskennisgewing 1401 van 16 Augustus 1968 binne die landroosdistrik Umlazi geval het); en

(c) kragtens artikel 48 (3) (a) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 26 Maart 1981 eindig, in die gebied gespesifiseer in paragraaf (b) van hierdie kennisgewing *mutatis mutandis* bindend is vir alle persone wat nie werknemers is nie en wat in diens is in genoemde Bedryf 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 Mannekragbenutting.

DEPARTMENT OF MANPOWER UTILISATION

No. R. 510

14 March 1980

INDUSTRIAL CONCILIATION ACT, 1956

NON-EUROPEAN PASSENGER TRANSPORTATION TRADE, DURBAN.—EXTENSION OF MAIN AGREEMENT

I, Stephanus Petrus Botha, Minister of Manpower Utilisation, hereby in terms of section 48 (4) (a) (i) of the Industrial Conciliation Act, 1956, extend the periods fixed in Government Notices R. 1672 of 17 September 1976, R. 809 of 13 May 1977 and R. 2138 of 21 September 1979, by a further period of 12 months ending 26 March 1981.

S. P. BOTHA, Minister of Manpower Utilisation.

No. R. 511

14 March 1980

INDUSTRIAL CONCILIATION ACT, 1956

NON-EUROPEAN PASSENGER TRANSPORTATION TRADE, DURBAN.—AMENDMENT OF MAIN 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 (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Non-European Passenger Transportation Trade, shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 26 March 1981, upon the employers' organisation and the trade union which entered into the Amending Agreement and upon the employers and employees who are members of the said organisation or union;

(b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 26 March 1981, upon all employers and employees other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Trade in the Magisterial District of Durban (excluding that portion which, prior to the publication of Government Notice 1401 of 16 August 1968, fell within the Magisterial District of Umlazi); and

(c) in terms of section 48 (3) (a) of the said Act, declare that, in the area specified in paragraph (b) of this notice and with effect from the second Monday after the date of publication of this notice and for the period ending 26 March 1981, the provisions of the Amending Agreement shall *mutatis mutandis* be binding upon all persons who are not employees and who are employed in the said Trade 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.

BYLAE

NYWERHEIDSRAAD VIR DIE VERVOERBEDRYF.—
NIE-BLANKE PASSASIERE, DURBAN

OOREENKOMS

ingevoelge die Wet op Nywerheidsversoening, 1956, gesluit deur en aangegaan tussen die

Bus Owners' Association

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

Natal Passenger Transport Employees' Union

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

wat die partye is by die Nywerheidsraad vir die Vervoerbedryf—Nie-Blanke Passasiers, Durban, om die Ooreenkoms gepubliseer by Goewermmentskennisgewing R. 1672 van 17 September 1976, soos gewysig en verleng by Goewermmentskennisgewings R. 809 van 13 Mei 1977 en R. 2138 van 21 September 1979, soos volg te wysig:

KLOUSULE 4.—LONE

Vervang subklousule (1) (a) deur die volgende:

"(1) Die minimum loon wat 'n werkgewer aan elke lid van ondervermelde klasse van sy werknemers moet betaal, is soos volg:

"(a) Werknemers uitgesonderd los werknemers:

	Per week R
Ambagsman.....	67,20
Busdrywer.....	52,80
Nasiener.....	29,35
Klerk, gekwalifiseer.....	55,85
Klerk, ongekwalifiseer—	
gedurende die eerste jaar ondervinding.....	29,35
gedurende die tweede jaar ondervinding.....	34,62
gedurende die derde jaar ondervinding.....	39,62
gedurende die vierde jaar ondervinding.....	45,23
Afsender.....	52,80
Faktotum.....	39,60
Inspekteur.....	38,40
Arbeider.....	23,00
Tou-opsigter.....	27,60
Wag.....	26,50

Namens die partye op hede die 25ste dag van Januarie 1980 te Durban onderteken.

R.INDERJEET, Voorsitter.

A. R. NAIDOO, Ondervoorsitter.

L. M. GOVENDER, Sekretaris.

No. R. 512

14 Maart 1980

WET OP NYWERHEIDSVERSOENING, 1956

LEKKERGOEDNYWERHEID, JOHANNESBURG.
—WYSIGING VAN HOOFOOREENKOMS

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

(a) kragtens artikel 48 (1) (a) van die Wet op Nywerheidsversoening, 1956, dat die bepalinge van die Ooreenkoms (hierna die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en op die Lekkergoednywerheid betrekking het, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 13 April 1982 eindig, bindend is vir die werkgewersorganisasie en die vakvereniging wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasie of vereniging is;

(b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalinge van die Wysigingsooreenkoms, uitgesonderd dié vervat in klousule 1 (1) (a), met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op

SCHEDULE

INDUSTRIAL COUNCIL FOR THE NON-EUROPEAN
PASSENGER TRANSPORTATION TRADE, DURBAN

AGREEMENT

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

Bus Owners' Association

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

Natal Passenger Transport Employees' Union

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

being the parties to the Industrial Council for the Non-European Passenger Transportation Trade, Durban, to amend the Agreement published under Government Notice R. 1672 of 17 September 1976, as amended, and extended by Government Notices R. 809 of 13 May 1977 and R. 2138 of 21 September 1979, as follows:

CLAUSE 4.—WAGES

Substitute the following for subclause (1) (a):

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

(a) Employees other than casual employees:

	Per week R
Artisan.....	67,20
Bus Driver.....	52,80
Checker.....	29,35
Clerk, qualified.....	55,85
Clerk, unqualified—	
during first year of experience.....	29,35
during second year of experience.....	34,62
during third year of experience.....	39,62
during fourth year of experience.....	45,23
Despatcher.....	52,80
Handyman.....	39,60
Inspector.....	38,40
Labourer.....	23,00
Queue marshal.....	27,60
Watchman.....	26,50

Signed on behalf of the parties at Durban this 25th day of January 1980.

R.INDERJEET, Chairman.

A. R. NAIDOO, Vice-Chairman.

L. M. GOVENDER, Secretary.

No. R. 512

14 March 1980

INDUSTRIAL CONCILIATION ACT, 1956

SWEETMAKING INDUSTRY, JOHANNESBURG.
—AMENDMENT OF MAIN 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 (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Sweetmaking Industry, shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 13 April 1982, upon the employers' organisation and the trade union which entered into the Amending Agreement and upon the employers and employees who are members of the said organisation or union;

(b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement, excluding those contained in clause 1 (1) (a), shall be binding, with effect from the second Monday after the date of publication of this notice and for

13 April 1982 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 gebiede gespesifiseer in klousule 1 (1) (b) van die Wysigingsooreenkomste; en

(c) kragtens artikel 48 (3) (a) van genoemde Wet, dat die bepalinge van die Wysigingsooreenkomste, uitgesonderd dié vervat in klousule 1 (1) (a), met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 13 April 1982 eindig, in die gebiede gespesifiseer in klousule 1 (1) (b) van die Wysigingsooreenkomste *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 engeen van genoemde bepalinge ten opsigte van werknemers bindend is en vir daardie werkgewers ten opsigte van sodanige persone in hul diens.

S. P. BOTHA, Minister van Mannekragbenutting.

BYLAE

NYWERHEIDSRAAD VIR DIE LEKKERGOED- NYWERHEID (JOHANNESBURG)

OOREENKOMS

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

Sweet Industries Association (Transvaal)

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

Sweet Workers' Union

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

wat die partye is by die Nywerheidsraad vir die Lekkergoednywerheid (Johannesburg), om die Hofooreenkomste, gepubliseer by Goewermentskennisgewing R. 614 van 30 Maart 1979, te wysig.

1. TOEPASSINGSBESTEK VAN OOREENKOMS

(1) Hierdie Ooreenkomste moet in die Lekkergoednywerheid nagekom word—

(a) deur alle werkgewers wat lede van die werkgewersorganisasie is en deur alle werknemers wat lede van die vakvereniging is;

(b) in die landdrostdistrik Johannesburg (uitgesonderd daardie gedeeltes wat voor die publikasie van Goewermentskennisgewings 2448, 521 en 1383 van onderskeidelik 3 Desember 1954, 18 Maart 1955 en 11 September 1964, binne die landdrostdistrik Roodepoort geval het, uitgesonderd daardie gedeeltes wat ingevolge Goewermentskennisgewing 1618 van 2 Oktober 1970 vanaf die landdrostdistrikte Roodepoort, Kempton Park en Germiston oorgeplaas is en uitgesonderd daardie gedeeltes wat ingevolge Goewermentskennisgewing 871 van 26 Mei 1972 vanaf die landdrostdistrik Kempton Park oorgeplaas is) en in daardie gedeeltes van die landdrostdistrikte Kempton Park en Randburg wat, onderskeidelik, voor die publikasie van Goewermentskennisgewing 553 van 29 Maart 1956 en voor 1 Januarie 1975 (Goewermentskennisgewing 2152 van 22 November 1974), binne die landdrostdistrik Johannesburg geval het.

2. KLOUSULE 7.—JAARLIKSE VERLOF

(1) Vervang subklousule (1) (a) (i) deur die volgende:

"(i) In die geval van 'n werknemer in (a) bedoel, minstens drie maal die weekloon waarop hy geregtig is wanneer die verlof verskuldig word, plus agt maal sodanige weekloon gedeel deur die getal dae wat sodanige werknemer gewoonlik in een week werk of, indien die getal dae wat sodanige werknemer gewoonlik werk van week tot week verskil, gedeel deur die gemiddelde getal dae bereken vir die vier weke voor die datum van sy verlof: Met dien verstande egter dat, wanneer voornoemde berekenings gemaak word van die verlofbesoldiging wat verskuldig is, wanneer sodanige werknemer besoldig word ooreenkomstig klousule 6 (10) (b) (ii), die ekstra dag aldus per week gewerk afgetrek moet word van die getal dae

the period ending 13 April 1982, 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 areas specified in clause 1 (1) (b) of the Amending Agreement; and

(c) in terms of section 48 (3) (a) of the said Act, declare that in the areas specified in clause 1 (1) (b) of the Amending Agreement and with effect from the second Monday after the date of publication of this notice and for the period ending 13 April 1982, the provisions of the Amending Agreement, excluding those contained in clause 1 (1) (a), 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.

SCHEDULE

INDUSTRIAL COUNCIL FOR THE SWEETMAKING INDUSTRY, JOHANNESBURG

AGREEMENT

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

Sweet Industries Association (Transvaal)

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

Sweet Workers' Union

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

being the parties to the Industrial Council for the Sweetmaking Industry (Johannesburg), to amend the Main Agreement published under Government Notice R. 614 of 30 March 1979.

1. SCOPE OF APPLICATION OF AGREEMENT

(1) The terms of this Agreement shall be observed in the Sweetmaking Industry—

(a) by all employers who are members of the employers' organisation and all employees who are members of the trade union;

(b) in the Magisterial District of Johannesburg (excluding those portions which, prior to the publication of Government Notices 2448, 521 and 1383 of 3 December 1954, 18 March 1955 and 11 September 1964, respectively, fell within the Magisterial District of Roodepoort, excluding those portions which were, in terms of Government Notice 1618 of 2 October 1970, transferred from the Magisterial Districts of Roodepoort, Kempton Park and Germiston, and excluding those portions which were in terms of Government Notice 871 of 26 May 1972, transferred from the Magisterial District of Kempton Park) and in those portions of the Magisterial Districts of Kempton Park and Randburg which prior to the publication of Government Notice 553 of 29 March 1956, and prior to 1 January 1975 (Government Notice 2152 of 22 November 1974), respectively, fell within the Magisterial District of Johannesburg.

2. CLAUSE 7.—ANNUAL LEAVE

(1) Substitute the following for subclause (1) (a) (i):

"(i) in the case of an employee referred to in (a), not less than three times the weekly wage to which he is entitled when the leave is due, plus eight times such weekly wage divided by the number of days such employee normally works in one week or, if the number of days such employee works vary from week to week, divided by the average number of days calculated over the four weeks prior to the date of his leave: Provided, however, in making the aforesaid calculations of the leave pay due, where such an employee is being remunerated in terms of clause 6 (10) (b) (ii), the extra day so worked per week shall be subtracted from the number of days such

wat sodanige werknemer gewoonlik in een week werk en dat die dubbele besoldiging afgetrek moet word van sy gewone weekloon; en".

2. In subklousule (2) (iii), na die woorde "dag moet ontvang"; voeg die volgende woorde in: "Met dien verstande dat hierdie subklousule nie op wagt van toepassing is nie;"

3. KLOUSULE 18.—UITGAWES VAN DIE RAAD

Voeg die volgende voorbehoudsbepaling aan die einde van subklousule (1) in: "Met dien verstande dat vanaf 11 April 1980 genoemde bedrae van '4c' en '5c' na onderskeidelik '6c' en '7c' verhoog moet word."

Namens die partye op hede die 27ste dag van November 1979 te Johannesburg onderteken.

R. H. BENNETT, Voorsitter.

I. LITTLEFORD, Ondervoorsitter.

W. B. FLOWERS & COMPANY, Sekretaris.

employee normally works in one week and the double remuneration shall be subtracted from his normal weekly wage; and".

(2) In subclause 2 (iii) after the words "each such day added;" add the words "Provided that this subclause shall not apply to watchmen;"

3. CLAUSE 18.—EXPENSES OF THE COUNCIL

Add the following proviso at the end of subclause (1):

"Provided however that as from 11 April 1980 the said amounts of '4c' and '5c' shall be increased to '6c' and '7c' respectively."

Signed at Johannesburg on behalf of the parties this 27th day of November 1979.

R. H. BENNETT, Chairman.

I. LITTLEFORD, Vice-Chairman.

W. B. FLOWERS & COMPANY, Secretaries.

DEPARTEMENT VAN OPENBARE WERKE

No. R. 509

14 Maart 1980

KENNISGEWING INGEVOLGE ARTIKEL 7 (4) VAN DIE WET OP ARGITEKTE, 1970 (WET 35 VAN 1970)

Kennisgewing geskied hierby ingevolge artikel 7 (4) van die Wet op Argitekte, 1970 (Wet 35 van 1970), dat ek, Andries Petrus Treurnicht, Minister van Openbare Werke, van voorneme is om kragtens artikel 7 (3) (b) van genoemde Wet, die voorsienings in die Bylae uiteengesit binne agt weke vanaf die datum van publikasie hiervan te maak.

Belanghebbendes word hierby versoek om besware teen of vertoë aangaande die voorgestelde voorsienings binne vier weke vanaf die datum van hierdie kennisgewing skriftelik voor te lê aan die Sekretaris van Openbare Werke, Privaatsak X65, Pretoria, 0001.

BYLAE

1. In hierdie Bylae, tensy uit die samehang anders blyk, beteken die uitdrukking "die Regulasies" die regulasies afgekondig by Goewermentskennisgewing R. 1408 van 25 Julie 1975.

2. Klousule 3.1.1 van die Regulasies word deur die volgende klousule vervang:

"3.1.1 Prinsipale, vennote en direkteure: R30."

3. Klousule 8 van die Regulasies word deur die volgende klousule vervang:

"8. OPTREDE AS ARBITER, SKEIDSREGTER EN ASSESSOR.

8.1 Vir optrede as arbiter waar daar meer as een arbiter is, of vir optrede as assessor, word die gelde bereken teen minstens die uurtarief vir prinsipale, vennote en direkteure soos in klousule 3.1.1 voorgeskryf plus 25 persent onderworpe aan 'n minimum vordering van twee maal genoemde uurtarief.

8.2 Vir optrede as die enigste arbiter of skeidsregter word die gelde bereken teen minstens die uurtarief vir prinsipale, vennote en direkteure soos in klousule 3.1.1 voorgeskryf plus 75 persent onderworpe aan 'n minimum vordering van drie maal genoemde uurtarief.

8.3 Die gelde voorgeskryf in klousules 8.1 en 8.2 is van toepassing ten opsigte van die tyd wat in beslag geneem word deur bywoning van die arbitrasiehof, die bestudering van die getuienis en die formulering van die beslissing."

4. Klousule 9 van die Regulasies word hierby herroep.

DEPARTMENT OF PUBLIC WORKS

No. R. 509

14 March 1980

NOTICE IN TERMS OF SECTION 7 (4) OF THE ARCHITECTS' ACT, 1970 (ACT 35 OF 1970)

Notice is hereby given, in terms of section 7 (4) of the Architects' Act, 1970 (Act 35 of 1970), that I, Andries Petrus Treurnicht, Minister of Public Works, propose making the provisions as set out in the Schedule hereto, in terms of section 7 (3) (b) of the said Act, within eight weeks of the date of publication hereof.

Interested parties are hereby invited to submit any objections to or representations concerning the proposed provisions, in writing, to the Secretary for Public Works, Private Bag X65, Pretoria, 0001, within four weeks of the date of this notice.

SCHEDULE

1. In this Schedule, unless the context otherwise indicates, the expression "the Regulations" means the regulations promulgated under Government Notice R. 1408 of 25 July 1975.

2. The following is hereby substituted for clause 3.1.1 of the Regulations:

"3.1.1 Principals, partners and directors: R30."

3. The following is hereby substituted for clause 8 of the Regulations:

"8. ACTING AS ARBITRATOR, UMPIRE AND ASSESSOR.

8.1 For acting as arbitrator, where there is more than one arbitrator, or for acting as assessor, the fee shall be calculated at not less than the hourly time charge for principals, partners and directors prescribed in clause 3.1.1 plus 25 per cent, subject to a minimum charge of twice the said hourly rate.

8.2 For acting as sole arbitrator or umpire the fee shall be calculated at not less than the hourly time charge for principals, partners and directors prescribed in clause 3.1.1 plus 75 per cent, subject to a minimum charge of three times the said hourly rate.

8.3 The fees set out in clauses 8.1 and 8.2 shall apply to time spent in attending the arbitration court, in studying evidence and in framing the award."

4. Clause 9 of the Regulations is hereby repealed.

DEPARTEMENT VAN VERDEDIGING

No. R. 493

14 Maart 1980

AFKONDIGING VAN ALGEMENE REGULASIES VIR DIE SUID-AFRIKAANSE WEERMAG EN DIE RESERWE

Die Staatspresident het kragtens artikel 87 (1) (rA) van die Verdedigingswet, 1957 (Wet 44 van 1957), die Algemene Regulasies vir die Suid-Afrikaanse Weermag en die Reserwe, soos in die Bylae hiertoe vervat, gemaak:

**BYLAE
HOOFSTUK VIII**

VERPLIGTE VERSEKERING VIR MILITÊRE DIENS IN DIE SUID-AFRIKAANSE WEERMAG*Woordomskrywings*

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

“afhanklike”—

(a) die wetlik erkende vrou van 'n lid en 'n afhanklike kind (insluitende 'n wettige aangenome of stiefkind) wat permanent by hom inwoon;

(b) die man van 'n lid en 'n afhanklike kind (insluitende 'n wettige aangenome of stiefkind) wat permanent by haar inwoon en wat na die oordeel van Hoof van Staf Personeel ten volle van haar afhanklik is;

(c) 'n familielid van 'n lid wat permanent by die lid inwoon en noodsaaklikerwys van die lid afhanklik is en wie se inkomste, uit enige bron, nie meer is nie as die bedrag van die basiese maatskaplike pensioen voorgeskryf by die regulasies uitgevaardig kragtens—

(i) die Wet op Maatskaplike Pensioene, 1973 (Wet 37 van 1973), deur—

(aa) die Minister van Volkswelsyn en Pensioene ten opsigte van Blankes;

(bb) die Minister van Indiërsake ten opsigte van Indiërs; en

(cc) die Minister van Samewerking en Ontwikkeling of die Minister van Onderwys en Opleiding ten opsigte van Swartes; of

(ii) Die Wet op Maatskaplike Pensioene vir Kleurlinge, 1974 (Wet 1 van 1974), deur die Verteenwoordigende Kleurlingraad ten opsigte van Kleurlinge:

Met dien verstande dat waar twee familieledes aldus by hom inwoon en van hom afhanklik is en die een familielid normaalweg 'n afhanklike van die ander familielid sou wees, by 'n vader en moeder, albei sodanige familieledes geag kan word lede van die huishouding te wees slegs as die helfte van hulle gesamentlike inkomste, uit enige bron, nie meer is nie as die bedrag van die toepaslike maksimum basiese maatskaplike pensioen hierbo bedoel;

“die Reserwe” die Reserwe soos bedoel in artikel 6 van die Verdedigingswet, 1957 (Wet 44 van 1957), uitgesonderd die Staandemagreserwe;

“die Skema” 'n Groepsleuensversekeringskema, met ongeskiktheidsvoordele, vir dekking vir militêre diens in die SA Weermag;

“effektiewe datum” die datum waarop die Skema in werking tree;

“kalendermaand” 'n tydperk wat strek vanaf 'n bepaalde dag in enige maand tot en met die dag wat die dag voorafgaan wat numeriek ooreenstem met daardie dag in die volgende maand;

DEPARTMENT OF DEFENCE

No. R. 493

14 March 1980

PROMULGATION OF GENERAL REGULATIONS FOR THE SOUTH AFRICAN DEFENCE FORCE AND THE RESERVE

The State President has in terms of section 87 (1) (rA) of the Defence Act, 1957 (Act 44 of 1957), made the General Regulations for the South African Defence Force and the Reserve as contained in the Annexure hereto:

ANNEXURE**CHAPTER VIII****COMPULSORY INSURANCE FOR MILITARY SERVICE IN THE SOUTH AFRICAN DEFENCE FORCE***Definitions*

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

“calendar month” means a period extending from a particular day in any month up to and including the day which precedes the day in the following month which corresponds numerically to that day;

“dependant” means—

(a) the lawful recognised wife of a member and a dependent child (including a legally adopted child or a stepchild) who is permanently resident with him;

(b) the husband of a member and a dependent child (including a legally adopted child or a stepchild) who is permanently resident with her and who is in the opinion of Chief of Staff Personnel fully dependent on her;

(c) a relative of a member who is permanently resident with and necessarily dependent on the member and whose income, from any source, does not exceed the appropriate maximum basic social pension as prescribed by regulations promulgated in terms of—

(i) the Social Pensions Act, 1973 (Act 37 of 1973), by—

(aa) the Minister of Social Welfare and Pensions in respect of Whites; or

(bb) the Minister of Indian Affairs in respect of Indians; or

(cc) the Minister of Co-operation and Development or the Minister of Education and Training in respect of Blacks; or

(ii) the Social Pensions Act for Coloureds, 1974 (Act 1 of 1974), by the Coloured Persons Representative Council in respect of Coloureds:

Provided that where two relatives reside with him and are dependent on him in this manner, and where the one relative would normally have been dependent on the other relative, for instance a father and a mother, both such relatives may be deemed members of his household only if half of their joint income, from any source, does not exceed the amount of the appropriate maximum basic social pension as contemplated above;

“effective date” means the date on which the Scheme comes into operation;

“member” means a member who is rendering military service and who participates in the Scheme;

“military service” means full-time or continuous service or training in the SA Defence Force undertaken or to be undertaken in terms of the Defence Act, 1957

"lid" 'n lid wat militêre diens verrig en wat aan die Skema deelneem;

"militêre diens" voltydse of ononderbroke diens of opleiding in die SA Weermag wat ingevolge die Verdedigingswet, 1957 (Wet 44 van 1957), onderneem word of moet word, insluitende deelname aan liggaamsoefeninge en goedgekeurde sportsoorte op 'n georganiseerde grondslag in die SA Weermag, asook die reistyd na of van sodanige diens of opleiding met die voorbehoud dat reistyd beperk word tot die kortste tyd wat noodwendig opgeneem sal word deur met staats- of openbare vervoer te reis;

"standaardvoordeel" 'n bedrag van R10 000.

Verpligte deelname

2. Alle lede van die SA Weermag en die Reserwe (uitgesonderd lede van die Staande Mag en enige ander besondere klas van lede van die SA Weermag soos in regulasie 3 bepaal) is verplig om aan die Skema deel te neem terwyl hulle militêre diens verrig of opleiding ondergaan.

Ontheffing van besondere klasse lede

3. 'n Lid van die SA Weermag en die Reserwe wat weens godsdienstige oorwegings of gewetensbesware nie aan lewensversekering mag of wil deelneem nie, kan skriftelik langs die normale diensweë by Hoof van Staf Personeel aansoek doen om onthef te word van die verpligting om aan die Skema deel te hê.

Vrywillige verhoogde dekking

4. 'n Lid met erkende afhanklikes kan kies om vir dubbeld die standaardvoordeel verseker te word, deur 'n opsie uit te oefen binne drie maande nadat hy deur die SA Weermag geklassifiseer word as 'n lid met afhanklikes. Met dien verstande dat 'n lid wat vir die hoër bedrag verseker is en nie meer afhanklikes het nie, se versekering na die standaardvoordeel verminder word.

Premies

5. (1) Premies ten opsigte van die Skema word van die salaris of soldy en toelaes van die lid afgetrek en aan die versekeraar oorbetal.

(2) Vir doeleindes van die aftrekking van premies word 'n gedeelte van 'n kalendermaand beskou as 'n volle kalendermaand.

Dekking

6. 'n Lid word gedek ten opsigte van besering, ongeskiktheid of dood wat in die loop van of as gevolg van militêre diens of opleiding intree of plaasvind as gevolg van watter oorsaak ook al uitgesonderd opsetlike self-toegediende wonde of beserings.

Beëindiging van dekking

7. (1) Die dekking in regulasie 6 bedoel vervel in die geval van—

(a) 'n lid anders as 'n lid van die Staande Mag, op die datum waarop hy sy gewone woonplek bereik na verstryking van 'n tydperk van ononderbroke diens;

(b) 'n lid van die Staande Mag op die datum waarop sy diens beëindig word om watter rede ook al.

(2) Geen lid sal dekking onder die Skema geniet na sy 65ste jaar nie.

(3) 'n Lid wat afwesig sonder verlof is, sal nie dekking onder die Skema geniet nie.

(4) Die dekking onder die Skema kan nie omskep word in enige ander soort versekering nie.

(Act 44 of 1957), including participation in physical exercises and approved kinds of sport on an organised basis in the SA Defence Force, as well as the travelling time to or from such service or training provided that travelling time shall be limited to the shortest time which will necessarily be spent in travelling by government or public transport;

"standard benefit" means an amount of R10 000;

"the Reserve" means the Reserve as referred to in section 6 of the Defence Act, 1957 (Act 44 of 1957), excluding the Permanent Force Reserve;

"the Scheme" means a Group Life Assurance Scheme, with disability benefits, for cover for military service in the SA Defence Force.

Compulsory participation

2. All members of the SA Defence Force and the Reserve (other than members of the Permanent Force and any other particular class of members of the SA Defence Force as determined in regulation 3) shall be obliged to participate in the Scheme whilst they are undergoing military service or training.

Release of particular classes of members

3. A member of the SA Defence Force and the Reserve who, owing to religious considerations or conscientious objections may not or do not wish to participate in life assurance, may apply to Chief of Staff Personnel in writing through the normal official channels to be released from the obligation to participate in the Scheme.

Voluntary higher cover

4. A member with recognised dependants may elect to be assured for double the standard benefit by exercising an option within three months after he is classified by the SA Defence Force as a member with dependants: Provided that the assurance of a member who is assured for the higher amount and who no longer has any dependants be reduced to the standard benefit.

Premiums

5. (1) Premiums in respect of the Scheme shall be deducted from the salary or pay and allowances of a member and paid over to the insurer.

(2) For the purposes of the deduction of premiums a portion of a calendar month shall be deemed as a full calendar month.

Cover

6. A member shall be covered in respect of injury, disablement or death occurring in the course of or as a result of military service or training as a result of any cause whatsoever except from deliberate self-inflicted wounds or injuries.

Termination of cover

7. (1) The cover referred to in regulation 6 shall lapse in the case of

(a) a member, other than a member of the Permanent Force, on the date he reaches his usual residence after the expiry of a period of continuous service;

(b) a member of the Permanent Force on the date of termination of his services for any reason whatsoever.

(2) No member shall enjoy cover under the Scheme after his 65th year.

(3) A member who is absent without leave shall not enjoy cover under the Scheme.

(4) Cover under this Scheme cannot be converted into any other kind of insurance.

Eise

8 (1) Enige eis wat onder die Skema ontstaan, word ingedien op die vorms en ooreenkomstig die voorskrifte wat van tyd tot tyd deur Hoof van Staf Personeel bepaal word.

(2) Hoof van Staf Personeel is gemagtig om 'n sertifikaat ter bevestiging van 'n eis onder die Skema uit te reik.

Wysigingsblaadjie 33]

No. R. 494

14 Maart 1980

WYSIGING VAN DIE ALGEMENE REGULASIES VIR DIE SA WEERMAG EN DIE RESERWE

Dit het die Staatspresident behaag om kragtens artikel 87 (1) van die Verdedigingswet, 1957 (Wet 44 van 1957), die aanhef tot Hoofstuk IX van die Algemene Regulasies vir die SA Weermag en die Reserwe, afgekondig by Goewermentskennisgewing R. 276 van 25 Februarie 1966 te vervang met die aanhef in die Bylae vervat:

BYLAE

"Dit het die Staatspresident behaag om kragtens artikel 87 (1) (dA) en 87 (1) (S) van die Verdedigingswet, 1957 (Wet 44 van 1957), die volgende algemene regulasies vir die SA Weermag en die Reserwe af te kondig:"

Wysigingsblaadjie 34]

DEPARTEMENT VAN VERVOER

No. R. 475

14 Maart 1980

VIERDE WYSIGING VAN DIE VliegREËLS-, LUGVERKEERSDIENSTE-, SOEK-EN-REDDING- EN OORVLUGREGULASIES, 1975

Die Minister van Vervoerwese het kragtens artikel 22 van die Lugvaartwet, 1962 (Wet 74 van 1962), die Regulasies in die Bylae hiervan uitgevaardig.

BYLAE

1. In hierdie Bylae, tensy uit die samehang anders blyk, beteken "die Regulasies" die VliegREËLS-, Lugverkeersdienste-, Soek-en-Redding- en Oorvlugregulasies, 1975, soos afgekondig by Goewermentskennisgewing R. 1753 van 19 September 1975 en soos gewysig by Goewermentskennisgewing R. 829 van 13 Mei 1977, R. 2202 van 3 November 1978 en R. 1921 van 31 Augustus 1979.

2. Die Regulasies word hierby gewysig deur in regulasie 1.2—

(a) voor die definisie van "eindleidinggebied" die volgende definisies in te voeg:

"adviesgebied" 'n aangewese gebied binne 'n vluginligtingstreek waar lugverkeersleidingsadviesdienste beskikbaar is (advisory area);

"adviesroete" 'n aangewese roete waarlangs lugverkeersleidingsadvies en -dienste beskikbaar is (advisory route);

(b) voor die definisie van "kunsflug" die volgende definisie in te voeg:

"kommunikasie-onderbrekingsprosedure" 'n prosedure voorgeskryf deur die Organisasie vir Internasionale Burgerlugvaart en waarvan volle besonderhede in die AIP bekend gemaak word (radio failure procedure);

Claims

8. (1) Any claim arising under the Scheme, shall be submitted on the forms and according to the directives determined from time to time by Chief of Staff Personnel.

(2) Chief of Staff Personnel is authorised to issue a certificate in verification of a claim under the Scheme.

Amendment Slip 33]

No. R. 494

14 March 1980

AMENDMENT OF THE GENERAL REGULATIONS FOR THE SA DEFENCE FORCE AND THE RESERVE

The State President has been pleased in terms of section 87 (1) of the Defence Act, 1957 (Act 44 of 1957), to substitute the preamble contained in the schedule for the preamble of Chapter IX of the General Regulations for the SA Defence Force and the Reserve promulgated under Government Notice R. 276 of 25 February 1966:

SCHEDULE

"The State President has been pleased in terms of sections 87 (1) (dA) and 87 (1) (S) of the Defence Act, 1957 (Act 44 of 1957), to promulgate the following general regulations for the SA Defence Force and the Reserve:"

Amendment Slip 34]

DEPARTMENT OF TRANSPORT

No. R. 475

14 March 1980

FOURTH AMENDMENT TO THE RULES OF THE AIR, AIR TRAFFIC SERVICES, SEARCH AND RESCUE AND OVERFLIGHT REGULATIONS, 1975

The Minister of Transport Affairs has, under and by virtue of section 22 of the Aviation Act, 1962 (Act 74 of 1962), made the Regulations in the Schedule hereto.

SCHEDULE

1. In this Schedule, unless the context otherwise indicates, "the Regulations" means the Rules of the Air, Air Traffic Services, Search and Rescue and Overflight Regulations, 1975, promulgated under Government Notice R. 1753 of 19 September 1975, as amended by Government Notices R. 829 of 13 May 1977, R. 2202 of 3 November 1978 and R. 1921 of 31 August 1979.

2. The Regulations are hereby amended by the addition in regulation 1.2—

(a) after the definition of "acrobatic flight" of the following definitions:

"advisory area" means a designated area within a flight information region where air traffic advisory services are available (adviesgebied);

"advisory route" means a designated route along which air traffic advisory services are available (adviesroete);

(b) after the definition of "airway" of the following definition:

"alerting action" means a service provided to notify the appropriate organisations regarding aircraft in need of search and rescue aid (waakdiens);

(c) voor die definisie van "sigweerstoestande" die volgende definisie in te voeg:

"Selcal-wag" en "selcalroepsein" 'n selektiewe roepstelsel waarvolgens kommunikasie met lugvaartuig in vlug bewerkstellig word deur gebruikmaking van 'n bepaalde kode wat deur apparaat in die lugvaartuig opgevang word (Selcal watch en Selcal calsign);

(d) voor die definisie van "Vlugvlak" die volgende definisie in te voeg:

"vuginligtingstreek" 'n lugruim met omskrewe grense waarin vuginligtingsdienste en waakdienste verskaf word (flight information region);

(e) voor die definisie van "wolkplafon" die volgende definisie in te voeg:

"waakdiens" 'n diens wat verskaf word om die gepaste organisasies te verwittig van lugvaartuie wat soek-en-reddingshulp nodig het (alerting action);

3. Die Regulasies word hierby gewysig deur regulasie 3.27 deur die volgende regulasie te vervang:

"Vlugplanne"

3.27 (1) 'n Vlugplan moet aan die naaste geskikte lugverkeersdienseenheid gelewer word en sodanige eenheid is verplig om die vlugplan na alle lugverkeersdienseenhede wat by die vlug betrokke is te versend.

(2) 'n Vlugplan moet gelewer word vir—

(a) alle vlugte wat in leidings- of advieslugruim uitgevoer word: Met dien verstande dat hierdie vereiste nie geld vir 'n plaaslike vlug, 'n vlug wat 'n lugweg of adviesroete reghoekig kruis of 'n VFR-vlug wat 'n vliegveldverkeersone of leidingsone binnekom of verlaat vanaf of na 'n onbemande vliegveld, en waar geen ander leidings- of advieslugruim gedurende die vlug binnegegaan sal word nie;

(b) 'n internasionale vlug;

(c) alle vlugte in die kategorieë openbare vervoerdiens of openbare vragvervoerdiens; en

(d) 'n vlug waarvoor waakdiens verlang word.

(3) 'n Lugverkeersleidingseenheid kan 'n vlug waarvoor 'n vlugplan ingevolge subregulasie (2) voorgeskryf is en waarvoor daar nie 'n vlugplan gelewer is nie aansê om 'n leidingslugruim te ontruim of daarvan weg te bly en om nie die grens van die Republiek oor te steek of sy lugruim binne te gaan voordat die voorgeskrewe vlugplan gelewer is nie.

(4) Tensy anders deur die verantwoordelike lugverkeersdienseenheid gemagtig, moet 'n vlugplan vir 'n vlug wat in leidings- of advieslugruim uitgevoer gaan word minstens 30 minute voor vertrek gelewer word, of, indien dit gedurende 'n vlug buite leidings- of advieslugruim gelewer word vir 'n vlug wat in sodanige lugruim uitgevoer gaan word, moet dit minstens 10 minute voordat die lugvaartuig na raming die voorgename plek sal bereik waar hy die leidings- of advieslugruim sal binnegaan, aan die verantwoordelike lugverkeersdienseenheid gelewer word.

(5) 'n Vlugplan wat voor vertrek gelewer word, moet die volgende besonderhede bevat:

Lugvaartuigidentifikasie en antwoordsendergegewens.
Vliegreëls en aard van vlug.

Getal en soort(e) lugvaartuie en volgstroomturbulensiekategorie.

Radiokommunikasie-, navigasie- en naderingshulpuitrusting.

Vertrekvliegveld en tyd.

Vuginligtingstreekgrense en geraamde tye.

(c) after the definition of "Commissioner for Civil Aviation" of the following definition:

"communication failure procedure" means a procedure prescribed by the International Civil Aviation Organisation and whereof full details are published in the AIP (kommunikasie-onderbrekingsprosedure);

(d) after the definition of "current flight plan" of the following definition:

"flight information region" means an airspace of defined dimensions within which flight information services and alerting services are provided (vuginligtingstreek);

(e) after the definition of "pilot-in-command" of the following definition:

"Selcal watch" and "Selcal callsign" mean a selective calling system to effect communication with aircraft by the use of a specific code which is picked up by apparatus in the aircraft (Selcal-wag en Selcal-roepsein);

3. The regulations are hereby amended by the substitution for regulation 3.27 of the following regulation:

"Flight plans"

3.27 (1) A flight plan shall be filed with the nearest convenient air traffic services unit and such unit shall be responsible for transmitting the flight plan to all air traffic services units concerned with the flight.

(2) A flight plan shall be filed in respect of—

(a) all flights to be conducted in controlled or advisory airspace: Provided that this requirement shall not apply in respect of a local flight, a flight crossing an airway or advisory route at right angles or a VFR flight entering or departing from an aerodrome traffic zone or control zone, from or to an unmanned aerodrome, and where no other controlled or advisory airspace will be entered during the flight;

(b) an international flight;

(c) all flights in the public transport operation or public transport of cargo operation categories; and

(d) a flight for which alerting action is required.

(3) An air traffic control unit may instruct a flight for which a flight plan is prescribed in terms of subregulation (2) and for which a flight plan has not been filed, to clear or to remain clear of a controlled airspace, and not to cross the border of the Republic or to enter its airspace until such time as the required flight plan has been filed.

(4) Unless otherwise authorised by the responsible air traffic services unit, a flight plan for a flight to be conducted in controlled or advisory airspace shall be filed at least 30 minutes before departure or if filed during flight while outside of controlled or advisory airspace for a flight to be conducted in such airspace, it shall be filed with the responsible air traffic services unit at least 10 minutes before the aircraft is estimated to reach the intended point of entry into the controlled or advisory airspace.

(5) A flight plan filed prior to departure shall comprise the following items:

Aircraft identification and transponder data.

Flight rules and type of flight.

Number and type(s) of aircraft and wake turbulence category.

Radio communication, navigation and approach aid equipment.

Aerodrome of departure and time.

Flight information region boundaries and estimated times.

Kruisspoed en vlugvlak.
 Roete wat gevolg gaan word.
 Bestemmingsvliegveld en geraamde aankomstye.
 Uitwykvliegveld(e).
 Waakdiens verlang.
 Brandstofduur.
 Totale getal persone aan boord.
 Nood-en-oorlewingsuitrusting en kleur van die lugvaartuig.
 Ander tersaaklike inligting.

(6) 'n Vlugplan wat gedurende 'n vlug gelewer word ter voldoening aan die bepalings van subregulasie (4), moet die volgende besonderhede bevat:

Lugvaartuigregistrasie.
 Vliegreëls.
 Soort lugvaartuig.
 Vertrekvliegveld.
 Kruisspoed en vlugvlak.
 Voorgenome roete en toepaslike beramings.
 Bestemmingsvliegveld en geraamde aankomstye.
 Uitwykvliegveld vir IFR-vlugte.
 Waakdiens verlang.
 Brandstofduur indien waakdiens verlang word.
 Totale getal persone aan boord.

(7) Die gesagvoerder van 'n lugvaartuig moet seker maak dat alle veranderinge wat voor vertrek of tydens die vlug op 'n vlugplan van toepassing word so gou doenlik by die verantwoordelike lugverkeersdiensseenheid aangemeld word.

(8) Indien 'n vlugplan voor vertrek aan 'n lugverkeersdiensseenheid gelewer word en dit nie deur 'n lugverkeersdiensseenheid binne een uur voor die oorspronklike geraamde vertrektyd of gewysigde geraamde vertrektyd geklaar is nie, moet sodanige vlugplan as gekanselleer beskou en 'n nuwe vlugplan gelewer word.

(9) Waar daar nie 'n lugverkeersdiensseenheid by die aankomsvliegveld werksaam is nie moet 'n verslag by aankoms met die vinnigste beskikbare kommunikasie-middel onmiddellik voor of na landing ten opsigte van 'n vlug waarvoor 'n waakdiens gelewer is, aan die naaste gerieflike lugverkeersdiensseenheid oorgedra word.

(10) Behoudens soos in subregulasie (11) voorgeskryf, moet die gesagvoerder seker maak dat die geldende vlugplan wat vir 'n geleide vlug gelewer is, nagekom word, tensy 'n versoek om 'n verandering gedoen en aanvaar is deur die lugverkeersleidingseenheid verantwoordelik vir die leidingslugruim waarin die lugvaartuig vlieg, of tensy 'n noodtoestand ontstaan wat onmiddellike optrede noodsaak, in welke geval die verantwoordelike lugverkeersleidingseenheid so gou as omstandighede dit toelaat in kennis gestel moet word van die optrede en dat dit onder noodmagtiging geskied het.

(11) In gevalle waar 'n geleide vlug per abuis van die geldende vlugplan afwyk, moet daar soos volg opgetree word:

(a) Indien die lugvaartuig van grondkoers af is, moet dadelik stappe gedoen word om die lugkoers van die lugvaartuig te verander om so gou doenlik weer op die grondkoers terug te kom; of

(b) indien die gemiddelde ware lugspoed op kruisvlak tussen meldingspunte met plus of minus 5 persent afwyk of na verwagting sal afwyk van dié wat in die vlugplan aangedui is, moet die verantwoordelike lugverkeersdiensseenheid daarvan in kennis gestel word; of

Cruising speed and flight level.

Route to be followed.

Aerodrome of destination and estimated times of arrival.

Alternate aerodrome(s).

Alerting action required.

Fuel endurance.

Total number of persons on board.

Emergency and survival equipment and colour of aircraft.

Other pertinent information.

(6) A flight plan filed in flight to comply with subregulation (4) shall comprise the following items:

Aircraft registration.

Flight rules.

Type of aircraft.

Aerodrome of departure.

Cruising speed and flight level.

Route to be followed and estimates as applicable.

Aerodrome of destination and estimated times of arrival.

Alternate aerodrome for IFR flights.

Alerting action required.

Fuel endurance if alerting action required.

Total number of persons on board.

(7) The pilot-in-command of an aircraft shall ensure that all changes which become applicable to a flight plan before departure or in flight are reported, as soon as practicable, to the responsible air traffic services unit.

(8) If a flight plan has been filed with an air traffic services unit prior to departure and is not activated with an air traffic services unit within one hour of original estimated time of departure or amended estimated time of departure, such flight plan shall be regarded as cancelled and a new flight plan shall be filed.

(9) Where an air traffic services unit is not in operation at the aerodrome of arrival, a report shall be submitted on arrival to the nearest convenient air traffic services unit, by the quickest means of communication available, immediately before or after landing, in respect of a flight for which alerting action was provided.

(10) Except as prescribed in subregulation (11), the pilot-in-command shall ensure that the aircraft adheres to the current flight plan filed for a controlled flight, unless a request for a change has been made and accepted by the air traffic control unit responsible for the controlled airspace in which the aircraft is operating, or unless emergency situation arises which necessitates immediate action, in which event the responsible air traffic control unit shall, as soon as circumstances permit be notified of the action taken and that this action was taken under emergency authority.

(11) In the event of a controlled flight inadvertently deviating from its current flight plan, the following action shall be taken:

(a) If the aircraft is off track, action shall be taken forthwith to adjust the heading of the aircraft to regain track as soon as practicable; or

(b) if the average true airspeed at cruising level between reporting points varies or is expected to vary from that given in the flight plan by plus or minus five per cent of the true airspeed, the responsible air traffic services unit shall be so informed; or

(c) indien gevind word dat die geraamde tyd by die volgende toepaslike meldingspunt, vluginligtingstreekgrens of vliegveld van voorgenome landing, watter ook al eerste kom, met meer as drie minute verskil van dié wat aan die lugverkeersdiens meegedeel is, moet 'n hersiene geraamde tyd sou gou moontlik aan die verantwoordelike lugverkeersdienseenheid verstrek word”.

4. Die Regulasies word hierby gewysig deur regulasie 3.29 deur die volgende regulasie te vervang:

“Posisiemelding

3.29. Die gesagvoerder van 'n lugvaartuig wat—

- (a) in leidingslugruim vlieg;
- (b) in advieslugruim vlieg; of

(c) op 'n vlug vlieg waarvoor waakdiens gelewer word moet seker maak dat die tyd en vlak waarop elke verpligte meldingspunt verbygegaan word so gou moontlik by die verantwoordelike lugverkeersdienseenheid tesame met enige ander vereiste inligting aangemeld word, en hy moet ook seker maak dat posisiemeldings insgelyks omtrent bykomende meldingspunte gelewer word wanneer die verantwoordelike lugverkeersdienseenheid daarom vra en dat waar daar nie meldingspunte aangewys is nie, posisiemeldings met tussenpose soos deur die verantwoordelike lugverkeersdienseenheid voorgeskryf, gelewer word”.

5. Die Regulasies word hierby gewysig deur regulasie 3.30 deur die volgende regulasie te vervang:

“Verpligte radiokommunikasie in leidingslugruime

3.30 Die gesagvoerder van 'n lugvaartuig wat binne of deur 'n leidingslugruim gaan vlieg, moet seker maak dat tweerigtingradiokommunikasie met die verantwoordelike lugverkeersleidingseenheid op die aangewese radiofrekwensie bewerkstellig word voordat die lugvaartuig die betrokke lugruim binnegaan, en hy moet seker maak dat terwyl die lugvaartuig binne die leidingslugruim is en totdat dit dié lugruim verlaat, 'n deurlopende radiowag gehandhaaf word en dat sodanige verdere tweerigting-radiokommunikasie as wat daardie eenheid mag verlang, bewerkstellig word: Met dien verstande dat—

(a) 'n lugverkeersdienseenheid 'n lugvaartuig wat nie in staat is om deurlopende tweerigting-radiokommunikasie te handhaaf nie, kan toelaat om in die leidingsgebied, eindleidingsgebied, leidingsone of vliegveldverkeersone waarvoor dit verantwoordelik is, te vlieg indien verkeerstoestande dit toelaat, in welke geval die vlug onderworpe is aan sodanige voorwaardes as wat daardie eenheid nodig ag om die veiligheid van ander lugverkeer te verseker;

(b) 'n lugverkeersdienseenheid, behoudens die toestemming van die Kommissaris van Burgerlugvaart en behoudens sodanige voorwaardes as wat die eenheid nodig ag om die veiligheid van ander lugverkeer te verseker, sweeftuie wat nie in staat is om deurlopende tweerigting-radiokommunikasie met hom te handhaaf nie, kan toelaat om in en deur die leidingslugruim waarvoor die eenheid verantwoordelik is, te sweef; en

(c) in die geval van 'n radio-onderbreking, 'n vlug waarvoor 'n vlugplan gelewer en deur 'n lugverkeersdienseenheid geklaar is, by ontvangs van die vertrektyd, met die vlug in 'n leidingsruim mag voortgaan indien die kommunikasie-onderbrekingsprosedures nagekom word.”.

(c) if the estimated time at the next applicable reporting point, flight information region boundary or aerodrome of intended landing, whichever comes first, is found to be in error in excess of three minutes from that notified to air traffic services, a revised estimated time shall be notified to the responsible air traffic services unit as soon as possible.”.

4. The Regulations are hereby amended by the substitution for regulation 3.29 of the following regulation:

“Reporting position

3.29 The pilot-in-command of an aircraft—

- (a) flying in controlled airspace;
- (b) flying in advisory airspace; or

(c) on a flight for which alerting action is being provided, shall ensure that reports are made to the responsible air traffic services unit, as soon as possible, of the time and level of passing each compulsory reporting point, together with any other required information, and he shall further ensure that position reports are similarly made in relation to additional reporting points when requested by the responsible air traffic services unit and that, in the absence of designated reporting points, position reports are made at the intervals specified by the responsible air traffic services unit.”.

5. The Regulations are hereby amended by the substitution for regulation 3.30 of the following regulation:

“Mandatory radio communication in controlled airspaces

3.30 The pilot-in-command of an aircraft to be operated in or crossing a controlled airspace shall ensure that, before the aircraft enters such airspace, two-way radio contact is established with the responsible air traffic control unit on the designated radio frequency, and shall ensure while the aircraft is within the controlled airspace and until it departs therefrom that continuous radio watch is maintained and that such further two-way radio communication as that unit may require is established: Provided that—

(a) an air traffic services unit may permit an aircraft not capable of maintaining continuous two-way radio communication to fly in the control area, terminal control area, control zone or aerodrome traffic zone for which it is responsible if traffic conditions permit in which case the flight shall be subject to such conditions as that unit deems necessary to ensure the safety of other air traffic;

(b) an air traffic services unit may, subject to the permission of the Commissioner of Civil Aviation and subject to such conditions as it deems necessary to ensure the safety of other air traffic, permit gliders not capable of maintaining continuous two-way radio communication with it to glide in and across the controlled airspace for which it is responsible; and

(c) in the case of radio failure, a flight for which a flight plan was filed and activated by an air traffic services unit on receipt of a departure time, may continue the flight in a controlled airspace if the communication failure procedures are complied with.”.

6. Die Regulasies word hierby gewysig deur regulasie 3.31 deur die volgende regulasie te vervang:

"Verpligte radiokommunikasie in advieslugruime"

3.31 Die gesagvoerder van 'n lugvaartuig wat in advieslugruim gevlieg gaan word, moet seker maak dat, voordat die lugvaartuig die betrokke lugruim nader of binnegaan—

(a) tweerigting-radiokommunikasie met die betrokke lugverkeersdienseenheid op die aangewese radiofrekwensie bewerkstellig word; of

(b) indien dit nie moontlik is nie, tweerigting-radiokommunikasie met 'n lugverkeersdienseenheid bewerkstellig word wat in staat is om boodskappe na en an die verantwoordelike lugverkeersdienseenheid her uit te send; of

(c) indien dit nie moontlik is nie, uitsendings op die aangewese radiofrekwensie gedoen word wat inligting bevat oor die lugvaartuig se voorneme om die lugruim binne te gaan;

en so 'n gesagvoerder moet seker maak dat, solank die lugvaartuig binne die advieslugruim is en totdat dit die advieslugruim verlaat, 'n deurlopende radiowag op die aangewese radiofrekwensie gehandhaaf word en dat—

(i) sodanige verdere tweerigting-radiokommunikasie as wat die verantwoordelike lugverkeersdienseenheid verlang, bewerkstellig word; of

(ii) indien dit nie moontlik is nie, sodanige verdere tweerigting-radiokommunikasie met 'n lugverkeersdienseenheid bewerkstellig word wat in staat is om boodskappe na en van die verantwoordelike lugverkeersdienseenheid her uit te send as wat laasgenoemde eenheid verlang; of

(iii) indien dit nie moontlik is nie, uitsendings op die aangewese radiofrekwensie gedoen word wat inligting bevat oor die verbygaan by meldingspunte en wanneer die betrokke lugruim verlaat sal word:

Met dien verstande dat—

(i) 'n lugvaartuig wat 'n Selcal-wag handhaaf terwyl dit binne 'n adviesroete in die Johannesburgse vluginligtingstreek vlieg en waarvan die Selcal-roepsein aan die Johannesburgse vluginligtingsentrum oorgedra is, geag word 'n deurlopende radiowag te handhaaf; en

(ii) in die geval van 'n radio-onderbreking, 'n vlug waarvoor 'n vlugplan gelewer en deur 'n lugverkeersleidingdienseenheid by verstrekking van die vertrektyd, geaktiveer is, kan voortgaan met die vlug binne 'n advieslugruim indien die kommunikasie-onderbrekingsprosedures nagekom word.

7. Die Regulasies word hierby gewysig deur regulasie 3.32 (b) deur die volgende regulasie te vervang:

"3.23 (b) in geval van 'n radio-onderbreking, 'n vlug waarvoor 'n vlugplan gelewer en deur 'n lugverkeersdienseenheid geaktiveer is by ontvangs van die vertrektyd, voortgesit kan word indien die kommunikasie-onderbrekingsprosedures nagekom word."

8. Die Regulasies word hierby gewysig deur die volgende regulasie na regulasie 9.1 in te voeg:

"Soek-en-reddingshandelinge"

9.2 (1) Soek-en-reddingshandelinge sal sonder meer 'n aanvang neem ten opsigte van die ondergenoemde vlugte waarvoor vlugplanne voor vertrek gelewer is:

(a) Alle vlugte tussen vliegvelde waar 'n lugverkeersdienseenheid in werking is, en

6. The Regulations are hereby amended by the substitution for regulation 3.31 of the following regulation:

"Mandatory radio communication in advisory airspace"

3.31 The pilot-in-command of an aircraft to be operated in advisory airspace shall ensure that before the aircraft approaches or enters such airspace—

(a) two-way radio communication with the responsible air traffic services unit is established on the designated radio frequency; or

(b) if this is not possible, two-way radio communication is established with an air traffic services unit which is capable of relaying messages to and from the responsible air traffic services unit; or

(c) if this is not possible, broadcasts are made on the designated radio frequency giving information on the aircraft's intention to enter the airspace;

and such pilot-in-command shall ensure that while the aircraft is within the advisory airspace and until it departs therefrom, a continuous radio watch is maintained on the designated radio frequency and that—

(i) such further two-way radio communication as the responsible air traffic services unit may require is established; or

(ii) if this is not possible, such further two-way radio communication is established with an air traffic services unit which is capable of relaying messages to and from the responsible air traffic services unit, as the latter unit requires; or

(iii) if this is not possible, broadcasts are made on the designated radio frequency giving information on passing reporting points and when leaving the airspace concerned:

Provided that—

(i) an aircraft maintaining a Selcal watch while operating within an advisory route in the Johannesburg flight information region and whose Selcal call-sign has been communicated to the Johannesburg flight information centre shall be deemed to be maintaining a continuous radio watch; and

(ii) in the case of radio failure, a flight for which a flight plan was filed and activated by an air traffic services unit on receipt of a departure time, may continue in an advisory airspace if the communication failure procedures are complied with."

7. The Regulations are hereby amended by the substitution for Regulation 3.32 (b) of the following regulation:

"3.32 (b) in the case of a radio failure, a flight for which a flight plan was filed and activated by an air traffic services unit on receipt of a departure time may be continued if the communication failure procedures are complied with."

8. The Regulations are hereby amended by the addition of the following regulation after regulation 9.1:

"Search and rescue action"

9.2 (1) Search and rescue action will be instituted automatically in respect of the following flights for which flight plans are filed prior to departure:

(a) All flights between aerodromes where air traffic services units are in operation; and

(b) alle vlugte wat in leidingslugruim uitgevoer word, uitgesonderd vlugte wat 'n lugweg reghoekig kruis.

(2) Soek-en-reddingshandelinge sal onderneem word ten opsigte van alle binnelandse en internasionale vlugte na vliegvelde waar 'n lugverkeersdiensseenheid nie in werking is nie, waarvoor vlugplanne gelewer is voor vertrek en waarvoor die gesagvoerder uitdruklik soek-en-reddingshandelinge aangevra het.

(3) Soek-en-reddingshandelinge sal onderneem word ten opsigte van vlugte waarvoor vlugplanne gedurende die vlug gelewer is wanneer sodanige handeling uitdruklik deur die gesagvoerder aangevra is.

(4) Die gesagvoerders van vlugte ten opsigte waarvan soek-en-reddingshandelinge aangevra is, word aanspreeklik gehou vir die koste wat deur die waakdiens aangegaan is indien hulle versuim om aan die voorskrifte met betrekking tot soek-en-redding te voldoen en nalatigheid bewys word."

DEPARTEMENT VAN WATERWES

No. R. 508

14 Maart 1980

TARIEWE VIR BOORWERK UITGEVOER MET 'N STAATSBOOR EN DIE MAKSIMUM SUBSIDIEERBARE TARIEWE VIR BOORWERK UITGEVOER DEUR 'N PRIVATE BOORKONTRAKTEUR

Ek, Abraham Jacobus Raubenheimer, in my hoedanigheid van Minister van Waterwese, maak hierby bekend, kragtens die bevoegdheid my verleen by regulasie 15 van die Regulasies afgekondig by Goewermentskennisgewing R. 92 van 18 Januarie 1980, dat onderstaande tariewe met ingang van 1 April 1980 van toepassing is op boorwerk uitgevoer op of na genoemde datum:

A. STAATSBOORWERK

(i) *Boorwerk wat vir 'n korting kwalifiseer:*

Boorkoste (druk- en stamperboor): R18,50 per meter.

Uitpompptoets: R16,50 per uur.

Voering: Volle koste ooreenkomstig die Staatskontrakprys soos van tyd tot tyd vasgestel, plus vervoer- en hanteringskoste.

(ii) *Boorwerk wat NIE vir 'n korting kwalifiseer NIE:*

Dieselfde tariewe soos in A (i) hierbo, behalwe 'n stamperboor waarvoor die tarief R45 per meter is.

B. PRIVATE BOORWERK

Maksimum subsidieerbare bedrag ten opsigte van:

(i) Boorkoste: R17 per meter.

(ii) Uitpompptoets: R16,50 per uur.

(iii) Voering: Volle koste ooreenkomstig die Staatskontrakprys soos van tyd tot tyd vasgestel, plus vervoer- en hanteringskoste.

(b) all flights conducted in controlled airspace, except for flights crossing an airway at right angles.

(2) Search and rescue action will be instituted in respect of all internal and international flights to aerodromes where an air traffic services unit is not in operation for which flight plans are filed prior to departure and the pilot-in-command has specifically requested such search and rescue action.

(3) Search and rescue action will be instituted in respect of flights for which flight plans are filed in flight when such action is specifically requested by the pilot-in-command.

(4) Pilots-in-command of flights for which search and rescue action has been requested who fail to comply with the search and rescue requirements will be held responsible for costs incurred by the alerting service if negligence is proved."

DEPARTMENT OF WATER AFFAIRS

No. R. 508

14 March 1980

TARIFFS FOR DRILLING DONE BY A GOVERNMENT DRILL AND THE MAXIMUM SUBSIDISABLE TARIFFS FOR DRILLING DONE BY A PRIVATE DRILLING CONTRACTOR

I, Abraham Jacobus Raubenheimer, in my capacity as Minister of Water Affairs, hereby notify by virtue of the powers vested in me by regulation 15 of the Regulations promulgated by Government Notice R. 92 of 18 January 1980, that the undermentioned tariffs shall with effect from 1 April 1980 apply to all drilling done on or after the said date:

A. GOVERNMENT DRILLING

(i) *Drilling which qualifies for a rebate:*

Drilling costs (air and jumper drill): R18,50 per metre.

Pumping test: R16,50 per hour.

Casing: Full costs in accordance with the Government contract price as determined from time to time plus transport and handling charges.

(ii) *Drilling which DOES NOT qualify for a rebate:*

The same tariff as in A (i) above, with the exception of a jumper drill in which case a tariff of R45 per metre will apply.

B. PRIVATE DRILLING

Maximum subsidisable amount in respect of:

(i) Drilling costs: R17 per metre.

(ii) Pumping test: R16,50 per hour.

(iii) Casing: Full costs in accordance with the Government contract price as determined from time to time plus transport and handling charges.

Koop Nasionale Spaarsertifikate
Buy National Savings Certificates

THE ONDERSTEPSPOORT JOURNAL OF VETERINARY RESEARCH

Die "Onderstepoort Journal of Veterinary Research" word deur die Staatsdrukker, Pretoria, gedruk en is verkrygbaar van die Direkteur, Afdeling Landbou-inligting, Departement van Landbou- tegniese Dienste, Privaatsak X144, Pretoria, 0001, aan wie ook alle navrae in verband met die tydskrif gerig moet word.

Hierdie publikasie is 'n voortsetting van die "Reports of the Government Veterinary Bacteriologist of the Transvaal" wat terugdateer tot 1903 en waarvan 18 verskyn het tot 1932. Dit is gevolg deur 40 volumes van die "Onderstepoort Journal". Tans bestaan elke volume uit vier nommers wat teen R2 binnelands en R2,50 buitelands per nommer van bogenoemde adres verkrygbaar is.

Direkteure van laboratoriums ens. wat begerig is om publikasies om te ruil moet in verbinding tree met die Direkteur, Navorsings-instituut vir Veeartsenykunde, Pk. Onderstepoort, 0110, Republiek van Suid-Afrika.

Verkoopbelasting moet by binnelandse bestellings ingesluit word.

THE ONDERSTEPSPOORT JOURNAL OF VETERINARY RESEARCH

The Onderstepoort Journal of Veterinary Research is printed by the Government Printer, Pretoria, and is obtainable from the Director, Division of Agricultural Information, Department of Agricultural Technical Services, Private Bag X144, Pretoria, 0001, to whom all communications should be addressed.

This publication is a continuation of the Reports of the Government Veterinary Bacteriologist of the Transvaal which date back to 1903 and of which 18 have appeared up to 1932. These were followed by 40 volumes of the Onderstepoort Journal. At present each volume comprises four numbers which are obtainable at R2, other countries R2,50 per number from the above address.

Directors of laboratories etc. desiring to exchange publications are invited to communicate with the Director, Veterinary Research Institute, P.O. Onderstepoort, 0110, Republic of South Africa.

Sales tax must accompany inland orders.

DIE BLOMPLANTE VAN AFRIKA

Hierdie publikasie word uitgegee as 'n geïllustreerde reeks, baie na die aard van Curtis se "Botanical Magazine". Die doel van die werk is om die skoonheid en variasie van vorm van die flora van Afrika aan die leser bekend te stel, om belangstelling in die studie en kweek van die inheemse plante op te wek, en om plantkunde in die algemeen te bevorder.

Die meeste van die illustrasies word deur kunstenaars van die Navorsingsinstituut vir Plantkunde gemaak, dog die redakteur verwelkom geskikte bydraes van 'n wetenskaplike en kunsstandaard afkomstig van verwante inrigtings.

Onder huidige omstandighede word twee dele van die werk gelyktydig gepubliseer, maar met onreëlmatige tussenposes; elke deel bevat tien kleurplate. Intekengeld bedra R5 per deel (buitelands R5,25 per deel): Vier dele per band. Vanaf band 27 is die prys per band in linne gebind R30; in moroccoleer gebind R35. (Buitelands, linne gebind R31; moroccoleer R36).

Verkrygbaar van die Direkteur, Afdeling Landbou-inligting, Privaatsak X144, Pretoria.

Verkoopbelasting moet by binnelandse bestellings ingesluit word.

THE FLOWERING PLANTS OF AFRICA

This publication is issued as an illustrated serial, much on the same lines as Curtis's Botanical Magazine, and for imitating which no apology need be tendered.

The desire and object of the promoters of the publication will be achieved if it stimulates further interest in the study and cultivation of our indigenous plants.

The illustrations are prepared mainly by the artists at the Botanical Research Institute, but the Editor welcomes contributions of suitable artistic and scientific merit from kindred institutions.

Each part contains 10 plates and costs R5 per part (other countries R5,25 per part). Two, three or four parts may be published annually, depending on the availability of illustrations. A volume consists of four parts. From Volume 27, the price per volume is: Cloth binding, R30; morocco binding, R35 (other countries, cloth binding R31; morocco binding R36).

Obtainable from the Director, Division of Agricultural Information, Private Bag X144, Pretoria.

Sales tax must accompany inland orders.

AGROANIMALIA

Hierdie publikasie is 'n voortsetting van die Suid-Afrikaanse Tydskrif vir Landbouwetenskap Jaargang 1 tot 11, 1958-1968 en bevat artikels oor Dierproduksie en -tegnologie, Diererversorging en -ekologie, Fisiologie, Genetika en Teelt, Suiwelkunde en Voeding. Vier dele van die tydskrif word per jaar gepubliseer.

Verdienstelike landboukundige bydraes van oorspronklike wetenskaplike navorsing word vir plasing in hierdie tydskrif verwelkom. Voorskrifte vir die opstel van sulke bydraes is verkrygbaar van die Direkteur, Landbou-inligting, Privaatsak X144, Pretoria, aan wie ook alle navrae in verband met die tydskrif gerig moet word.

Die tydskrif is verkrygbaar van bogenoemde adres teen R1,50 per eksemplaar of R6 per jaar, posvry (Buitelands R1,75 per eksemplaar of R7 per jaar).

Verkoopbelasting moet by alle binnelandse bestellings ingesluit word.

AGROANIMALIA

This publication is a continuation of the South African Journal of Agricultural Science Vol. 1 to 11, 1958-1968 and deals with Animal Production and Technology, Livestock Management and Ecology, Physiology, Genetics and Breeding, Dairy Science and Nutrition. Four parts of the journal are published annually.

Contributions of scientific merit on agricultural research are invited for publication in this journal. Directions for the preparation of such contributions are obtainable from the Director, Agricultural Information, Private Bag X144, Pretoria, to whom all communications in connection with the journal should be addressed.

The journal is obtainable from the above-mentioned address at R1,50 per copy or R6 per annum, post free (Other countries R1,75 per copy or R7 per annum).

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AGROCHEMOPHYSICA

Hierdie publikasie is 'n voortsetting van die Suid-Afrikaanse Tydskrif vir Landbouwetenskap Jaargang 1 tot 11, 1958-1968 en bevat artikels oor Biochemie, Biometrika, Grondkunde, Landbou-ingenieurswese, Landbouweerkunde en Ontledingstegnieke. Vier dele van die tydskrif word per jaar gepubliseer.

Verdienstelike landboukundige bydraes van oorspronklike wetenskaplike navorsing word vir plasing in hierdie tydskrif verwelkom. Voorskrifte vir die opstel van sulke bydraes is verkrygbaar van die Direkteur, Landbou-inligting, Privaatsak X144, Pretoria, aan wie ook alle navrae in verband met die tydskrif gerig moet word.

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Verkoopbelasting moet by binnelandse bestellings ingesluit word.

AGROCHEMOPHYSICA

This publication is a continuation of the South African Journal of Agricultural Science Vol. 1 to 11, 1958-1968 and deals with Biochemistry, Biometry, Soil Science, Agricultural Engineering, Agricultural Meteorology and Analysis Techniques. Four parts of the journal are published annually.

Contributions of scientific merit on agricultural research are invited for publication in this journal. Directions for the preparation of such contributions are obtainable from the Director, Agricultural Information, Private Bag X144, Pretoria, to whom all communications in connection with the journal should be addressed.

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PHYTOPHYLACTICA

Hierdie publikasie is 'n voortsetting van die Suid-Afrikaanse Tydskrif vir Landbouwetenskap Jaargang 1 tot 11, 1958-1968 en bevat artikels oor Entomologie, Dierkundige Plantplae, Nematologie, Plantpatologie, Mikrobiologie, Mikologie, Taksonomiese Studies, Biologie en Beheer. Vier dele van die tydskrif word per jaar gepubliseer.

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PHYTOPHYLACTICA

This publication is a continuation of the South African Journal of Agricultural Science Vol. 1 to 11 1958-1968 and deals with Entomology, Zoological Plant Pests, Nematology, Plant Pathology, Microbiology, Mycology, Taxonomic Studies, Biology and Control. Four parts of the journal are published annually.

Contributions of scientific merit on agricultural research are invited for publication in this journal. Directions for the preparation of such contributions are obtainable from the Director, Agricultural Information, Private Bag X144, Pretoria, to whom all communications in connection with the journal should be addressed.

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AGROPLANTAE

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