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PRETORIA, 11 APRIL 1986

No. 10185

PROKLAMASIE

van die

Staatspresident van die Republiek van Suid-Afrika

No. R. 63, 1986

DATUM VAN INWERKINGTREDING VAN DIE
STAATSDIENSWYSIGINGSWET, 1986 (WET 22
VAN 1986)

Kragtens die bevoegdheid my verleen by artikel 6 van die
Staatsdienswysigingswet, 1986 (Wet 22 van 1986), ver-
klaar ek hierby dat die genoemde Wet in werking tree op
1 April 1986.

Gegee onder my Hand en die Seël van die Republiek van
Suid-Afrika te Kaapstad, op hede die Sewe-en-twintigste
dag van Maart Eenduisend Negehonderd Ses-en-tagtig.

P. W. BOTHA,
Staatspresident.

Op las van die Staatspresident-in-Kabinet:

E. v. D. MERWE LOUW,
Minister van die Kabinet.

PROCLAMATION

by the

State President of the Republic of South Africa

No. R. 63, 1986

DATE OF COMMENCEMENT OF THE PUBLIC
SERVICE AMENDMENT ACT, 1986 (ACT 22 OF
1986)

Under the powers vested in me by section 6 of the Public
Service Amendment Act, 1986 (Act 22 of 1986), I hereby
declare that the said Act shall come into operation on 1
April 1986.

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

P. W. BOTHA,
State President.

By Order of the State President-in-Cabinet:

E. v. D. MERWE LOUW,
Minister of the Cabinet.

GOEWERMENTSKENNISGEWINGS

DEPARTEMENT VAN FINANSIES

No. R. 638

11 April 1986

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/1221)

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

K. D. S. DURR,

Adjunk-minister van Finansies en van Handel en
Nywerheid.

821—A

GOVERNMENT NOTICES

DEPARTMENT OF FINANCE

No. R. 638

11 April 1986

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/1221)

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.

K. D. S. DURR,

Deputy Minister of Finance and of Trade and
Industry.

10185—1

BYLAE

I Tariefpos	II Statistiese Eenheid	III Skaal van Reg	
		Algemeen	M.B.N.
30.03 Deur subpos No. 30.03.57 deur die volgende te vervang: "30.03.57 Kankerteenmiddels en antidota daarvoor, wat metoplerin, triëti-leentiofosforamied, cisplatin, kalsiumfolinaat of flutamied bevat	kg	vry	

Opmerking.—Subpos No. 30.03.57 word herskryf om dit duidelik te stel dat kankerteenmiddels en antidota daarvoor, wat flutamied bevat, nou vry van reg geklaar kan word.

SCHEDULE

I Tariff Heading	II Statistical Unit	III Rate of Duty	
		General	M.F.N.
30.03 By the substitution for subheading No. 30.03.57 of the following: "30.03.57 Anti-cancer agents and their antidotes, containing methoplerin, triethylene thiophosphoramide, cisplatin, calcium folinate or flutamide	kg	free	

Note.—Subheading No. 30.03.57 is restated to make it clear that anti-cancer agents and their antidotes, containing flutamide, can now be cleared free of duty.

No. R. 639

11 April 1986

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/1222)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae 1 by genoemde Wet hiermee gewysig, met terugwerkende krag tot 19 Julie 1985, in die mate in die Bylae hiervan aangetoon.

K. D. S. DURR,

Adjunk-minister van Finansies en van Handel en Nywerheid.

No. R. 639

11 April 1986

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/1222)

Under section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule 1 to the said Act is hereby amended, with retrospective effect to 19 July 1985, to the extent set out in the Schedule hereto.

K. D. S. DURR,

Deputy Minister of Finance and of Trade and Industry.

BYLAE

I Tariefpos	II Statistiese Eenheid	III Skaal van Reg	
		Algemeen	M.B.N.
73.24 Deur subpos No. 73.24.07 deur die volgende te vervang: "73.24.08 Van gesweiste konstruksie, met 'n inhoudsvermoë van meer as 12 liter maar hoogstens 150 liter (uitgesonderd dié wat onaktiewe poreuse stowwe bevat, met 'n inhoudsvermoë van hoogstens 50 liter)	kg	15%	
73.24.09 Van gesweiste konstruksie, wat onaktiewe poreuse stowwe bevat, met 'n inhoudsvermoë van meer as 12 liter maar hoogstens 50 liter	kg	vry	

Opmerking.—Die uitwerking van hierdie kennisgewing is dat spesifieke voorsiening gemaak word vir gesweiste houers, van yster of staal, wat onaktiewe poreuse stowwe bevat, met 'n inhoudsvermoë van meer as 12 liter maar hoogstens 50 liter, teen 'n skaal van reg van vry. Hierdie wysiging het terugwerkende krag tot 19 Julie 1985.

SCHEDULE

I Tariff Heading	II Statistical Unit	III Rate of Duty	
		General	M.F.N.
73.24 By the substitution for subheading No. 73.24.07 of the following: "73.24.08 Of welded construction, of a capacity exceeding 12 litres but not exceeding 150 litres (excluding those containing inert porous substances, of a capacity not exceeding 50 litres)	kg	15%	
73.24.09 Of welded construction, containing inert porous substances, of a capacity exceeding 12 litres but not exceeding 50 litres	kg	free	

Note.—The effect of this notice is that specific provision is made for welded containers, of iron or steel, containing inert porous substances, of a capacity exceeding 12 litres but not exceeding 50 litres, at a rate of duty of free. This amendment has retrospective effect to 19 July 1985.

No. R. 640

11 April 1986

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/1223)

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

K. D. S. DURR,

Adjunk-minister van Finansies en van Handel en Nywerheid.

No. R. 640

11 April 1986

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/1223)

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.

K. D. S. DURR,

Deputy Minister of Finance and of Trade and Industry.

BYLAE

I Tariefpos	II Statistiese Eenheid	III Skaal van Reg		IV
		Algemeen		M.B.N.
90.28 Deur subpos No. 90.28.40 deur die volgende te vervang:				
“90.28.40 Ander am- en voltmeters (met inbegrip van milliammeters, millivoltmeters en maksimumaanvraagammeters):				
.10 Met 'n waarde vir belastingdoeleindes van hoogstens 700c elk	getal	15%		
.20 Met beweegstermeganiek, met 'n waarde vir belastingdoeleindes van meer as 700c elk	getal	840c elk min 80%		
.30 Met draaispoelmeganiek, met 'n waarde vir belastingdoeleindes van meer as 700c elk	getal	1 220c elk min 80%		
.40 Met bimetaalmeganiek (termies), met 'n waarde vir belastingdoeleindes van meer as 700c elk	getal	1 720c elk min 80%		
.50 Met beide beweegster- en bimetaalmeganieke, met 'n waarde vir belastingdoeleindes van meer as 700c elk	getal	2 500c elk min 80%		
.90 Ander	getal	15%”		

Opmerking.—Die uitwerking van hierdie kennisgewing is dat die skale van reg op sekere am- en voltmeters gewysig word.

SCHEDULE

I Tariff Heading	II Statistical Unit	III Rate of Duty		IV
		General		M.F.N.
90.28 By the substitution for subheading No. 90.28.40 of the following:				
“90.28.40 Other ammeters and voltmeters (including milliammeters, millivoltmeters and maximum demand ammeters):				
.10 Of a value for duty purposes not exceeding 700c each	no.	15%		
.20 With moving iron movement, of a value for duty purposes exceeding 700c each	no.	840c each less 80%		
.30 With moving coil movement, of a value for duty purposes exceeding 700c each	no.	1 220c each less 80%		
.40 With bimetallic movement (thermal), of a value for duty purposes exceeding 700c each	no.	1 720c each less 80%		
.50 With both moving iron and bimetallic movements, of a value for duty purposes exceeding 700c each	no.	2 500c each less 80%		
.90 Other	no.	15%”		

Notice.—The effect of this notice is that the rates of duty on certain ammeters and voltmeters are amended.

No. R. 641

11 April 1986

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 3 (No. 3/867)

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

K. D. S. DURR,

Adjunk-minister van Finansies en van Handel en Nywerheid.

No. R. 641

11 April 1986

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 3 (No. 3/867)

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.

K. D. S. DURR,

Deputy Minister of Finance and of Trade and Industry.

BYLAE

I Korting- item	II			III Mate van Korting
	Tarief- pos	Korting- kode	Beskrywing	
306.06	"15.12	01.00 44	Deur na tariefpos No. 15.10 die volgende in te voeg: Palmstearien, vir die vervaardiging van seep	Volle reg"

Opmerking.—Voorsiening word gemaak vir 'n volle korting op reg op palmstearien vir die vervaardiging van seep.

SCHEDULE

I Rebate Item	II			III Extent of Rebate
	Tariff Heading	Rebate Code	Description	
306.06	"15.12	01.00 44	By the insertion after tariff heading No. 15.10 of the following: Palm stearine, for the manufacture of soap	Full duty"

Note.—Provision is made for a rebate of the full duty on palm stearine for the manufacture of soap.

No. R. 642

11 April 1986

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 3 (No. 3/868)

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

K. D. S. DURR,

Adjunk-minister van Finansies en van Handel en
Nywerheid.

No. R. 642

11 April 1986

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 3 (No. 3/868)

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.

K. D. S. DURR,

Deputy Minister of Finance and of Trade and
Industry.

BYLAE

I Korting- item	II			III Mate van Korting
	Tarief- pos	Korting- kode	Beskrywing	
307.03		"06.00 44	Deur na kortingkode 05.00 by tariefpos No. 39.02 die volgende in te voeg: Etileenpolimere en -kopolimere, in blokke, stukke, poeiers, korrels, vlokke en dergelike massavorms, met 'n relatiewe digtheid van meer as 0,940, vir die vervaardiging deur die draai-vorm-metode, van reghoekige houers met uitgeholde handgrepe en inmeakaarsluitende hingsels	Volle reg"
317.06		"03.00 42	Deur na kortingkode 02.00 by tariefpos No. 39.02 die volgende in te voeg: Etileenpolimere en -kopolimere, in blokke, stukke, poeiers, korrels, vlokke en dergelike massavorms, met 'n relatiewe digtheid van meer as 0,940, vir die vervaardiging deur die draai-vorm-metode, van brandstoftenks	Volle reg"

Opmerking.—Voorsienings word gemaak vir 'n volle korting op reg op etileenpolimere en -kopolimere, in blokke, stukke, poeiers, korrels, vlokke en dergelike massavorms, met 'n relatiewe digtheid van meer as 0,940, vir die vervaardiging van reghoekige houers met uitgeholde handgrepe en inmeakaarsluitende hingsels en motorvoertuigbrandstoftenks.

SCHEDULE

I Rebate item	II			III Extent of Rebate
	Tariff Heading	Rebate Code	Description	
307.03		"06.00 44	By the insertion after rebate code 05.00 to tariff heading No. 39.02 of the following: Ethylene polymers and copolymers, in blocks, lumps, powders, granules, flakes and similar bulk forms of a relative density exceeding 0,940, for the manufacture by the rotational moulding method, of rectangular containers with recessed hand-grips and interlocking lugs	Full duty"
317.06		"03.00 42	By the insertion after rebate code 02.00 to tariff heading No. 39.02 of the following: Ethylene polymers and copolymers, in blocks, lumps, powders, granules, flakes and similar bulk forms, of a relative density exceeding 0,940, for the manufacture by the rotational moulding method, of fuel tanks	Full duty"

Note.—Provisions are made for a rebate of the full duty on ethylene polymers and copolymers, in blocks, lumps, powders, granules, flakes and similar bulk forms, of a relative density exceeding 0,940, for the manufacture of rectangular containers with recessed hand-grips and interlocking lugs and motor vehicle fuel tanks.

No. R. 643

11 April 1986

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 4 (No. 4/395)

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

K. D. S. DURR,

Adjunk-minister van Finansies en van Handel en Nywerheid.

No. R. 643

11 April 1986

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 4 (No. 4/395)

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

K. D. S. DURR,

Deputy Minister of Finance and of Trade and Industry.

BYLAE

I Item	II Tariefpos en Beskrywing	III Mate van Korting
411.00	Deur na tariefpos No. 11.02 die volgende in te voeg: "16.04 Sardyne (<i>Sardinops spp.</i>), in lugdigte metaalhouers	Volle reg"

Opmerking.—Voorsiening word gemaak vir 'n volle korting op reg op sardyne in lugdigte metaalhouers.

SCHEDULE

I Item	II Tariff Heading and Description	III Extent of Rebate
411.00	By the insertion after tariff heading No. 11.02 of the following: "16.04 Pilchards (<i>Sardinops spp.</i>), in airtight metal containers	Full duty"

Note.—Specific provision is made for a rebate of the full duty on pilchards in airtight metal containers.

No. R. 644

11 April 1986

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 4 (No. 4/396)

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

K. D. S. DURR,

Adjunk-Minister van Finansies en van Handel en Nywerheid.

No. R. 644

11 April 1986

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 4 (No. 4/396)

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

K. D. S. DURR,

Deputy Minister of Finance and of Trade and Industry.

BYLAE

I Item	II Tariefpos en Beskrywing	III Mate van Korting
460.07	Deur voor tariefpos No. 39.01 die volgende in te voeg: "39.00 Platlêpyleiding geklaar vir binnelandse verbruik voor of op 31 Desember 1986, in die hoeveelhede wat die Direkteur-generaal: Handel en Nywerheid by bepaalde permit toelaat	Volle reg"

Opmerking.—Voorsiening word gemaak vir 'n volle korting op reg op platlêpyleiding, van kunsplastiekstowwe, voor of op 31 Desember 1986 vir binnelandse verbruik geklaar, in die hoeveelhede wat die Direkteur-generaal: Handel en Nywerheid by bepaalde permit toelaat.

SCHEDULE

I Item	II Tariff Heading and Description	III Extent of Rebate
460.07	By the insertion before tariff heading No. 39.01 of the following: "39.00 Lay-flat tubing cleared for home consumption on or before 31 December 1986, in such quantities as the Director-General: Trade and Industry may allow by specific permit	Full duty"

Note.—Provision is made for a rebate of the full duty on lay-flat tubing, of artificial plastic materials, cleared for home consumption on or before 31 December 1986, in such quantities as the Director-General: Trade and Industry may allow by specific permit.

No. R. 645

11 April 1986

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 6 (No. 6/174)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae 6 by genoemde Wet hiermee gewysig in die mate in die Bylae hiervan aangetoon.

K. D. S. DURR

Adjunk-minister van Finansies en van Handel en Nywerheid.

No. R. 645

11 April 1986

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 6 (No. 6/174)

Under section 75 of the Customs and Excise Act, 1964, Schedule 6 to the said Act is hereby amended to the extent set out in the Schedule hereto.

K. D. S. DURR

Deputy Minister of Finance and of Trade and Industry.

BYLAE

I Item	II Tariefitem en Beskrywing	III Mate van Korting	IV Mate van Terugbetaling
609.17	Deur Opmerking 4 deur die volgende te vervang: "4. Die korting op reg waarvoor in hierdie item by tariefitem 117.00 voorsiening gemaak word, is nie van toepassing op onderdele en subsamestelle wat kragtens die voorbehoudsbepaling by Opmerking 1 (d) by tariefitem 117.00 van Deel 2 van Bylae 1 uitgevoer word nie." Deur tariefitem 117.00 deur die volgende te vervang: "117.00 .01 Motorvoertuie van tariefitems 117.05, 117.10, 117.15 en 117.17 .02 Motorvoertuie van tariefitems 117.05, 117.10, 117.15 en 117.17	400c per kg netto plaaslike inhoud van onderdele en subsamestelle wat ingebou is in sodanige voertuie wat gedurende die voorafgaande kwartaal vir aksynsregdoel-eindes uitgevoer is, of van onderdele en subsamestelle (uitgesonderd ongemasjineerde gietstukke en smeestukke) van 'n soort wat in sodanige voertuie ingebou word en uitgevoer is gedurende die voorafgaande kwartaal vir aksynsregdoel-eindes, met 'n maksimum van die uitvoerwaarde per kg van sodanige komponente, subsamestelle of motorvoertuie 200c per kg netto plaaslike inhoud van ongemasjineerde enjinblokgietstukke van 'n soort wat gemasjineerd in motorvoertuie ingebou word en uitgevoer is gedurende die voorafgaande kwartaal vir aksynsregdoel-eindes, met 'n maksimum van die uitvoerwaarde per kg van sodanige enjinblokgietstukke"	

Opmerking.—Die uitwerking van hierdie wysiging is dat korting op reg nou ook geëis kan word op onderdele wat in Fase V-motorvoertuie wat uitgevoer is, ingebou is. Voorsiening word ook gemaak vir 'n korting op reg op ongemasjineerde enjinblokgietstukke wat uitgevoer is.

SCHEDULE

I Item	II Tariff item and description	III Extent of Rebate	IV Extent of Refund
609.17	By the substitution for Note 4 of the following: "4. The rebate of duty provided for in this item in tariff item 117.00 is not applicable to parts and subassemblies exported in terms of the proviso to Note 1 (d) to tariff item 117.00 of Part 2 of Schedule 1." By the substitution for tariff item 117.00 of the following: "117.00 .01 Motor vehicles of tariff items 117.05, 117.10, 117.15 and 117.17 .02 Motor vehicles of tariff items 117.05, 117.10, 117.15 and 117.17	400c per kg net local content of parts and subassemblies built into such vehicles which were exported during the preceding quarter for excise duty purposes, or of parts and subassemblies (excluding unmachined castings and forgings) of a kind built into such vehicles and exported during the preceding quarter for excise duty purposes, with a maximum of the export value per kg of such components, subassemblies or motor vehicles 200c per kg net local content of unmachined engine block castings of a kind which are built into such vehicles in a machined condition and exported during the preceding quarter for excise duty purposes, with a maximum of the export value of such engine block castings"	

Note.—The effect of this amendment is that rebate of duty may now also be claimed on parts built into Phase V motor vehicles which are exported. Provision is also made for a rebate of duty on unmachined engine block castings which are exported.

No. R. 680

11 April 1986

DOEANE- EN AKSYNSWET, 1964

BEPALINGS VAN TARIEFINDELING EN VERSTREK-
KING DAARVAN OP KLARINGSBRIEWE (LYS
TAR/154)

1. Die volgende bepalings (Deel A)/wysigings van bepalings (Deel B) word kragtens artikel 47 (9) van die Doeane- en Aksynswet, 1964 (Wet 91 van 1964), gepubliseer.

2. Kragtens artikel 39 (1) (c) van voornoemde Wet word vereis dat die bepalingnommer deur invoerders ten tyde van klaring van sodanige goedere op klaringsbriewe verstrek word.

J. C. J. VISSER,

namens Kommissaris van Doeane en Aksyns.

No. R. 680

11 April 1986

CUSTOMS AND EXCISE ACT, 1964

DETERMINATIONS OF TARIFF CLASSIFICATION
AND FURNISHING THEREOF ON BILLS OF ENTRY
(LIST TAR/154)

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

2. In terms of section 39 (1) (c) of the aforementioned Act, importers are required to furnish the determination number on bills of entry at the time of entry of such goods.

J. C. J. VISSER,

for Commissioner for Customs and Excise.

Opmerkings:

1. Die beskrywing van die goedere word slegs vir bepalingsdoeleindes verstrek en moet nie as korrek, volledig of bindend vir enige ander doel vertolk word nie.
2. Goedere wat verpak is vir of bemark word vir kleinhandelverkoop word in alle gevalle by die toepaslike tariefsubpos, waar sodanige voorsiening bestaan, ingedeel.
3. Tariefsubposte wat van die massa, afmetings, vorm, waarde, verpakking, ens., van goedere afhang word nie noodwendig aangedui nie.
4. Om moontlike verwarring te vermy is handelsname en in sekere gevalle handelsbeskrywings nie vertaal nie.
5. Aparte reeksnommers is aan bepalings onder elke tariefpos toegeken.
6. Lys TAR/153 is in Goewermentskennisgewing R. 469 van 14 Maart 1986 gepubliseer.

Notes:

1. The description of the goods is given for determination purposes only and should not be construed as correct, complete or binding for any other purpose.
2. Goods which are packed for or put up for retail sale are in all instances classified under the appropriate tariff subheading where such provision exists.
3. Tariff subheadings which depend upon the mass, dimensions, form, value, packing, etc., of goods are not necessarily indicated.
4. In order to avoid possible confusion trade names and in certain instances trade descriptions have not been translated.
5. Separate serial numbers have been allocated to determinations under each tariff heading.
6. List TAR/153 was published in Government Notice R. 469 of 14 March 1986.

DEEL A: BEPALINGS

<i>Beskrywing van goedere</i>	<i>Tariefpos/ -subpos</i>	<i>Bepaling No.</i>
Cyfac H.S.—veevoerbyvoegsels wat bygevoegde antibiotika bevat	23.07.20	34
Vibrin entstof—bakteriese entstof vir veeartsenykundige medisyne.....	30.02.25.80	51
Aquadex watergebaseerde interne lak tipe 4010-W06M—lak.....	32.09.10	87
Lipoderm liquor SA—smeerpreparate, en preparate van 'n soort gebruik vir olie- of ghriesbehandeling van tekstiele, leer ens., ander	34.03.90	69
Furnascote vuurvaste sement—vuurvaste semente, mortelle, beton en dergelike samestellings.....	38.19.30	457
Crosfield H.P. 94 selika—chemiese preparate, ander	38.19.90/99	458
Jeffox 400 polipropileenglikol—poliëterpoliol, vloeistof of pasta, met 'n hidroksielsnommer van minstens 20 mg KOH/g maar hoogstens 800 mg KOH/g	39.01.75.05	396
Emkapyt 400 polipropileenglikol—poliëterpoliol, vloeistof of pasta, met 'n hidroksielsnommer van minstens 20mg KOH/g maar hoogstens 800mg KOH/g	39.01.75.05	397
Dow P400 polipropileenglikol—poliëterpoliol, vloeistof of pasta, met 'n hidroksielsnommer van minstens 20mg KOH/g maar hoogstens 800mg KOH/g	39.01.75.05	398
SWP poliëtileen gefibrilleerde vesel—etileenpolimere en -kopolimere, monofil.....	39.02.10.35	331
Magnafloc 455—akriel- en metakrielpolimere en -kopolimere, ander poeiers (kationies)	39.02.80.20	332
Toro 350D laaier—masjinerie uitkenbaar vir gebruik slegs of hoofsaaklik in mynbou	84.23.10	134
Toro 35D erts sleper/vervoerder—storter, ander	87.02.75.90	56
Prex 3000 multi-P/I omsetter model KUX121—elektriese meet- en kontroleerinstrument, ander	90.28.90	648
Roland TR 707 elektroniese musiekinstrument ritmesamesteller—elektroniese musiekinstrument.....	92.07	13

DEEL B: WYSIGINGS VAN GEPUBLISEERDE BEPALINGS

1. Wysigings nodig om beskrywings aan te vul of duideliker te stel of om foute reg te stel:

Die volgende bepalings word heringestel:

Telerad leistoffer-plaatkoonmaker—'n bybehoorsel van apparaat wat in pos 92.11 vermeld word	92.13.90	2
Lebotone kassetkopskoonmaker—'n bybehoorsel van apparaat wat in pos 92.11 vermeld word.....	92.13.90	3

2. Wysigings van bepalings kragtens artikel 47 (9) (d) van die Doeane- en Aksynswet (Wet 91 van 1964):

Bepaling No. 189 onder tariefpos 39.02 word met ingang van 6 Februarie 1985 ingetrek en vervang deur die volgende bepaling:

Kane ACE-B28 slagmodifiseerder—akriel- en metakrielpolimere en -kopolimere in poeiervorm	39.02.80.20	189
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Die volgende bepalings word met ingang van 19 Maart 1986 ingetrek:

71.16	4
71.16	5

Bepaling No. 3 onder tariefpos 84.23 word met ingang van 7. Maart 1986 ingetrek en vervang deur die volgende bepaling:

Ingersoll-Rand RBM-6 en RBM-7-opligbore—masjinerie uitkenbaar vir gebruik slegs of hoofsaaklik in mynbou	84.23.10	3
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Bepaling No. 266 onder tariefpos 85.22 word met ingang van 19 Maart 1986 ingetrek en vervang deur die volgende bepaling:

Stimulizer lae volt 4.7.1., gebruik in die vleisnywerheid om karkasse te versag deur middel van elektriese stroom—masjinerie gebruik in die bereiding van vleis, ander	84.30.90	67
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Die volgende vervang die bestaande bepaling met ingang van 4 Maart 1986:

EBC-102 verplaasbare reddingsbakke en Locat modelle LDT31, LDT40 en LDT25 bakens—radionavigasiehulpapparaat	85.15.69	31
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PART A: DETERMINATIONS

<i>Description of goods</i>	<i>Tariff heading/ subheading</i>	<i>Determination No.</i>
Cyfac H.S.—fodder supplements for stock feeding, containing added antibiotics	23.07.20	34
Vibrin vaccine—bacterial vaccine for veterinary medicine	30.02.25.80	51
Aquadex waterbased internal lacquer type 4010-W06M—lacquer	32.09.10	87

<i>Description of goods</i>	<i>Tariff heading/ subheading</i>	<i>Determination No.</i>
Lipoderm liquor SA—lubricating preparations, and preparations of a kind used for oil or grease treatment of textiles, leather etc., other	34.03.90	69
Furnascote refractory cement—refractory cement, mortars, concrete and similar compounds	38.19.30	457
Crosfield H.P. 94 silica—chemical preparations, other	38.19.90/99	458
Jeffox 400 polypropylene glycol—polyether-polyol, liquid or pasty, with a hydroxyl number of 20mg KOH/g or more but not exceeding 800mg KOH/g	39.01.75.05	396
Emkapyl 400 polypropylene glycol—polyether-polyol, liquid or pasty, with a hydroxyl number of 20mg KOH/g or more but not exceeding 800mg KOH/g	39.01.75.05	397
Dow P400 polypropylene glycol—polyether-polyol, liquid or pasty, with a hydroxyl number of 20mg KOH/g or more but not exceeding 800mg KOH/g	39.01.75.05	398
SWP polyethylene fibrillated fibre—ethylene polymers and copolymers, monofil	39.02.10.35	331
Magnafloc 455—acrylic and methacrylic polymers and copolymers, other powders (cationic)	39.02.80.20	332
Toro 350D loader—machinery identifiable for use solely or principally in mining	84.23.10	134
Toro 35D ore hauler/transporter—dumper, other	87.02.75.90	56
Prex 3000 multi-P/I converter model KUX121—electrical measuring and checking instrument, other	90.28.90	648
Roland TR707 electronic musical instrument rhythm composer—electronic musical instrument	92.07	13

PART B: AMENDMENTS TO PUBLISHED DETERMINATIONS

1. Amendments necessary to amplify or to clarify descriptions or to correct errors:

The following determinations are reinstated:

Telerad dust jockey record cleaner—an accessory of apparatus falling within heading 92.11	92.13.90	2
Lebotone cassette head cleaner—an accessory for apparatus falling within heading 92.11	92.13.90	3

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

Determination No. 189 under tariff heading 39.02 is withdrawn with effect from 6 February 1985 and replaced by the following determination:

Kane ACE-B28 impact modifier—acrylic and methacrylic polymers in powder form	39.02.80.20	189
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The following determinations are withdrawn with effect from 19 March 1986:

71.16	4
71.16	5

Determination No. 3 under tariff heading 84.23 is withdrawn with effect from 7 March 1986 and replaced by the following determination:

Ingersoll-Rand RBM-6 and RBM-7 raise borers—machinery identifiable for use solely or principally in mining	84.23.10	3
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Determination No. 266 under tariff heading 85.22 is withdrawn with effect from 19 March 1986 and replaced by the following determination:

Stimulizer low voltage 4.7.1., used in the meat industry to tenderize carcasses by means of an electric current—machinery used for the preparation of meat, other	84.30.90	67
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The following is substituted for the existing determination with effect from 4 March 1986:

EBC-102 portable rescue beacons and Locat models LDT31, LDT40, and LDT25 beacons—radio navigational aid apparatus	85.15.69	31
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DEPARTEMENT VAN JUSTISIE

No. R. 654

11 April 1986

REGULASIES BETREFFENDE DIE BESLAGLEGGING OP DIERE DEUR 'N BEAMPTTE VAN 'N VERENIGING TOT VOORKOMING VAN MISHANDELING VAN DIERE.—REGSTELLINGSKENNISGEWING

Goewermentskennisgewing R. 468 gepubliseer in *Staatskoerant* 10121 van 14 Maart 1986, word hierby soos volg verbeter:

Die invoeging van die uitdrukking “and any word or expression to which a meaning has been assigned in the Act shall bear that meaning” na die uitdrukking “‘society’ means a society for the prevention of cruelty to animals as intended in section 8 (1) of the Act,” in regulasie 1 van die Engelse teks.

DEPARTMENT OF JUSTICE

No. R. 654

11 April 1986

REGULATIONS RELATING TO THE SEIZURE OF ANIMALS BY AN OFFICER OF A SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS.—CORRECTION NOTICE

Government Notice R. 468 published in *Government Gazette* 10121 of 14 March 1986, is hereby corrected as follows:

The insertion of the phrase “and any word or expression to which a meaning has been assigned in the Act shall bear that meaning” after the phrase “‘society’ means a society for the prevention of cruelty to animals as intended in section 8 (1) of the Act,” in regulation 1 in the English text.

No. R. 655

11 April 1986

REGULASIES KRAGTENS ARTIKEL 103 VAN DIE
BOEDELWET, 1965 (WET 66 VAN 1965)

REGSTELLINGSKENNISGEWING

Goewermentskennisgewing R. 2482, gepubliseer in *Staatskoerant* 9986 van 1 November 1985, word hierby soos volg verbeter:

- (a) Die vervanging van die uitdrukking "totale bruto waarde volgens die eksekuteurs-, kurators- of voorgederekening" waar dit voorkom in regulasie 10 paragraaf (i) in die Afrikaanse teks met die uitdrukking "totale bruto waarde volgens die eksekuteurs- of kuratorsrekening".
- (b) die vervanging van die uitdrukking "gross value of which according to the executor's, curator's or guardian's account" waar dit voorkom in regulasie 10 paragraaf (i) in die Engelse teks met die uitdrukking "gross value of which according to the executor's or curator's account".

DEPARTEMENT VAN LANDBOU-
EKONOMIE EN -BEMARKING

No. R. 660

11 April 1986

BEMARKINGSWET, 1968 (WET 59 VAN 1968)

OLIESADESKEMA.—WYSIGING

Ek, Jacob Johannes Greyling Wentzel, Minister van Landbou-ekonomie, handelende kragtens artikel 14, soos toegepas by artikel 15 (3), van die Bemarkingswet, 1968 (Wet 59 van 1968)—

- (1) publiseer hierby die wysiging in die Bylae uiteengesit, van die Oliesadeskema gepubliseer by Proklamasie R. 73 van 1982, soos gewysig; en
- (2) verklaar hierby dat genoemde wysiging op die datum van publikasie hiervan in werking tree.

J. J. G. WENTZEL,
Minister van Landbou-ekonomie.

BYLAE

Woordomskrywing

1. In hierdie Bylae beteken "die Skema" die Oliesadeskema gepubliseer by Proklamasie R. 73 van 1982, soos gewysig.

Wysiging van artikel 5

2. Artikel 5 van die Skema word hierby gewysig deur subartikel (2) deur die volgende subartikel vervang:

"(2) Hierdie Skema is op 'n landboukoöperasie of spesiale boerekoöperasie wat oliesade hanteer van toepassing op dieselfde wyse asof daardie koöperasie 'n produsent van sodanige oliesade was."

Wysiging van artikel 7

3. Artikel 7 van die Skema word hierby gewysig deur subartikel (2) deur die volgende subartikel te vervang:

"(2) Die Raad kan met die Minister se goedkeuring een persoon vir 'n bepaalde doel as 'n adviserende lid van die Raad koöpteer."

No. R. 655

11 April 1986

REGULATIONS IN TERMS OF SECTION 103 OF THE
ADMINISTRATION OF ESTATES ACT, 1965 (ACT 66
OF 1965)

CORRECTION NOTICE

Government Notice R. 2482 published in *Government Gazette* 9986 of 1 November 1985, is hereby corrected as follows:

- (a) The substitution of the expression "totale bruto waarde volgens die eksekuteurs-, kurators- of voorgederekening" where it appears in regulation 10 paragraph (i) in the Afrikaans text with the expression "totale bruto waarde volgens die eksekuteurs- of kuratorsrekening".
- (b) the substitution of the expression "gross value of which according to the executor's, curator's or guardian's account" where it appears in regulation 10 paragraph (i) in the English text with the expression "gross value of which according to the executor's or curator's account".

DEPARTMENT OF AGRICULTURAL
ECONOMICS AND MARKETING

No. R. 660

11 April 1986

MARKETING ACT, 1968 (ACT 59 OF 1968)

OILSEEDS SCHEME.—AMENDMENT

I, Jacob Johannes Greyling Wentzel, Minister of Agricultural Economics, acting under section 14, as applied by section 15 (3), of the Marketing Act, 1968 (Act 59 of 1968) hereby—

- (1) publish the amendment set out in the Schedule, of the Oilseeds Scheme published by Proclamation R. 73 of 1982, as amended; and
- (2) declare that the said amendment shall come into operation on the date of publication hereof.

J. J. G. WENTZEL,
Minister of Agricultural Economics.

SCHEDULE

Definitions

1. In this Schedule "the Scheme" means the Oilseeds Scheme published by Proclamation R. 73 of 1982, as amended.

Amendment of section 5

2. Section 5 of the Scheme is hereby amended by the substitution for subsection (2) of the following subsection:

"(2) This Scheme shall apply to any agricultural co-operative or special farmers' co-operative which handles oilseeds, in the same manner as if the co-operative concerned was a producer of such oilseeds."

Amendment of section 7

3. Section 7 of the Scheme is hereby amended by the substitution for subsection (2) of the following subsection:

"(2) The Board may with the approval of the Minister and for any particular purpose co-opt one person as an advisory member of the Board."

Wysiging van artikel 29

4. Artikel 29 van die Skema word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

“29. (1) Die Raad kan, op die voorwaardes deur hom bepaal, die agent of agente aanstel wat die Raad nodig ag vir die behoorlike verrigting van dié van sy werksaamhede wat hy met die goedkeuring van die Minister bepaal.”

No. R. 664**11 April 1986**

BEMARKINGSWET, 1968 (WET 59 VAN 1968)

SITRUSSKEMA.—VERBOD OP DIE VERKOOP VAN LEMOENE

Ek, Jacob Johannes Greyling Wentzel, Minister van Landbou-ekonomie, maak hierby ingevolge artikel 79 (b) van die Bemarkingswet, 1968 (Wet 59 van 1968), bekend dat—

- (a) die Sitrusraad bedoel in artikel 6 van die Sitruskema gepubliseer by Proklamasie R. 2 van 1979, soos gewysig, kragtens artikel 33 van genoemde Skema die verbod in die Bylae uiteengesit, opgelê het; en
- (b) genoemde verbod deur my goedgekeur is om op 14 April 1986 in werking te tree.

J. J. G. WENTZEL,
Minister van Landbou-ekonomie.

BYLAE**Woordomskrywing**

1. In hierdie Bylae het enige woord of uitdrukking waarvan 'n betekenis in die Skema geheg is, daardie betekenis en beteken “die Skema” die Sitruskema gepubliseer by Proklamasie R. 2 van 1979, soos gewysig.

Verbod op die verkoop van lemoene

2. (1) Behoudens die bepalings van subklousule (2), mag geen produsent van sitrusvrugte enige lemoene verkoop nie, behalwe deur bemiddeling van die Raad.

(2) Die verbod in subklousule (1) bedoel, is nie van toepassing nie met betrekking tot die verkoop van lemoene ten opsigte waarvan 'n vrystelling kragtens artikel 33 (2) van die Skema deur die Raad verleen is.

No. R. 665**11 April 1986**

BEMARKINGSWET, 1968 (WET 59 VAN 1968)

WINTERGRAANSKEMA.—BROODPRYSE—WYSIGING

Ek, Jacob Johannes Greyling Wentzel, Minister van Landbou-ekonomie maak hierby ingevolge artikel 79 (b) van die Bemarkingswet, 1968 (Wet 59 van 1968), bekend dat—

- (1) ek kragtens artikel 60 (2A) van genoemde Wet in die plek van die Koringraad bedoel in artikel 6 van die Wintergraanskema, gepubliseer by Proklamasie R. 162, 1974, soos gewysig, kragtens artikel 37 van genoemde skema die Bylae by Goewermentskennisgewing R. 2183 van 28 September 1984, soos gewysig, verder gewysig het in die mate in die Bylae uiteengesit; en
- (2) genoemde wysiging op die datum van publikasie hiervan in werking tree.

J. J. G. WENTZEL,
Minister van Landbou-ekonomie.

Amendment of section 29

4. Section 29 of the Scheme is hereby amended by the substitution for subsection (1) of the following subsection:

“29. (1) The Board may appoint, on the conditions determined by it, such agent or agents as it may consider necessary for the proper performance of such of its functions as it may determine with the approval of the Minister.”

No. R. 664**11 April 1986**

MARKETING ACT, 1968 (ACT 59 OF 1968)

CITRUS SCHEME.—PROHIBITION ON THE SALE OF ORANGES

I, Jacob Johannes Greyling Wentzel, Minister of Agricultural Economics, hereby make known in terms of section 79 (b) of the Marketing Act, 1968 (Act 59 of 1968), that—

- (a) the Citrus Board referred to in section 6 of the Citrus Scheme published by Proclamation R. 2 of 1979, as amended, has under section 33 of the said Scheme imposed the prohibition set out in the Schedule; and
- (b) the said prohibition has been approved by me to come into operation on 14 April 1986.

J. J. G. WENTZEL,
Minister of Agricultural Economics.

SCHEDULE**Definitions**

1. Any word or expression in this Schedule to which a meaning has been assigned in the Scheme shall have that meaning and, “the Scheme” means the Citrus Scheme published by Proclamation R. 2 of 1979, as amended.

Prohibition on the sale of oranges

2. (1) Subject to the provisions of subclause (2), no producer of citrus fruit may sell any oranges, except through the Board.

(2) The prohibition referred to in subclause (1) shall not apply with regard to the sale of oranges in respect of which an exemption has been granted by the Board under section 33 (2) of the Scheme.

No. R. 665**11 April 1986**

MARKETING ACT, 1968 (ACT 59 OF 1968)

WINTER CEREAL SCHEME.—BREAD PRICES—AMENDMENT

I, Jacob Johannes Greyling Wentzel, Minister of Agricultural Economics, hereby make known in terms of section 79 (b) of the Marketing Act, 1968 (Act 59 of 1968), that—

- (1) I have under section 60 (2A) of the said Act in the stead of the Wheat Board referred to in section 6 of the Winter Cereal Scheme published by Proclamation R. 162, 1974, as amended, under section 37 of the said Scheme further amended the Schedule to Government Notice R. 2182 of 28 September 1984 as amended, to the extent set out in the Schedule; and
- (2) the said amendment shall come into operation on the date of publication hereof.

J. J. G. WENTZEL,
Minister of Agricultural Economics.

BYLAE**Woordomskrywing**

1. In hierdie Bylae beteken "Bylae" die Bylae by Goewermentskennisgewing R. 2182 van 28 September 1984, soos gewysig deur Goewermentskennisgewings R. 2649 van 30 November 1984, R. 2761 van 14 Desember 1984, R. 1224 van 30 Mei 1985, R. 1427 van 28 Junie 1985 en R. 2277 van 7 Oktober 1985.

Vervanging van Tabel 2

2. Tabel 2 van die Bylae word hierby deur die volgende tabel vervang:

"TABEL 2**MAKSIMUM VERKOOPPRYS VAN BROOD IN WALVISBAAI**

Klasse brood	Maksimum verkoopprijs
1	2
Witbrood	*
Bruinbrood	60 sent
Volkoringbrood	*

* Nie gespesifiseer."

SCHEDULE**Definitions**

1. In this Schedule "the Schedule" means the Schedule to Government Notice R. 2182 of 28 September 1984, as amended by Government Notices R. 2649 of 30 November 1984, R. 2761 of 14 December 1984, R. 1224 of 30 May 1985, R. 1427 of 28 June 1985 and R. 2277 of 7 October 1985.

Substitution of Table 2

2. The following Table is hereby substituted for Table 2 of the Schedule:

"TABLE 2**MAXIMUM SELLING PRICES OF BREAD IN WALVIS BAY**

Classes of bread	Maximum selling price
1	2
White bread	*
Brown bread	60 cent
Whole-wheat bread	*

* Not specified."

DEPARTEMENT VAN MANNEKRAG**No. R. 663****11 April 1986****WET OP BASIESE DIENSVOORWAARDES, 1983
AANEENLOPENDE WERK**

Ek, Joël Daniël Fourie, Hoofdirekteur: Arbeidsverhoudinge, behoorlik daartoe gemagtig deur die Minister van Mannekrag, verklaar hierby kragtens artikel 33 (1) van die Wet op Basiese Diensvoorwaardes, 1983, dat die vererding en tempering van geleidingsdraad, soos uitgevoer deur Winding Wires (Pty) Ltd te Springs, 'n bedrywigheid is met betrekking waartoe daar aaneenlopend in drie skofte per 24 uur, sewe dae per week, gewerk kan word.

J. D. FOURIE,

Hoofdirekteur: Arbeidsverhoudinge.

DEPARTEMENT OF MANPOWER**No. R. 633****11 April 1986****BASIC CONDITIONS OF EMPLOYMENT ACT, 1983
CONTINUOUS WORKING**

I, Joël Daniël Fourie, Chief Director: Labour Relations, duly authorised thereto by the Minister of Manpower, hereby, in terms of section 33 (1) of the Basic Conditions of Employment Act, 1983, declare the enamelling and annealing of conductor wire, as carried out by Winding Wires (Pty) Ltd at Springs, to be an activity with respect to which work may be performed continuously in three shifts per 24 hours, seven days a week.

J. D. FOURIE,

Chief Director: Labour Relations.

**DEPARTEMENT VAN OPENBARE WERKE
EN GRONDSAKE****No. R. 657****11 April 1986****OPMETINGSWET, 1927 (WET 9 VAN 1927)
WYSIGING VAN REGULASIES**

Die Opmetingsregulasieraad het kragtens artikels 6 en 7 van die Opmetingswet, 1927 (Wet 9 van 1927), en met die goedkeuring van die Staatspresident, die regulasies in die Bylae hiervan uitgevaardig.

BYLAE

Wysiging van die regulasies uitgevaardig by Goewermentskennisgewing R. 1814 van 2 November 1962 en gewysig deur Goewermentskennisgewings R. 1395 van 11 September 1964, R. 533 van 21 April 1967, R. 1033 van 20 Junie 1969, R. 1126 van 4 Julie 1969, R. 2008 van 20 November 1970, R. 959 van 9 Junie 1972, R. 1804 van 13 Oktober 1972, R. 2320 van 13 Desember 1974, R. 844 van 20 Mei 1977, R. 1817 van 24 Augustus 1979, R. 1445 van 10 Julie 1981, R. 2562 van 27 November 1981, R. 178 van 28 Januarie 1983, R. 291 van 24 Februarie 1984 en R. 1020 van 10 Mei 1985 (hieronder die Regulasies genoem).

**DEPARTMENT OF PUBLIC WORKS AND
LAND AFFAIRS****No. R. 657****11 April 1986****LAND SURVEY ACT, 1927 (ACT 9 OF 1927)
AMENDMENT OF REGULATIONS**

The Survey Regulations Board has, in terms of sections 6 and 7 of the Land Survey Act, 1927 (Act 9 of 1927), and with the approval of the State President, made the regulations set out in the Schedule hereto.

SCHEDULE

Amendment of the regulations published under Government Notice R. 1814 of 2 November 1962, as amended by Government Notices R. 1395 of 11 September 1964, R. 533 of 21 April 1967, R. 1033 of 20 June 1969, R. 1126 of 4 July 1969, R. 2008 of 20 November 1970, R. 959 of 9 June 1972, R. 1804 of 13 October 1972, R. 2320 of 13 December 1974, R. 844 of 20 May 1977, R. 1817 of 24 August 1979, R. 1445 of 10 July 1981, R. 2562 of 27 November 1981, R. 178 of 28 January 1983, R. 291 of 24 February 1984 and R. 1020 of 10 May 1985 (hereinafter referred to as the Regulations).

Wysiging van die opskrif van Hoofstuk II van die Regulasies

1. Die opskrif van Hoofstuk II van die Regulasies word hierby deur die volgende opskrif vervang:

**“TOETS VAN OPMETINGS EN BESKULDIGINGS
TEEN LANDMETERS”**

Herroeping van regulasie 3 van die Regulasies

2. Regulasie 3 van die Regulasies word hierby herroep.

Vervanging van regulasie 23 van die Regulasies

3. Regulasie 23 van die Regulasies word hierby deur die volgende regulasie vervang:

“23. (1) (a) By die opmeet van nuwe dorpe, uitbreidings van bestaande dorpe of die onderverdeling van 'n erf, moet versekeringsmerke op gerieflike afstande en in geskikte posisies geplaas word: Met dien verstande dat—

- (i) minstens twee sodanige versekeringsmerke geplaas moet word;
- (ii) in die algemeen een sodanige versekeringsmerk vir elke 25 erwe geplaas moet word;
- (iii) in die geval van die onderverdeling van 'n erf, sodanige versekeringsmerke alleenlik geplaas moet word wanneer 'n algemene plan ingevolge regulasie 53 vereis word; en
- (iv) die Landmeter-generaal die vereistes van hierdie paragraaf kan verslap.

(b) Waar moontlike moet die plaaslike owerheid geraadpleeg word ten einde die geskikste posisies van sodanige versekeringsmerke te kan bepaal sodat die vernietiging van die merke deur latere verskaffing van dienste voorkom kan word.

(2) 'n Versekeringsmerk wat ingevolge artikel 26bis van die Wet opgerig word, moet volgens die spesifikasies wees wat in Aanhangsel B van hierdie regulasies verskyn: Met dien verstande dat wanneer nakoming van die voorafgaande bepalings onmoontlik of onprakties gevind word as gevolg van plaaslike, fisiese of ander omstandighede wat teenwoordig is ten opsigte van of in verband met die oprigting van versekeringsmerke ingevolge artikel 26bis (1) van die Wet, die Landmeter-generaal 'n afwyking van die bedoelde bepalings kan goedkeur.”

Wysiging van regulasie 59 van die Regulasies

4. Regulasie 59 van die Regulasie word hierby gewysig—

- (a) deur in die Engelse teks na paragraaf (g) van subregulasie (1) die volgende paragraaf in te voeg:

“(h) an index to the calculations and field notes, which may be included in the co-ordinate list;”;

en

- (b) deur die volgende subregulasie by te voeg:

“(3) Wanneer 'n opmeting vir die herplasing van bakens slegs die herplasing daarvan in posisies, wat vantevore op die trigonometriese stelsel bepaal is, behels, mag die bepalings van subregulasie (1) volgens die diskresie van die Landmeter-generaal verslap word.”

Wysiging van regulasie 60 van die Regulasies

5. Regulasie 60 van die Regulasies word hierby gewysig deur subregulasie (2) deur die volgende subregulasie te vervang:

“(2) Alle metings en waarnemings in die veld moet vasgelê word op die tydstop wanneer sodanige metings en waarnemings gedoen word.”

Amendment of the heading of Chapter II of the Regulations

1. The following heading is hereby substituted for the heading of Chapter II of the Regulations:

**“TEST OF SURVEYS AND CHARGES AGAINST
SURVEYORS”**

Repeal of regulation 3 of the Regulations

2. Regulation 3 of the Regulations is hereby repealed.

Substitution of regulation 23 of the Regulations

3. The following regulation is hereby substituted for regulation 23 of the Regulations:

“23. (1) (a) In the survey of new townships, extensions to existing townships or the subdivision of an erf, reference marks shall be placed at convenient intervals and in suitable positions: Provided that—

- (i) not less than two such marks shall be placed;
- (ii) in general one such mark shall be placed for every 25 erven;
- (iii) in the case of the subdivision of an erf, such reference marks need be placed only if a general plan is required in terms of regulation 53; and
- (iv) the Surveyor-General may relax the requirements of this paragraph.

(b) The local authority shall be consulted, whenever possible, to determine the most suitable positions of such reference marks in order to obviate destruction of the marks by the subsequent installation of services.

(2) A reference mark erected in terms of section 26bis of the Act shall be in accordance with the specifications indicated in Annexure B of these regulations: Provided that, where compliance with the foregoing provisions is found to be impossible or impracticable as a result of the local, physical or other circumstances obtaining in respect of or in connection with the erection of reference marks in terms of section 26bis (1) of the Act, the Surveyor-General may sanction a departure from the said provisions.”

Amendment of regulation 59 of the Regulations

4. Regulation 59 of the Regulations is hereby amended—

- (a) by the insertion after paragraph (g) of subregulation (1) of the following paragraph:

“(h) an index to the calculations and field notes, which may be included in the co-ordinate list;”;

and

- (b) by the addition of the following subregulation:

“(3) When a survey for the replacement of beacons, involves only their replacement into co-ordinate positions previously established on the trigonometrical system, the requirements of subregulation (1) may be relaxed at the discretion of the Surveyor-General.”

Amendment of regulation 60 of the Regulations

5. Regulations 60 of the Regulations is hereby amended by the substitution for subregulation (2) of the following subregulation:

“(2) All measurements and observations in the field shall be recorded at the time when such measurements and observations are made.”

Wysiging van regulasie 61 van die Regulasies

6. Regulasie 61 van die Regulasies word hierby gewysig deur subregulasie (4) deur die volgende subregulasie te vervang:

“(4) As koördinate deur 'n konstante verminder word, moet sodanige konstante nie die teken van die oorspronklike koördinate verander nie en moet dit beperk word tot veelvoude van tienduiseend: Met dien verstande dat die koördinate van bakens of meetpunte wat net vir oriëntasiedoeleindes gebruik word, 'n ander teken kan hê.”.

Vervanging van Aanhangsel A van die Regulasies

7. Aanhangsel A van die Regulasies word hierby deur die volgende Aanhangsel vervang:

“AANHANGSEL A

(In regulasie 67 vermeld)

INDELING VAN TARIEF

1. Basiese groottevoordering.
2. Opsporing en herplasing van bakens.
3. Amptelike koördinaatwaardes.
4. Resterende gedeelte.
5. Bepaling van gegewe grootte.
6. Konneksies.
7. Kromlynige grense.
8. Kaarte, endossemente en afdrukke.
9. Algemene planne.
10. Servitute.
11. Reis-, vervoer- en verblyfkoste.
12. Oopmaak van lyne.
13. Abnormale omstandighede.
14. Allerlei.
15. Opmeting van stedelike Swart dorpe en opgradering van algemene planne vir registrasie van 'n huurpag vir 99 jaar.

TARIEF VAN GELDE**1. Basiese groottevoordering**

Die gelde vir die opmeet van een of meer stukke grond wat in dieselfde opmeting ingesluit en gelyktydig opgemeet is en nie meer as ses grense het nie, word in Tabel A of Tabel B hieronder voorgeskryf, en die voordering per stuk vir enige getal stukke wat nie in Tabel A aangegee is nie, moet proporsioneel van die getabelleerde voordering afgelei word:

TABEL A

~ Totale getal stukke	Vordering vir elke stuk grond: Groottes				
	300 m ² en minder	301 tot 450 m ²	451 tot 1 500 m ²	1 501 tot 4 000 m ²	4 001 m ² tot 2 ha
	R	R	R	R	R
1	530	554	665	715	724
2	341	361	426	451	484
3	268	292	344	370	398
4	233	255	301	321	344
5	207	229	277	292	312
10	181	201	235	255	273
20	158	173	212	229	251
50	118	130	192	212	229
100	105	119	191	207	225
250	94	108	187	206	223
500	74	85	183	205	218
1 000 en meer	65	75	181	203	217

Amendment of regulation 61 of the Regulations

6. Regulation 61 of the Regulations is hereby amended by the substitution for subregulation (4) of the following subregulation:

“(4) When co-ordinates are reduced by a constant, such constant shall not alter the sign of the original values and shall be confined to multiples of ten thousand: Provided that the co-ordinates of beacons or stations, which are used for orientation purposes only, may have a different sign.”.

Substitution of Annexure A of the Regulations

7. The following Annexure is hereby substituted for Annexure A of the Regulations:

“ANNEXURE A

(Referred to in regulation 67)

DIVISION OF TARIFF

1. Basic area charge.
2. Location and replacement of beacons.
3. Official co-ordinate values.
4. Remaining extent.
5. Definition of a given area.
6. Connections.
7. Curvilinear boundaries.
8. Diagrams, endorsements and prints.
9. General Plans.
10. Servitudes.
11. Travelling, transport and subsistence.
12. Line clearing.
13. Abnormal circumstances.
14. Miscellaneous.
15. Survey of urban Black townships and upgrading of general plans for registration of a leasehold for 99 years.

TARIFF OF FEES**1. Basic area charge**

The fees for the survey of one or more pieces of land included in the same survey, surveyed at the same time and having not more than six boundaries, shall be as prescribed below in either Table A or Table B and the charge per piece for any number of pieces not specified in Table A shall be derived proportionally from the tabulated charges:

TABLE A

Total number of pieces	Charge for each piece of land: Areas				
	300 m ² and less	301 to 450 m ²	451 to 1 500 m ²	1 501 to 4 000 m ²	4 001 m ² to 2 ha
	R	R	R	R	R
1.....	530	554	665	715	724
2.....	341	361	426	451	484
3.....	268	292	344	370	398
4.....	233	255	301	321	344
5.....	207	229	277	292	312
10.....	181	201	235	255	273
20.....	158	173	212	229	251
50.....	118	130	192	212	229
100.....	105	119	191	207	225
250.....	94	108	187	206	223
500.....	74	85	183	205	218
1 000 and over.....	65	75	181	203	217

TABLE B

Grootte in hektaar	Vordering vir elke stuk grond						Vordering vir elke stuk meer as—
	Getal stukke vir elk van—						
	een	twee	drie	vier	vyf	ses	
	R	R	R	R	R	R	R
Meer as 2 tot 5.....	733	526	434	380	345	337	6-337
Meer as 5 tot 10.....	752	545	464	407	376	369	6-369
Meer as 10 tot 25.....	773	622	545	489	457	448	6-448
Meer as 25 tot 50.....	843	693	597	540	507	492	6-492
Meer as 50 tot 100.....	951	800	701	644	611	595	6-595
Meer as 100 tot 200.....	1 107	924	828	757	—	—	4-757
Meer as 200 tot 300.....	1 188	992	877	807	—	—	4-807
Meer as 300 tot 500.....	1 332	1 080	968	875	—	—	4-875
Meer as 500 tot 750.....	1 421	1 154	1 024	935	—	—	4-935
Meer as 750 tot 1 000.....	1 510	1 245	1 107	1 018	—	—	4-1 018
Meer as 1 000 tot 1 500.....	1 599	1 332	—	—	—	—	2-1 332
Meer as 1 500 tot 2 000.....	1 686	1 421	—	—	—	—	2-1 421
Meer as 2 000 tot 3 000.....	1 777	1 490	—	—	—	—	2-1 490
Meer as 3 000 tot 5 000.....	1 866	1 545	—	—	—	—	2-1 545
Meer as 5 000 tot 7 500.....	2 021	1 670	—	—	—	—	2-1 670
Meer as 7 500 tot 10 000.....	2 177	1 798	—	—	—	—	2-1 798

TABLE B

Area in hectares	Charge for each piece of land						Charge for every piece over
	Number of pieces for each of—						
	one	two	three	four	five	six	
	R	R	R	R	R	R	R
Over 2 to 5	733	526	434	380	345	337	6-337
Over 5 to 10	752	545	464	407	376	369	6-369
Over 10 to 25	773	622	545	489	457	448	6-448
Over 25 to 50	843	693	597	540	507	492	6-492
Over 50 to 100	951	800	701	644	611	595	6-595
Over 100 to 200	1 107	924	828	757	—	—	4-757
Over 200 to 300	1 188	992	877	807	—	—	4-807
Over 300 to 500	1 332	1 080	968	875	—	—	4-875
Over 500 to 750	1 421	1 154	1 024	935	—	—	4-935
Over 750 to 1 000	1 510	1 245	1 107	1 018	—	—	4-1 018
Over 1 000 to 1 500	1 599	1 332	—	—	—	—	2-1 332
Over 1 500 to 2 000	1 686	1 421	—	—	—	—	2-1 421
Over 2 000 to 3 000	1 777	1 490	—	—	—	—	2-1 490
Over 3 000 to 5 000	1 866	1 545	—	—	—	—	2-1 545
Over 5 000 to 7 500	2 021	1 670	—	—	—	—	2-1 670
Over 7 500 to 10 000	2 177	1 798	—	—	—	—	2-1 798

Met dien verstande dat—

- (1) vir die opmeet van enige stuk grond waarvan die grootte meer as 10 000 hektaar is, die vordering wat in Tabel B voorgeskryf word met R80 verhoog moet word vir elke bykomende 1 000 hektaar of deel daarvan;
- (2) die basiese groottevordering die koste van die volgende insluit:
 - (a) Die verskaffing van meetstukke ingevolge die bepalings van hierdie regulasies;
 - (b) 'n redelike hoeveelheid bykomende berekening om die posisies van die bakens van die grond wat opgemeet word, te toets;

Provided that—

- (1) for the survey of any piece of land the area of which exceeds 10 000 hectares, the charge prescribed in Table B shall be increased by R80 for every additional 1 000 hectares or part thereof;
- (2) the basic area charge shall include the cost of—
 - (a) supplying survey records in terms of these regulations;
 - (b) a reasonable amount of additional computation to verify the positions of the beacons of the land under survey;

- (c) die opstel en verskaffing van alle verslae en sertifikate wat nodig is of voorgeskryf is ingevolge die Wet en hierdie regulasies;
 - (d) die vervaardiging, indiening by die Landmeter-generaal en verskaffing van kaarte en algemene planne in die vorm en getal wat nodig is of vir registrasie voorgeskryf word: Met dien verstande voorts dat, wanneer 'n algemene plan uit 10 of minder figure bestaan, 'n vordering vir sodanige algemene plan ooreenkomstig paragraaf 9 van hierdie Tarief gehef word;
 - (e) behoudens andersluidende bepalings van hierdie Tarief, die verskaffing en oprigting van nuwe bakens en die permanente merk van hoofmeetpunte;
 - (f) die opstel en verskaffing van 'n bakenooreenkoms waar nodig, maar dit sluit nie die verkryging van grondeienaars se handtekening op sodanige ooreenkoms in nie;
 - (g) die opspoor en toetsing van bestaande bakens, meetpunte en versekeringsmerke waar sodanige bakens, meetpunte en versekeringsmerke nie vernietig, uitgewis of bedek is nie;
 - (h) die basering van die opmeting op peilbakens en versekeringsmerke;
 - (i) die toets van die inlynstelling van bestaande bakens wanneer die eindpunte nie vasgestel hoef te word nie, maar uitgesonderd die herplasing van bakens op lyn;
 - (j) die plasing van nuwe bakens op 'n bestaande grens;
 - (k) die uitwys van bakens en grense in die loop van die werk in die veld;
 - (l) vervoer tydens werk in die veld;
 - (m) die verskaffing van normale arbeid;
 - (n) redelike tyd bestee aan die ontvangs en bestudering van opmetingsinstruksies;
- (3) vir elke stuk grond wat 'n reëlmatige figuur is en waarvan die grootte 2 hektaar of minder is, die groottevoordering soos in Tabel A voorgeskryf, met 10 per sent verlaag moet word vir dié reëlmatige figuur wat meer as 10 in getal is: Met dien verstande voorts dat die 10 vrygestelde reëlmatige figuur die kleinste reëlmatige figuur is;
- (4) wanneer kaarte nie vir registrasie vereis word nie, die basiese groottevoordering nie om hierdie rede alleen verlaag word nie;
- (5) (a) wanneer dit noodsaaklik is dat die bakens in beton ingemessel word, soos voorgeskryf, 'n bykomende vordering van R25 per baken gehef word;
- (b) wanneer 'n baken ooreenkomstig die eerste paragraaf van regulasie 18 (1) (c) geplaas word, 'n vordering van R20 vir elke sodanige baken gehef word en wanneer die baken ooreenkomstig die tweede paragraaf van genoemde regulasie geplaas word, die vordering R49 is;
- (c) wanneer aanduidingspenne ingevolge regulasie 18 (2A) geplaas word, 'n vordering van R7,50 vir elke aanduidingspen gehef word;
- (6) in die geval van 'n opmeting van stukke grond van verskillende groottes, die vordering vir 'n enkele stuk afgelei moet word van sy grootte teen 'n tarief wat van toepassing sou wees indien al die stukke van dieselfde grootte was: Met dien verstande voorts dat wanneer twee of meer stukke grond gemeet word en een of meer van sodanige stukke grond groter en een of meer kleiner is as 2 hektaar, die vordering vir een van die groter of grootste gedeeltes ooreenkomstig die eerste kolom in Tabel B moet wees;
- (c) preparing and supplying all such reports and certificates as may be required or prescribed in terms of the Act and these regulations;
 - (d) preparing, lodging with the Surveyor-General, and supplying diagrams and general plans in the form and number required or prescribed for registration: Provided further, that when a general plan consists of 10 or fewer figures, a charge for such general plan shall be made in terms of paragraph 9 of this Tariff;
 - (e) except as provided elsewhere in this Tariff, supplying and erecting new beacons and permanently marking main survey stations;
 - (f) preparing and supplying any agreement regarding beacons as may be required, but shall not include obtaining the signature of land owner on such agreement;
 - (g) locating and verifying existing beacons, stations and reference marks where such beacons, stations and reference marks have not been destroyed, obliterated or covered;
 - (h) basing the survey on trigonometrical stations and reference marks;
 - (i) testing the alignment of existing beacons when terminals do not have to be fixed, but excluding replacing beacons on line;
 - (j) placing new beacons on an existing boundary;
 - (k) pointing out beacons and boundaries in the course of the field work;
 - (l) transport in the course of the field work;
 - (m) supplying normal labour;
 - (n) reasonable time devoted to receiving and perusing instructions for the survey;
- (3) for each piece of land of 2 hectares or less which is a regular figure, the area charge as prescribed in Table A shall be reduced by 10 per cent for those regular figures exceeding 10 in number: Provided further that the 10 regular figures exempted shall be the smallest regular figures;
- (4) when diagrams are not required for registration, no reduction in the basic area charge shall be made for this reason only;
- (5) (a) when it is necessary to embed the centre mark of a beacon in concrete, as prescribed, an additional charge of R25 per beacon shall be made;
- (b) when a beacon is placed in accordance with the first paragraph of regulation 18 (1) (c), a charge of R20 for every such beacon shall be made and when the beacon is placed in accordance with the second paragraph of the said regulation the charge shall be R49;
- (c) when witness marks are placed in terms of regulation 18 (2A), a charge of R7,50 per witness mark shall be made;
- (6) in the survey of pieces of land of varying areas, the charge for an individual piece shall be derived from its area at a rate which would be applicable if all the pieces were of the same size: Provided further that when two or more pieces of land are being surveyed and one or more of such pieces of land is greater than and one or more is smaller than 2 hectares, the charge for one of the larger or largest areas shall be made in accordance with the first column of Table B;

- (7) (a) vir elke reguit verdelingsmuur van 'n woning, wat 'n gemeenskaplike grens vorm, R30 vir elk van daardie aangrensende erwe gevorder word;
- (b) vir elke verspringende verdelingsmuur van 'n woning, wat 'n gemeenskaplike grens vorm, R60 vir elk van daardie aangrensende erwe gevorder word;
- (8) vir elke serwituut-endorsement op 'n stel kaarte of algemene planne, 'n vordering van R11 gehef word;
- (9) vir elke onderdeelklousule van 'n stel gekonsolideerde kaarte deur 'n landmeter vervaardig, 'n vordering van R11 gehef word;
- (10) wanneer 'n aantal eiendomme op verskillende kaarte voorgestel, vir onderverdelings- of serwituutdoel-eindes opgemeet word, 'n bykomende vordering van R49 gehef word vir die tweede en elke daaropvolgende eiendom wat aldus opgemeet word;
- (11) (a) vir die opmeet van bykomende grense van meer as ses in getal, die vordering voorgeskryf in Tabel A of Tabel B met 10 persent verhoog word vir elke van 10 sodanige bykomende grense en daarna met 5 persent vir enige verdere sodanige grense;
- (b) die lyn wat 'n ongebakende punt met 'n aanduidingsbaken verbind, nie as 'n grens beskou word vir die doel van hierdie Tarief nie;
- (12) vir die opmeet van meer as een stuk grond in 'n dorp, die gelde voorgeskryf in Tabele A en B met 25 persent verhoog word vir 'n stuk grond wat groter is as 4 000 vierkante meter wat geheel en al deur paaie omring is en wat nie in erwe verdeel is nie;
- (13) behoudens die bepalings van paragrawe 4 en 10 van hierdie Tarief, geen vordering gehef word nie vir die opmeet van enige padgebied waarvoor registrasie as 'n aparte eiendom nie vereis word nie en wat tot stand kom by die opmeet van een of meer stukke grond;
- (14) geen vordering vir die opmeet van die buitefiguur wat op 'n algemene plan voorgestel word, gehef word nie, tensy 'n kaart van sodanige figuur vir registrasiedoel-eindes nodig is, en dat wanneer sodanige kaart vervaardig word, daar vir die buitefiguur as 'n afsonderlike opmeting gelde gevorder word.
- (7) (a) for each straight dividing wall of a dwelling which forms a common boundary a charge of R30 for each abutting erf shall be made;
- (b) for each staggered dividing wall of a dwelling which forms a common boundary a charge of R60 for each abutting erf shall be made;
- (8) for each servitude endorsement on a set of diagrams or general plans, a charge of R11 shall be made;
- (9) for each component clause of a set of consolidated diagrams prepared by a land surveyor, a charge of R11 shall be made;
- (10) when a number of properties represented on separate diagrams are surveyed for subdivisional or servitude purposes, an additional charge of R49 shall be made for the second and each subsequent property so surveyed;
- (11) (a) for the survey of additional boundaries exceeding six in number, the charge prescribed in Table A or Table B shall be increased by 10 per cent for each of 10 such additional boundaries and thereafter by 5 percent for any further such boundaries;
- (b) the line joining an unbeaconed point with an indicatory beacon shall not be deemed to be a boundary for the purpose of this Tariff;
- (12) in the survey of more than one piece of land in a township, the fees prescribed in Tables A and B shall be increased by 25 per cent for any piece of land exceeding 4 000 square metres in area which is entirely surrounded by roads and is not subdivided into erven;
- (13) except as provided in paragraphs 4 and 10 of this Tariff, no charge shall be made for the survey of any road area for which registration as a separate property is not required and which is created in the survey of one or more pieces of land;
- (14) no charge shall be made for the survey of the outside figure represented on a general plan, unless a diagram of such figure is required for registration, and that when such diagram is prepared a charge shall be made for the outside figure as a separate survey.

2. Opsporing en herplasing van bakens

Vir die opsporing en herplasing van bakens van 'n eiendom in 'n dorp word 'n vordering gehef kragtens of paragraaf 14 of Tabel A van paragraaf 1, voorbehoudsbepaling (11) (a) by genoemde paragraaf 1 en paragraaf 11 van hierdie Tarief, watter bedrag ook al die kleinste is: Met dien verstande dat vir die opmeting van 'n eiendom waar abnormale omstandighede buite die beheer van die landmeter aanwesig is, die vordering wat kragtens genoemde Tabel A gehef word, met hoogstens 85 persent verhoog word en dat geen vordering kragtens die bepalings van paragraaf 13 van hierdie Tarief gehef word nie.

3. Amptelike koördinaatwaardes

Die basiese grootte vordering vir elke stuk grond word met 5 persent verminder vir elke baken waaraan 'n amptelike koördinaatwaarde toegeken is: Met dien verstande dat—

- (a) geen vermindering gemaak word wanneer dit nodig is dat sodanige bakens hervasgestel of die posisie van sodanige bakens getoets moet word nie;
- (b) die totale bedrag waarmee sodanige vordering verminder word, nie 50 persent oorskry nie.

2. Location and replacement of beacons

For the location or replacement of beacons of a property in a township a charge in terms of either paragraph 14 or Table A of paragraph 1, proviso (11) (a) of the said paragraph 1 and paragraph 11 of this Tariff, whichever is less, shall be made: Provided that for the survey of a property where abnormal circumstances beyond the control of the land surveyor are present the charge made in terms of the said Table A may be increased by a maximum of 85 per cent and that no charge in terms of the provisions of paragraph 13 of this Tariff shall be made.

3. Official co-ordinate values

The basic area charge for each piece of land shall be reduced by 5 per cent for each beacon to which an official co-ordinate value has been assigned; Provided that—

- (a) no reduction shall be made when it is necessary to redetermine or to verify the position of such beacon;
- (b) the total amount by which such charge is reduced shall not exceed 50 per cent.

4. Resterende gedeelte

Indien dit nodig is om die resterende gedeelte van 'n stuk grond wat onderverdeel word, op te meet ten einde die grootte daarvan te bepaal, is alle vorderings in paragrafe 1 en 3 van hierdie Tarief voorgeskryf, van toepassing op die grootte van sodanige resterende gedeelte as sou dit een van die onderverdelings wees.

5. Bepaling van gegewe grootte

Vir die berekening van die posisie en die plasing van 'n baken om 'n gegewe grootte te bepaal, is die vordering 10 persent van die tarief voorgeskryf in Tabel B: Met dien verstande dat hierdie vordering nie van toepassing is nie op stukke grond in Tabel A vermeld.

6. Konneksies

Vir elk van—

- die twee afstande tussen twee geskik geleë bakens van die grond wat onderverdeel word en twee bakens van die onderverdeling in regulasie 36 (1) genoem; en
- die sye in regulasie 36 (2) (a) genoem of die afstande in regulasie 36 (2) (b) genoem,

word konneksievorderings volgens Tabel C hieronder gehef: Met dien verstande dat—

- daar vir geen afstand meer as een keer 'n vordering gehef word nie;
- geen vordering gehef word as inligting wat uit 'n vorige opmeting verkry is, weer gebruik kan word nie;
- die vordering slegs een keer gehef word wanneer twee of meer aangrensende onderverdelings terselfdertyd opgemeet word;
- geen vordering gehef word vir konneksies na eindpunte waarvan die posisies ontleen kan word aan vorige opmetings nie, of wanneer in omstandighede soos voorgeskryf dit nie noodsaaklik is om konneksiegegewens op 'n kaart aan te bring nie.

TABEL C

Meter	R
50 en korter	60
Meer as 50 tot 500	120
Meer as 500 tot 1 000	180
Meer as 1 000: R180 plus R6 vir elke 100 meter, of deel daarvan, waar dit 1 000 meter oorskry, met 'n vordering van hoogstens R600.	

7. Onreëlmatige kromlynige grense

(1) Vir die opmeet van die hoogwatermerk van die see is die vordering R22 vir elke 50 meter, of deel daarvan, plus 'n aanvangsvordering van R44 vir elke onderverdeling wat aan die hoogwatermerk raak.

(2) Vir die opmeet van alle ander kromlynige grense is die vordering R15 vir elke 50 meter, of deel daarvan, plus 'n aanvangsvordering van R44 vir elke onderverdeling van die eiendom wat opgemeet word en wat aan die kromlynige grens raak: Met dien verstande dat wanneer dit nodig is om albei walle van 'n rivier op te meet ten einde die middel vas te stel, die vordering R30 vir elke 50 meter, of deel daarvan is, plus 'n aanvangsvordering van R44 vir elke onderverdeling wat aan die kromlynige grens raak.

(3) *Inligting uit vorige opmetings verkry.* 'n Landmeter mag nie 'n tweede keer vir die opmeet van 'n kromlynige grens 'n vordering hef nie indien die inligting uit 'n vorige opmeting verkry, gebruik kan word: Met dien verstande dat daar ooreenkomstig paragraaf 14 van hierdie Tarief 'n vordering gehef word vir alle werk wat nodig mag wees om die landmeter in staat te stel om sodanige inligting te gebruik.

4. Remaining extent

If it is necessary to survey the remaining extent of a piece of land being subdivided in order to ascertain its area, all charges prescribed in paragraphs 1 and 3 of this Tariff shall apply to the area of such remaining extent as if it were one of the subdivisions.

5. Definition of given area

The charge for computing the position of and placing a beacon to define a given area shall be 10 per cent of the charge prescribed in Table B: Provided that this charge shall not apply to pieces of land referred to in Table A.

6. Connections

For each of—

- the two distances between two suitably situated beacons of the land being subdivided and two beacons of the subdivision referred to in regulation 36 (1); and
- the sides referred to a regulation 36 (2) (a) or the distances referred to in regulation 36 (2) (b),

the charges for connections shall be made in accordance with Table C below: Provided that—

- no length shall be charged for more than once;
- no charge shall be made if information obtained from a previous survey can be used again;
- the charge shall be made once only when two or more contiguous subdivisions are surveyed at the same time;
- no charge shall be made for connections to terminal beacons, the positions of which can be adopted from previous surveys, or, when in circumstances as prescribed, it is not essential to record connecting data on a diagram.

TABLE C

Metres	R
50 and shorter	60
Over 50 to 500	120
Over 500 to 1 000	180
Over 1 000: R180 plus R6 for every 100 metres or part thereof in excess of 1 000 metres, with a maximum charge of R600.	

7. Irregular curvilinear boundaries

(1) For surveying the high-water mark of the sea, a charge of R22 for every 50 metres or part thereof plus an initial charge of R44 for each subdivision abutting on the high-water mark shall be made.

(2) For surveying all other curvilinear boundaries, a charge of R15 for every 50 metres or part thereof plus an initial charge of R44 for each subdivision of the property being surveyed abutting on the curvilinear boundary shall be made: Provided that, when it is necessary to survey both banks of a river in order to determine the middle, the charge shall be R30 for every 50 metres or part thereof plus an initial charge of R44 for each subdivision abutting on the curvilinear boundary.

(3) *Information obtained from previous surveys.* A land surveyor shall not charge a second time for the survey of a curvilinear boundary if the information obtained in a previous survey can be used: Provided that any work that may be necessary to enable the land surveyor to use such information shall be charged for in accordance with paragraph 14 of this Tariff.

8. Kaarte, endossemente en afdrukke

(1) Die volgende vordering word gehef vir die vervaardiging van 'n kaart wanneer daar nie elders in hierdie Tarief 'n vordering daarvoor voorgeskryf is nie:

- (a) *Kaarte sonder koördinate*. Vir 'n kaart van ses of minder sye: R30. Vir elke bykomende sy meer as ses: R1,60.
- (b) *Kaarte met koördinate*. Vir 'n kaart van ses of minder sye: R39. Vir elke bykomende sy meer as ses: R2,10.
- (c) *Gekonsolideerde kaarte*. Op gekonsolideerde kaarte is die vorderings voorgeskryf in subparagrafe (a) en (b) van hierdie paragraaf van toepassing, en 'n bykomende vordering van R11 word gehef vir elke onderdeelklousule van die konsolidasie:

Met dien verstande dat 'n vordering vir die kompilering en berekening van gegewens wat nodig is in die geval van subparagrafe (a), (b) en (c) van hierdie paragraaf, ooreenkomstig paragraaf 14 van hierdie Tarief gehef word.

(2) *Serwituut-endossemente*. Vir elke serwituut-endossement op 'n stel kaarte is die vordering R11.

(3) *Afdrukke*. Vir die verskaffing van afdrukke van kaarte wat vir registrasie geskik is, is die vordering R4 per 1 000 vierkante sentimeter of deel daarvan.

9. Algemene planne

(1) Die volgende vorderings word gehef vir die vervaardiging van 'n algemene plan wanneer daar nie elders in hierdie Tarief 'n vordering daarvoor voorgeskryf is nie:

- (a) Vir enige getal figure tot en met 10: R245.
- (b) Vir enige bykomende figuur tot en met 50: R7,50.
- (c) Vir elke bykomende figuur meer as 50: R4,50.

(2) Vir die verskaffing van bykomende afskrifte van 'n algemene plan geskik vir registrasiedoeleindes word 'n vordering gelykstaande met die drukkoste plus 50 persent gehef.

10. Servitute

(1) *Bestaande sigbare kraglynserwitute (aparte serwituutkaart)*.

- (a) Die basiese vordering vir die opmeet van bestaande sigbare kraglyne wat deur die Elektrisiteitsvoorsieningskommissie, vermeld in artikel 2 van die Elektrisiteitswet, 1958, opgerig is, word volgens Tabel D hieronder gehef: Met dien verstande dat die bepalinge in voorbehoudsbepalinge (2) en (5) by paragraaf 1 en in paragrafe 6, 11, 12 en 14 van hierdie Tarief *mutatis mutandis* van toepassing is ten opsigte van die basiese vordering vir enige sodanige opmeting.
- (b) In die geval van twee of meer aanliggende kraglyne wat op dieselfde serwituutkaart voorgestel word, is die vordering vir die opmeting van elke bykomende lyn ná die eerste lyn R27 vir elke buigpunt as dit bereken word, of R56 vir elke buigpunt as dit bereken en gebaken word.
- (c) Vir elke eiendom wat deur die serwituut geraak word en waarvoor 'n aparte serwituutkaart nodig is, word 'n bykomende vordering van R62 gehef.
- (d) Bykomend by die vorderings voorgeskryf in paragraaf 6 van hierdie Tarief, word die vordering vir ander bakens wat noodsaakliker wys in die loop van die opmeting opgemeet moet word, gehef soos vir konneksiebakens volgens Tabel C vir die afstand van elke sodanige baken na die naaste kraglynbuigpunt wat in die opmeting ingesluit is.

8. Diagrams, endorsements and prints

(1) The following charge shall be made for the preparation of a diagram when no charge has been prescribed therefore elsewhere in this Tariff:

- (a) *Diagrams without co-ordinates*. For a diagram of six sides or less: R30. For each additional side above six: R1,60.
- (b) *Diagrams with co-ordinates*. For a diagram of six sides or less: R39. For each additional side above six: R2,10.
- (c) *Consolidated diagrams*. For consolidated diagrams the charges prescribed in subparagraphs (a) and (b) of this paragraph shall apply and an additional charge of R11 shall be made for each component clause of the consolidation:

Provided that a charge for the compilation and calculation of data necessary in the case of subparagraphs (a), (b) and (c) of this paragraph shall be made in accordance with paragraph 14 of this Tariff.

(2) *Servitude endorsements*. For each servitude endorsement on a set of diagrams a charge of R11 shall be made.

(3) *Prints*. For providing prints of diagrams suitable for registration a charge of R4 per 1 000 square centimetres or part thereof shall be made.

9. General plans

(1) The following charges shall be made for the preparation of a general plan when no charge has been prescribed therefore elsewhere in this Tariff:

- (a) For any number of figures up to and including 10: R245.
- (b) For every additional figure up to and including 50: R7,50.
- (c) For every additional figure above 50: R4,50.

(2) For providing additional copies of a general plan suitable for registration purposes a charge equal to that of the printing costs plus 50 per cent shall be made.

10. Servitudes

(1) *Existing visible powerline servitudes (separate diagram)*.

- (a) The basic charge for the survey of existing visible powerlines erected by the Electricity Supply Commission referred to in section 2 of the Electricity Act, 1958, shall be made in accordance with Table D below: Provided that the provisions contained in provisos (2) and (5) of paragraph 1 and in paragraphs 6, 11, 12 and 14 of this Tariff shall apply *mutatis mutandis* in respect of the basic charge for any such survey.
- (b) In the case of two or more adjacent powerlines represented on the same servitude diagram, the charge for the survey of each additional line after the first line shall be at a rate of R27 per bend if calculated or R56 per bend if calculated and beacons.
- (c) For each property affected by the servitude for which a separate servitude diagram is required, an additional charge of R62 shall be made.
- (d) In addition to the charges prescribed in paragraph 6 of this Tariff, all other property beacons necessarily determined during the course of the survey shall be charged for as connecting beacons according to Table C for the distance from each such beacon to the nearest powerline bend point included in the survey.

TABEL D

Afstand tussen opeenvolgende buigpunten van kraglyn

Meter	R
0 tot 20.....	223
Meer as 20 tot 50.....	268
Meer as 50 tot 100.....	293
Meer as 100 tot 150.....	311
Meer as 150 tot 250.....	328
Meer as 250 tot 350.....	353
Meer as 350 tot 500.....	382
Meer as 500 tot 750.....	428
Meer as 750 tot 1 000.....	469
Meer as 1 000 tot 1 500.....	533
Meer as 1 500 tot 2 000.....	604
Meer as 2 000 tot 3 000.....	687
Meer as 3 000 tot 4 000.....	777
Meer as 4 000 tot 5 000.....	856
Meer as 5 000 tot 7 500.....	946
Meer as 7 500 tot 10 000.....	1 072
Meer as 10 000 tot 12 500.....	1 213
Meer as 12 500 tot 15 000.....	1 325
Meer as 15 000 tot 20 000.....	1 474
Meer as 20 000 tot 30 000.....	1 650
Meer as 30 000: R1 650 plus R158 vir elke 10 000 meter, of deel daarvan, waar dit 30 000 meter oorskry.	

(2) Ander lynservitute (aparte servituutkaart).

(a) Die basiese vordering vir die opmeet van 'n lyn wat op 'n aparte servituutkaart voorgestel moet word, word gehef soos voorgeskryf in paragraaf 1 van hierdie Tarief vir die grootte van 'n vierkant waarvan die sy gelyk is aan een kwart van die lengte van sodanige lyn: Met dien verstande dat—

(i) alle ander vorderings en aftrekkings in hierdie Tarief vermeld, *mutatis mutandis* van toepassing is as sou die lyn een of meer grense van 'n stuk grond voorstel; en

(ii) sodanige lengte aanvaar word as die afstand langs sodanige lyn tussen die eiendomsgrense waarvoor konneksiegegewens gewoonlik deur die Landmeter-generaal nodig geag word.

(b) Waar twee of meer aanliggende lyne op dieselfde servituutkaart voorgestel word, is die vordering vir die opmeet van elke bykomende lyn ná die eerste lyn 35 persent van die vordering in subparagraaf (a) voorgeskryf.

(3) Gebiedservitute (aparte servituutkaart). Die vorderings in hierdie Tarief voorgeskryf vir die opmeet van 'n stuk grond is *mutatis mutandis* van toepassing op die opmeting verbonde aan die afbakening van 'n servituutgebied wanneer dit noodsaaklik is om sodanige gebied op 'n aparte servituutkaart voor te stel: Met dien verstande dat wanneer sodanige gebied 'n aantal aangrensende eiendomme raak, elke gedeelte van sodanige gebied wat noodsaaklikerwys afgebaken word, as 'n aparte stuk grond beskou word vir die toepassing van die basiese groottevordering.

(4) Lyn- en gebiedservitute tesame met onderverdeling.

(a) Vir 'n servituut gekombineer met 'n onderverdeling en voorgestel op 'n onderverdelingskaart, waar sodanige servituut buite die grense van die onderverdeling val, geld die vorderings voorgeskryf in subparagrafe (2) en (3).

(b) 'n Servituut gekombineer met 'n onderverdeling en voorgestel op 'n onderverdelingskaart, word as 'n inherente deel van sodanige onderverdeling beskou wanneer sodanige servituut binne die grense van die onderverdeling geleë is, en die vorderings wat in hierdie Tarief voorgeskryf word, is *mutatis mutandis* van toepassing op die opmeting van sodanige servituut: Met dien verstande dat gelde vir al die bykomende bakens, wat noodsaaklikerwys geplaas is om die perke van die servituut te bepaal, gevorder word as bykomende grense.

TABLE D

Distance between consecutive bend points of powerline

Metres	R
0 to 20.....	223
Over 20 to 50.....	268
Over 50 to 100.....	293
Over 100 to 150.....	311
Over 150 to 250.....	328
Over 250 to 350.....	353
Over 350 to 500.....	382
Over 500 to 750.....	428
Over 750 to 1 000.....	469
Over 1 000 to 1 500.....	533
Over 1 500 to 2 000.....	604
Over 2 000 to 3 000.....	687
Over 3 000 to 4 000.....	777
Over 4 000 to 5 000.....	856
Over 5 000 to 7 500.....	946
Over 7 500 to 10 000.....	1 072
Over 10 000 to 12 000.....	1 213
Over 12 500 to 15 000.....	1 325
Over 15 000 to 20 000.....	1 474
Over 20 000 to 30 000.....	1 650
Over 30 000: R1 650 plus R158 for every 10 000 metres or part thereof in excess of 30 000 metres.	

(2) Other line servitudes (separate servitude diagram).

(a) The basic charge for the survey of a line to be represented on a separate servitude diagram shall be made as prescribed in paragraph 1 of this Tariff for the area of a square, the side of which is equal to one-quarter of the length of such line: Provided that—

(i) all other charges and reductions specified in this Tariff shall apply *mutatis mutandis* as if the line represented one or more boundaries of a piece of land; and

(ii) such length shall be taken as being the distance along such line between the property boundaries for which connecting data are normally deemed necessary by the Surveyor-General.

(b) In the case of two or more adjacent lines represented on the same servitude diagram, the charge for the survey of each additional line after the first line shall be 35 per cent of the charge prescribed in subparagraf (a).

(3) Area servitudes (separate servitude diagram). The charges prescribed in this Tariff for the survey of a piece of land shall apply *mutatis mutandis* to the survey involving the beaconing of a servitude area when it is essential to represent such area on a separate servitude diagram: Provided that, when such area affects a number of contiguous properties, each section of such area which is necessarily beaconed shall rank as a separate piece of land for the purposes of the basic area charge.

(4) Line and area servitudes combined with subdivisions.

(a) For a servitude combined with a subdivision and represented on a subdivisional diagram, when such servitude lies outside the boundaries of the subdivision, the charges prescribed in subparagraf (2) and (3) shall apply.

(b) A servitude combined with a subdivision and represented on a subdivisional diagram shall be deemed to be an inherent part of such subdivision when such servitude lies within the boundaries of the subdivision and the charges prescribed in this Tariff shall apply *mutatis mutandis* in regard to the survey of such servitude: Provided that all the additional beacons necessarily placed to define the limits of the servitude, shall be charged for as additional sides.

- (c) Die toepaslike vordering voorgeskryf in paragraaf 7 van hierdie Tarief, word gehef wanneer die servituut kromlynig bepaal word.
- (5) *Allerlei servitute.*
- (a) Vir servituutopmetings waarby die Landmeter-generaal toegelaat het dat dieselfde prosedures gevolg word as wat aanvaar is vir bestaande sigbare kraglyn-servitute, word die vorderings ooreenkomstig subparagraaf (1) gehef.
- (b) Vir die werk wat in verband staan met servitute en wat nie elders in hierdie paragraaf gespesifiseer word nie, word 'n vordering ooreenkomstig paragraaf 14 van hierdie Tarief gehef.

11. Reis, vervoer en verblyf

(1) Vir die heen- en terugreis tussen 'n landmeter se hoofkwartier en die terrein van die opmeting of van die plek waar hy laas werkzaam was na sodanige terrein en verder na ander werk, word 'n vordering van 70c per kilometer gehef: Met dien verstande dat—

- (i) sodanige vorderings gehef word vir slegs een voltooide reis met een voertuig, tensy daar grondige redes bestaan vir die aflê van bykomende reise of vir die gebruik van bykomende voertuie;
- (ii) geen vordering gehef mag word nie vir reis en vervoer tydens die uitvoer van 'n opmeting waarvoor 'n basiese-groottevordering gehef word; en
- (iii) 'n bykomende vordering gehef word vir die tyd wat deur die heen- en terugreis tussen die landmeter se hoofkwartier en die terrein van die opmeting in beslag geneem word, vir een landmeter, een tegniese assistent en arbeiders wat noodsaaklikerwys vervoer moet word vir die uitvoering van die opmeting teen R56 per uur vir die landmeter en 0,15 persent van die bruto jaarlikse vergoeding per uur vir arbeiders en tegniese assistente, tensy 'n ander skriftelike ooreenkoms vooraf aangegaan is tussen die landmeter en die persoon wat verantwoordelik is vir die betaling van sy gelde.

(2) As gratis akkommodasie nie op die terrein van die opmeting verskaf word nie, vorder die landmeter vervoer- en reiskoste teen die tarief in subparagraaf (1) van hierdie paragraaf voorgeskryf, ten opsigte van een heen- en terugreis per dag tussen die terrein van die opmeting en—

- (a) of sy hoofkwartier;
- (b) of sy naaste geskikte akkommodasie;
- (c) of die vry akkommodasie deur sy kliënt elders verskaf:

Met dien verstande dat—

- (i) die afstand per dag waarvoor sodanige vordering gehef word, nie 100 kilometers mag oorskry nie;
- (ii) geen vordering kragtens hierdie paragraaf gehef mag word nie vir die eerste dag wat aan die opmeting bestee word;
- (iii) vir akkommodasie wat deur die landmeter weg van sy hoofkwartier verskaf word, hy daaglikse verblyf-koste teen R56 vir homself en elk van sy tegniese assistente en R30 vir elk van sy arbeiders vorder.

12. Opmaak van lyne

Wanneer dit vir die uitvoering van 'n opmeting noodsaaklik is dat die plantegroei verwyder word, moet vir die tyd wat noodwendig deur die landmeter bestee is uitsluitlik aan toesig oor sodanige verwydering, 'n vordering gehef word teen 'n tarief van R56 per uur: Met dien verstande dat die landmeter sorg dra dat die verwydering so ekonomies en spoedig moontlik plaasvind: Met dien verstande voorts, dat, wanneer dit uitvoerbaar is, die kliënt die geleentheid gegee word om die nodige verwydering te laat doen en die arbeid te verskaf. Die koste van arbeid wat deur die landmeter vir die verwydering verskaf word, is op die kliënt verhaalbaar.

- (c) The applicable charge prescribed in paragraph 7 of this Tariff shall be made when the servitude is defined by a curvilinear line.

(5) *Miscellaneous servitudes.*

- (a) For servitude surveys for which the Surveyor-General has allowed the same procedures to be adopted as are specified for existing visible powerline servitudes, the charges in accordance with subparagraph (1) shall apply.
- (b) For work which is connected with servitudes and which is not specified elsewhere in this paragraph, a charge shall be made in accordance with paragraph 14 of this Tariff.

11. Travelling, transport and subsistence

(1) A charge for the forward and the return journey between a land surveyor's headquarters and the site of the survey or from the place where he was last employed to such site and onwards to other work shall be made at the rate of 70c per kilometre: Provided that—

- (i) such charges shall be made for only one completed journey and only one vehicle, unless substantial reasons exist for additional journeys being made or additional vehicles being used;
- (ii) no charge shall be made for travelling and transport during the performance of a survey for which a basic charge is made; and
- (iii) an additional charge shall be made for the time occupied during the forward and return journeys between the land surveyor's headquarters and the site of the survey for one land surveyor, one technical assistant and labourers being necessarily transported for the performance of the survey at the rate of R56 per hour for the land surveyor and at a rate equal to 0,15 per cent of their gross annual remuneration per hour for labourers and technical assistants, unless a different prior written agreement has been made between the land surveyor and the person responsible for the payment of his fees.

(2) When free accommodation is not provided at the site of the survey, the land surveyor shall charge travelling and transport expenses at a rate prescribed in subparagraph (1) of this paragraph in respect of one forward and one return journey per day between the site of the survey and either—

- (a) his headquarters; or
- (b) the nearest suitable accommodation; or
- (c) the free accommodation provided elsewhere by the client:

Provided that—

- (i) the distance per day for which such charge is made shall not exceed 100 kilometres;
- (ii) no charge shall be made in terms of this paragraph for the first day devoted to the survey;
- (iii) for accommodation supplied by the land surveyor away from his headquarters, he may charge subsistence at the daily rate of R56 each for himself and each assistant and R30 for each of his labourers.

12. Line clearing

When it is essential for the performance of a survey that vegetation be cleared, the time necessarily spent by the land surveyor solely on supervising such clearing shall be charged for at a rate of R56 per hour: Provided that the land surveyor shall ensure that the clearing is done as economically and expeditiously as possible: Provided further that, whenever practicable, the client shall be afforded the opportunity of having the necessary clearing done and supplying the necessary labour. The cost of labour supplied by the land surveyor for the clearing shall be recoverable from the client.

13. Abnormale omstandighede

(1) Indien abnormale omstandighede buite die beheer van die landmeter die uitvoer van veldwerk nadelig beïnvloed, kan die vorderings in Tabela A en B van paragraaf 1, in voorbehoudsbepalings (1), (3), (11) en (12) van genoemde paragraaf 1, en in paragrawe 4, 5, 6, 7 en 10 [uitgesonderd paragraaf 10 (5) (b)] van die Tarief met hoogstens 35 persent verhoog word. Die verhoging moet in elke geval volgens meriete bepaal word.

(2) In die opmeting van 50 of meer stukke grond in 'n bestaande dorp moet die groottevordering soos in Tabel A van paragraaf 1 van die Tarief voorgeskryf, met 60 persent verhoog word vir daardie stukke waarop een of meer geboue opgerig is: Met dien verstande dat wanneer hierdie vordering gemaak word geen vordering kragtens die bepalinge van subparagraaf (1) gemaak sal word nie.

14. Allerlei

Vir professionele werk waarvoor nie elders in hierdie Tarief voorsiening gemaak is nie, word 'n vordering van R75 per uur gehef: Met dien verstande dat die volgende koste verhaalbaar is:

- 70c per kilometer ten opsigte van motorvervoer deur die landmeter verskaf tydens die uitvoering van 'n opmeting;
- die bedrag van uitgawes aan bakenmateriaal;
- 'n vordering bereken teen 0,15 persent van hulle bruto jaarlikse vergoeding per uur of gedeelte daarvan vir arbeiders en tegniese assistente wat noodsaaklikewys in diens geneem is: Met dien verstande voorts dat waar 'n instituut van landmeters 'n tarief van gelde vasgestel het vir werk wat ingevolge die Wet en hierdie regulasies verrig word en waarvoor nie elders in hierdie Tarief voorsiening gemaak is nie, 'n vordering gehef word ingevolge sodanige tarief, mits dit gelyk aan of minder is as die gelde wat in hierdie paragraaf voorgeskryf is.

15. *Opmeting van stedelike Swart dorpe en opgradering van algemene planne vir registrasie van huurpag vir 99 jaar.*

(1) *Basiese groottevordering.* Die gelde vir die opmeet van een of meer stukke grond wat in dieselfde opmeting ingesluit en gelyktydig opgemeet is en nie meer as ses grense het nie, word in Tabel E hieronder voorgeskryf, en die vordering per stuk vir enige getal stukke wat nie aangegee is nie moet proporsioneel van die getabelleerde vordering afgelei word:

13. Abnormal circumstances

(1) The charges specified in Tables A and B of paragraph 1, provisos (1), (3), (11) and (12) of paragraph 1, and in paragraphs 4, 5, 6, 7 and 10 [excluding paragraph 10 (5) (b)] of the Tariff may be increased by not more than 35 per cent if abnormal circumstances beyond the control of the land surveyor adversely affect the performance of field work. The increase shall be assessed in each case on its merits.

(2) In the survey of 50 or more pieces of land in a township, the area charge as prescribed in Table A of paragraph 1 of the Tariff shall be increased by 60 per cent for those pieces of land upon which one or more buildings have been erected: Provided that when this charge is made no charge in terms of subparagraph (1) shall be made.

14. Miscellaneous

For professional work not specified elsewhere in this Tariff, a charge of R75 per hour shall be made: Provided that the following costs shall be recoverable:

- 70c per kilometre in respect of motor transport supplied by the land surveyor during the performance of a survey;
- the amount of disbursements for beacon material;
- a charge equal to 0,15 per cent of their gross annual remuneration per hour or part thereof for labourers and technical assistants necessarily employed: Provided further that, where an institute of land surveyors has a tariff of fees for work not specified elsewhere in this Tariff and which is for services performed in terms of the Act and Regulations, a charge in conformity with such tariff shall be made if it is equal to or less than the charges prescribed in this paragraph.

15. *Survey for urban Black townships and updating of general plans for registration of a leasehold for 99 years.*

(1) *Basic area charge.* The fees for the survey of one or more pieces of land included in the same survey, surveyed at the same time and having not more than six boundaries, shall be as prescribed below in Table E and the charge per piece for any number of pieces not specified in the table shall be derived proportionally from the tabulated charges:

TABEL E

Totale getal stukke	Vordering vir elke stuk grond: Groottes						
	300 m ² en minder	301 tot 450 m ²	451 tot 750 m ²	751 tot 1 100 m ²	1 101 tot 1 500 m ²	1 501 tot 4 000 m ²	4 001 m ² en groter
	R	R	R	R	R	R	R
1	401	451	492	532	581	631	695
2	288	328	358	390	428	466	512
3	204	228	253	281	313	344	380
4	182	204	228	251	280	306	341
5	168	188	210	233	254	277	316
10	122	143	160	175	197	217	242
20	114	131	146	163	180	199	222
50	104	117	132	146	164	180	202
100	99	110	123	135	151	167	186
250	84	97	108	122	134	148	166
500	71	81	92	101	114	126	141
1 000	61	70	81	90	102	116	131
2 000 en meer	51	58	68	78	91	105	118

TABLE E

Total number of pieces	Charge for each piece of land: Areas						
	300 m ² and less	301 to 450 m ²	451 to 750 m ²	751 to 1 100 m ²	1 101 to 1 500 m ²	1 501 to 4 000 m ²	4 001 m ² and over
1	R 401	R 451	R 492	R 532	R 581	R 631	R 695
2	288	328	358	390	428	466	512
3	204	228	253	281	313	344	380
4	182	204	228	251	280	306	341
5	168	188	210	233	254	277	316
10	122	143	160	175	197	217	242
20	114	131	146	163	180	199	222
50	104	117	132	146	164	180	202
100	99	110	123	135	151	167	186
250	84	97	108	122	134	148	166
500	71	81	92	101	114	126	141
1 000	61	70	81	90	102	116	131
2 000 and over	51	58	68	78	91	105	118

Met dien verstande dat—

(a) die basiese groottevordering die koste van die volgende insluit:

- (i) Die verskaffing van meetstukke wat benodig word;
- (ii) die vervaardiging, indiening en verskaffing van kaarte en algemene planne in dié vorm en getal wat benodig word;
- (iii) uitgesonderd soos elders in hierdie paragraaf bepaal, die verskaffing en oprigting van nuwe bakens en die permanente merk van hoofmeetpunte;
- (iv) die opspoor en toets van bestaande bakens, meetpunte en versekeringsmerke waar sodanige bakens, meetpunte en versekeringsmerke nie vernietig, uitgewis of bedek is nie;
- (v) basering van die opmeting op peilbakens en versekeringsmerke;
- (vi) die plaas van nuwe bakens op 'n bestaande grens;
- (vii) die uitwys van bakens en grense in die loop van die veldwerk;
- (viii) vervoer tydens die werk in die veld;
- (ix) die verskaffing van normale arbeid;
- (x) redelike tyd bestee aan die ontvangs en bestudering van opmetingsinstruksies;

(b) vir elke stuk grond wat 'n reëlmatige figuur is en waarvan die grootte 2 hektaar of minder is, die groottevordering soos in Tabel E voorgeskryf, met 10 persent verlaag moet word vir dié reëlmatige figuur wat meer as 10 in getal is: Met dien verstande voorts dat die 10 vrygestelde reëlmatige figuur die kleinste reëlmatige figuur is;

(c) vir die opmeet van een of meer stukke grond in 'n dorp, die groottevordering soos in Tabel E voorgeskryf, met 60 persent verhoog word vir daardie stukke waarop een of meer geboue opgerig is;

(d) wanneer vereis word dat die bakens in beton ingemessel word, 'n bykomende vordering van R20 per baken gehef word;

(e) wanneer versekeringsmerke, uitgesonderd dié voorgeskryf in artikel 26bis van die Wet, geplaas word, 'n bykomende vordering van R20 vir elke sodanige versekeringsmerk gehef word;

(f) in die geval van 'n opmeting van stukke grond van verskillende groottes, die vordering vir 'n enkele stuk afgelei moet word van sy grootte teen 'n tarief wat van toepassing sou wees indien al die stukke van dieselfde grootte was;

Provided that—

(a) the basic area charge shall include the cost of—

- (i) supplying the survey records required;
- (ii) preparing, lodging and supplying diagrams and general plans in the form and number as may be required;
- (iii) except as specified elsewhere in this paragraph, supplying and erecting new beacons and permanently marking main survey stations;
- (iv) locating and verifying existing beacons, stations and reference marks where such beacons, stations and reference marks have not been destroyed, obliterated or covered;
- (v) basing the survey on trigonometrical stations and reference marks;
- (vi) placing new beacons on an existing boundary;
- (vii) pointing out beacons and boundaries in the course of the field work;
- (viii) transport in the course of the field work;
- (ix) supplying normal labour;
- (x) reasonable time devoted to receiving and perusing instructions for the survey;

(b) for each piece of land of 2 hectares or less which is a regular figure, the area charge as prescribed in Table E shall be reduced by 10 per cent for those regular figures exceeding 10 in number: Provided further that the 10 regular figures exempted shall be the smallest regular figures;

(c) in the survey of one or more pieces of land in a township, the area charge as prescribed in Table E shall be increased by 60 per cent for those pieces of land upon which one or more buildings have been erected;

(d) when it is required to embed the centre mark of a beacon in concrete, an additional charge of R20 per beacon shall be made;

(e) when reference marks other than those prescribed in section 26bis of the Act are placed, an additional charge of R20 for each such reference mark shall be made;

(f) in the survey of pieces of land of varying areas, the charge for an individual piece shall be derived from its area at a rate which would be applicable if all the pieces were of the same size;

- (g) vir die opmeet van bykomende grense van meer as ses in getal, die vordering soos voorgeskryf in Tabel E met 10 persent verhoog word vir elk van 10 van sodanige bykomende grense en daarna met 5 persent vir enige verdere sodanige grense;
- (h) indien abnormale omstandighede buite die beheer van die landmeter die uitvoer van veldwerk nadelig beïnvloed, die vordering in Tabel E voorgeskryf, verhoog kan word met 'n bedrag wat in elke geval volgens meriete bepaal moet word, maar wat nie 30 persent mag oorskry nie;
- (i) vir die opmeet van die buitefiguur wat op 'n algemene plan voorgestel word, die vordering voorgeskryf in Tabelle A en B en voorbehoudsbepaling (14) van paragraaf 1 van hierdie Tarief van toepassing sal wees.

(2) *Reis en vervoer.* Paragraaf 11 is van toepassing.

(3) *Verifikasiesertifikaat.* Vir die sertifikaat wat vereis word ingevolge die regulasies betreffende die toekenning van 'n reg van huurpag, is die basiese vordering 50 persent van die groottevordering soos in Tabel E voorgeskryf. Met dien verstande dat die toepaslike voorbehoudsbepalings van subparagraaf (1) ook van toepassing sal wees.

(4) *Algemene planne.*

- (a) Waar die data op 'n algemene plan van 'n bestaande dorp getoets moet word, is die vordering wat gehef word—

- (i) 'n basiese vordering van R54 per vel;
- (ii) R10,60 vir elke onreëlmatige figuur;
- (iii) R3,60 vir elke reëlmatige figuur;
- (iv) R4,30 per afstand en rigting of koördinaat wat bereken moet word;
- (v) R31 vir elke fout wat opgespoor en opgeklare word wat nie getalsgegevens insluit wat bloot weggelaat of nie duidelik leesbaar is en deur optel of aftrek afgelei kan word nie;

Met dien verstande dat daar vir bykomende inligting waarvoor nie elders in hierdie paragraaf voorsiening gemaak is nie, 'n vordering ooreenkomstig paragraaf 14 van hierdie Tarief gehef word.

- (b) Die toets van 'n algemene plan soos in subparagraaf (a) bedoel, sluit die volgende in:

- (i) Die nagaan van ernommers;
- (ii) verbetering van foutiewe en onleesbare data en die aanbring van bykomende data wat benodig mag word;
- (iii) verskaffing van metrieke groottes van elke erf wat, indien nodig, op 'n aparte vel opeenvolgende getabelleer moet word;
- (iv) bestaanbaarheidstoets;
- (v) indiening van alle berekenings en 'n verslag oor die opmeting.

- (c) Waar 'n algemene plan gemetriseer, heropgestel en getoets moet word ten einde te voldoen aan al die vereistes is die vordering wat gehef word—

- (i) 'n basiese vordering van R212 vir die eerste vel en R106 vir elke daaropvolgende vel;
- (ii) R22 vir elke onreëlmatige figuur;
- (iii) R6 vir elke reëlmatige figuur;
- (iv) R4,30 per afstand en rigting of koördinaat wat bereken moet word;

- (g) for the survey of additional boundaries above six in number, the charge as prescribed in Table E shall be increased by 10 per cent for each of 10 such additional boundaries and thereafter by 5 per cent for any further such boundaries;

- (h) the area charge as prescribed in Table E may be increased by not more than 30 per cent if abnormal circumstances beyond the control of the land surveyor adversely affect the performance of field work, the increase to be assessed in each case on its merits;

- (i) for the survey of the outside figure shown on a general plan the charge prescribed in Tables A and B and proviso (14) of paragraph 1 of this Tariff shall apply.

(2) *Travelling and transport.* Paragraph 11 shall apply.

(3) *Verification certificate.* For a certificate required in terms of the regulations governing the granting of a right of leasehold in an urban Black residential area, the basic charge shall be 50 per cent of the area charge as prescribed in Table E: Provided that the relevant provisos of subparagraph (1) shall also be applicable.

(4) *General plans.*

- (a) Where the data on a general plan of an existing township must be checked the charge shall be—

- (i) a basic charge of R54 per sheet;
- (ii) R10,60 for each irregular figure;
- (iii) R3,60 for each regular figure;
- (iv) R4,30 per distance and direction or co-ordinate required to be computed;
- (v) R31 for each mistake found and corrected, which shall not include numerical data which are merely omitted or not clearly legible and which can be deduced by addition or subtraction;

Provided that for additional information not covered elsewhere in this paragraph a charge in accordance with paragraph 14 of this Tariff shall be made.

- (b) The checking of a general plan referred to in subparagraph (a) shall include the following:

- (i) The checking of erf numbers;
- (ii) the correction of erroneous and illegible data and addition of data that may be required;
- (iii) supplying the metric area of each erf tabulated consecutively on a separate sheet if necessary;
- (iv) consistency checks;
- (v) submitting all calculations and a report of the survey.

- (c) Where a general plan is required to be metricated, redrawn and checked to comply with all the requirements, the charge to be made shall be—

- (i) a basic charge of R212 for the first sheet and R106 for each subsequent sheet;
- (ii) R22 for each irregular figure;
- (iii) R6 for each regular figure;
- (iv) R4,30 for each distance and direction or co-ordinate required to be computed;

- (v) R31 vir elke fout wat opgespoor en opgeklaar word wat nie getalgegevens insluit wat bloot weggelaat of nie duidelik leesbaar is en deur opstel of aftrek afgelei kan word nie:

Met dien verstande dat—

- (aa) waar bestaande data alreeds in die metrieke stelsel is, 'n bedrag van R2,90 vir elke onreëlmatige erf en R1,20 vir elke reëlmatige erf afgetrek word;
- (bb) waar geen algemene plan bestaan nie en dit aan die hand van 'n landmeter se meetstukke opgestel moet word, vir professionele werk waarvoor nie elders in hierdie paragraaf voorsiening gemaak is nie, 'n vordering ooreenkomstig paragraaf 14 van hierdie Tarief gehef word: Met dien verstande voorts dat die meetstukke wat gebruik word vir die opstel van die algemene plan, alle bykomende berekeninge en 'n verslag oor die werk wat gedoen is, saam met die algemene plan ingedien word.

(5) *Oopmaak van lyne.* Vir die oopmaak van lyne word 'n vordering ooreenkomstig paragraaf 12 van hierdie Tarief gehef.

(6) *Allerlei.* Vir professionele werk waarvoor nie elders in hierdie paragraaf voorsiening gemaak is nie, word 'n vordering ooreenkomstig paragraaf 14 van hierdie Tarief gehef."

8. Hierdie regulasies tree in werking op die 31ste dag na die datum van publikasie daarvan in die *Staatskoerant*.

SUID-AFRIKAANSE VERVOERDIENSTE

No. R. 658

11 April 1986

TRANSMED-REGULASIES

WYSIGINGSGLYS

Ingevolge die bevoegdheid aan my verleen by artikel 32 van die Wet op Diensvoorwaardes (Suid-Afrikaanse Vervoerdienste), 1983 (Wet 16 van 1983), verleen ek, Hendrik Stephanus Johan Schoeman, Minister van Vervoerwese van die Republiek van Suid-Afrika, goedkeuring daaraan dat die Transmed-regulasies gepubliseer in Goewermentskennisgewing R. 34 van 7 Januarie 1983, soos gewysig, verder soos volg gewysig word vanaf 1 April 1982:

REGULASIE 25

Vervang paragraaf (8) deur die volgende:

- (8) Transmed aanvaar aanspreeklikheid vir koste verskuldig deur die Suid-Afrikaanse Vervoerdienste ten opsigte van 'n werksman wat beseer word in 'n ongeval wat uit sy diens ontstaan en in die loop daarvan plaasgevind het. Vir die doel van hierdie regulasie word Kleurling-, Indiër- en Swart werksmanne ingesluit.

No. R. 677

11 April 1986

PERSONEELREGULASIES

WYSIGINGSGLYS

Ingevolge die bevoegdheid aan my verleen by artikel 32 van die Wet op Diensvoorwaardes (Suid-Afrikaanse Vervoerdienste), 1983 (Wet 16 van 1983), verleen ek, Hendrik Stephanus Johan Schoeman, Minister van Vervoerwese van die Republiek van Suid-Afrika, goedkeuring aan die herroeping, met ingang van 1 April 1986 van die Personeel-

- (v) R31 for each mistake found and corrected, which shall not include numerical data which are merely omitted or not clearly legible and which can be deduced by addition or subtraction:

Provided that—

- (aa) where the existing data are already in the metric system an amount of R2,90 for each irregular erf and R1,20 for each regular erf shall be deducted;

- (bb) where a general plan does not exist and has to be compiled from a land surveyor's survey records a charge for professional work not specified elsewhere in this paragraph shall be made in accordance with paragraph 14 of this Tariff: Provided further that the survey records used for the compilation of the general plan, all the additional calculation and a report on the work done shall be submitted with the general plan.

(5) *Line clearing.* For the clearing of lines a charge shall be made in accordance with paragraph 12 of this Tariff.

(6) *Miscellaneous.* For professional work not specified elsewhere in this paragraph a charge shall be made in accordance with paragraph 14 of this Tariff."

8. These regulations shall come into operation on the 31st day after the date of publication thereof in the *Gazette*.

SOUTH AFRICAN TRANSPORT SERVICES

No. R. 658

11 April 1986

TRANSMED REGULATIONS

SCHEDULE OF AMENDMENT

Under the powers vested in me by section 32 of the Conditions of Employment (South African Transport Services) Act, 1983 (Act 16 of 1983), I, Hendrik Stephanus Johan Schoeman, Minister of Transport Affairs of the Republic of South Africa, do hereby approve of the Transmed Regulations published in Government Notice R. 34 of 7 January 1983, as amended, being further amended as follows from 1 April 1982:

REGULATION 25

Substitute the following for paragraph (8):

- (8) Transmed shall accept liability for the costs due by the South African Transport Services in respect of a workman injured in an accident arising out of and in the course of his employment. For the purpose of this regulation Coloured, Indian and Black workmen are included.

No. R. 677

11 April 1986

PERSONNEL REGULATIONS

SCHEDULE OF AMENDMENT

Under the powers vested in me by section 32 of the Conditions of Employment (South African Transport Services) Act, 1983 (Act 16 of 1983), I, Hendrik Stephanus Johan Schoeman, Minister of Transport Affairs of the Republic of South Africa, do hereby approve of the Personnel Regulations published in Government Notice R. 1045 of 15 July

regulasies, gepubliseer in Goewermentskennisgewing R. 1045 van 15 Julie 1960, soos gewysig, en die uitvaardiging van die volgende Personeelregulasies, met ingang van 1 April 1986.

SUID-AFRIKAANSE VERVOERDIENSTE PERSONEELREGULASIES

HOOFSTUK 1

VOORAFGAANDE BEPALINGS

WOORDBEPALINGS

1. (1) By die vertolking van hierdie regulasies het die woorde en uitdrukkings wat daarin gebruik word, die verskeie betekenisse wat daaraan gegee word in die Wet op Diensvoorwaardes (Suid-Afrikaanse Vervoerdienste), 1983 (hierna "die Wet" genoem), tensy dit uit die verband anders blyk, "alkoholiese drank" die betekenis wat aan "drank" en aan "sorghumbier" gegee word in die Drankwet, 1977, en "afhanklikheidsvormende medisyne" die betekenis wat daaraan gegee word in die Wet op die Misbruik van Afhanklikheidsvormende Stowwe en Rehabilitasiesentrums, 1971.

(2) Die term "ambagspersoneel" beteken werknemers wat sodanige grade beklee as wat van tyd tot tyd as ambagsgrade bekend gemaak mag word.

(3) Die term "maksimum salaris" beteken die maksimum salaris soos van tyd tot tyd gewysig.

(4) Die term "treinpersoneel" beteken 'n drywer, 'n leerlingtreindrywer, 'n seniordrywersassistent, 'n seniorstoker, 'n drywersassistent, 'n stoker, 'n kondukteur of 'n kontroleur.

(5) Die term "Polisiemag" beteken die Suid-Afrikaanse Spoorwegpolisiemag wat ingestel is kragtens artikel 43 van die Suid-Afrikaanse Vervoerdienstewet, 1981.

(6) Die term "polisiebeampte" beteken enige lid van die "Polisiemag", wat behoorlik as sodanig ingesweer is.

(7) Die term "senior amptenaar" beteken 'n amptenaar wie se salaris binne die perke val wat van tyd tot tyd bekend gemaak word as synde die salaris van sodanige amptenaar.

(8) (a) Die term "vakvereniging" beteken 'n organisasie bestaande uitsluitend uit personele van die Suid-Afrikaanse Vervoerdienste wat deur die Minister erken en wat kragtens die Wet op Arbeidsverhoudinge, 1956, geregistreer is.

(b) (i) Die volgende is die vakverenigings waaraan die Minister amptelik erkenning ingevolge subparagraaf (a) verleen het:

Die vakvereniging wat werknemers groep A van die Suid-Afrikaanse Vervoerdienste verteenwoordig en onder die naam "The South African Railways and Harbours Salaried Staff Association" geregistreer is.

Die vakvereniging wat werknemers groep B van die Suid-Afrikaanse Vervoerdienste verteenwoordig en onder die naam "Suid-Afrikaanse Voetplaatpersoneelvereniging" geregistreer is.

Die vakvereniging wat werknemers groep C van die Suid-Afrikaanse Vervoerdienste verteenwoordig en onder die naam "Unie van Treinpersoneel en Bedryfsgrade, Groep C, Suid-Afrikaanse Vervoerdienste" geregistreer is.

Die vakvereniging wat werknemers groep D van die Suid-Afrikaanse Vervoerdienste verteenwoordig en onder die naam "Artisan Staff Association" geregistreer is.

Die vakvereniging wat werknemers groep E van die Suid-Afrikaanse Vervoerdienste verteenwoordig en onder die naam "South African Transport Services Employees' Union" geregistreer is.

1960, as amended, being repealed with effect from 1 April 1986 and the following Personnel Regulations being promulgated with effect from 1 April 1986.

SOUTH AFRICAN TRANSPORT SERVICES PERSONNEL REGULATIONS

CHAPTER 1

PRELIMINARY

INTERPRETATIONS

1. (1) In the interpretation of these regulations, the words and expressions used therein have the several meanings assigned to them in the Conditions of Employment (South African Transport Services) Act, 1983 (hereinafter referred to as "the Act"), unless the context otherwise indicates, "alcoholic liquor" the meaning assigned to "liquor" and to "sorghum beer" in the Liquor Act, 1977, and "dependence-producing drugs" the meaning assigned thereto in the Abuse of Dependence-producing Substances and Rehabilitation Centres Act, 1971.

(2) The term "artisan personnel" means employees occupying such grades as may be notified from time to time, as being covered by that term.

(3) The term "maximum salary" means the maximum salary as amended from time to time.

(4) The term "trainman" means a driver, a pupil train driver, a senior driver's assistant, a senior fireman, a driver's assistant, a fireman, a guard or a conductor.

(5) The term "Police Force" means the South African Railways Police Force established under section 43 of the South African Transport Services Act, 1981.

(6) The term "policeman" means any member of the "Police Force" who has been duly attested as such.

(7) The term "senior officer" means an officer whose salary falls within the limits notified from time to time as constituting the salary of such an officer.

(8) (a) The term "trade union" means an organisation comprised exclusively of South African Transport Services personnel recognised by the Minister and registered in terms of the Labour Relations Act, 1956.

(b) (i) The following are the trade unions accorded official recognition by the Minister in terms of subparagraf (a):

Trade union representing group "A" South African Transport Services' employees, registered under the name of "The South African Railways and Harbours Salaried Staff Association".

Trade union representing group "B" South African Transport Services' employees, registered under the name of "Suid-Afrikaanse Voetplaatpersoneelvereniging".

Trade union representing group "C" South African Transport Services' employees, registered under the name of "Unie van Treinpersoneel en Bedryfsgrade, Groep C, Suid-Afrikaanse Vervoerdienste".

Trade union representing group "D" South African Transport Services' employees, registered under the name of "Artisan Staff Association".

Trade union representing group "E" South African Transport Services' employees, registered under the name of "South African Transport Services Employees' Union".

Die vakvereniging wat werknemers groep F van die Suid-Afrikaanse Vervoerdienste verteenwoordig en onder die naam "Die Spoorbond" geregistreer is.

Die vakvereniging wat die Suid-Afrikaanse Spoorwegpolisie verteenwoordig en onder die naam "Die S.A. Spoorwegpolisiepersoneelvereniging" geregistreer is.

Die vakvereniging wat onder die naam "Staff Association for Coloured Employees of South African Transport Services (Southern Areas)" geregistreer is.

Die vakvereniging wat onder die naam "Trade Union for Coloured Employees of S.A. Transport Services" geregistreer is.

Die vakvereniging wat onder die naam "South African Transport Services Indian Staff Association" geregistreer is.

Die vakvereniging wat onder die naam "Black Trade Union of the South African Transport Services" geregistreer is.

(ii) Elkeen van die bogenoemde vakverenigings verteenwoordig die personeelgroepe waartoe die Minister van tyd tot tyd in oorleg met die betrokke vakverenigings besluit.

(iii) Aan die Federale Raad van Personeelverenigings van die Suid-Afrikaanse Vervoerdienste, wat bestaan uit verteenwoordigers van sommige vakverenigings wat amptelik deur die Minister erken word, word ook amptelik erkenning verleen sodat onderhandelings tussen die Suid-Afrikaanse Vervoerdienste en dié vakverenigings oor sake wat die lede van meer as een vakvereniging raak, vergemaklik kan word.

DELEGEER EN UITOEFEN VAN BEVOEGDHEDE EN MAGTE

2. (1) Onderworpe aan sodanige beperkings as wat die Minister mag oël, berus die bevoegdheide en magte wat vir die behoorlike toepassing van hierdie regulasies nodig mag wees by die Hoofbestuurder of, by ontstentenis van 'n delegasie aan spesifieke werknemers, by die werknemers wie se pligte, as normale uitvoerende en administratiewe elemente daarvan, die uitoefening van sodanige magte en bevoegdheide insluit.

(2) Kragtens artikel 2 van die Wet deleger die Minister hierby aan die Hoofbestuurder—

- (i) die bevoegdheid om enige persoon aan te stel—
 - (a) in los-, tydelike of vaste diens in enige betrekking waarvan die maksimum salaris nie hoër is nie as die maksimum salaris in salarisgroep 12;
 - (b) in 'n waarnemende hoedanigheid in enige betrekking waarvan die maksimum salaris minder is as die maksimum salaris in salarisgroep 3, vir 'n tydperk van hoogstens twee maande;
- (ii) die bevoegdheid om die salaris van enige werknemer wat 'n betrekking beklee met 'n maksimum salaris nie hoër nie as die maksimum salaris in salarisgroep 12, te vermeerder; en
- (iii) die bevoegdheid om, onderhewig aan die voorwaardes van die Wet en hierdie regulasies, die dienste te beëindig van 'n werknemer wat 'n betrekking beklee met 'n salaris nie hoër nie as die maksimum salaris in salarisgroep 12 maar sonder om afbreuk te doen aan die bevoegdheid om dissiplinêre straf op te lê, genoem in regulasies 126 (1) en 135.

(3) Die bevoegdheide wat in hierdie regulasie verleen word, ontnem nie die Minister enige bevoegdheid wat hy ingevolge enige wet besit nie.

(4) Die bepalinge van hierdie regulasie is nie van toepassing by die aanstelling van plaaslik gewerfde personeel wat in die buiteland werksaam is of die toekenning van loonverhogings aan sodanige personeel nie.

Trade union representing group "F" South African Transport Services' employees, registered under the name of "Die Spoorbond".

Trade union representing the South African Railways Police, registered under the name of "Die SA Spoorwegpolisiepersoneelvereniging".

Trade union registered under the name of "Staff Association for Coloured Employees of South African Transport Services (Southern Areas)".

Trade union registered under the name of "S.A.R. and H. Coloured Staff Association (Northern Areas)".

Trade union registered under the name of "South African Transport Services Indian Staff Association".

Trade union registered under the name of "Black Trade Union of the South African Transport Services".

(ii) Each of the abovementioned trade unions shall represent the groups of personnel decided upon from time to time by the Minister in consultation with the trade unions concerned.

(iii) The Federal Council of Personnel Associations of the South African Transport Services, which consists of representatives from some of the trade unions officially recognised by the Minister, shall also be accorded official recognition for the purpose of facilitating negotiations between the South African Transport Services and those trade unions on matters affecting members of more than one trade union.

DELEGATION AND EXERCISE OF POWER AND AUTHORITY

2. (1) Subject to such limitations as may be imposed by the Minister, the power and authority that may be necessary for the proper carrying out of these regulations shall be vested in the General Manager or, in the absence of delegation to specific employees, in the employees whose duties include, as ordinary executive or administrative elements thereof, the exercise of such powers and authorities.

(2) In terms of section 2 of the Act, the Minister hereby delegates to the General Manager—

- (i) power to appoint any person—
 - (a) in casual, temporary or permanent employment in any position the maximum salary applicable to which does not exceed the maximum salary in salary group 12;
 - (b) in any acting capacity in any appointment the maximum salary applicable to which is less than the maximum salary in salary group 3, for a period not exceeding two months;
- (ii) power to increase the salary of any employee holding an appointment the maximum salary applicable to which does not exceed the maximum salary in salary group 12; and
- (iii) power, subject to the provisions of the Act and these regulations, to terminate the services of an employee holding an appointment the maximum salary applicable to which does not exceed the maximum salary in salary group 12 but without derogating from the power to impose disciplinary punishment referred to in regulations 126 (1) and 135.

(3) The powers conferred in this regulation shall not divest the Minister of any power possessed by him under any law.

(4) The provisions of this regulation shall not be applicable in respect of the appointment of locally recruited personnel employed in foreign countries or the granting of increments to such personnel.

SPESIALE KONSTABELS: SUID-AFRIKAANSE SPOORWEGPOLISIEMAG

3. Wanneer daar nie genoeg polisiebeamptes op 'n plek beskikbaar is om op daardie plek enigeen van die pligte genoem in artikel 44 van die Suid-Afrikaanse Vervoerdienstewet, 1981, te verrig nie, of om 'n persoon in wettige bewaring van sodanige plek na 'n ander plek te vervoer nie, kan soveel geskikte en gepaste persone as wat nodig mag wees, as spesiale konstabels aangestel word om sodanige werk te verrig. Wanneer 'n spesiale konstabel sodanige diens doen, word hy as 'n polisiebeampte beskou.

WERKNEMERS OP WIE DIE REGULASIES VAN TOEPASSING IS

4. Hierdie regulasies is—

- (1) van toepassing op vaste en tydelike werknemers behalwe waar daar in 'n regulasie uitdruklik anders vermeld word;
- (2) van toepassing op Blanke werknemers in 'n los hoedanigheid behalwe—
 - (a) waar daar in 'n regulasie anders vermeld word; of
 - (b) waar daar in enige instruksie wat van tyd tot tyd uitgereik mag word, diensvoorwaardes uiteengesit word wat verskil van dié wat in enige regulasie bepaal word en wat kragtens die bepalings van artikel 6 (2) van die Wet op sodanige loswerknemers of op enige klas van sodanige loswerknemers van toepassing is;
- (3) nie van toepassing op Kleurling-, Indiër- en Swart werknemers wat los en gereelde werknemers is nie, maar in die geval van—
 - (i) sodanige Kleurling-, Indiër- en Swart polisiebeamptes, geld dié regulasies in hoofstukke 1 en 2 en in ander hoofstukke waarin diensvoorwaardes bepaal word wat uitdruklik op Blanke polisiebeamptes of Kleurling-, Indiër- en Swart polisiebeamptes van toepassing is; en
 - (ii) sodanige Kleurling-, Indiër- en Swart sekuriteitswagte, geld regulasie 2 (2) (iii) en die regulasies vanaf hoofstuk 3 waarin diensvoorwaardes bepaal word wat uitdruklik op Blanke polisiebeamptes of Kleurling-, Indiër- en Swart sekuriteitswagte of polisiebeamptes van toepassing is.

HOOFSTUK 2

ALGEMEEN—ALLE WERKNEMERS

GESKIKTHEID VIR INDIENSNEMING

5. (1) Onderworpe aan die bepalings van die hieropvolgende paragrawe van hierdie regulasie, kan iemand wat oor die vereiste taalkwalifikasies vir 'n pos beskik en kragtens artikel 6 van die Wet andersins vir aanstelling geskik is in diens geneem word, mits hy—

- (a) ouer as vyftien jaar is maar nog nie die ouderdomsgrens bereik het wat volgens die onderstaande tabel van toepassing is op die besondere betrekking waarin dit die voorneme is om hom aan te stel nie:

BETREKKING WAARVOOR DIE VOORGESKREWE AFTREEOU- DERDOM SOOS VOLG IS:	AANSTELLING MOET GEMAAK WORD VOOR BEREIKING VAN DIE OUDERDOM VAN—
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(i) 53 jaar	40 jaar
(ii) 58 jaar	48 jaar
(iii) 60 jaar	45 jaar
(iv) 63 jaar	53 jaar

SPECIAL CONSTABLES: SOUTH AFRICAN RAILWAYS POLICE FORCE

3. When, in any locality, there are insufficient policemen available to perform in that locality any of the duties mentioned in section 44 of the South African Transport Services Act, 1981, or to convey any person in lawful custody from any such locality to any other place, so many fit and proper persons as may be necessary may be appointed as special constables to perform any such duty. When so employed, a special constable shall be deemed to be a policeman.

APPLICABILITY OF THE REGULATIONS

4. These regulations are—

- (1) applicable to permanent and temporary employees except where specifically stated to the contrary in any regulation;
- (2) applicable to White employees employed in a casual capacity except—
 - (a) where stated to the contrary in any regulation; or
 - (b) where, in any instruction which may be issued from time to time, service conditions, differing from those prescribed in any regulation, are set out which, in terms of section 6 (2) of the Act, are stated to be applicable to such casual employees or to any class of such casual employees;
- (3) inapplicable to Coloured, Indian and Black employees who are casual and regular employees except, in the case of—
 - (i) such Coloured, Indian and Black policemen, those regulations contained in Chapters 1 and 2 and in other chapters which prescribe conditions of service specifically applicable to White policemen or to Coloured, Indian and Black policemen; and
 - (ii) such Coloured, Indian and Black security guards, regulation 2 (2) (iii) and those regulations commencing with Chapter 3 which are specifically applicable to White policemen or to Coloured, Indian and Black security guards or policemen.

CHAPTER 2

GENERAL—ALL EMPLOYEES

ELIGIBILITY FOR EMPLOYMENT

5. (1) Subject to the provisions of the succeeding paragraphs of this regulation, a person who complies with the required language qualifications for a post and is otherwise eligible for appointment in terms of section 6 of the Act may be employed, provided he—

- (a) is over fifteen years and under the age limitation, applicable to the particular position to which he is to be appointed, that is shown in the following table:

POSITION FOR WHICH THE PRESCRIBED RETIRING AGE IS—	APPOINTMENT TO BE EFFECTED BEFORE REACHING THE AGE OF—
(i) 53 years	40 years
(ii) 58 years	48 years
(iii) 60 years	45 years
(iv) 63 years	53 years

- (b) matig in sy gewoontes is;
- (c) met goeie gevolg ingeënt of as onvatbaar vir inenting gesertifiseer is;
- (d) nie insolvent is nie; en
- (e) nie te eniger tyd tot gevangenisstraf sonder die keuse van 'n boete veroordeel is nie.

Die toepassing van die bepalings van hierdie paragraaf is onderworpe aan die beperkings wat van tyd tot tyd bekend gemaak mag word.

(2) (a) 'n Blanke kandidaat vir aanstelling in die betrekking polisiebeampte moet—

- (i) die ouderdom van 18 jaar bereik het en onder die ouderdom van 45 jaar wees;
- (ii) minstens 1,75 meter lank wees en 'n borsmaat van minstens 900 millimeter hê;
- (iii) nie weens 'n strafregtelike misdryf veroordeel gewees het nie;
- (iv) toelaat dat sy vingerafdrukke geneem word;
- (v) ongetroud of 'n wewenaar sonder kinders wees; en
- (vi) bewys lewer van goeie gedrag;

met dien verstande dat enigeen van of al die vereistes van klousules (i), (ii) en (iv) opgehef mag word in die geval van 'n applikant wat spesiale kwalifikasies besit.

(b) As 'n Blanke applikant vir aanstelling in die betrekking polisiebeampte in 'n ander vertakking van die Suid-Afrikaanse Vervoerdienste werk of as hy in die Staatsdiens van die Republiek van Suid-Afrika of in die diens van 'n provinsiale administrasie is, word hy nie na sodanige betrekking oorgeplaas nie tensy hy voldoen aan die vereistes van subparagraaf (a).

(c) 'n Kleurling-, Indiër- of Swart applikant vir aanstelling in die betrekking polisiebeampte moet oor 18 en onder 45 jaar en liggaamlik en geestelik gesond wees, 'n sterk gestel hê en geskik vir polisiediens en van goeie gedrag wees, met dien verstande dat 'n applikant onder 21 jaar nie sonder die skriftelike toestemming van sy ouers of voog ingeskryf kan word nie en met dien verstande verder dat die inskrywing van enige applikant wat oor 45 jaar is en spesiaal aanbeveel word, gemagtig kan word. Alle Kleurling-, Indiër- of Swart applikante moet toelaat dat hulle vingerafdrukke geneem word voordat hulle ingeskryf word.

(3) 'n Kandidaat vir indiensneming as vakleerling moet 'n amptelike mededingende eksamen aflê voordat sy indiensneming in daardie hoedanigheid oorweeg word. Sodanige kandidaat kan hierdie eksamen aflê slegs as hy—

- (a) op 2 Januarie van die jaar na dié waarin hy die eksamen aflê, nie onder vyftien jaar is nie (tensy anders gemagtig word), en
- (b) in die standaard sewe- of 'n gelykstaande of hoër eksamen geslaag het of in standaard sewe is.

(4) (a) Onderworpe aan die bepalings van subparagrafe (c) en (d), moet 'n kandidaat vir aanstelling 'n opvoedkundige sertifikaat besit waarvan die standaard minstens dié van die Junior Sertifikaat van die Departement van Nasionale Opvoeding is of 'n gelykstaande of hoër eksamen met goeie gevolg afgelê het, maar hierdie vereiste kan in die geval van enige aanstelling opgehef word.

(b) Om in aanmerking te kan kom vir aanstelling in die betrekking klerk, moet 'n kandidaat ook onder 36 jaar wees, of as hy 'n graad in die lettere, die regte of die handel besit of enige ander graad het wat vir die Suid-Afrikaanse Vervoerdienste aanneemlik is, moet hy nog nie 39 jaar wees nie.

- (b) is of temperate habits;
- (c) has been successfully vaccinated or certified as not being susceptible to vaccination;
- (d) is not an insolvent; and
- (e) has not at any time been sentenced to imprisonment without the option of a fine.

The application of this paragraph shall be subject to such restrictions as may be notified from time to time.

(2) (a) A White candidate for appointment to the position of policeman shall—

- (i) have attained the age of 18 years and be under the age of 45 years;
- (ii) be not less than 1,75 metres in height and have a minimum chest measurement of 900 millimetres;
- (iii) not have been convicted of any criminal offence;
- (iv) submit to a fingerprint test;
- (v) be unmarried or a widower without children; and
- (vi) produce evidence of good character;

provided that any or all of the requirements of clauses (i), (ii) and (iv) may be waived in the case of an applicant possessing special qualifications.

(b) A White applicant for appointment to the position of policeman who is an employee employed in another branch of the South African Transport Services or who is employed in the Public Service of the Republic of South Africa or in the service of a Provincial Administration shall not be transferred to such an appointment unless he complies with the requirements of subparagraph (a).

(c) A Coloured, Indian or Black applicant for appointment to the position of policeman shall be over 18 and under 45 years of age, physically and mentally sound, of strong constitution, fit for police service and of good character, provided that an applicant under 21 years of age may not be enrolled without the written permission of his parents or guardian and provided further that the enrolment of any such applicant who is over 45 years of age and is specially recommended may be authorised. All Coloured, Indian or Black applicants shall submit to a fingerprint test before being enrolled.

(3) A candidate for employment as an apprentice shall undergo an official competitive examination before his engagement in that capacity can be considered. Such a candidate will be eligible to undergo this examination only if—

- (a) on the 2nd January in the year following that within which he undergoes the examination, he will not be under fifteen years of age (unless otherwise sanctioned); and
- (b) he has passed the seventh standard, or an equivalent or higher examination, or he is in the seventh standard.

(4) (a) Subject to the provisions of subparagraph (c) and (d), a candidate for appointment shall be in possession of an educational certificate of a standard not lower than the junior certificate of the Department of National Education, or have passed an equivalent or higher examination, but this requirement may be waived in respect of appointment to any position.

(b) To be eligible for appointment to the position of clerk, a candidate shall also be under 36 years of age or, if he holds a degree in Arts, Law or Commerce, or any other degree acceptable to the South African Transport Services, under 39 years of age.

(c) Geen bepaling in hierdie regulasie moet op so 'n wyse vertolk word dat dit verhoed dat magtiging gegee word dat 'n persoon wat voorheen diens in die graad klerk gedoen het, weer in die graad klerk aangestel word nie, onderworpe egter aan die bepalings van paragraaf (1).

(d) Geen bepaling in hierdie regulasie moet op so 'n wyse vertolk word dat dit 'n werknemer belet om in 'n betrekking aangestel te word as hy besondere bekwaamheid aan die dag gelê het en kwalifikasies besit wat hom vir die betrekking geskik maak nie, met dien verstande dat sy opvoedkundige kwalifikasies voldoen aan die vereistes wat vir sodanige betrekking bepaal mag word.

(5) (a) 'n Werknemer moet voor of gelyktydig met sy aanstelling sy hoogste opvoedkundige sertifikaat, sy geboortesertifikaat en, indien getroud, sy huweliksertifikaat inlewer of, in die laaste twee gevalle, bevredigende bewys van sy datum van geboorte of huwelik verstrek.

(b) Indien 'n werknemer nie aan die bepalings van subparagraaf (a) voldoen nie, kan hy 'n bepaalde tydperk toegelaat word om die uitstaande dokument of dokumente in te lewer. Versuim om dit binne sodanige tydperk te doen, kan tot die beëindiging van sy diens lei.

(6) 'n Applikant vir aanstelling as polisiebeampte word nie in daardie hoedanigheid aangestel nie tensy 'n mediese praktisyn sertifiseer dat hy 'n sterk gestel het en in staat is om polisiewerk te doen.

(7) Die bepalings van hierdie regulasie is nie van toepassing op iemand wat in 'n los hoedanigheid aangestel word nie, behalwe in die mate bepaal in paragraaf (2) (c).

AANSTELLINGSFORMALITEITE—POLISIE-BEAMPTES

6. (1) Elke applikant wat vir aanstelling as polisiebeampte aangeneem word, moet 'n dienskontrak met die Suid-Afrikaanse Vervoerdienste sluit en daarbenewens by inswering 'n insweringvorm onderteken waarin hy hom verbind en sweer dat hy die Republiek van Suid-Afrika volgens die reg in die Suid-Afrikaanse Spoorwegpolisiemag vir 'n minimum tydperk van drie jaar vanaf die datum van ondertekening en daarna onafgebroke vir 'n onbepaalde tydperk, getrou sal dien onderworpe egter aan die bepalings van artikel 9 van die Wet, en waarin hy hom verbind om die voorskrifte van alle wetgewing van toepassing op die Suid-Afrikaanse Vervoerdienste, die regulasies daarkragens uitgevaardig en alle geldige orders of instruksies wat aan hom uitgereik is of waaraan hy gebonde is, te gehoorsaam.

(2) (a) Iedereen ontvang by aanstelling as polisiebeampte 'n aanstellingssertifikaat, waarop sy foto verskyn, in die volgende vorm:

AANSTELLINGSERTIFIKAAT

Hierby word gesertifiseer dat.....
..... aangestel is as..... in
die Suid-Afrikaanse Spoorwegpolisiemag kragtens artikel 43 en met die
bevoegdhede, funksies en voorregte genoem in artikel 44 van Wet 65 van
1981.

Deur my geteken hierdie..... dag van
..... 19..... te Johannesburg.

KOMMISSARIS VAN DIE SUID-AFRIKAANSE
SPOORWEGPOLISIE

(b) Die sertifikaat van aanstelling wat uitgereik word aan 'n lid van die polisiemag word deur die Kommissaris van die Suid-Afrikaanse Spoorwegpolisie onderteken.

(3) (a) Aan iedereen wat aangestel word in offisiërsrang word 'n aanstelling deur die Staatspresident toegeken.

(b) Aan iedereen wat as adjudant-offisier aangestel word, word 'n brevet deur die Minister toegeken.

(c) Nothing in this regulation shall be construed as preventing the reappointment to the grade of clerk of a person who has had previous service as a clerk subject, however, to the provisions of paragraph (1).

(d) Nothing in this regulation shall be construed as preventing an employee from being appointed to a post if he has displayed special aptitude and possesses qualifications which render him suitable for the post, provided his educational qualifications conform to such requirements as may be laid down in respect of such post.

(5) (a) An employee shall produce, prior to or concurrent with his appointment, his highest educational certificate, his birth certificate and, if married, his marriage certificate or, in the latter two cases, satisfactory evidence of his date of birth or marriage.

(b) Should an employee fail to comply with the provisions of subparagraph (a), he may be allowed a specified period from the date of appointment within which to produce the outstanding documents. Failure to do so within the specified period may result in termination of employment.

(6) An applicant for appointment as policeman shall not be so appointed unless he is certified by a medical practitioner to have a strong constitution and to be able to perform police duty.

(7) The terms of this regulation shall not apply in respect of the appointment of any person in a casual capacity, except to the extent prescribed in paragraph (2) (c).

APPOINTMENT FORMALITIES—POLICEMEN

6. (1) Every applicant accepted for appointment as a policeman, shall, in addition to entering into a contract of service with the South African Transport Services, be required, on attestation, to sign an Attestation Form in which he undertakes and swears faithfully to serve the Republic of South Africa according to law in the South African Railways Police Force for a minimum period of three years from the date of signature and thereafter to serve continuously for an indefinite period subject, however, to the terms of section 9 of the Act, and in which he undertakes to abide by the provisions of all legislation applicable to the South African Transport Services, the regulations promulgated thereunder and all valid orders or instructions issued to or binding upon him.

(2) (a) Every person shall receive, on his appointment as policeman, a certificate of appointment, upon which shall appear his photograph, in the following form:

CERTIFICATE OF APPOINTMENT

It is hereby certified that.....
..... has been appointed as.....
..... in the South African Railways
Police Force under the terms of section 43 and with the powers, functions
and privileges conferred by section 44 of Act 65 of 1981.

Signed by me on this..... day of
..... 19..... at Johannesburg.

COMMISSIONER OF THE SOUTH AFRICAN
RAILWAYS POLICE

(b) The certificate of appointment issued to a member of the police force shall be signed by the Commissioner of the South African Railways Police.

(3) (a) Every person appointed to the rank of officer shall be granted a commission by the State President.

(b) Every person appointed as a warrant officer shall be granted a warrant by the Minister.

VOORBEHOUD INSAKE DIE INDIENSNEMING VAN 'N WERKNEMER SE SEUN, DOGTER OF ANDER NAVERWANT

7. 'n Seun, dogter of ander naverwant van 'n werknemer mag nie sonder goedkeuring regstreeks onder die werknemer se beheer werk nadat hy of sy die ouderdom van 21 jaar bereik het nie.

VERANTWOORDELIKHEDE VAN PERSONEEL

8. (1) 'n Werknemer wat verantwoordelik is vir die werk van ander werknemers moet—

- (a) orde en dissipline handhaaf onder die werknemers oor wie hy beheer uitoefen, en toesien dat hulle die vasgestelde diensure nakom;
- (b) spesiale aandag aan die doeltreffende reëling van die werk en indeling van die werknemers onder sy beheer bestee en spaarsaamheid beoefen in die werkmodes en die getal werknemers wat gebruik word; en
- (c) sorg dat die voorrade en materiaal wat aan hom of die werknemers onder sy beheer uitgereik word, veilig bewaar word en dat oortollige voorrade en materiaal sonder versuim na die Magasyndepartement teruggestuur word.

(2) Elke werknemer is verantwoordelik vir die behoorlike en doeltreffende uitvoering van die werk wat aan hom toegewys is.

(3) 'n Werknemer—

- (a) moet gehoorsaam wees aan almal wat oor hom gestel is;
- (b) moet nie ongehoorsaam wees aan 'n wettige bevel wat deur 'n bevoegde gesag aan hom gegee is nie of sodanige bevel verontagsaam nie, en ook nie nalatig of traag in die uitvoering van sy plig wees nie;
- (c) moet, onderworpe aan die bepalinge van artikel 3 van die Wet, op sodanige plek en in sodanige hoedanigheid werk as wat bevoegde gesag mag bepaal;
- (d) moet hom gedurende die diensure wat bepaal mag word, geheel en al aan die belange van die Suid-Afrikaanse Vervoerdienste en die uitvoer van sy amppligte wy;
- (e) mag nie gedurende sy diensure sy diens sonder magtiging verlaat om private sake te verrig nie, gedurende sy diensure private besoekers ontvang nie of op 'n ander wyse sy aandag aan private sake skenk nie;
- (f) mag nie sonder magtiging van diens afwesig wees, sy vasgestelde diensure verander of diens met 'n ander werknemer omruil nie;
- (g) is onderworpe aan die reëls, regulasies en instruksies wat van tyd tot tyd van krag is en moet die bepalinge daarvan nakom;
- (h) moet in die geval van siekte die omstandighede sonder versuim aan sy onmiddellike hoof rapporteer of anders reël dat die omstandighede aldus gerapporteer word en ook reël dat die nodige mediese sertifikaat wat sy afwesigheid van diens dek, binne 48 uur van die begin van sy afwesigheid van diens aan sy onmiddellike hoof voorgelê word;
- (i) moet sy onmiddellike hoof sonder versuim van 'n verandering in sy woonadres in kennis stel;
- (j) wat in die huwelik tree, moet sy huweliksertifikaat binne ses maande na die huweliksdatum toon en sy onmiddellike hoof daarna sonder versuim in kennis stel as daar 'n verandering in sy huwelikstaat plaasvind.

(4) (a) Elke werknemer word voorsien van eksemplare van sodanige reëls, regulasies en instruksies as wat vir sy leiding nodig mag wees.

RESERVATION REGARDING EMPLOYMENT OF AN EMPLOYEE'S SON, DAUGHTER OR OTHER NEAR RELATIVE

7. A son, daughter or other near relative of an employee shall not be employed without approval directly under the latter's control after he or she attains the age of 21 years.

RESPONSIBILITIES OF PERSONNEL

8. (1) An employee who is responsible for the work of other employees—

- (a) shall maintain order and discipline amongst the employees working under his control and see that they observe the fixed hours of duty;
- (b) shall give special attention to the efficient arrangement of work and disposition of the employees employed under his control and shall exercise economy in the methods of working and the number of employees employed; and
- (c) shall be held responsible for the safe custody of stores and material issued to him or to the employees working under his control and for seeing that surplus stores and material are promptly returned to the Stores Department.

(2) Every employee is responsible for the proper efficient discharge of the work allotted to him.

(3) An employee—

- (a) shall obey all persons placed in authority over him;
- (b) shall not disobey or disregard a lawful order given to him by competent authority or be negligent or indolent in the execution of his duty;
- (c) shall serve, subject to the provisions of section 3 of the Act, at such place and in such capacity as competent authority may determine;
- (d) shall devote himself entirely to the interests of the South African Transport Services and the discharge of his official duties during such hours of duty as may be laid down;
- (e) shall not, during his hours of duty, without authority, leave his duties to attend to private business, receive private visitors, or otherwise allow his attention to be engaged with private affairs;
- (f) shall not absent himself from duty, alter his appointed hours of attendance, or exchange duty with any other employee, without authority;
- (g) shall be subject to and shall comply with the provisions of such rules, regulations and instructions as are in force from time to time;
- (h) shall, in case of illness, immediately report the circumstances to his immediate superior or otherwise arrange for the circumstances to be so reported and shall also arrange for any necessary medical certificate covering his absence from duty to be submitted to his immediate superior within 48 hours of the commencement of his absence from duty;
- (i) shall promptly notify his immediate superior of any change in his address;
- (j) who marries shall produce his marriage certificate within six months of the date of his marriage and thereafter shall promptly notify his immediate superior should there be any change in his marital status.

(4) (a) Every employee shall be supplied with copies of such rules, regulations and instructions as may be necessary for his guidance.

(b) 'n Werknemer word op redelike tye elke geleentheid gegee om die reëls, regulasies en instruksies te lees wat op hom van toepassing is.

(5) (a) Elke werknemer in 'n betrekking in die Lugdiens-departement waarvan die bekleër as voorwaarde van sy diens in besit moet wees van 'n noodsaaklike lisensie of lisensies wat ingevolge die bepalings van die Lugvaart-regulasies uitgereik is, moet sodanige lisensie(s) van tyd tot tyd op eie koste vernuwe soos in die gemelde regulasies bepaal.

(b) 'n Werknemer wat lid van 'n lugbemannings is, moet hom aan enige geneeskundige ondersoek onderwerp wat hy te eniger tyd deur bevoegde gesag beveel mag word om te ondergaan.

DIENSURE

ALLE WERKNEMERS

9. (1) Die diensure van personeel is soos van tyd tot tyd bekend gemaak. 'n Werknemer wat tydelik op 'n ander plek as sy gewone werkplek werk, moet die diensure nakom wat vasgestel is vir sy graad op die plek waar hy tydelik werk as dit verskil van die diensure wat vir sy graad by sy gewone werkplek vasgestel is.

(2) (a) Elke werknemer moet sodanige ure bo en behalwe sy gewone diensure op weekdae en sodanige ure op Sondae en vakansiedae werk as wat vir die vereistes van die Suid-Afrikaanse Vervoerdienste nodig mag wees.

(b) Al die tyd van elke polisiebeampte is tot die beskikking van die Polisiemag, maar aan elke konstabel en sersant word sover moontlik in elke tydperk van sewe agtereenvolgende dae een dag vry van diens toegestaan as 'n rusdag. As daar weens die vereistes van die Polisiemag nie weekliks 'n rusdag aan sodanige polisiebeampte toegestaan kan word nie, word die vereiste getal rusdae (op die grondslag van een rusdag in elke tydperk van sewe agtereenvolgende dae) aan hom toegestaan binne sodanige langer tydperk as wat onvermydelik mag wees.

(3) Ondanks enige bepalings in hierdie regulasie, kan die amptelike diensure vir enige graad werknemers soos in paragraaf (1) bekend gemaak van tyd tot tyd vermeerder of verminder word.

ALLE WERKNEMERS BEHALWE TREINPERSONEEL

(4) Die diensure vir elke dag word van tyd tot tyd vir elke kantoor, stasie, depot, werkwinkel, lokomotiefloods of ander werkplek vasgestel ooreenkomstig die vereistes van die werk en word so gereël dat daar sover moontlik 'n kort skof op 'n Saterdag of ander weekdag gewerk word, behalwe in gevalle waar 'n vyfdaewerkweek van toepassing is.

(5) (a) Op sentrums waar die daaglikse diens van vier en twintig uur tussen twee of meer werknemers verdeel word, moet sodanige werknemers op so 'n wyse skofte omruil as wat bepaal mag word.

(b) Wanneer 'n werknemer op 'n weekdag weens die vereistes van die Suid-Afrikaanse Vervoerdienste skofte omruil en hy as gevolg daarvan minder as die gewone daaglikse diensure werk, word daar nie minder as 'n dag se salaris aan hom vir daardie dag betaal nie.

VERVERSINGSPERSONEEL

(6) (a) Aan 'n werknemer van die Verversingsdepartement wat op 'n eetwa diens doen, word die volgende rustyd toegestaan voordat hy weer vir diens aangeboek word:

'n Rit wat meebring dat 'n werknemer van sy tuisdepot weg is vir—

	<i>Rustyd</i>
(i) hoogstens 48 uur	8 uur
(ii) langer as 48 uur	12 uur

(b) Every facility shall be afforded at reasonable times for an employee to read rules, regulations and instructions affecting him.

(5) (a) Every employee in the Airways Department who occupies an appointment the holder of which is required as a condition of his service to be in possession of an essential licence or licences issued under the provisions of the Air Navigation Regulations, shall, at his own expense renew such licence(s) from time to time as required by the provisions of the said regulations.

(b) An employee who is a member of an aircrew shall be required to submit himself to any medical examination when called upon to do so by competent authority.

HOURS OF DUTY

ALL EMPLOYEES

9. (1) The hours of duty for personnel shall be as notified from time to time. An employee working temporarily at other than his normal place of employment shall observe the hours of duty fixed for his grade at the place at which he is temporarily employed, if these are different from the hours of duty fixed at his normal place of employment.

(2) (a) Every employee shall work such hours in excess of his ordinary hours of duty on weekdays and for such hours on Sundays and holidays as the exigencies of the South African Transport Services require.

(b) The whole time of every policeman shall be at the disposal of the Police Force, but every constable and sergeant shall, as far as practicable, be granted, as a rest day, one day off duty in every period of seven consecutive days. If, due to the exigencies of the Police Force, a rest day cannot be granted to such policeman weekly, he shall be granted the appropriate number of rest days (on the basis of one rest day in each period of seven consecutive days) within such longer period as may be unavoidable.

(3) Notwithstanding anything contained in this regulation, the official hours of duty notified in terms of paragraph (1) for any grade of employees, may be increased or reduced temporarily from time to time.

ALL EMPLOYEES OTHER THAN TRAINMEN

(4) The hours of duty for each day shall be fixed from time to time for each office, station, depot, workshop, running shed or other place of employment, to suit the necessities of the work and so arranged, except where a five-day week is in operation, that as far as practicable a short shift may be worked on a Saturday or other weekday.

(5) (a) At centres where twenty-four hours daily duty is divided between two or more employees, such employees shall exchange shifts in such manner as may be determined.

(b) Where, in consequence of an interchange of shifts on a weekday to meet the exigencies of the South African Transport Services, an employee works less than the ordinary daily hours of duty, not less than a day's salary shall be paid to him for that day.

CATERING PERSONNEL

(6) (a) An employee of the Catering Department working on a dining-car shall be allowed the following interval of rest before being booked on duty again:

Where a trip covering a period of absence from home depot—

	<i>Interval of Rest</i>
(i) does not exceed 48 hours	8 hours
(ii) is more than 48 hours	12 hours

(b) (i) As 'n lid van die eetwapersoneel wat opdrag kry om hom vir diens aan te meld, hom aldus aanmeld, maar sy diens nie benut word nie, word hy met twee uur weekdag- of Sondagtyd, na gelang van geval, gekrediteer.

(ii) Die volgende minimum tyd word toegestaan aan 'n lid van die eetwapersoneel wat 'n rit onderneem waarvan die vasgestelde tyd (met inbegrip van die tyd toegestaan vir aan- en afboek en die tyd toegestaan om ander pligte voor of na 'n rit te verrig)—

- (a) hoogstens 4 uur is; tyd gelykstaande met 'n halfdag;
- (b) langer as 4 uur is, maar hoogstens 6 uur; tyd gelykstaande met 'n driekwartdag; en
- (c) langer as 6 uur is; 'n minimum van 'n dag se tyd.

(c) (i) Aan elke lid van die eetwapersoneel wat elke dag (Sondae ingesluit) in 'n betaalmaand vir diens beskikbaar was, word volle salaris vir daardie maand gewaarborg.

(ii) Indien 'n lid van die eetwapersoneel nie vir diens op een of meer dae (Sondae ingesluit) in 'n betaalmaand vir diens beskikbaar is nie weens verlof, siekte of enige ander rede, is sy gewaarborgde maandelikse betaling vir daardie maand onderworpe aan 'n eweredige vermindering.

(d) 'n Lid van die eetwapersoneel van wie daar vereis word om op 'n buitestasie vir 'n terugrit of op sy tuisdepot vir nog 'n rit te wag, word met ononderbroke tyd gekrediteer mits die tydperk tussen die werklike aankomstyd (of wanneer die noodsaaklike werk na aankoms klaar gedoen is) en die vasgestelde vertrektyd van die trein (of die tyd waarmee hy met ander noodsaaklike pligte voor die vertrektyd begin het) nie langer as drie uur is nie, en gedurende sodanige tydperk is hy beskikbaar vir enige diens wat nodig geag word. As die voormelde tydperk egter langer as drie uur is, word die werknemer van diens afgeboek.

(e) As 'n lid van die eetwapersoneel wat 'n kort skof gewerk het waarvoor 'n minimum tyd toegelaat word, nog 'n kort skof moet werk waarvoor 'n tweede minimum tyd toegelaat kan word, word hy gekrediteer met nie meer nie as die ononderbroke tydperk vandat hy vir die eerste rit aanteken totdat hy na die laaste rit afteken, onderworpe aan 'n minimum van een dag se tyd.

(f) As 'n lid van die eetwapersoneel op 'n buitestasie afgeboek word in die omstandighede waarvoor daar in subparagraaf (d) voorsiening gemaak word, word die volgende afboekingskoste toegestaan teen die uurlikse skaal soos bepaal in regulasie 106:

TYD AFGEBOEK	KOSTE BETAALBAAR
Hoogstens vyf uur.....	Vyf uur teen die toepaslike uurlikse skaal.
Langer as vyf uur, maar hoogstens tien uur	Tien uur teen die toepaslike uurlikse skaal.
Langer as tien uur.....	Die werklike tydperk afgeboek teen die toepaslike uurlike skaal.

Geen afboekingskoste word betaal nie as 'n lid van die eetwapersoneel ingevolge subparagraaf (e) vir ononderbroke tyd betaal word ofskoon hy tussen die ritte van diens afgeboek word.

(g) Vir die toepassing van hierdie regulasie en regulasie 44 (5) beteken:

- (i) 'n dag se tyd 8 uur;
- (ii) 'n driekwartdag se tyd 6 uur; en
- (iii) 'n halfdag se tyd 4 uur.

AMBAGSPERSONEEL

(7) 'n Lid van die ambagspersoneel word toegelaat om sy diens tydens 'n nagskof 15 minute lank te onderbreek om te eet. Die omskrywing van "nagskof" is soos van tyd tot tyd bekend gemaak.

(b) (i) If a member of the dining-car personnel is instructed to report for duty and he does so but his services are not utilised, he shall be credited with two hours weekday or Sunday time as the case may be.

(ii) The following minimum time shall be allowed to a member of the dining-car personnel who undertakes a trip where the scheduled time (including time allowed for booking on and off and time allowed to perform other duties before or after a trip)—

- (a) does not exceed 4 hours; time equivalent to half a day;
- (b) exceeds 4 hours but does not exceed 6 hours; time equivalent to three-quarters of a day; and
- (c) exceeds 6 hours; a minimum of a day's time.

(c) (i) Every member of the dining-car personnel who has been available for duty on every day (including Sundays) in a paymonth, shall be guaranteed his full salary for that month.

(ii) Should a member of the dining-car personnel not be available for duty on one or more days (including Sundays) in a paymonth, due to leave of absence, sickness or for any other reason, his monthly guarantee payment for that month shall be subject to a proportionate reduction.

(d) A member of the dining-car personnel who is required to wait at an out-station for a return trip, or who is required to wait at his home depot for a further trip, shall, provided the periods between the actual time of arrival (or when the essential work after the time of arrival has been completed) and the scheduled time of departure of the train (or the time when he commenced with essential work before the time of departure) do not exceed three hours, be credited with continuous time, and during such period his services shall be available for any duty required. If the aforementioned time exceeds three hours, the employee shall be booked off duty.

(e) Where a member of the dining-car personnel who has worked a short shift for which a minimum time is allowed, is required to work a further short shift for which a second minimum time may be allowed, he shall be credited with not more than continuous time from the time of signing on for the first trip to the time of signing off after the last trip subject to a minimum of one day's time.

(f) If a member of the dining-car personnel is booked off duty at an out-station under the circumstances provided for in subparagraph (d), the following booking-off expenses at the hourly rate determined in regulation 106 shall be allowed:

PERIOD BOOKED OFF	EXPENSES PAYABLE
Not exceeding five hours	Five hours at the appropriate hourly rate.
Exceeding five hours, but not exceeding ten hours	Ten hours at the appropriate hourly rate.
Exceeding ten hours.....	The actual period booked off duty at the appropriate hourly rate.

No booking-off expenses shall be payable if a member of the dining-car personnel is paid continuous time in terms of subparagraph (e) although he is booked off duty between trips.

(g) For the purpose of the application of this regulation and regulation 44 (5):

- (i) a day's time means 8 hours;
- (ii) three-quarters of a day's time means 6 hours; and
- (iii) half a day's time means 4 hours.

ARTISAN PERSONNEL

(7) A member of the artisan personnel shall, when working a night-shift be allowed a break of 15 minutes for food while on duty. The definition of a "night-shift" shall be as notified from time to time.

POSIDIENS

10. 'n Werknemer wat posdiens verrig, moet sodanige eed in verband met die uitvoering van pospligte aflê as wat die posowerheid gewoonlik van sy eie werknemers vereis wat soortgelyke dienste verrig.

ROOK

11. 'n Werknemer word nie toegelaat om op die persele van die Suid-Afrikaanse Vervoerdienste te rook terwyl hy op diens is of gedurende werkure in uniform is nie. Die toepassing van hierdie regulasie kan opgeskort word in gevalle waar daar geen gevaar van brand bestaan nie.

ONMATIGHEID

12. (1) Tensy dit nodig is vir die uitvoer van sy pligte, mag 'n werknemer terwyl hy op diens is geen alkoholiese drank of afhanklikheidsvormende medisyne wat nie deur 'n geneesheer, tandarts of veearts skriftelik voorgeskryf is nie, in sy besit hê of dit op die persele van die Suid-Afrikaanse Vervoerdienste bring of laat bring nie.

(2) 'n Werknemer mag nie onder die invloed van alkoholiese drank of afhanklikheidsvormende medisyne wees terwyl hy op diens is of wanneer hy hom vir diens aanmeld of moet aanmeld nie, en hy mag ook nie sodanige alkoholiese drank of afhanklikheidsvormende medisyne wat nie deur 'n geneesheer of tandarts skriftelik voorgeskryf is, gebruik of enige sodanige alkoholiese drank of afhanklikheidsvormende medisyne uit gewoonte oormatig gebruik nie.

(3) Onderworpe aan die bepalings van regulasie 21 (3), mag 'n werknemer wat op diens is nie sonder die toestemming van die stasiemeester of 'n ander gemagtigde beambte die kroeg van 'n stasieverversingskamer binnegaan nie.

(4) 'n Werknemer wat in die Lugdiensdepartement werk, mag te gener tyd alkoholiese drank in 'n openbare plek drink wanneer hy in uniform is nie.

(5) 'n Werknemer wat lid van 'n lugbemanning is, mag nie alkoholiese drank drink nie gedurende die tydperk van agt uur onmiddellik voor die tyd wat hy geboek is om op diens te gaan.

DOBBELARY VERBODE

13. Geen weddenskappe, loterye, uitlotings of ander soorte dobbelary word op die persele van die Suid-Afrikaanse Vervoerdienste toegelaat nie, en ook nie die verkoop van kaartjies in verband daarmee nie.

NIE-AMPTELIKE BEDRYWIGHEDE

14. 'n Werknemer mag nie sonder skriftelike toestemming—

- (i) werk teen vergoeding buite die Suid-Afrikaanse Vervoerdienste doen of hom verbind om dit te doen nie;
- (ii) òf regstreeks òf onregstreeks vir homself of ander handel dryf nie;
- (iii) werk vir homself of vir ander op die persele van die Suid-Afrikaanse Vervoerdienste doen nie; en
- (iv) die dienste van werknemers van die Suid-Afrikaanse Vervoerdienste gedurende werkure vir private doeleindes gebruik of sodanige gebruik van dienste deur ander toelaat nie, hetsy dit die voorneme is om vir sodanige dienste te betaal of nie.

AANNAME VAN GELDE, ENS.

15. 'n Werknemer mag geen kommissie, gelde of vergoeding, hetsy in die vorm van kontant of andersins, vir sy werk eis of sonder toestemming aanvaar as dit nie sy besoldiging is wat deur die Suid-Afrikaanse Vervoerdienste aan hom betaal word nie. 'n Werknemer moet sy onmiddellike hoof dadelik van die aanbod van sodanige kommissie, gelde of vergoeding in kennis stel.

POSTAL WORK

10. An employee dealing with postal work shall be required to take such oath in regard to the conduct of postal business as is usually required by the postal authority of its own personnel who carry out similar duties.

SMOKING

11. An employee is not allowed to smoke on the premises of the South African Transport Services whilst on duty or when in uniform during working hours. The operation of this regulation may be suspended where no risk of fire is involved.

INTEMPERANCE

12. (1) An employee shall not, unless it is necessary for the execution of his duty, whilst on duty, either have in his possession or bring or cause to be brought on to the premises of the South African Transport Services any alcoholic liquor or dependence-producing drug which has not been prescribed in writing by a doctor, dentist or veterinary surgeon.

(2) An employee shall not be under the influence of alcoholic liquor or dependence-producing drugs when on duty, or when reporting for or due to report for duty, neither shall he when on duty, drink such alcoholic liquor or use such dependence-producing drugs which have not been prescribed in writing by a doctor or dentist, nor shall he habitually consume to excess any such alcoholic liquor or dependence-producing drugs.

(3) Subject to the provisions of regulation 21 (3), an employee shall not enter a station refreshment room bar whilst on duty without the permission of the station master or other authorised official.

(4) An employee employed in the Airways Department shall not, at any time when in uniform, drink alcoholic liquor in a public place.

(5) An employee who is a member of an aircrew shall not drink alcoholic liquor during the period of eight hours immediately preceding the time at which he is booked to assume duty.

GAMBLING PROHIBITED

13. Betting, lotteries, raffles, sweepstakes, the sale of tickets in connection therewith, or any other kind of gambling shall not be permitted on the premises of the South African Transport Services.

UNOFFICIAL ACTIVITIES

14. An employee shall not without written permission—

- (i) perform or undertake to perform remunerative work outside the South African Transport Services;
- (ii) trade, either directly or indirectly, for himself or others;
- (iii) do work for himself or others on the premises of the South African Transport Services; and
- (iv) employ employees of the South African Transport Services for private purposes during working hours, or permit such employment by others, whether or not it is intended to pay for such service.

ACCEPTANCE OF FEES, ETC.

15. An employee shall not demand nor may he accept without permission in respect of the performance of his duties any commission, fee or reward, pecuniary or otherwise (not being his remuneration paid to him by the South African Transport Services). An employee shall report promptly to his immediate superior the offer of such commission, fee or reward.

VOORWAARDES VAN TOEPASSING OP DEPARTEMENTELE HUISVESTING

16. (1) (a) As daar besluit word dat 'n werknemer (behalwe 'n polisiebeampte) weens die aard van sy pligte in 'n departementele huis of, as hy ongetroud is, in 'n departementele kamer moet woon, moet sodanige werknemer die verblyfplek wat aan hom toegewys is, bewoon.

(b) As die Kommissaris van die Suid-Afrikaanse Spoorwegpolisie besluit dat 'n polisiebeampte weens die vereistes of vir die gerief van die Polisiemag in 'n departementele huis of, as hy ongetroud is, in 'n departementele kamer moet woon, moet sodanige polisiebeampte die verblyfplek wat aan hom toegewys is, bewoon.

(c) 'n Werknemer wat 'n verblyfplek ingevolge die bepaling van hierdie paragraaf bewoon, moet huur betaal teen die toepaslike tarief in ooreenstemming met die huurskaal wat van tyd tot tyd bepaal is. Die huur word ingevorder deur dit van sy betaalbewys af te trek.

(2) As 'n werknemer genoem in paragraaf (1) 'n huis bewoon en met verlof gaan vir 'n tydperk—

(a) van hoogstens ses en dertig dae, kan daar van hom vereis word om een kamer in sy huis gedurende die tydperk van sy verlof tot beskikking van die Suid-Afrikaanse Vervoerdienste te stel;

(b) van meer as ses en dertig dae, kan daar van hom vereis word om gedurende die tydperk van sy verlof of die gebruik van een kamer aan die Suid-Afrikaanse Vervoerdienste af te staan of sy huis tot beskikking van die Suid-Afrikaanse Vervoerdienste te stel en indien nodig sy meubels in een kamer te bêre.

(3) As 'n werknemer akkommodasie tot beskikking van die Suid-Afrikaanse Vervoerdienste moet stel, word sy huur vir die tydperk waartydens die akkommodasie nodig is, verminder met die huurwaarde van sodanige akkommodasie, en as die hele huis gebruik word, word geen huur van hom gevorder nie.

(4) Die bepalinge van paragrawe (2) en (3) is ook van toepassing op 'n werknemer wat weens siekte of besering van diens afwesig is as hy deur 'n mediese praktisyn aangesê word om vir meer as ses en dertig dae van sy werkplek weg te gaan.

(5) As 'n werknemer wat aflosdiens doen, van 'n departementele verblyfplek of 'n gedeelte daarvan gebruik maak, moet hy betaal teen die gewone skaal vir die akkommodasie wat hy gebruik.

(6) (a) (i) 'n Polisiebeampte wat 'n departementele verblyfplek bewoon, hetsy ingevolge die bepalinge van hierdie regulasie of andersins—

(aa) mag niemand sonder die magtiging van die Kommissaris van die Suid-Afrikaanse Spoorwegpolisie as kosganger of loseerder inneem nie;

(bb) mag nie 'n familielid, behalwe sy eggenote en kinders, by hom laat inwoon sonder die toestemming van sy bevelvoerende offisier nie, en sodanige toestemming mag net in uitsonderlike omstandighede verleen word;

(cc) kan deur die Kommissaris van die Suid-Afrikaanse Spoorwegpolisie beveel word om sodanige verblyfplek te ontruim sonder dat redes daarvoor verstrekk word; en

(dd) mag nie sonder die toestemming van die Kommissaris van die Suid-Afrikaanse Spoorwegpolisie die departementele verblyfplek wat aan hom toegewys is, vir ander departementele verblyfplek verruil nie.

CONDITIONS RELATIVE TO THE OCCUPATION OF DEPARTMENTAL QUARTERS

16. (1) (a) Should it be decided that it is necessary for an employee (other than a policeman), owing to the nature of his duties, to reside in a departmental house or, if he is unmarried, in a departmental room, such employee shall occupy the quarters assigned to him.

(b) Should the Commissioner of South African Railways Police decide that it is necessary for a policeman, to meet the requirements or the convenience of the Police Force, to reside in a departmental house or, if he is unmarried, in a departmental room, such policeman shall occupy the quarters assigned to him.

(c) An employee occupying quarters in terms of this paragraph shall be required to pay rent at the appropriate rate in accordance with the scale of rental charges laid down from time to time. The rental shall be collected, by deduction from his remuneration, through the medium of his pay-voucher.

(2) An employee referred to in paragraph (1), in occupation of a house, who proceeds on leave of absence for a period—

(a) not exceeding thirty-six days, may be required to place one room in his house at the disposal of the South African Transport Services during the period of his leave;

(b) exceeding thirty-six days, may be required to place, during the period of his leave, either one room or his house at the disposal of the South African Transport Services, storing his furniture in one room, if necessary.

(3) If an employee is required to place accommodation at the disposal of the South African Transport Services, his rental, in respect of the period during which the accommodation is required, shall be reduced by the rental value of such accommodation, and no rental shall be charged if the whole house is utilised.

(4) The provisions of paragraphs (2) and (3) shall also be applicable to an employee who is absent from duty due to sickness or injury, if he is ordered away from his place of employment by a medical practitioner for a period of more than thirty-six days.

(5) Where use is made by an employee employed on relief duty of the whole or any portion of departmental quarters, he shall pay rental at the usual scale for the accommodation occupied.

(6) (a) (i) A policeman occupying departmental quarters, whether in terms of this regulation or otherwise—

(aa) shall not board or lodge any person without the authority of the Commissioner of South African Railways Police;

(bb) shall not have any relative, other than his wife and children, resident with him without the permission of his commanding officer, which permission may be given only under exceptional circumstances;

(cc) may be ordered by the Commissioner of South African Railways Police to vacate such quarters without any reason therefor being given; and

(dd) shall not without the permission of the Commissioner of South African Railways Police exchange the departmental quarters allotted to him for other departmental quarters.

(ii) Vir die toepassing van die bepalings van hierdie subparagraaf beteken die uitdrukking "bevelvoerende offisier" die offisier wat as sodanig aangewys is om bevel te voer oor die lede van die Polisiemag vir 'n bepaalde streek of ander gebied en dié wat vir diens of dissipline daaraan verbonde is.

(b) 'n Werknemer (behalwe 'n polisiebeampte) wat 'n departementele verblyfplek bewoon, hetsy ingevolge die bepalings van hierdie regulasie of andersins, mag niemand sonder magtiging as kosganger of loseerder inneem nie, hetsy sodanige persoon in diens van die Suid-Afrikaanse Vervoerdienste is of nie, en hy mag ook nie sonder toestemming die departementele verblyfplek wat aan hom toegewys is, vir 'n ander departementele verblyfplek verruil nie.

(7) Waar 'n menasie vir Spoorwegpolisie op magtiging van die Kommissaris van die Suid-Afrikaanse Spoorwegpolisie opgerig is, word die bedrae wat 'n polisiebeampte aan die fondse van sodanige menasie verskuldig is, ingevorder deur middel van aftrekkings van sy betaalbewys.

BESKERMING VAN EIENDOM

17. 'n Werknemer mag geen eiendom van die Suid-Afrikaanse Vervoerdienste of goed wat in die bewaring van die Suid-Afrikaanse Vervoerdienste is, vir sy eie gebruik aanwend nie, en behalwe wanneer dit nodig is vir die uitvoer van sy ampspligte mag hy nie sodanige eiendom of goed van die persele van die Suid-Afrikaanse Vervoerdienste verwyder nie, tensy hy vooraf skriftelik toestemming daartoe ontvang het en 'n kwitansie verkry het vir die bedrag waarteen sodanige eiendom of goed gewaardeer word.

POLITIEKE EN OPENBARE SAKE

18. (1) 'n Werknemer mag nie—

- (a) in die openbaar kommentaar lewer oor die bestuur of bedryf van die Suid-Afrikaanse Vervoerdienste nie;
- (b) mededelings aan die openbare pers doen oor politieke aangeleenthede [behalwe ingevolge die voorwaardes bepaal in paragraaf (2)] of oor aangeleenthede in verband met die Suid-Afrikaanse Vervoerdienste nie;
- (c) inligting oor die aangeleenthede of die sake van die Suid-Afrikaanse Vervoerdienste of sy personeel openbaar maak of 'n amptelike dokument of boek aan persone toon wat nie in die Suid-Afrikaanse Vervoerdienste is nie, tensy hy dit in die uitvoering van sy plig moet doen; en
- (d) inligting wat deur hom ingewin of aan hom meege-deel is uit hoofde van sy betrekking met die Suid-Afrikaanse Vervoerdienste vir 'n ander doel as die uitvoer van sy ampspligte gebruik nie, selfs al maak hy sodanige inligting nie openbaar nie.

(2) 'n Werknemer wat hom verkiesbaar stel as lid van die Parlement of 'n Provinsiale Raad moet 'n voorwaardelike bedanking indien sodra hy nominasie aanvaar. So 'n voorwaardelike bedanking tree slegs in werking op die datum waarop hy verkies word. Aan 'n werknemer wat nominasie aanvaar, word sodanige verlof sonder betaling toegestaan as wat na die nominasiedatum in verband met sy kandidatuur nodig mag wees. As hy nie verkies word nie, moet hy sy werk sonder diensonderbreking hervat en word die tydperk van afwesigheid van diens as verlof sonder betaling behandel.

(3) (a) Aan 'n werknemer kan daar toestemming verleen word om nominasie te aanvaar vir verkiesing tot lid van 'n munisipale raad, dorpsbestuur, gesondheidskomitee, hospitaalraad, skoolraad, plaaslike bestuur of ander onderge-sikte liggaam, mits dit nie inbreuk op die werknemer se werk as lid van die Suid-Afrikaanse Vervoerdienste sal maak nie.

(ii) For the purpose of the application of the provisions of this subparagraph, the term "commanding officer" means the officer designated as such in command of the members of the Police Force for any given Region or other area or attached thereto for duty or discipline.

(b) An employee (other than a policeman) occupying departmental quarters, whether in terms of this regulation or otherwise, shall not board or lodge any person, whether employed by the South African Transport Services or not, without permission, nor shall he, without permission, exchange the departmental quarters allotted to him for other departmental quarters.

(7) Where a Railway Police mess has been established on the authority of the Commissioner of South African Railways Police, the recovery of charges due to such mess funds by a policeman shall be effected by deduction from his remuneration, through the medium of his pay-voucher.

SAFEGUARDING OF PROPERTY

17. An employee shall not convert to his own use any departmental property or goods, which are in the custody of the South African Transport Services, and any such property or goods shall not be removed by an employee from the premises of the South African Transport Services other than in the discharge of his official duties, unless he has first obtained written permission and obtained a receipt for the value at which such property or goods is assessed.

POLITICAL AND PUBLIC AFFAIRS

18. (1) An employee shall not—

- (a) publicly comment on the management or working of the South African Transport Services;
- (b) communicate with the public press on political matters [except under the conditions provided for in paragraph (2)] or on matters connected with the South African Transport Services;
- (c) disclose any information concerning the affairs or the business of the South African Transport Services or of its personnel, or show any official document or book to persons not employed in the South African Transport Services, unless he is required to do so in the course of his duty; and
- (d) use for any purpose other than for the discharge of his official duties information gained by or conveyed to him through his connection with the South African Transport Services, notwithstanding that he does not disclose such information.

(2) Any employee seeking election to Parliament or to a Provincial Council shall, simultaneously with the acceptance of nomination, tender a conditional resignation and, if elected, his resignation shall become effective on the date of his election. An employee accepting nomination shall be allowed such leave without pay as may be necessary in connection with his candidature subsequent to the date of nomination. Should he fail to be elected, he shall resume duty without a break in his service, the period of absence from duty being treated as leave without pay.

(3) (a) An employee may be granted permission to accept nomination for election to a municipal council, village management board, health committee, hospital board, school board, local board, or other minor body, subject to the proviso that the employee's duties as a member of the South African Transport Services will not thereby be interfered with.

(b) Onderworpe aan die vereistes van die Suid-Afrikaanse Vervoerdienste, kan sodanige verlof sonder betaling of vakansieverlof volgens 'n werknemer se keuse aan hom toegestaan word as wat vir kandidatuurdoeleindes na sy nominasie en vir die bywoning van vergaderings van die raad of komitee nodig mag wees.

(4) 'n Werknemer mag nie versoeke onderteken wat aan kandidate gerig is om hulle vir die Parlement of 'n provinsiale raad verkiesbaar te stel nie en hy mag ook nie [behalwe ingevolge die voorwaardes bepaal in paragraaf (2)] openlik of aktief aan verkiesings deelneem nie, hetsy skriftelik of deur middel van openbare toesprake. 'n Werknemer mag ook nie in 'n komitee dien wat hom dit ten doel stel om die verkiesing van 'n besondere kandidaat vir die Parlement of 'n provinsiale raad te bevorder of te verhinder nie.

(5) 'n Werknemer mag openbare vergaderings van kandidate vir verkiesing tot lede van die Parlement of 'n provinsiale, afdelings- of munisipale raad bywoon en op sulke vergaderings stem oor enige voorstelle wat ingedien word.

(6) Kennisgewings waarin daar om stemme vir 'n besondere kandidaat vir 'n parlementêre of ander verkiesing gevra word, word nie vasgesit of vertoon op persele wat aan die Suid-Afrikaanse Vervoerdienste behoort of onder sy beheer is nie. Versoekskrifte of adresse met 'n partyoogmerk mag nie binne sodanige persele vertoon of vir ondertekening aangebied word nie.

(7) Stemme mag nie op die persele van die Suid-Afrikaanse Vervoerdienste vir parlementêre of ander verkiesings gewerf word nie.

(8) Aan 'n werknemer wat gestasioneer is in die distrik waarin hy as kieser vir parlementêre of provinsiale raadsverkiesings geregistreer is en wat op die dag van 'n verkiesing van diens afwesig wil wees om sy stem uit te bring omdat hy nie in sy eie tyd kan stem nie, kan daar, onderworpe aan die vereistes van die Suid-Afrikaanse Vervoerdienste, sodanige spesiale verlof met betaling toegestaan word as wat vir dié doel nodig mag wees.

(9) As die Suid-Afrikaanse Vervoerdienste 'n werknemer oorgeplaas het van die plek waar hy as kieser geregistreer is en geskikte reëlins vir die verrigting van sy werk getref kan word, kan spesiale verlof met betaling vir 'n tydperk van hoogstens een dag aan hom toegestaan en 'n vrypas of vrykaartjie aan hom uitgereik word om na die plek te reis waar hy as kieser geregistreer is en sy stem uit te bring, mits hy nie as afwesige of spesiale kieser kan stem nie. As die reis nie in een dag afgelê kan word nie en die werknemer vir 'n langer tydperk van diens vrygestel kan word, kan vakansieverlof met betaling (as daar sodanige verlof aan hom verskuldig is) of verlof sonder betaling aan hom toegestaan word vir die nodige bykomende tydperk. Spesiale verlof met betaling word nie toegestaan aan 'n werknemer wat sy stem as afwesige of spesiale kieser kan uitbring nie.

(10) Behalwe soos bepaal in paragrafe (8) en (9) word spesiale verlof met betaling nie aan 'n werknemer toegestaan om sy stem uit te bring nie, maar as die vereistes van die Suid-Afrikaanse Vervoerdienste dit toelaat, kan hy vir dié doel gebruik maak van enige vakansieverlof wat aan hom verskuldig mag wees.

VERGADERINGS OP DIE PERSELE VAN DIE SUID-AFRIKAANSE VERVOERDIENSTE

19. Vergaderings wat nie oor die sake van die Suid-Afrikaanse Vervoerdienste gaan nie, mag nie sonder toestemming op die persele van die Suid-Afrikaanse Vervoerdienste gehou word nie, maar vergaderings van werknemers kan na goeë dunde van ontspanningsklubkomitees in ontspanningsklubs van die Suid-Afrikaanse Vervoerdienste gehou word, onderworpe aan sodanige voorwaardes as wat van tyd tot tyd bekend gemaak mag word.

(b) Subject to the exigencies of the South African Transport Services, such unpaid leave or vacation leave, according to an employee's choice, as may be necessary may be allowed for the purpose of candidature subsequent to nomination and attendance at meetings of the council, board or committee.

(4) An employee shall not sign a requisition for candidates to stand for election to Parliament or to a Provincial Council, nor shall he [except under the conditions provided for in paragraph (2)] take an open or active part in electioneering either by public speaking or writing, or serve on a committee having for its object the promotion of, or prevention of, the return of any particular candidate to Parliament or to a Provincial Council.

(5) An employee may attend public meetings held by candidates seeking election to Parliament, a Provincial, Divisional or Municipal Council, and may vote at such meetings upon any resolutions submitted.

(6) Notices soliciting votes for any particular candidate for Parliamentary or other elections shall not be affixed or exhibited on premises which are the property of or under the control of the South African Transport Services. Memorials or addresses with a "party" object shall not be exhibited or presented for signature within such premises.

(7) Canvassing in connection with Parliamentary or other elections shall not be permitted on the premises of the South African Transport Services.

(8) An employee stationed in the district in which he is registered as a voter in connection with Parliamentary or Provincial Council elections who desires to be absent from duty on the day of an election for the purpose of recording his vote, and whose vote cannot be recorded in his own time may, subject to the exigencies of the South African Transport Services, be granted such special paid leave of absence as may be necessary for the purpose.

(9) An employee who has been transferred at the instance of the South African Transport Services from the place at which he is registered as a voter may, if suitable arrangements for the performance of his duties can be made, be granted special paid leave of absence for a period not exceeding one day, and a free pass or free ticket for the purpose of proceeding to the place at which he is registered as a voter and recording his vote, provided he cannot vote as an absent or special voter. If the journey cannot be completed in one day and the employee can be spared from duty for a longer period, he may be allowed such paid vacation leave as may be due to him or unpaid leave, for any further period necessary. Special paid leave of absence will not be available in cases in which an employee is eligible to record his vote as an absent or special voter.

(10) Except as provided in paragraphs (8) and (9), an employee shall not be granted special paid leave of absence for voting purposes, but may, subject to the exigencies of the South African Transport Services, avail himself of any vacation leave of absence which may be due to him.

MEETINGS ON THE PREMISES OF THE SOUTH AFRICAN TRANSPORT SERVICES

19. Meetings other than for the business of the South African Transport Services shall not be held on the premises of the South African Transport Services without permission, but meetings of employees may be held in Recreation Clubs of the South African Transport Services in the discretion of Recreation Club Committees, subject to such conditions as may be notified from time to time.

PUBLISEER VAN KENNISGEWINGS

20. 'n Werknemer mag nie 'n kennisgewing oor ander aangeleenthede as die sake van die Suid-Afrikaanse Vervoerdienste sonder toestemming op of binne persele plak wat aan die Suid-Afrikaanse Vervoerdienste behoort of onder sy beheer staan nie.

UNIFORM- EN ANDER TOERUSTING

21. (1) 'n Werknemer aan wie 'n uniform verskaf is, moet—

- (a) dit in 'n goeie toestand hou gedurende die tydperk waarvoor dit uitgereik is;
- (b) in 'n netjiese, skoon en volledige uniform verskyn wanneer hy op diens is en die kentekens aan die uniform behoorlik vertoon, met dien verstande egter dat 'n polisiebeampte wat ondersoekwerk doen en 'n uniform het, sy uniform moet dra slegs wanneer 'n bevoegde gesag hom opdrag gee om dit te doen; en
- (c) nie deel van sy uniform saam met burgerklere dra nie.

(2) Onderworpe aan die bepalings van paragraaf (3) word 'n lid van die uniformpersoneel wat nie op diens is nie, toegelaat om sy uniform te dra—

- (a) wanneer hy van sy woonplek gaan om op diens te gaan;
- (b) wanneer hy na sy woonplek gaan nadat hy van diens gegaan het; of
- (c) te eniger tyd terwyl hy op 'n sentrum weg van sy hoofkwartier is, tensy hy op daardie sentrum aflos of spesiale diens verrig.

(3) (a) Wanneer 'n lid van die uniformpersoneel, behalwe 'n polisiebeampte, sy uniform dra, mag hy nie sonder toestemming ingaan by 'n openbare vermaaklikheidsplek of by persele wat gelisensieer is om alkoholiese drank te verkoop nie, tensy hy—

- (i) dit in die uitvoering van sy plig moet doen; of
- (ii) noodwendig verblyf nodig het.

(b) Daar word beskou dat die bepalings van subparagraaf (a) toegang tot 'n kroeg van 'n ontspanningsklub van die Suid-Afrikaanse Vervoerdienste verbied, maar nie tot die ander vertrekke van sodanige klub nie.

(4) (a) 'n Polisiebeampte mag geen wapens, ammunisie of ander toerusting wat die eiendom van die Suid-Afrikaanse Vervoerdienste is en ook geen stukke uniformklere sonder die toestemming van 'n polisieoffisier of ander behoorlik gemagtigde amptenaar uitleen, verkoop, verpand of op 'n ander wyse daarvoor beskik nie, afgesien daarvan of die tydperk waarvoor dit uitgereik is, verstryk het of nie.

(b) 'n Lid van die uniformpersoneel, behalwe 'n polisiebeampte, mag geen stuk uniformklere sonder toestemming van die hand sit gedurende die tydperk waarvoor dit uitgereik is nie.

(5) Elke polisieoffisier wat bevel voer oor 'n eenheid van die polisiemag word verantwoordelik gehou daarvoor dat alle polisiebeamptes onder sy bevel hulle volledige uniforms en toerusting in 'n bruikbare toestand hou.

(6) (a) As enige stuk uniformklere of ander toerusting wat deur die Suid-Afrikaanse Vervoerdienste verskaf is, soek raak of beskadig word, kan 'n bedrag wat voldoende is om 'n soortgelyke artikel te verskaf of om die skade te herstel, op die werknemer verhaal word deur dit van sy betaalbewys af te trek.

(b) As enige stuk van die uniformklere of ander toerusting van 'n polisiebeampte onder die bevel van 'n polisieoffisier weens nalatigheid van sodanige polisiebeampte in so 'n mate agteruitgegaan het dat dit na die mening van die polisieoffisier onbruikbaar is, kan hy opdrag gee dat die

PUBLICATION OF NOTICE

20. An employee shall not post a notice unconnected with the business of the South African Transport Services on or within the premises which are the property of or are under the control of the South African Transport Services without permission.

UNIFORM AND OTHER EQUIPMENT

21. (1) An employee who is supplied with a uniform—

- (a) shall maintain it in good order during the period for which it has been issued;
- (b) shall, when on duty, appear in a neat, clean and complete uniform with the badges properly exhibited, provided, however, that a policeman employed on investigation duties who is in possession of a uniform shall wear his uniform only when he is instructed, by competent authority, to do so; and
- (c) shall not wear part of his uniform with civilian clothes.

(2) Subject to the provisions of paragraph (3), a uniformed employee, when he is not on duty, is permitted to wear his uniform—

- (a) when he is proceeding from his place of residence to take up duty;
- (b) when he is proceeding to his place of residence after relinquishing duty; or
- (c) at any time at a centre away from his headquarters unless he is undertaking relief or special duty at that centre.

(3) (a) An employee other than a policeman, when wearing his uniform, shall not, without permission, enter a place of public entertainment, or premises licenced to sell alcoholic liquor, unless—

- (i) he is required to do so in the course of his duty; or
- (ii) he necessarily requires accommodation.

(b) The provisions of subparagraph (a) shall be regarded as prohibiting entry to the bar of a Recreation Club of the South African Transport Services but shall not restrict access to the other apartments of such club.

(4) (a) A policeman shall not, without the permission of a police officer or other duly authorised officer, lend, sell, pledge or otherwise dispose of arms, ammunition or other article of equipment, being the property of the South African Transport Services, or any article of uniform clothing, irrespective of whether or not the period for which it has been issued has expired.

(b) An employee other than a policeman, shall not, without permission, dispose of any article of uniform clothing during the period for which it has been issued.

(5) Every police officer who has command of any unit of the police force shall be held responsible for ensuring that all policemen under his command maintain their full uniform and equipment in a serviceable condition.

(6) (a) If any article of uniform clothing or other equipment provided by the South African Transport Services is lost or damaged, a sum sufficient to supply another such article or to repair the damage may be recovered from the employee concerned by deductions from emoluments through the medium of his pay-voucher.

(b) If any article of the uniform clothing or any article of the other equipment of a policeman under his command has, through such policeman's negligence, deteriorated to a condition which, in the opinion of a police officer, is unserviceable, he may order that the article concerned be re-

betrokke artikel op koste van die verantwoordelike polisie-beampte, vervang word. In sulke gevalle word die vervang-koste ingevorder deur dit van die polisiebeampte se betaalbewys af te trek in sodanige paaielemente as wat die genoemde offisier mag bepaal.

(7) 'n Werknemer aan wie beskermklere en -toerusting uitgereik word om hom te beskerm teen besering of skadelike elemente waaraan hy in die loop van sy werk blootgestel word, moet dit te alle tye gebruik onderwyl hy besig is met die besondere werk of proses waarvoor die beskerming bedoel is.

STAAT VAN MEDIESE GESKIEDENIS—GENEESKUNDIGE ONDERSOEK, INENTING, ENS.—POLISIEBEAMPTES

22. (1) 'n Staat van mediese geskiedenis word vir elke polisiebeampte gehou.

(2) Die Kommissaris van die Suid-Afrikaanse Spoorwegpolisie of enige polisieoffisier wat deur die Kommissaris van die Suid-Afrikaanse Spoorwegpolisie daartoe gemagtig is, kan te eniger tyd enige polisiebeampte van laer rang wat vermoedelik aan 'n ongesteldheid, sieklikheid, 'n siekte of besering ly of wat beweer dat hy daaraan ly, beveel om hom geneeskundig deur 'n mediese praktisyn te laat ondersoek of om hom in 'n hospitaal te laat behandel. Elke mediese verslag oor sodanige ondersoek word sonder versuim aan die Kommissaris van die Suid-Afrikaanse Spoorwegpolisie voorgeleë.

(3) Elke polisiebeampte moet sodanige inenting of ander mediese prosedure vir die voorkoming van siekte ondergaan as wat van tyd tot tyd nodig geag word.

VOLMAGTE, ENS.

23. (1) Die besoldiging wat 'n werknemer verdien, word aan niemand anders as sodanige werknemer self betaal nie, behalwe in gevalle waar—

- (a) hy van sy gewone betaalplek afwesig is omdat hy op diens of met verlof is;
- (b) hy van diens afwesig is weens siekte of besering op diens, waarvoor 'n behoorlike sertifikaat deur 'n dokter uitgereik is;
- (c) 'n onherroeplike aftrekorder wat behoorlik voltooi en geseël is, vir 'n bepaalde tydperk uitgereik is, waarin magtiging verleen word dat bedrae ten opsigte van lewensversekeringspremies van sodanige werknemer se besoldiging afgetrek word;
- (d) 'n aftrekorder uitgereik is waarin magtiging verleen word dat bedrae van sodanige werknemer se besoldiging afgetrek word vir bydraes tot die fondse van inrigtings waarvoor hierdie gedragslyn gemagtig is;
- (e) 'n aftrekorder uitgereik is waarin magtiging verleen word dat bedrae van sodanige werknemer se besoldiging afgetrek kan word vir lidmaatskapgelde van 'n vakvereniging waarvoor hierdie gedragslyn gemagtig is;
- (f) hy die Suid-Afrikaanse Vervoerdienste skriftelik op 'n goedgekeurde vorm gemagtig het om sy besoldiging te deponeer by 'n geregistreerde bankier of bouvereniging wat deur die Suid-Afrikaanse Vervoerdienste goedgekeur is, met dien verstande dat geen ooreenkoms of onderneming wat bedoel is om sodanige magtiging vir enige bepaalde of onbepaalde tydperk onherroeplik te maak, deur die Suid-Afrikaanse Vervoerdienste erken word of op hom bindend is nie, en die Suid-Afrikaanse Vervoerdienste na goedgekeurde en sonder om 'n rede daarvoor te verstrek, kan weier om uitvoering aan sodanige magtiging te gee of die toepassing van sodanige magtiging te eniger tyd kan opskort nadat hy dit aanvanklik aangeneem het; of
- (g) 'n skuldbeslagbevel deur 'n hof uitgereik is.

placed at the expense of the policeman responsible. In such case, the sum representing the cost of replacement shall be recovered from emoluments through the medium of the policeman's pay-voucher in such instalments as the said officer may determine.

(7) An employee who is supplied with articles of protective clothing and equipment to protect him against injury or harmful elements to which he is exposed in the course of his work, shall use them at all times while he is employed on the specific work or process for which the protection is intended.

MEDICAL HISTORY SHEET—MEDICAL EXAMINATION—INOCULATION—POLICEMEN

22. (1) A medical history sheet shall be maintained for every policeman.

(2) The Commissioner of South African Railways Police, or any police officer delegated thereto by the Commissioner of South African Railways Police may, at any time, order any policeman of lower rank suspected of or claiming to be suffering from indisposition, ill-health, disease or injury, to submit himself to medical examination by a medical practitioner or to hospital treatment. Every medical report on such an examination shall be submitted promptly to the Commissioner of South African Railways Police.

(3) Every policeman shall submit to such inoculation or other medical procedure for the prevention of illness as may from time to time be deemed necessary.

POWERS OF ATTORNEY, ETC.

23. (1) The remuneration earned by an employee shall not be paid to any person other than such employee personally, except in cases where—

- (a) he is absent either on duty or on account of leave of absence, from the place where payment is usually made;
- (b) he is absent from duty through sickness or injury on duty, duly certified by a medical practitioner;
- (c) an irrevocable stop-order has been issued for a definite period, properly executed and stamped, authorising deductions from remuneration in respect of life insurance premiums;
- (d) a stop-order has been issued authorising deductions from remuneration of contributions to the funds of institutions in respect of which this procedure has been authorised;
- (e) a stop-order has been issued authorising deductions from remuneration of fees for membership of a trade union, in respect of which this procedure has been authorised;
- (f) he has authorised the South African Transport Services, in writing, on an approved form to deposit his remuneration with a registered banker or building society approved by the South African Transport Services provided that no agreement or undertaking purporting to make such authority irrevocable for any period, definite or indefinite, shall be recognised by or be binding on the South African Transport Services, which may, in its discretion, without assigning any reason therefor, refuse to act on such authority, or may, after the initial acceptance of any such authority, suspend, at any time, the operation thereof; or
- (g) a garnishee order has been issued by a court.

(2) In die omstandighede genoem in subparagraaf (1) (a) of (1) (b) kan 'n werknemer 'n volmag uitreik waardeur iemand anders in staat gestel word om sy betaling te trek. Die volmag word uitgemaak op die vorm wat daarvoor voorsien word, en dit word goedgekeur voordat uitvoering daaraan gegee word. In gevalle waar meer as een bedrag betaal moet word, word die volmag in duplo uitgemaak.

(3) Onder geen ander omstandighede word 'n volmag, sessie of soortgelyke dokument erken waarvan die doel is om 'n derde te magtig om betaling te ontvang nie.

VERDIENSTELIKE GEDRAG

24. As 'n werknemer op 'n besonder verdienstelike wyse optree en sodoende 'n ongeluk voorkom of die gevolge daarvan tot 'n minimum beperk, of as hy pliggetrouheid in moeilike of buitengewone omstandighede aan die dag lê, lewens red, of op enige ander wyse buitengewoon goeie diens lewer, moet die gesaghebbende werknemer die omstandighede sonder versuim aan sy departementshoof rapporteer wat behoorlike bevestiging daarvan moet verkry en dan die besonderhede van die handeling op die diensrekord van die betrokke werknemer moet laat aanteken, en as die omstandighede verder erkenning skyn te regverdig, moet hy die saak aan die Hoofbestuurder rapporteer.

GEDRAGSLYN BY DIE INDIEN VAN VERTOË

25. (1) Behalwe waar uitdruklik anders bepaal word, moet elke mededeling van 'n werknemer aan hoër gesag deur sy onmiddellike hoof aangestuur word.

(2) As 'n werknemer iemand regstreeks of onregstreeks en buite die bestek van sy wettige pligte beweeg of probeer beweeg om hom deur invloedwerwing of op 'n ander manier in die werknemer se eie belang of in die belang van iedereen te beywer met die oog op 'n aanstelling, bevordering, oorpasing of voorkeur van enige aard in die Suid-Afrikaanse Vervoerdienste, word stappe teen sodanige werknemer gedoen soos vir 'n ernstige dissiplinêre oortreding, en hy stel hom bloot aan ontslag. Indien sodanige invloedwerwing plaasvind met die medewete of op aansporing van iemand ten behoeve van wie invloed gewerf word, word daar beskou dat sodanige persoon bowendien gediskwalifiseer is vir aanstelling, bevordering, oorpasing of voorkeur in die Suid-Afrikaanse Vervoerdienste.

KLAGTES OF RAPPORTE TEEN ANDER WERKNEMERS

26. 'n Werknemer wat rede het om 'n klagte of 'n rapport teen 'n ander werknemer in te dien, moet sy klagte of rapport skriftelik indien nie later nie as veertien dae na die datum waarop die gebeurtenis onder sy aandag gekom het.

WYSE WAAROP APPËLLE MET BETREKKING TOT BEVORDERING EN DIE VERTOLKING VAN REGULASIES INGEDIEN EN GRIEWE VOORGEDRA MOET WORD

27. (1) (a) 'n Werknemer wat meen dat die bepalings van artikel 10 (1) van die Wet nie by die vul van 'n vakature nagekom is nie, kan deur die gewone amptelike kanale na die Hoofbestuurder appelleer, met dien verstande dat as die aanstelling deur die Hoofbestuurder self of deur die Minister gemaak is, die werknemer langs die gewone amptelike kanale na die Raad van Suid-Afrikaanse Vervoerdienste kan appelleer. Appëlle ingevolge hierdie subparagraaf moet deur die werknemer persoonlik ingedien word binne 30 dae na die datum waarop daar bekend gemaak is dat die betrekking gevul is.

(b) 'n Werknemer wat nie met 'n vertolking van 'n regulasie tevrede is nie kan langs die gewone amptelike kanale na die Hoofbestuurder appelleer, met dien verstande dat as die vertolking deur die Hoofbestuurder self of deur die Minister gemaak is, die werknemer langs die gewone amptelike

(2) Under the circumstances detailed in subparagraph (1) (a) or (1) (b), an employee may issue a power of attorney enabling another person to draw his pay. The power of attorney shall be made out on the form provided and be approved before being acted upon. In cases where more than one payment is to be made, the power of attorney shall be made out in duplicate.

(3) Under no other circumstances shall any power of attorney, cession or equivalent document, purporting to authorise a third party to receive payment, be recognised.

MERITORIOUS CONDUCT

24. If an employee acts in a particularly meritorious manner by preventing or minimising the consequences of an accident, showing devotion to duty in trying or exceptional circumstances, saving life, or in any other manner renders exceptionally good service, the employee in authority shall forthwith report the circumstances to the head of his department, who shall, after due verification, cause particulars of such act to be recorded on the service record of the employee concerned, and where the circumstances seem to warrant further recognition, report the matter to the General Manager.

PROCEDURE TO BE FOLLOWED IN MAKING REPRESENTATIONS

25. (1) Except as otherwise specifically provided every communication from an employee to superior authority shall be forwarded through his immediate superior.

(2) An employee who, directly or indirectly, and beyond the scope of his legal duties, causes or attempts to cause any person to interfere by solicitation or otherwise, in his own interest or in the interest of any other person, in respect of an appointment to, or promotion, transfer or preferment of any kind in the South African Transport Services shall be dealt with as for a serious disciplinary infringement and shall render himself liable to dismissal. In addition, any person on whose behalf influence is solicited, if such solicitation takes place with such person's knowledge or at his instigation, shall be deemed to be disqualified for an appointment to, or promotion, transfer or preferment in the South African Transport Services.

COMPLAINTS OR REPORTS AGAINST OTHER EMPLOYEES

26. An employee who has cause to complain of or to make a report against another employee shall make the complaint or report in writing not later than fourteen days from the date on which the occurrence comes under his notice.

METHOD OF SUBMITTING APPEALS RELATING TO PROMOTION AND THE INTERPRETATION OF REGULATIONS AND OF REPRESENTING GRIEVANCES

27. (1) (a) Any employee who considers that the terms of section 10 (1) of the Act have not been observed in connection with the filling of any vacancy, may appeal through the usual official channels to the General Manager, provided that where the appointment was made by the General Manager in person or by the Minister the employee may appeal through the usual official channels to the South African Transport Services Board. Appeals under this subparagraph shall be lodged personally by the employee within 30 days from the date of the publication of the filling of the position.

(b) Any employee who is dissatisfied with an interpretation of a regulation may appeal through the usual official channels to the General Manager, provided that where the interpretation was given by the General Manager in person

kanale na die Raad van Suid-Afrikaanse Vervoerdienste kan appelleer. Appelle ingevolge hierdie subparagraaf moet deur die betrokke werknemer persoonlik ingedien word binne 21 dae na die datum waarop hy die vertolking ontvang het.

(c) 'n Werknemer wat meen dat hy 'n grief het of dat hy onder 'n nadeel gebuk gaan met betrekking tot sake behalwe dié waarvoor in subparagrafe (a) en (b) voorsiening gemaak word en wat herstel verlang, moet binne 14 dae na die datum waarop die aangeleentheid waaroor hy ontevrede is amptelik onder sy aandag gekom het, skriftelik vertoë tot sy onmiddellik hoër amptenaar daaroor rig. Indien sy onmiddellik hoër amptenaar nie met die saak kan handel nie, word dit aan die amptenaar wat die besluit geneem het vir oorweging en beslissing voorgelê. As die werknemer nie met die antwoord van sy onmiddellik hoër amptenaar of van die amptenaar wat die besluit geneem het, na gelang van die geval, tevrede is nie, kan hy langs die gewone amptelike kanale in nog hoër beroep tot en met die Hoofbestuurder gaan. Appelle ingevolge hierdie subparagraaf moet in elke geval skriftelik langs die gewone amptelike kanale deur die werknemer persoonlik ingedien word binne 14 dae na die datum waarop hy die beslissing ontvang het waarteen daar geappelleer word.

(2) (a) As die werknemer wat na die Hoofbestuurder geappelleer het vir die rede en op die wyse voorgeskryf in paragraaf 1 (a) nie tevrede is met die beslissing van die Hoofbestuurder nie, kan hy binne 21 dae na die datum waarop hy dié beslissing ontvang het, 'n versoek, wat die volle motivering vir sy appél moet bevat en deur hom persoonlik onderteken moet word, langs die gewone amptelike kanale aan die Hoofbestuurder rig dat die saak aan die Raad van Suid-Afrikaanse Vervoerdienste vir oorweging voorgelê word. Die beslissing van dié Raad is finaal.

(b) As die werknemer wat na die Hoofbestuurder geappelleer het vir 'n rede en op die toepaslike wyse voorgeskryf in paragraaf 1 (b) of (c) nie tevrede is met die beslissing van die Hoofbestuurder nie, kan hy binne 21 dae na die datum waarop hy dié beslissing ontvang het, 'n versoek wat deur hom persoonlik onderteken moet word, langs die gewone amptelike kanale aan die Hoofbestuurder rig dat die saak aan die Raad van Suid-Afrikaanse Vervoerdienste vir oorweging voorgelê word. Die beslissing van dié Raad is finaal.

(3) 'n Persoon of liggaam wat gemagtig is om te handel met vertoë of appelle van die aard bedoel in paragrafe (1) en (2), is bevoeg om versuim van die werknemer om sy vertoë of appelle binne die toelaatbare tydperk in te dien, te kondoneer mits daar na sy oordeel redelike gronde bestaan om sodanige tegemoetkoming te verleen.

BEDANKINGS

28. (1) 'n Vaste of tydelike werknemer wat wil bedank, moet skriftelik kennis daarvan gee ooreenkomstig die bepalinge van artikel 9 van die Wet, maar die hele voorgeskrewe kennisgewingtydperk of enige gedeelte daarvan kan namens Suid-Afrikaanse Vervoerdienste opgehef word.

(2) As 'n man en sy eggenote 'n tweeledige betrekking soos in die Vervoersdepartement beklee en die eggenoot bedank, word daar beskou dat sy eggenote bedank het met ingang die datum waarop haar eggenoot se diens eindig.

(3) 'n Kleurling-, Indiër- of Swart polisiebeampte wat uit die Polisiemag wil bedank, moet dertig dae kennis daarvan gee, maar die Kommissaris van die Suid-Afrikaanse Spoorwepolisie kan die hele voorgeskrewe kennisgewingtydperk of enige gedeelte daarvan ophef.

(4) 'n Werknemer wie se formeel ingediende kennisgewing van bedanking aanvaar is, kan nie sy bedanking terugtrek nie tensy hy voor die verstryking van sy kennisgewingtydperk aansoek doen om verlof om sy bedanking terug te trek en hy gemagtig word om dit te doen.

or by the Minister the employee may appeal through the usual official channels to the South African Transport Services Board. Appeals under this subparagraph shall be lodged personally by the employee concerned within 21 days of the date upon which he received the interpretation.

(c) Any employee who considers that he has a grievance or that he is suffering under any disability in regard to matters other than those for which provision is made in subparagraphs (a) and (b), and who desires to seek redress, shall within 14 days after the date on which the matter with which he is dissatisfied officially comes to his notice, make representations in writing in regard thereto to his immediate superior officer. If his immediate superior officer cannot deal with the case it shall be submitted to the officer who made the decision for consideration and decision. If the employee is not satisfied with the reply of his immediate superior officer, or of the officer who made the decision, as the case may be, he may appeal through the usual official channels to higher authority up to and including the General Manager. Appeals under this subparagraph shall be lodged, in each case, personally by the employee concerned within 14 days of the date upon which he received the decision against which the appeal is made.

(2) (a) If the employee who has appealed to the General Manager for the reason and in the manner prescribed in paragraph (1) (a) is not satisfied with the decision of the General Manager he may, within 21 days from the date upon which that decision was received by him, transmit a request, which shall contain the full motivation for his appeal and shall be signed by him personally, through the usual official channels to the General Manager, that the matter be referred to the South African Transport Services Board for its consideration. The decision of the Board shall be final.

(b) If the employee who has appealed to the General Manager for a reason and in the applicable manner prescribed in paragraph (1) (b) or (c) is not satisfied with the decision of the General Manager he may, within 21 days from the date upon which that decision was received by him, transmit a request, which shall be signed by him personally, through the usual official channels to the General Manager, that the matter be referred to the South African Transport Services Board for its consideration. The decision of that Board shall be final.

(3) Any person or body empowered to deal with representations or appeals of the nature referred to in paragraphs (1) and (2), shall be competent to condone the failure of the employee to submit his representations or appeal within the permissible period, if in his or its opinion there are reasonable grounds for granting such indulgence.

RESIGNATION

28. (1) A permanent or temporary employee wishing to resign shall be required to give notice thereof in writing in accordance with the terms of section 9 of the Act, but any portion of the period of notice prescribed may be waived on behalf of the South African Transport Services.

(2) Where husband and wife are employed in a dual appointment as in the Catering Department, and the husband resigns the wife shall be regarded as resigning with effect from the date her husband's service terminates.

(3) A Coloured, Indian or Black policeman wishing to resign from the Police Force shall be required to give thirty days' notice thereof, but the Commissioner of South African Railways Police may waive the whole or any portion of such notice.

(4) An employee whose formally tendered notice of resignation has been accepted may not withdraw his resignation unless, before the expiration of the period of his notice, he requests permission to withdraw his resignation and he is authorised to do so.

POLISIEBEAMPTES WAT HULLE UITKOOP

29. Onderworpe aan die goedkeuring van die Kommissaris van die Suid-Afrikaanse Spoorwegpolisie, kan 'n polisiebeampte, behalwe 'n offisier hom teen die onderstaande skaal uitkoop in plaas daarvan om die vereiste statutêre kennis te gee ingevolge die bepalings van artikel 9 van die Wet of van regulasie 28 (3) na gelang van die geval:

	R
Gedurende die eerste jaar diens	120,00
Gedurende die tweede jaar diens	80,00
Gedurende die derde jaar diens	40,00
Gedurende 'n daaropvolgende jaar diens	30,00

BEËINDIGING VAN DIENS—KLEURLING-, INDIËR- OF SWART POLISIEBEAMPTES

30. Wanneer die diens van 'n Kleurling-, Indiër- of Swart polisiebeampte beëindig word om 'n ander rede as 'n dissiplinêre oortreding, is hy geregtig op dertig dae kennisgewing.

DIENSSERTIFIKATE

31. Dienssertifikate word op die amptelike vorm uitgereik wat vir dié doel verskaf word, en geen dienssertifikaat word aan 'n werknemer uitgereik wat nie minstens vyf jaar diens met goeie gedrag voltooi het nie. 'n Dienssertifikaat kan nie as 'n reg geëis word nie maar word uitgereik na goeddunke van 'n amptenaar wat behoorlik daartoe gemagtig is.

HOOFTUK 3**AFDELING 1****ALGEMENE BETAALVOORWAARDES—ALLE WERKNEMERS****WOORDBEPALINGS**

32. Vir die doel van hierdie hoofstuk beteken die term—
 “blote tyd” tyd wat in geen omstandighede aangevul word nie; en
 “Sondagtyd” tyd wat tussen middernag Saterdag en middernag Sondag gewerk word.

GRADERING EN SALARISSKALE

33. (1) (a) 'n Toepaslike ampsbenaming word aan elke werknemer gegee wat so beskrywend moontlik is van die werk wat hy verrig.

(b) 'n Ampsbenaming of rang word nie aan 'n werknemer toegeken of op enige amptelike dokument of staat gebruik nie, tensy dit in regulasie 35 uiteengesit word, in 'n besoldigingslys verskyn of deur die Minister of die Hoofbestuurder ingevolge die bepalings van paragraaf (5) gemagtig is.

(2) (a) Die ampsbenamings van werknemers, behalwe dié van senior amptenare en van werknemers wat in 'n los hoedanigheid werk, tesame met die salarisskale wat daarop van toepassing is, word onderworpe aan die bepalings van paragraaf (4) van hierdie regulasie deur die Hoofbestuurder bepaal.

(b) Besonderhede van die grade en van die toepaslike salarisskale soos vasgestel ingevolge die bepalings van subparagraaf (a) word in 'n besoldigingslys uiteengesit wat deur die Hoofbestuurder gepubliseer word.

(c) Die salarisskale van toepassing op alle grade loswerknemers word deur die Hoofbestuurder bepaal.

(3) Nadat die besoldigingslys gepubliseer is soos bepaal in paragraaf (2) (b) kan die Hoofbestuurder, onderworpe aan die bepalings van paragraaf (4), sodanige lys wysig deur enigeen van die ampsbenamings en/of salarisskale wat daarin vervat is, te verander of deur 'n ampsbenaming tesame met die toepaslike salarisskaal daarby te voeg of daaruit te skrap.

PURCHASE OF DISCHARGE—POLICEMEN

29. Every policeman, other than an officer, may, in lieu of giving the requisite statutory notice in terms of section 9 of the Act or in terms of regulation 28 (3), as the case may be, and subject to the approval of the Commissioner of South African Railways Police, purchase his discharge on the following scale:

	R
During the first year of service	120,00
During the second year of service	80,00
During the third year of service	40,00
During any subsequent year of service	30,00

TERMINATION OF SERVICE—COLOURED, INDIAN OR BLACK POLICEMEN

30. A Coloured, Indian or Black policeman on termination of his service for a reason other than a disciplinary infringement, is entitled to thirty days' notice.

CERTIFICATES OF SERVICE

31. Certificates of service shall be issued on the official form provided for the purpose, and no certificate of service shall be issued to an employee who has not completed at least five years' service with good conduct. A certificate of service cannot be claimed as a right but is issued in the discretion of an officer duly authorised to do so.

CHAPTER 3**SECTION 1****GENERAL PAY CONDITIONS—ALL EMPLOYEES****INTERPRETATIONS**

32. For the purpose of this Chapter, the term—

“straight time” means time which under any circumstances shall not be subject to enhancement; and

“Sunday time” means time worked between midnight Saturday and midnight Sunday.

GRADING AND SALARY SCALES

33. (1) (a) Every employee shall be accorded an appropriate designation which shall be as descriptive as practicable of the work he performs.

(b) A designation or rank other than one specified in regulation 35, included in a Pay Schedule or authorised by the Minister or the General Manager under the provisions of paragraph (5), shall not be conferred upon any employee, or used on any official document or record.

(2) (a) The designations of employees, other than those of senior officers and of employees employed in a casual capacity, together with the salary scales applicable thereto, shall, subject to the provisions of paragraph (4) of this regulation, be determined by the General Manager.

(b) Particulars of the grades and of the applicable salary scales as determined under the provisions of subparagraph (a) shall be set forth in a Pay Schedule which shall be published by the General Manager.

(c) The salary scales to be applied to all grades of casual employees shall be determined by the General Manager.

(3) After the publication of the Pay Schedule in terms of paragraph (2) (b), the General Manager may, subject to the provisions of paragraph (4), amend such schedule by making alterations to any of the designations and/or salary scales contained therein, or by adding thereto or deleting therefrom any designation together with the applicable salary scale.

(4) In die geval van sodanige grade as wat die Minister mag bepaal, word die goedkeuring van die Minister deur die Hoofbestuurder verkry voordat hy stappe ingevolge paragraaf (2) (a) of (3) doen met betrekking tot 'n aangeleentheid wat sodanige grade of die salarisskaal wat daarop van toepassing is, raak.

(5) Die ampsbenamings van die grade van senior amptenare en die salarisskaal wat daarop van toepassing is, word bepaal deur—

(a) die Hoofbestuurder as die vasgestelde maksimum salaris nie meer is nie as die maksimum salaris in salarisgroep 12; en

(b) die Minister in al die ander gevalle.

(6) Onderworpe aan die bepalings van hierdie regulasies word iemand wat aangestel is—

(a) in 'n betrekking wat in die besoldigingslys vervat is, besoldig volgens die salarisskaal wat vir sodanige betrekking aangetoon word;

(b) in 'n betrekking wat gemagtig is deur—

(i) die Minister of die Hoofbestuurder ingevolge paragraaf (5), besoldig volgens die salarisskaal wat vir sodanige betrekking vasgestel is, en

(ii) die Hoofbestuurder ingevolge paragraaf (2) (c), onderworpe aan die bepalings van paragraaf (7), besoldig volgens die salarisskaal wat vir sodanige betrekking vasgestel is.

(7) (a) Wanneer 'n persoon in 'n betrekking aangestel word, kan daar aan hom 'n salaris betaal word wat meer is as die vasgestelde minimum salaris maar wat nie meer is nie as die vasgestelde maksimum salaris vir sodanige betrekking, mits die magtiging van die Hoofbestuurder daarvoor verkry is.

(b) Die Hoofbestuurder kan na goeddunke magtig dat daar aan 'n bekwame werknemer met spesiale ondervinding of 'n werknemer wat verdienstelike diens gelewer het, 'n salaris betaal word wat meer is as die vasgestelde maksimum salaris vir die klas of graad waarin sodanige werknemer werk.

(8) As die salarisskaal verbonde aan 'n betrekking gewysig word, is die salarisskaal wat op die bekleër van so 'n pos van toepassing was onmiddellik voor die datum waarop sodanige wysiging in werking getree het, op sodanige werknemer van toepassing solank hy daardie betrekking beklee, met dien verstande dat enige verbetering in die minimum of maksimum salaris of in die verhogingsskaal op sodanige werknemer van toepassing is van die datum waarop die wysiging in werking tree en onder sodanige voorwaardes as wat die Hoofbestuurder mag bepaal.

GRONDSLAG VAN BESOLDIGING

34. (1) Alle werknemers word op 'n jaarlikse grondslag besoldig ooreenkomstig die salarisskaal wat ingevolge regulasie 33 bepaal is. Die maandelikse salaris word bereken as 'n twaalfde van die jaarlikse salaris.

(2) Die betaalmaand strek van die eerste tot die laaste dag van 'n maand (hierna 'n kalendermaand genoem) of van die sestiende dag van 'n maand tot die vyftiende dag van die volgende maand (hierna 'n boekmaand genoem) soos bepaal mag word.

(3) As 'n werknemer van diens afwesig is en nie op volle salaris vir enige tydperk of tydperke van afwesigheid geregtig is nie, word sy salaris vir daardie betaalmaand in dieselfde verhouding verminder as dié tussen sodanige tydperk of tydperke van afwesigheid en die getal dae (met inbegrip van Sondae) in die betaalmaand.

(4) In the case of such grades as the Minister may specify, the General Manager shall obtain the approval of the Minister before taking any action in terms of paragraph (2) (a) or (3) with respect to any matter affecting such grades or salary scales applicable thereto.

(5) The designations of senior officer grades and the salary scales applicable thereto shall be determined by—

(a) the General Manager, where the maximum salary fixed does not exceed the maximum salary in salary group 12; and

(b) the Minister in all other cases.

(6) Subject to the terms of these regulations, a person who is appointed—

(a) to a position included in the Pay Schedule shall be remunerated in accordance with the salary scale shown for such position;

(b) to a position authorised by—

(i) the Minister or the General Manager in terms of paragraph (5) shall be remunerated in accordance with the salary fixed for such position;

(ii) the General Manager in terms of paragraph (2) (c) shall, subject to the provisions of paragraph (7), be remunerated in accordance with the salary scale fixed for such position.

(7) (a) A person may, on appointment to a post, be paid a salary exceeding the minimum but not exceeding the maximum salary fixed for such appointment provided the authority of the General Manager is obtained.

(b) The General Manager may, in his discretion, authorise the payment to a specially experienced and competent employee or employee who has rendered meritorious service, of a salary in excess of the maximum salary fixed for the class or grade in which he is employed.

(8) When an amendment is made in the salary scale applicable to an appointment, an employee occupying such an appointment immediately prior to such amendment shall, while continuing to occupy that appointment, be governed by the salary scale applicable to him immediately prior to the effective date of the amendment, provided that any improvement in the minimum or maximum salary or in the incremental scale shall apply to such employee from the effective date of the amendment and under such conditions as the General Manager may determine.

BASIS OF REMUNERATION

34. (1) All employees shall be remunerated on an annual basis in accordance with the salary scales determined in terms of regulation 33. The monthly salary shall be calculated as one-twelfth of the annual salary.

(2) The paymonth shall extend from the first to the last day of a month (hereinafter referred to as a calendar month) or from the sixteenth day of a month to the fifteenth day of the next month (hereinafter referred to as a fiscal month) as may be determined.

(3) If an employee is absent from duty and is not entitled to full salary in respect of any period or periods of absence, his salary for that paymonth shall be commensurately reduced in accordance with the relationship which such period of absence bears to the number of days (including Sundays) in the paymonth.

AMPSBENAMINGS EN RANGE.—POLISIE-BEAMPTES

35. (1) Die volgende is die ampsbenamings en range van polisiebeamptes in voorrangorde:

(a) *Offisiere:*

Kommissaris van die Suid-Afrikaanse Spoorwegpolisie	Luitenant-generaal of sodanige ander rang as wat die Minister mag bepaal
Adjunk-kommissaris van die Suid-Afrikaanse Spoorwegpolisie	Generaal-majoor of sodanige ander rang as wat die Minister mag bepaal
Assistent-kommissaris van die Suid-Afrikaanse Spoorwegpolisie	Brigadier of sodanige ander rang as wat die Minister mag bepaal
Kolonel.....	Kolonel
Luitenant-kolonel.....	Luitenant-kolonel
Majoor.....	Majoor
Kaptein.....	Kaptein
Luitenant.....	Luitenant

'n Bevelvoerende offisier beklee sodanige rang as wat die Minister mag bepaal en geniet voorrang na gelang van sy rang en sy posisie op die voorranglys.

(b) *Ander range:*

Adjutant-offisier
Sersant
Konstabel

(2) 'n Offisier kan te eniger tyd of die ampsbenaming of die rang of beide die ampsbenaming en die rang gebruik wat vir sy betrekking bepaal is.

(3) Polisiebeamptes van dieselfde rang het voorrang in die orde van senioriteit van die datum van aanstelling, met dien verstande dat 'n polisiebeampte wat aangestel word om bevel te voer op 'n pos of stasie, bevel het oor alle ander range wat daar gestasioneer is, afgesien van die datum van aanstelling.

(4) Wanneer 'n offisier wie se dienste deurgaans bevredigend was, uit die Polisiemag tree, kan hy deur die Minister toegelaat word om sy rang te behou, of in 'n besonder verdienstelike geval kan die Minister die rang van sodanige offisier met een rang verhoog, onderworpe aan die volgende voorwaardes:

- (a) 'n Luitenant moet tien jaar diens as offisier voltooi het;
- (b) 'n kaptein moet vyftien jaar diens as offisier of tien jaar as kaptein voltooi het; en
- (c) 'n luitenant-kolonel of 'n majoor moet twintig jaar diens as offisier of tien jaar as luitenant-kolonel of majoor voltooi het,

met dien verstande dat die Minister in spesiale omstandighede 'n hoër rang mag toeken sonder dat die genoemde diensvoorwaardes ten volle nagekom is.

VERHOIGINGS

36. (1) 'n Werknemer kan nie in sy graad as 'n reg aanspraak maak op vordering in salaris na verloop van enige bepaalde tydperk nie. Elke skaal- of spesiale verhoging genoem in hierdie regulasie word aan 'n werknemer toegestaan onderworpe aan sy goeie gedrag en die ywer en bekwaamheid waarmee hy die pligte uitvoer wat aan hom opgedra is.

SKAALVERHOIGINGS

(2) (a) Vir die toepassing van die bepalings van hierdie regulasie beteken die term "skaalverhoging" 'n verhoging in die salaris van 'n werknemer waardeur sy salaris met een kerf in die salarisskaal van toepassing op sy betrekking vermeerder word om in werking te tree—

- (i) op die verjaardag van die datum waarop hy in sy huidige betrekking aangestel is, tensy anders bepaal; of

DESIGNATIONS AND RANKS—POLICEMEN

35. (1) The designations and ranks of policemen, with precedence as given, are as follows:

(a) *Officers:*

Commissioner of South African Railways Police	Lieutenant-General or such other rank as the Minister may designate
Deputy Commissioner of South African Railways Police	Major-General or such other rank as the Minister may designate
Assistant Commissioner of South African Railways Police	Brigadier or such other rank as the Minister may designate
Colonel.....	Colonel
Lieutenant-Colonel.....	Lieutenant-Colonel
Major.....	Major
Captain.....	Captain
Lieutenant.....	Lieutenant

A Commanding Officer shall hold such rank as the Minister may designate and shall take precedence in accordance with his rank and position on the seniority list.

(b) *Other ranks:*

Warrant Officer
Sergeant
Constable

(2) An officer may, at any time, use either the designation or the rank laid down for his appointment, or both such designation and rank.

(3) Policemen of the same rank shall take precedence in order of seniority from date of appointment, provided that any policeman appointed to take command at a post or station shall have the command over all other ranks stationed thereat, irrespective of date of appointment.

(4) An officer whose service throughout has been satisfactory, may, on retirement from the Police Force, be permitted by the Minister to retain his rank, or, in a particularly deserving case, the Minister may, subject to compliance with the following conditions, raise the rank of such officer by one rank:

- (a) A Lieutenant shall have served ten years as an officer;
- (b) a Captain shall have served fifteen years as an officer or ten years in the rank of Captain;
- (c) a Lieutenant-Colonel or a Major shall have served twenty years as an officer or ten years in the rank of Lieutenant-Colonel or Major,

provided that the Minister may in special circumstances grant a higher rank without the service conditions set out in the foregoing being fully complied with.

INCREMENTS

36. (1) An employee may not claim as a right to be entitled to incremental progression in his grade after the lapse of any particular period. The award to an employee of every scale or special increment referred to in this regulation is subject to his good conduct, zeal and the efficient discharge of his allotted duties.

SCALE INCREMENTS

(2) (a) For the purpose of the application of the provisions of this regulation, the term "scale increment" means an increase in the salary of an employee whereby his salary is advanced by one notch in the salary scale applicable to the appointment he holds, with operative effect from—

- (i) the anniversary of the date of his appointment to his present position unless otherwise directed; or

- (ii) as die toekenning van 'n vorige skaalverhoging om enige rede teruggehou is, op 'n datum wat bepaal word ingevolge sodanige instruksies as wat uitgereik mag word,

met dien verstande dat as 'n werknemer se verhogingsdatum, wat ooreenkomstig die voorgaande vasgestel is, nie met die begin van 'n betaalmaand saamval nie, sodanige verhogingsdatum gewysig word om in werking te tree met die begin van die betaalmaand waarin die verhoging val.

(b) Onderworpe aan die bepalings van hierdie regulasie kom 'n werknemer wat nog nie die maksimum salaris vir sy betrekking bereik het nie, in aanmerking vir skaalverhogings soos bepaal in subparagraaf (a), met dien verstande dat as verdere verhogings ná die bereiking van 'n bepaalde salariskerf onderworpe is aan die nakoming van bepaalde voorwaardes, sy salaris nie bo sodanige kerf verhoog word nie, behalwe in die mate en onder die voorwaardes bepaal in paragraaf (3), tensy hy aan sodanige besondere voorwaardes voldoen.

SPESIALE VERHOGINGS

(3) Spesiale verhogings ooreenkomstig sodanige voorwaardes en aan sodanige werknemers as wat bepaal word, kan toegeken word aan 'n werknemer wat goedgekeurde kwalifikasie(s) deur studie in sy eie tyd verwerf het nadat hy tot die Suid-Afrikaanse Vervoerdienste toegetree het.

(4) 'n Spesiale verhoging toegeken ooreenkomstig die bepalings van paragraaf (3) tree in werking op die eerste dag van die betaalmaand waarin die betrokke kwalifikasies verwerf word of op sodanige ander datum as wat bepaal mag word.

(5) Behalwe waar daar anders deur die Hoofbestuurder bepaal word, beteken 'n "spesiale verhoging" wat toegeken is deur 'n gemagtigde amptenaar behalwe die Hoofbestuurder, vir die doel van hierdie regulasie 'n verhoging in die salaris van 'n werknemer waardeur sy salaris verhoog word met een kerf in die salarisskaal wat op sy betrekking van toepassing is. Die toekenning van 'n spesiale verhoging raak nie die datum van die ontvanger se jaarlikse skaalverhoging nie, behalwe soos anders bepaal.

BEVORDERING

37. (1) Werknemers word van enige betrekking tot 'n hoër gegradeerde betrekking bevorder slegs as daar 'n vakature in sodanige hoër gegradeerde betrekking bestaan en die werk van die departement waarin sodanige vakature bestaan, vereis dat die vakature gevul word.

(2) 'n Werknemer kan voorwaardelik vir 'n beperkte tyd bevorder word om sy geskiktheid te toets vir die betrekking waartoe hy bevorder is, en as sodanige werknemer aan die end van die vasgestelde tydperk nie in daardie betrekking aangehou word nie, gaan hy na sy vorige graad terug.

(3) As 'n werknemer wat hom laat nomineer het, bevordering aangebied word maar dit daarna van die hand wys, kan hy oor die hoof gesien word as die vereistes van die Suid-Afrikaanse Vervoerdienste dit toelaat, en in dié geval stel hy hom daaraan bloot dat hy vir 'n maksimum tydperk van een jaar nie in aanmerking geneem sal word vir bevordering nie.

(4) 'n Kandidaat vir aanstelling in die graad loods in die hawediens moet in besit wees van 'n erkende sertifikaat van bekwaamheid as gesagvoerder van 'n skip op vreemde vaart of sodanige ander kwalifikasie as wat deur die Suid-Afrikaanse Vervoerdienste goedgekeur mag word. Kandidate moet minstens 24 en hoogstens 50 jaar oud wees en in 'n aanlegtoets vir die beroep slaag. Diegene wat ouer as 45 jaar is, moet ook as medies geskik gesertifiseer word.

(5) (a) 'n Kandidaat vir aanstelling as eersteoffisier in die Lugdiensdepartement moet in besit wees van ten minste 'n handelsvlieënierslisensie, soos voorgeskryf in die Lugvaartregulasies.

- (ii) if the award of a previous scale increment was withheld for any reason, from a date determined in accordance with such instructions as may be issued,

provided that if the incremental date of any employee, fixed in terms of the foregoing, does not coincide with the commencement of the paymonth, such incremental date shall be adjusted to operate from the commencement of the paymonth within which that incremental date falls.

(b) An employee who has not attained the maximum salary for his appointment shall, subject to the provisions of this regulation, be eligible to receive scale increments in terms of subparagraph (a), provided that if he has attained a salary notch, incremental advancement beyond which is subject to compliance with specific conditions, his salary may not be advanced beyond the said notch, except to the extent and under the conditions provided for in paragraph (3), unless he complies with such specific conditions.

SPECIAL INCREMENTS

(3) Special increments under such conditions and to such employees as laid down may be granted to an employee who acquires approved qualification(s) by study in his own time after entry into the South African Transport Services.

(4) A special increment granted under the provisions of paragraph (3) shall operate from the first day of the paymonth within which the relevant qualifications are acquired, or from such other date as may be specified.

(5) For the purpose of this regulation, except when otherwise directed by the General Manager, a "special increment" granted by an authorised officer other than the General Manager, means an increase in the salary of an employee whereby his salary is advanced by one notch in the salary scale applicable to the appointment he holds. The granting of a special increment does not affect that recipient's anniversary date of his scale increment except as is otherwise provided.

PROMOTION

37. (1) Promotion from any position to a higher graded position shall be made only if a vacancy exists in such higher graded position and the work of the department in which such vacancy exists requires it to be filled.

(2) The promotion of an employee may be made provisionally for a limited period, with a view to testing his suitability for the appointment to which he has been promoted and if, at the end of the period so fixed, such employee is not retained in that appointment, he shall revert to his former grade.

(3) If promotion is offered to an employee who has accepted nomination and he thereafter declines it, he may, if the exigencies of the South African Transport Services permit, be passed over, and in that case he shall be liable to have his name excluded from consideration for promotion for a maximum period of one year.

(4) A candidate for appointment to the grade of pilot in the harbour service shall be in possession of a recognised certificate of competency as master of a foreign-going ship, or shall possess such other qualification as may be approved by the South African Transport Services. Candidates shall be not less than 24 or more than 50 years of age and shall be required to pass an aptitude test for the vocation and, in the case of those who are over 45 years of age, a test for medical fitness.

(5) (a) A candidate for appointment as a first officer in the Airways Department shall be in possession of at least a commercial pilot's licence as prescribed in the Air Navigation Regulations.

(b) 'n Vlieënier in die Lugdiensdepartement wat 'n kandidaat is vir bevordering tot 'n vlieëniersgraad hoër as dié van eersteoffisier, moet—

(i) minstens 25 jaar oud wees; en

(ii) in besit wees van 'n geldige lugtransportvlieënierslisensie soos voorgeskryf in die Lugvaartregulasies.

(6) 'n Polisieoffisier mag nie tot 'n hoër graad in die Polisiemag bevorder word nie tensy hy in die eksamen of toets geslaag het wat vir sodanige hoër graad nodig geag word. Daar kan ook vereis word dat hy 'n verdere geneeskundige ondersoek ondergaan om vas te stel of hy liggaamlik geskik is vir sodanige bevordering.

(7) (a) Die salaris van 'n werknemer wat bevorder word, word verhoog tot die minimum salaris vir die graad of klas waartoe hy bevorder word of tot die laagste salariskerf in die salarisskaal vir die hoër graad wat 'n minimum verhoging van R240 per jaar sal meebring, onderworpe daaraan dat die maksimum salaris vir die graad nie oorskry word nie.

(b) Vir die toepassing van die bepalings van hierdie paragraaf beteken die term "salaris"—salaris aangevul deur sodanige toelae of ander emolument as wat bepaal mag word as 'n emolument wat in aanmerking geneem moet word om ingevolge subparagraaf (a) die salaris van 'n werknemer wat enige sodanige toelae of ander besoldiging ontvang, by bevordering vas te stel.

(8) (a) 'n Werknemer mag nie tot 'n hoër graad bevorder word nie, tensy hy in sodanige eksamen of toets geslaag het as wat vir die hoër graad nodig beskou word of tensy sodanige werknemer se kwalifikasies en bekwaamhede vir daardie betrekking voldoende beskou word.

(b) Daar kan van 'n polisiebeampte vereis word om 'n verdere geneeskundige ondersoek te ondergaan om vas te stel of hy liggaamlik geskik is om bevorder te word.

(9) Indien die datum waarop 'n werknemer ingevolge enige paragraaf van hierdie regulasie tot 'n hoër graad bevorder word, nie saamval met die begin van die betaalmaand nie, word sy salaris verhoog van die eerste dag van die betaalmaand waarin hy bevorder word, wat dan sy jaarlikse verhogingsdatum sal wees tensy daar in instruksies wat uitgereik word, anders bepaal word.

(10) Die aanstellingsdatum as ambagsman van 'n werknemer wat op of na—

(a) 1 Julie 1978 in Suidwes-Afrika (Walvisbaai ingesluit); en

(b) 1 Julie 1981 in die Republiek,

as vakleerling aangestel is en gedurende sy vakleerlingskap sy aanvanklike militêre diens voltooi het en na dienshervatting in 'n ambagstoets slaag, word teruggedateer met die getal dae waarmee sy kontrak as gevolg van militêre diens verleng is. Die werknemer word vanaf die datum aldus bepaal, betaal teen die salaris wat op 'n ambagsman van toepassing is.

BESOLDIGING EN DIENSVORWAARDES VAN 'N WERKNEMER WAT IN 'N ANDER BETREKKING WAARNEEM

38. (1) As 'n werknemer in 'n hoër graad moet waarneem en die volle verantwoordelikhede verbonde aan sodanige betrekking moet aanvaar, kan magtiging verleen word dat bykomende besoldiging, wat bereken word ingevolge die bepalings van paragraaf (2), aan sodanige werknemer betaal word onderworpe aan die beperkings wat van tyd tot tyd opgelê mag word en aan die bepalings van hierdie regulasie.

(2) Die bykomende besoldiging word in die vorm van 'n toelae betaal en is gelyk aan die verhoging wat ingevolge die bepalings van regulasie 37 aan die betrokke werknemer

(b) A pilot in the Airways Department who is a candidate for advancement to a pilot's grade higher than that of first officer, shall be—

(i) at least 25 years of age; and

(ii) in possession of a current airline transport pilot's licence as prescribed in the Air Navigation Regulations.

(6) A police officer may not be promoted to a higher grade in the Police Force unless he has passed such examination or test as may be considered necessary for such higher grade. He may also be required to undergo a further medical examination to determine his physical fitness for such promotion.

(7) (a) An employee who receives promotion shall have his salary increased to the minimum salary for the grade or class to which he is promoted, or to the lowest salary notch in the salary scale applicable to the higher grade as will afford minimum incremental advancement of R240 per annum, subject to the maximum salary for the grade not being exceeded.

(b) For the purpose of the Application of the provisions of this paragraph the term "salary" means "salary increased by such allowance or other emolument as may be designated as an emolument to be taken into account for the purpose of fixing, in terms of subparagraph (a), the salary to be granted on promotion to an employee who is in receipt of any such designated allowance or other emolument".

(8) (a) An employee may not be promoted to a higher grade unless he has passed such examination or test as may be considered necessary for the higher grade, or unless such employee's qualifications and capabilities are considered to be adequate for that position.

(b) A policeman may be required to undergo a further medical examination to determine his physical fitness for promotion.

(9) Except as provided to the contrary in any instruction, if the date on which an employee is promoted to a higher grade in terms of the provisions of any paragraph of this regulation does not coincide with the commencement of the paymonth, his salary shall be increased from the first day of the paymonth within which he is promoted, which date shall then become his anniversary incremental date.

(10) The date of appointment as artisan of an employee who was appointed as an apprentice on or after—

(a) 1 July 1978 in South-West Africa (Walvis Bay included), and

(b) 1 July 1981 in the Republic,

who completed his initial period of military service during his apprenticeship and passes a trade test after resumption of duty, shall be antedated by the number of days his contract was extended as a result of his military service. The employee shall from the date thus determined be remunerated at the salary applicable to an artisan.

REMUNERATION AND SERVICE CONDITIONS OF AN EMPLOYEE WHEN HE ACTS IN A POSITION OTHER THAN HIS OWN

38. (1) Subject to such limitations as may be imposed from time to time and to the provisions of this regulation, the payment may be authorised of additional remuneration, assessed in terms of paragraph (2), to an employee who is required to act in a higher grade and to undertake the full responsibilities of such appointment.

(2) The additional remuneration shall be paid in the form of an allowance and shall be equivalent to the increment which would be granted to the employee concerned under

toegeken sou word as hy bevorder sou word tot die betrekking waarin hy waarneem, met dien verstande dat as dit die mening is dat die bedrag van die toelae wat aldus bepaal is nie voldoende vergoeding is vir die dienste en verantwoordelikhede van die betrekking waarin 'n werknemer waarneem nie, sodanige hoër toelae toegestaan kan word as wat billik beskou mag word.

(3) As 'n werknemer gedurende die tydperk wat hy in 'n hoër graad waarneem—

- 'n departementele raads- of komiteevergadering moet bywoon in sy hoedanigheid as lid of plaasvervanger in sodanige raad of komitee;
- 'n konferensie moet bywoon wat deur die Suid-Afrikaanse Vervoerdienste belê is;
- 'n departementele ondersoek moet bywoon of as getuie in 'n hof moet verskyn; of
- 'n wedstryd, konferensie of vergadering van die St. Johnambulans of die Suid-Afrikaanse Noodhulppliga moet bywoon of inspeksie moet doen of ander amptelike pligte in verband met die werksaamhede van die Brigade of die Liga moet uitvoer,

verbeur hy nie as gevolg daarvan enige bykomende besoldiging wat aan hom betaal sou geword het vir die tydperk wat hy andersins in die hoër graad sou waargeneem het nie.

(4) (a) Onderworpe aan die bepalings van subparagrafe (b) en (c) en tensy daar uitdruklik anders bepaal word, is die diensvoorwaardes van 'n werknemer wat die pligte van 'n ander graad onderneem, dieselfde as dié wat van toepassing is op die graad waarin hy waarneem, afgesien daarvan of hy bykomende besoldiging ontvang of nie.

(b) As 'n lid van die treinpersoneel vir 'n gedeelte van 'n skof in 'n ander graad waarneem maar die pligte verbonde aan sy eie graad vir enige tydperk op dieselfde dag verrig, word sy betaling gebaseer op sy gewone diensure as dit minder is as die ure wat van toepassing is op die graad waarin hy waarneem.

(c) Vir elke dag, Sondag ingesluit, wat 'n lid van die trein- of eetwapersoneel vir minstens vier uur ononderbroke in 'n hoër betrekking waarneem, word hy 'n dag se toelae vir waarneming in hoër graad betaal.

(d) As 'n werknemer, behalwe 'n lid van die trein- of eetwapersoneel genoem in subparagrafe (b) en (c), vir minder as een dag in 'n ander graad waarneem en die vasgestelde daaglikse diensure vir daardie graad verskil van dié wat op sy eie graad van toepassing is, is sy werkure vir die skof dié wat bepaal is vir die graad waarin hy die langste gedurende sodanige skof werk, en enige tyd wat hy langer as sodanige ure gewerk het, word as oortyd beskou onderworpe aan die bepalings van hierdie regulasies. As oortyd betaalbaar is, is die oortydskaal in sodanige gevalle dié wat van toepassing is op die graad waarin die oortyd werklik gewerk word.

(5) Ondanks die groter verantwoordelikheid wat gedra word, word geen bykomende besoldiging aan 'n werknemer (behalwe 'n lid van die trein- en eetwapersoneel) betaal vir 'n tydperk van waarneming in hoër graad wat minder as een dag is nie, tensy anders bepaal word.

VRYWILLIGE VERLAGING IN STATUS

39. As 'n werknemer versoek om toegelaat te word om na 'n laer gegradeerde betrekking verlaag te word en daar aan sy versoek voldoen word, moet hy skriftelik verklaar dat hy enige aanpassing in sy salaris en/of in sy jaarlikse verhogingsdatum aanvaar wat nodig mag wees om te verseker dat in die geval van sodanige vrywillige verlaging sy salaris nie hoër is as wat dit sou gewees het en/of sy jaarlikse verhogingsdatum nie verskil van dié wat dit sou gewees het as hy nie bevorder was tot die betrekking waaruit hy verkies het om verlaag te word nie.

the provisions of regulation 37 had he been promoted to the position in which he is acting, provided that, should it be considered that the amount of the allowance so determined affords insufficient remuneration for the duties and responsibilities of the position in which an employee is acting, such increased allowance as may be deemed reasonable may be granted.

(3) An employee who, when acting in a higher grade, is required to—

- attend a departmental board or committee meeting in his capacity as member or alternate member of such board or committee;
- attend a conference convened by the South African Transport Services;
- attend a departmental inquiry or attend a court as a witness; or
- attend a St. John Ambulance or a Suid-Afrikaanse Noodhulppliga competition, conference or meeting or to undertake an inspection or perform other official duties connected with the activities of the Brigade or Liga;

shall not, in consequence, be deprived of any additional remuneration that would have been paid to him in respect of the period during which he would otherwise have acted in the higher grade.

(4) (a) Subject to the provisions of subparagraphs (b) and (c), the service conditions of an employee, when he is undertaking the duties of another grade, shall whether he is in receipt of additional remuneration or not, be those applicable to the grade in which he acts, except where specifically provided to the contrary.

(b) If a trainman acts in a grade other than his own for a portion of a shift, his pay shall, provided he carries out the duties of his own grade for any period on the same day, be based on his ordinary hours of duty when they are less than those applicable to the grade in which he acts.

(c) For every day, including Sundays, that a trainman or a member of the dining-car personnel acts in a higher grade for an uninterrupted period of at least 4 hours, he shall be paid an acting in higher grade allowance for a full day.

(d) If an employee, other than a trainman or a member of the dining-car personnel referred to in subparagraphs (b) and (c), acts in another grade for less than one day, and the fixed daily hours of duty for that grade are different from those applicable to his own grade, his working hours for the shift shall be those operative for the grade in which he works longest during such shift, and any time worked in excess of such hours shall, subject to the terms of these regulations, be treated as overtime. When overtime is payable, the overtime rate in such cases shall be that applicable to the grade in which the overtime is actually worked.

(5) Notwithstanding the higher responsibilities discharged, no additional remuneration shall be paid to an employee (except a trainman or member of the dining-car personnel) for a period of acting-in-higher-grade duty of less than one day's duration, unless otherwise determined.

VOLUNTARY REVERSION IN STATUS

39. An employee who makes a request to be permitted to revert to a lower graded position shall, if his request is acceded to, be required to accept, in writing, any adjustment in his salary and/or his anniversary incremental date which may be necessary to ensure that, on such voluntary reversion, his salary is not higher than it would have been, and/or his anniversary incremental date is no different from that which it would have been, had he not been promoted to the position from which he has elected to revert.

TOELAES EN BONUSSE

40. (1) Behalwe waar anders bepaal, word daar aan 'n werknemer wat op 'n sentrum of in 'n omgewing werk waar 'n klimaats-, of 'n plaaslike, gebieds- of ander gespesifiseerde toelae van toepassing is, sodanige toelae benewens sy salaris betaal as wat van tyd tot tyd vasgestel mag word.

(2) Sodanige fietstoelae as wat nodig mag wees, kan aan 'n werknemer toegestaan word.

(3) Daar kan onder sodanige voorwaardes as wat bepaal mag word—

(a) aan 'n werknemer 'n spesiale toelae of bonus toegestaan word, met dien verstande dat die toestaan van sodanige toelae of bonus onderworpe is aan die goedkeuring van die Minister in die geval van 'n senior amptenaar wat 'n betrekking beklee waarvan die maksimum salaris gelykstaande is met of hoër is as die maksimum salaris in salarisgroep 3; en

(b) aan 'n werknemer met besondere ondervinding en bekwaamheid, of wat verdienstelike diens gelewer het, 'n persoonlike toelae toegestaan word.

(4) 'n Beloning kan toegestaan word aan 'n werknemer wat 'n voorstel indien of 'n uitvindsel voorlê wat 'n aansienlike besparing meebring, met dien verstande dat die goedkeuring van die Minister verkry moet word in die geval van 'n senior amptenaar wat 'n betrekking beklee waarvan die maksimum salaris gelykstaande is met of hoër is as die maksimum salaris in salarisgroep 3.

(5) Spesiale toelaes kan betaal word teen sodanige skale en onder sodanige voorwaardes as wat van tyd tot tyd bepaal mag word, aan lede van die personeel in die Lugdiensdepartement, van wie daar vereis word of vereis mag word om diens aan boord van 'n vliegtuig gedurende vlugte te doen.

(6) Aan werknemers wat opmeet- of aanlegwerk doen, kan 'n opmeet- of aanlegtoelae, na gelang van die geval, betaal word teen sodanige skaal en onder sodanige voorwaardes as wat van tyd tot tyd bepaal mag word.

(7) 'n Werknemer wat sy eie opmeetinstrumente van 'n goedgekeurde soort verskaf, kan 'n instrumenttoelae toegestaan word op sodanige grondslag en onder sodanige voorwaardes as wat van tyd tot tyd bepaal mag word.

(8) Betaling van 'n burgerdragtoelae aan polisiebeamptes wat ondersoekwerk doen, kan gemagtig word teen sodanige skaal en onder sodanige voorwaardes as wat van tyd tot tyd bepaal mag word.

(9) Betaling van 'n ondersoektoelae aan polisiebeamptes wat ondersoekwerk doen, kan gemagtig word teen sodanige skaal en onder sodanige voorwaardes as wat van tyd tot tyd bepaal mag word.

(10) As polisiebeamptes te eniger tyd saamgetrek word op 'n plek waar omstandighede dit noodsaak dat hulle weg van hulle gewone woonplek moet woon, kan betaling van 'n toelae vir afgesonderde diens aan hulle gemagtig word teen sodanige skaal as waartoe van tyd tot tyd besluit mag word.

(11) Die bonuswerkstelsel wat in werking is in die werk-winkels en elders, of kontrakwerk, of werk wat ingevolge enige vorm van aansporingstoelae of -bonus gedoen word, word uitgevoer ooreenkomstig voorwaardes wat van tyd tot tyd bepaal word.

BYWONING VAN DEPARTEMENTELE ONDER-SOEKE, TOETSE EN EKSAMENS

41. (1) 'n Werknemer wat verplig is om 'n departementele ondersoek by te woon, doen dit in die uitvoering en as deel van sy ampspligte onder sodanige betaalvoorwaardes as wat van tyd tot tyd bepaal mag word.

ALLOWANCES AND BONUSES

40. (1) An employee employed at a centre or in an area where a climatic, local, territorial or other designated allowance is payable, shall, except where otherwise provided, be paid, in addition to his salary, such allowance as may be laid down from time to time.

(2) Such bicycle allowance as may be necessary may be granted to an employee.

(3) There may be granted under such conditions as may be laid down—

(a) to an employee, a special allowance or a bonus, provided that the granting of such allowance or bonus shall be subject to the approval of the Minister in the case of a senior officer occupying a position to which a maximum salary equivalent to or higher than the maximum salary in salary group 3 is applicable; and

(b) to an employee who is specially experienced and competent or who has rendered meritorious service, a personal allowance.

(4) An award may be granted to an employee who submits a suggestion or invention which results in a substantial saving, provided that the approval of the Minister is obtained in the case of a senior officer occupying a position to which a maximum salary equivalent to or higher than the maximum salary in salary group 3 is applicable.

(5) Special allowances may be paid on such scales and under such conditions as may be laid down from time to time to members of the personnel employed in the Airways Department, who are or may be required to perform duties on board an aircraft in flight.

(6) Payment may be made to employees, who are employed on "Survey" or "Construction", of a survey or construction allowance, as the case may be, on such scale and under such conditions as may be laid down from time to time.

(7) An employee who provides his own survey instruments of an approved nature may be granted an instrument allowance on such basis and under such conditions as may be laid down from time to time.

(8) Payment of a plain clothes allowance may be authorised to policemen employed on investigation duties on such scale and under such conditions as may be laid down from time to time.

(9) Payment of an investigation allowance to policemen employed on investigation duties may be authorised on such scale and under such conditions as may be laid down from time to time.

(10) If, at any time, policemen are concentrated at any place in circumstances necessitating their residing away from their normal place of residence, the payment to them of a detachment duty allowance may be authorised on such scale as may, from time to time, be decided.

(11) The bonus-earning system in operation in the workshops and elsewhere, or contract work, or work performed under any form of incentive allowance or bonus, shall be carried out in conformity with conditions laid down from time to time.

ATTENDANCE AT DEPARTMENTAL INQUIRIES, TESTS AND EXAMINATIONS

41. (1) An employee who is required to attend a departmental inquiry shall do so in the performance of and as part of his official duty under such conditions of payment as are laid down from time to time.

(2) 'n Werknemer wat 'n departementele ondersoek bywoon terwyl hy van diens geskors is, word nie vir sy bywoning betaal nie, tensy hy daarna vrygespreek word of tensy die amptenaar wat met die saak handel, anders besluit.

(3) 'n Polisiebeampte is nie geregtig op enige betaling behalwe sy salaris nie, maar as hy verplig is om 'n departementele ondersoek in sy eie tyd by te woon, kan hy sodanige tyd van diens vrygestel word sonder verlies van salaris en onder sodanige voorwaardes as wat van tyd tot tyd bepaal mag word.

(4) As 'n werknemer 'n departementele toets of eksamen aflê en daar gereël kan word dat hy dit in sy eie tyd doen, moet hy dit in daardie tyd aflê en ontvang hy geen bykomende betaling vir sodanige bywoning nie, maar andersins is betaling onderworpe aan sodanige voorwaardes as wat van tyd tot tyd bepaal mag word.

BYWONING VAN DEPARTEMENTELE KONFERENSIES EN DEPARTEMENTELE RAADS- EN KOMITEE-VERGADERINGS

42. 'n Werknemer wat 'n departementele konferensie as afgevaardigde bywoon of wat as lid of plaasvervangende lid van 'n departementele raad of komitee 'n vergadering van sodanige raad of komitee bywoon of ander pligte verrig wat voortspruit uit sy lidmaatskap, verrig sodanige diens as deel van sy ampspligte onder sodanige betaalvoorwaardes as wat van tyd tot tyd bepaal mag word.

BYWONING VAN HOF SITTINGS

43. (1) 'n Werknemer wat 'n dagvaarding of ander bevel ontvang om as getuie in 'n hof te verskyn, moet sy hoër amptenaar onmiddellik daarvan in kennis stel.

(2) In die geval van getuiegeld en sake in verband met 'n werknemer se bywoning van 'n hofsitting as getuie behalwe dié waarvoor daar in hierdie regulasie voorsiening gemaak word, word daar gehandel ooreenkomstig sodanige instruksies as wat van tyd tot tyd bekend gemaak mag word.

(3) 'n Werknemer wat as getuie in 'n hof verskyn, doen dit in die uitvoering en as deel van sy ampspligte onder sodanige betaalvoorwaardes as wat van tyd tot tyd bepaal mag word.

(4) As 'n polisiebeampte verplig is om voor of na sy gewone skof vir die dag as getuie in 'n hof te verskyn, kan hy sonder verlies van salaris van diens vrygestel word vir sodanige tydperk as wat vasgestel mag word en onder sodanige voorwaardes as wat van tyd tot tyd bepaal mag word.

BETALING VIR REISE OP DIENS

44. (1) 'n Werknemer, behalwe 'n lid van die trein- of eetwapersoneel, wie se pligte vereis dat hy op 'n Sondag reis, word nie daarvoor betaal nie tensy hy noodsaaklike werk op sodanige reis verrig.

(2) 'n Werknemer wat op 'n weekdag op diens as 'n passasier moet reis en derhalwe nie 'n dag se salaris in vier en twintig uur, bereken van middernag tot middernag, kan verdien nie, word vir sodanige gedeelte van die voormelde reistyd betaal as wat sy betaling op 'n dag se salaris te staan sal bring, maar as hy 'n dag se salaris of meer verdien het deur diens wat hy gedurende die vier en twintig uur verrig het, ontvang hy nie betaling vir die reis nie.

(3) 'n Polisiebeampte wat op 'n weekdag of 'n Sondag op diens reis, is nie geregtig op enige betaling behalwe sy salaris nie, afgesien daarvan of hy werk doen terwyl hy reis of nie.

(2) No payment in respect of his attendance at a departmental inquiry shall be made to an employee who, at the time of his attendance, is under suspension from duty, unless he is subsequently exonerated or the officer dealing with the case decides otherwise.

(3) A policeman is ineligible to receive any payment additional to his salary but, if he is required to attend any departmental inquiry in his own time, he may be allowed such time off duty, without loss of salary, under such conditions as are laid down from time to time.

(4) An employee undergoing any departmental test or examination shall, if the attendance can be arranged in his own time, undergo the test or examination in his own time without any additional payment, but otherwise payment shall be subject to such conditions as are laid down from time to time.

ATTENDANCE AT DEPARTMENTAL CONFERENCES AND AT DEPARTMENTAL BOARD AND COMMITTEE MEETINGS

42. An employee who attends a departmental conference as a delegate or who, as a member or alternate member of a departmental board or committee, attends a meeting of such board or committee or performs other duties arising out of his membership, shall perform such service as part of his official duties under such conditions as to payment as are laid down from time to time.

ATTENDANCE AT COURTS OF LAW

43. (1) An employee who receives a subpoena or other order to attend a court of law as a witness shall immediately report the fact to his superior officer.

(2) Witness fees and matters in connection with an employee's attendance at court as a witness other than those provided for in this regulation shall be dealt with in accordance with such instructions as may be notified from time to time.

(3) An employee, when attending a court as a witness, shall do so in the performance of and as part of his official duty under such conditions as to payment as are laid down from time to time.

(4) If a policeman is required to attend court as a witness before or after his normal tour of duty for the day, he may be allowed such time off duty, without loss of salary, as may be determined and under such conditions as may be laid down from time to time.

PAYMENT WHILST TRAVELLING ON DUTY

44. (1) An employee, except a trainman or a member of the dining-car personnel, whose duties require him to travel on a Sunday shall not receive payment therefor unless essential work is performed whilst so travelling.

(2) If by reason of travelling on duty as a passenger on a weekday, an employee is unable to earn in twenty-four hours, reckoned from midnight to midnight, a day's salary, he shall be paid for such period during which he was unable to work on account of being required to travel as will bring his pay up to a day's salary, but if a day's salary or more has been earned by duty he has performed within the twenty-four hours, he shall receive no payment for travelling.

(3) A policeman who travels on duty on a weekday or a Sunday is ineligible to receive any payment, additional to his salary, irrespective of whether or not he performs any work whilst so travelling.

(4) As 'n werknemer wat nie aflospligte verrig nie maar tydelik op 'n stasie of plek weg van sy hoofkwartier werk, die nodige magtiging van sy hoër amptenaar verkry, kan hy sy tuiste gedurende naweke onder die volgende voorwaardes besoek:

- (a) Een keer per week as die treindiens dit moontlik maak dat hy in sy eie tyd reis sodat hy sy diens die Maandagoggend op die vasgestelde tyd kan hervat.
- (b) Een keer elke twee weke as die treindiens—hetsy goedere of passasiersdiens—dit nie moontlik maak dat hy in sy eie tyd reis nie, en in so 'n geval kan hy deels in die Suid-Afrikaanse Vervoerdienste se tyd reis, met dien verstande dat betaling vir hoogstens ses uur per maand (drie uur elke twee weke) vir hierdie doel toegestaan word. As enige ander tyd vir die reis in beslag geneem word, word daar nie daarvoor betaal nie.
- (c) Een keer per maand as die treindiens—hetsy goedere of passasiersdiens—dit nie moontlik maak dat hy in sy eie tyd reis nie en in so 'n geval kan hy deels in die Suid-Afrikaanse Vervoerdienste se tyd reis, met dien verstande dat betaling vir hoogstens twaalf uur per maand vir hierdie doel toegestaan word. As enige ander tyd vir die reis in beslag geneem word, word daar nie daarvoor betaal nie.

(5) 'n Lid van die eetwapersoneel wat op diens—

- (a) van sy tuisdepot na 'n ander stasie moet reis om 'n eetwa van laasgenoemde stasie af te werk;
- (b) van 'n ander stasie na sy tuisdepotstasie moet terugreis nadat hy 'n eetwa na die ander stasie gewerk het, of
- (c) na en van 'n ander stasie as sy tuisdepot moet reis, waar daar van hom vereis word om aflospligte te verrig;

word ten opsigte van die tyd wat deur sodanige reis in beslag geneem is, met gewone weekdagtyd of Sondagtyd, na gelang van die geval, gekrediteer onderworpe aan die maksimum van 'n dag se tyd vir elke dag wat die rit in beslag neem, met dien verstande dat as hy op enige dag (bereken van middernag tot middernag) reis en werk, hy met gewone weekdagtyd of Sondagtyd, na gelang van die geval, gekrediteer word net vir daardie gedeelte (as daar is) van sy reistyd wat tesame met sy werktyd hoogstens 'n dag se tyd is.

OORTYD EN SONDAGTYD

OORTYD

45. (1) (a) Behalwe soos hierin bepaal en onderworpe aan sodanige voorwaardes as wat bekend gemaak mag word, ontvang 'n werknemer wat weens die vereistes van die Suid-Afrikaanse Vervoerdienste langer as die gewone diensure op weekdae moet werk as wat vir sy betrekking vasgestel is of wat 'n dienstdperk op 'n openbare vakansiedag moet werk, geen betaling vir sodanige tyd nie.

(b) Met die uitsondering van werknemers op wie subparagraaf (c) van toepassing is, word 'n senior amptenaar nie vir oortyd betaal nie tensy dit spesiaal gemagtig word.

(c) 'n Werknemer wat op 'n hawevaartuig werk, word betaal vir alle oortyd wat hy op weekdae werk, afgesien van wat sy salaris is.

(d) 'n Vakleerling onder 19 jaar word gewoonlik nie verplig om oortyd te werk nie.

(e) 'n Tikster of 'n telefoniste wat langer as die gewone diensure op weekdae of 'n dienstdperk op 'n openbare vakansiedag moet werk, word vir sodanige tyd betaal.

(f) 'n Vasgestelde maandelikse bedrag om alle oortyd te dek wat gewerk word, kan gemagtig word.

(4) An employee who is not performing relief duties but is working temporarily at a station or place away from his headquarters may, on obtaining the necessary authority from his superior officer, visit his home at weekends on the following conditions:

- (a) Once a week if the train service permits of his travelling in his own time and enables him to take up duty at the scheduled time on the Monday morning.
- (b) Once per fortnight if the train service—either goods or passenger—does not permit of his travelling in his own time, in which case he shall be allowed to travel partly in the South African Transport Services' time, provided that payment for not more than six hours per month (three hours per fortnight) shall be allowed for this purpose. If any other time is occupied on the journey, it shall not be paid for.
- (c) Once a month if the train service—either goods or passenger—does not permit of his travelling in his own time, in which case he shall be allowed to travel partly in the South African Transport Services' time, provided that payment for not more than twelve hours per month shall be allowed for this purpose. If any other time is occupied on the journey, it shall not be paid for.

(5) A member of the dining-car personnel who is required to travel on duty—

- (a) from his home depot to another station to work a dining car from the latter station,
- (b) from another station back to his home depot station after having worked a dining-car to the other station, or
- (c) to and from a station, other than his home depot, at which he is required to perform relief duty,

shall, in respect of the period of such travel, be credited with ordinary weekday time or Sunday time, as the case may be, subject to a maximum of a day's time for every day the journey entails, provided if he both travels and works on any day (calculated from midnight to midnight) only that portion (if any) of his travelling time which, when added to his working time, does not exceed a day's time shall be credited as ordinary weekday time or Sunday time, as the case may be.

OVERTIME AND SUNDAY TIME

OVERTIME

45. (1) (a) Except as herein provided and subject to such conditions as may be notified, an employee who is required by the exigencies of the South African Transport Services to work on weekdays beyond the ordinary hours of duty fixed for the position occupied by him, or to work a period of duty on a public holiday, shall not be paid for such time.

(b) With the exception of employees governed by subparagraph (c), overtime shall not be paid to a senior officer unless it is specially authorised.

(c) An employee employed on a harbour craft shall be paid for all overtime worked on weekdays, irrespective of his salary.

(d) An apprentice under the age of 19 years shall not ordinarily be required to work overtime.

(e) A typist or telephonist who is required to work beyond the ordinary hours of duty on weekdays or to work a period of duty on a public holiday, shall be paid for such time.

(f) A fixed monthly amount to cover all overtime worked, may be authorised.

(g) As daar ingevolge subparagraaf (f) besluit word dat 'n vasgestelde maandelikse bedrag aan werknemers in enige graad betaal moet word ten opsigte van oortyd wat hulle van tyd tot tyd moet werk, word hierdie bedrag onder dieselfde voorwaardes betaal as dié wat op die betaling van salarisse van toepassing is. 'n Werknemer aan wie 'n vasgestelde maandelikse bedrag ten opsigte van oortyd betaal word, is nie geregtig op verdere betaling vir enige oortyd wat hy moontlik moet werk nie, tensy dit spesiaal gemagtig word.

SONDAGTYD

(2) (a) Onderworpe aan die bepalings van subparagraaf (b), word 'n werknemer betaal vir noodsaaklike werk op Sondag wat behoorlik gemagtig is.

(b) 'n Senior amptenaar word nie vir werk op Sondag betaal nie tensy sodanige betaling regstreeks op bronne buite die Suid-Afrikaanse Vervoerdienste verhaal kan word of tensy betaling spesiaal gemagtig word.

ALGEMENE VOORWAARDES

(3) (a) Betaling vir oortyd of Sondagtyd teen die toepaslike skaal word gedoen slegs as die werk daarvan behoorlik gemagtig is.

(b) Betaling vir oortyd of Sondagtyd word gebaseer slegs op salarisse, of in die geval van 'n werknemer wat in 'n hoër graad waarneem, op sy salaris plus enige gemagtigde toelae vir waarneming in hoër graad.

(c) By die berekening van betaling word 'n gedeelte van 'n uur wat minder as 30 minute is, buite rekening gelaat, terwyl 'n gedeelte van 'n uur wat 30 minute of meer is, as 'n uur beskou word. Die afronding van orige minute is van toepassing op die totale oortyd of Sondagtyd wat gedurende 'n betaalmaand gewerk is en nie op elke afsonderlike dienstydperk nie.

(d) As dit gerieflik is, kan 'n werknemer wat 'n tydperk van gemagtigde oortyd of Sondagtyd gewerk het waarvoor betaling ingevolge hierdie regulasie verskuldig is, kies om in plaas van sodanige betaling vir 'n ooreenstemmende tydperk gedurende die daaropvolgende twee maande van diens vrygelaat te word sonder verlies van salaris.

(e) As 'n werknemer—

- (i) vir diens op 'n Sondag geboek of uitgeroep word; of
- (ii) buite sy gewone skof vir diens op 'n weekdag uitgeroep word of by 'n ander plek as sy tuisdepot diens moet doen by 'n besetting, of noodstandhoudings- of noodherstelwerk (behalwe noodwerk bedoel in regulasie 47) moet verrig aan die spoorbaan, bobaan-toerusting, die sinjaalstelsel, rollende materiaal, 'n padvoertuig of enige ander toerusting of eiendom van die Suid-Afrikaanse Vervoerdienste, of sodanige ander werk moet verrig soos van tyd tot tyd bepaal word, wat 'n aanvang neem voor, gelyktydig met of na die begin van sy gewone skof en tot voor, by of na die verstryking van sy gewone skof duur,

en hy ingevolge die bepalings van hierdie regulasie geregtig is om betaling vir daardie diens te ontvang, is sodanige betaling onderworpe aan die volgende betalings vir minimum tyd:

- (aa) Indien hy, nadat hy hom vir diens aangemeld het, nie moet werk nie: betaling soos vir twee uur;
- (bb) vir een dienstydperk van hoogstens drie uur vandat hy hom vir diens by sy depot of die werkplek aangemeld het totdat die werk voltooi is of totdat hy na sy depot teruggekeer het: betaling soos vir drie uur;
- (cc) vir twee afsonderlike dienstydperke of een dienstydperk van meer as drie uur maar hoogstens vier uur in elke geval soos in (bb) hierbo bereken: betaling soos vir vier uur;

(g) When it is decided, in terms of subparagraph (f), that employees in any grade are to be paid a fixed monthly amount in respect of overtime they may be required to work from time to time, this amount shall be paid under the same conditions as are applicable to the payment of salaries. An employee who is paid a fixed monthly amount in respect of overtime shall be ineligible to receive further payment for any overtime he may be required to work, unless it is specially authorised.

SUNDAY TIME

(2) (a) Subject to the provisions of subparagraph (b), an employee shall be paid for necessary work on a Sunday which has been duly authorised.

(b) A senior officer shall not be paid for work on a Sunday unless such payment is directly recoverable from sources outside the South African Transport Services or unless payment is specially authorised.

GENERAL CONDITIONS

(3) (a) Payment for overtime or Sunday time at the appropriate rate laid down shall only be made if the working thereof has been duly authorised.

(b) Payment for overtime or Sunday time shall be based on salaries only or, in the case of an employee who acts in a higher grade, on his salary plus any authorised acting-in-higher-grade allowance.

(c) In calculating payment, a fraction of an hour which is less than 30 minutes shall be disregarded while a fraction of an hour which is 30 minutes or more shall be regarded as an hour. The levelling up of odd minutes shall apply to the total overtime or Sunday time worked during any paymonth and not in respect of each separate tour of duty.

(d) Where convenient, an employee who has worked a period of authorised overtime or Sunday time for which payment is due in terms of this regulation, may elect to take an equivalent period of time off duty without loss of salary during the ensuing two months in lieu of such payment.

(e) When an employee is—

- (i) booked or called out for duty on a Sunday; or
- (ii) called out for duty on a weekday outside his normal shift or has to perform duty at a place, other than his home depot, during an occupation, or is required to undertake emergency maintenance or emergency repair work (other than breakdown work referred to in regulation 47) to the track, overhead track equipment, signalling system, rolling stock, a road transport vehicle or any other equipment or property of the South African Transport Services, or performs such other work as determined from time to time, which commences before, simultaneously with or after the commencement of his normal shift and terminates before, at the same time as or after the termination of his normal shift,

and is entitled, under the provisions of this regulation, to receive payment for that duty, such payment shall be subject to the following minimum time payments:

- (aa) If, after reporting for duty, he is not required to work: payment to be made as for two hours;
- (bb) for one period of duty not exceeding three hours from the time he has reported for duty at his depot or workplace until the work is completed or until he has returned to his depot: payment to be made as for three hours;
- (cc) for two separate periods of duty or one period of duty exceeding three hours but not more than four hours in each case as calculated in (bb): payment to be made as for four hours;

(dd) vir drie afsonderlike dienstdypperke of een dienstdypperk van meer as vier uur maar hoogstens ses uur in elke geval soos in (bb) hierbo bereken: betaling soos vir ses uur; en

(ee) vir daaropvolgende dienstdypperke of een deurlopende dienstdypperk van meer as ses uur soos in (bb) hierbo bereken: betaling vir werklike tyd op diens (plus die minimum betaling vir ses uur as dit van toepassing is).

Hierdie betalings vir minimum tyd is onderworpe daaraan dat daar vir twee of meer dienstdypperke nie meer betaal word as wat betaal sou gewees het indien die werknemer die hele tyd ononderbroke op diens was nie. Daarbenewens is 'n minimum betaling vir Sondagtyd nie van toepassing op daardie gedeelte van 'n weekdagskoff wat in 'n Sondag val nie. Met "dienstdypperke" word daardie tydperke bedoel waarvoor 'n werknemer uitgeroep word en dit kan ook 'n tydperk van gewone diens, oortyd of enige dienstdypperk op 'n Sondag insluit.

(f) As die werktoestande van 'n werknemer van so 'n ongewone aard is dat dit 'n afwyking van die voorgeskrewe grondslag van betaling vir oortyd en/of Sondagtyd regverdig, kan, ondanks die bepalings van hierdie regulasie, betaling vir sodanige diens gemagtig word teen 'n skaal en in sodanige omstandighede as wat as regverdig beskou mag word.

SPEZIALE VOORWAARDES: PADVERVOERDIENSPERONEEL

(4) (a) Padvervoerdrywers en assistente wat op padvervoertuie werk, word teen Sondagtydskale betaal vir die berekende tyd van enige rit wat hulle op 'n Sondag moet werk of vir die tyd wat hulle andersins gemagtig is om op 'n Sondag te werk, en as die berekende tyd van 'n rit wat hulle op 'n weekdag werk, meer is as die gewone daaglikse diensure wat vir hulle grade vasgestel is, word die verskil as oortyd beskou, onderworpe aan die bepalings van hierdie paragraaf.

(b) Wanneer daar aan 'n padvervoerdrywer of assistent wat voor 16 Augustus 1964 op 'n padvervoertuig gewerk het, 'n bedrag ten opsigte van oortyd verskuldig is wat gedurende enige betaalmaand minder is as die vasgestelde maandelikse bedrag, word 'n minimum bedrag gelykstaande met daardie bedrag op die grondslag persoonlik vir bekleër aan die betrokke werknemer betaal. Hierdie bepaling is nie van toepassing op werknemers wat op of na 16 Augustus 1964 in engeen van die bogenoemde betrekkings aangestel is nie.

(c) As die betrokke werknemers oor roetes werk waar hulle op 'n plek weg van hulle hoofkwartier van diens afgeboek word, word afsonderlike berekenings gemaak vir die gedeelte van die rit voordat hulle van diens afgeboek word en vir dié nadat hulle weer vir diens aangeboek word.

(d) Wanneer 'n werknemer 'n rit of 'n samestelling van ritte nie op die dag voltooi waarop hy daarmee begin nie, word die oortyd, as daar is, bepaal deur die totaal van die gewone daaglikse diensure wat vir die betrokke werknemer vasgestel is vir die dae waarop hy sodanige rit of samestelling van ritte onderneem, af te trek van die berekende tyd vir die rit of die totaal van die berekende tye vir die ritte.

(e) As die betrokke werknemers 'n rit en al die pligte verbonde daaraan voor die verstryking van die vasgestelde tyd vir sodanige rit bevredigend voltooi omdat die vraag lig en die toestande andersins gunstig was en nie omdat hulle teen 'n buitensporige snelheid gereis het nie, hoef hulle nie op diens te bly totdat die berekende tydperk verstryk nie, maar word hulle nietemin ten volle gekrediteer met die berekende tyd van die rit wat hulle afgeleë het.

(dd) for three separate periods of duty or one period of duty exceeding four hours but not more than six hours in each case as calculated in (bb): payment to be made as for six hours; and

(ee) for subsequent periods of duty or one period of duty of more than six hours as calculated in (bb): payment to be made for actual time on duty (plus the minimum payment of six hours if applicable).

These minimum time payments are subject to the proviso that no higher payment shall be made for two or more periods of duty than would have been made if the employee had been continuously on duty for the overall period. Furthermore, a minimum time payment in respect of Sunday time is not applicable to that portion of a weekday shift which overlaps a Sunday. "Periods of duty" are those periods for which an employee is called out for duty and may also include a period of normal duty, overtime or any period on a Sunday.

(f) When the working conditions of any employee are of a sufficiently unusual nature to warrant a departure from the prescribed basis of payment for overtime and/or Sunday time, payment for such duty may be authorised at a rate and under such conditions as may be considered justifiable, notwithstanding the provisions of this regulation.

SPECIAL CONDITIONS: ROAD TRANSPORT PERSONNEL

(4) (a) Road transport drivers and assistants employed on road transport vehicles shall be paid at Sunday time rates in respect of assessed time for any trip they are required to work or for time which they are otherwise authorised to work on a Sunday, and when the assessed time for a trip they work on a weekday exceeds the ordinary daily hours of duty fixed for their grades, the time representing the difference shall, subject to the provisions of this paragraph, be regarded as overtime.

(b) Where the amount due to a road transport driver or assistant who was employed on a road transport vehicle prior to 16 August 1964 in respect of overtime worked during any one paymonth is less than the monthly amount laid down, a minimum payment equivalent to such amount shall be made to the employee concerned on a personal-to-holder basis. This provision does not apply to employees appointed to any of the positions mentioned on or after 16 August 1964.

(c) In respect of those routes on which the employees concerned are booked off duty at a point away from their headquarters, separate assessments shall be made for the portion of the trip prior to their being booked off duty and for that subsequent to their being booked on duty again.

(d) When a trip, or a combination of trips, is not completed on the day upon which it is commenced, the amount of overtime, if any, involved shall be represented by the extent to which the assessed time for the trip, or the total of the assessed times for the trips, exceeds the total of the ordinary daily hours of duty fixed for the employees concerned in respect of the days on which such trip, or combination of trips, is undertaken.

(e) If, because of a light load or other favourable conditions, as distinct from excessive speed, the employees concerned satisfactorily complete a trip and all the duties associated with it within the time specified in the assessment for such trip, they shall not be required to remain on duty until the expiry of the assessed period, but shall, nevertheless, receive full credit for the assessed time of the trip they have completed.

(f) As die tydperk tussen die tyd waarop 'n werknemer vir diens aangebreek en dié waarop hy van diens afgebreek word as gevolg van vertraging onderweg of dit om 'n ander soortgelyke rede langer is as die berekende tyd vir die rit wat hy onderneem het, word daar in die reël nie ekstra betaal vir die tyd (of enige gedeelte daarvan) wat hy langer gewerk het as die tyd wat vir die rit bereken is nie.

GRATIS VOEDSEL

46. Gratis voedsel kan verskaf word aan werknemers wat die bekleërs is van die grade en onderworpe aan die voorwaardes as wat van tyd tot tyd bepaal mag word.

SPESIALE BETALING VIR NOODWERK

47. 'n Werknemer wat werklik besig is om 'n spoorlyn, 'n pyplyn of 'n vliegtuig na 'n ongeluk of soortgelyke gebeurtenis vir gewone bedryf te herstel, ontvang betaling onder sodanige voorwaardes as wat van tyd tot tyd bepaal mag word.

PATROLLEER VAN BAANLENGTES OP SONDAE EN OPENBARE VAKANSIEDAE

48. 'n Baanmeester of ander gemagtigde werknemer wat 'n baanlengte op 'n Sondag of openbare vakansiedag moet patrolleer, word soos volg vir sodanige diens betaal:

Vir patrolleerwerk te voet....	Betaling vir een uur vir elke 3,25 kilometer wat gepatroleer word.
Vir patrolleerwerk per motorrolle	Tot 65 kilometer—'n halfdag se tyd. Meer as 65 kilometer, maar hoogstens 97,5 kilometer—'n driekwartdag se tyd. Meer as 97,5 kilometer—een dag se tyd.

Gedeeltes van 'n halfuur of meer word tot die volgende uur afgerond.

Vir patrolleerwerk op Sondag word soos vir Sondagtyd betaal.

Vir patrolleerwerk op openbare vakansiedae word betaling gedoen teen die toepaslike skaal wat vir sodanige werk bepaal is.

WERKNEMERS WAT BUTE DIE GEWONE DIENSURE OP HAWEVAARTUIE WERK OF GEREED STAAN OM DAAROP TE WERK

49. (1) 'n Werknemer wat op 'n boekmaandgrondslag besoldig word [behalwe 'n oppasser (sleepbote en baggerskepe)] wat opdrag ontvang om aan boord van 'n sleepboot of ander vaartuig te bly of, as hy aan wal is, om op Sondag of snags op weekdae aan boord te gaan nadat hy sy gewone dag se werk voltooi het, word soos volg betaal:

(a) Vir gewone skeepsbewegings.

Op weekdae: oortyd.
Op Sondag: Sondagtyd.

(b) Vir hawenoodvereistes.

(i) Terwyl hy werk of gereed staan:

Op weekdae: oortyd.
Op Sondag: Sondagtyd.

(ii) Terwyl hy nie werk of gereed staan nie, maar op 'n vaartuig moet bly:

Op weekdae: blote tyd.
Op Sondag: Sondagtyd.

(c) Vir diens op see.

(i) Terwyl die vaartuig in 'n hawe wag om uit te vaar, of onderweg is voordat wagte bepaal word, en die werknemer—

(a) moet werk of gereed staan:

Op weekdae: oortyd.
Op Sondag: Sondagtyd.

(b) nie moet werk of gereed staan nie, maar op die vaartuig moet bly:

Op weekdae: blote tyd.
Op Sondag: Sondagtyd.

(f) If, due to delay on the road or other similar reason, the period between the time an employee is booked on duty and that at which he is booked off duty exceeds the assessment for the trip undertaken by him, no extra payment shall ordinarily accrue in respect of the time (or any portion thereof) by which the actual period worked exceeds the time assessed for the trip.

FREE FOOD

46. Free food may be supplied to employees occupying such grades and subject to such conditions as may be stipulated from time to time.

SPECIAL PAY FOR BREAKDOWN WORK

47. An employee actually engaged in restoring a railway line, a pipeline or an aircraft to normal working after an accident or similar occurrence, shall receive payment under such conditions as may be laid down from time to time.

PATROLLING OF RAILWAY TRACK MAINTENANCE LENGTHS ON SUNDAYS AND PUBLIC HOLIDAYS

48. A platelayer or other authorised employee who is required to patrol a length of track on a Sunday or a public holiday shall be paid for such service as under:

For patrolling on foot.....	one hour's payment in respect of each 3,25 kilometres patrolled.
For patrolling by motor trolley	up to 65 kilometres: Half a day's time; over 65 kilometres, but not exceeding 97,5 kilometres: three-quarters of a day's time; over 97,5 kilometres: one day's time.

Fractions of half an hour or more shall be levelled up to the next higher hour.

Payment for patrol duty undertaken on Sundays shall be made as for Sunday time.

Payment for patrol duty undertaken on public holidays shall be made at the appropriate rate laid down for such work.

EMPLOYEES WORKING OR STANDING BY HARBOUR CRAFT OUTSIDE ORDINARY HOURS OF DUTY

49. (1) An employee remunerated on a fiscal month basis [excluding a watchman (tugs and dredgers)] who may be instructed to remain on board a tug or other craft, or, being on shore, is required to go afloat on Sundays, or at night on weekdays after completing the ordinary day's work, shall be paid as set out below:

(a) For ordinary shipping movements.

On weekdays: overtime.
On Sundays: Sunday time.

(b) For emergency harbour requirements.

(i) Whilst working or standing by:

On weekdays: overtime.
On Sundays: Sunday time.

(ii) Whilst he is not working or standing by, but retained on craft:

On weekdays: straight time.
On Sundays: Sunday time.

(c) For a service at sea.

(i) While the craft is in a harbour waiting to proceed to sea or under way prior to watches being set, and the employee is—

(a) required to work or stand by:

On weekdays: overtime.
On Sundays: Sunday time.

(b) not required to work or stand by, but retained on craft:

On weekdays: straight time.
On Sundays: Sunday time.

(ii) Terwyl die vaartuig onderweg is nadat wagte bepaal is:

Op weekdae.

Tydperke op wag vir langer as die gewone diensure: oortyd.

Tydperke nie op wag nie: geen betaling.

Op Sondae.

Tydperk op wag: Sondagtyd.

Tydperk nie op wag nie: geen betaling.

(iii) Die volgende minimums is van toepassing:

As die tydperk aan boord hoogstens vier uur is:

Op weekdae: 'n halfdag blote tyd.

Op Sondae: 'n halfdag Sondagtyd.

As die tydperk aan boord langer as vier uur is:

Op weekdae: een dag blote tyd.

Op Sondae: een dag Sondagtyd.

(2) Hierdie voorwaardes geld nie vir werknemers wat onder gewone weerstoestande snags aan boord van 'n hawe-vaartuig moet slaap nie.

KRAANDRYWERS OF ANDER WERKNEMERS WAT SAAM MET KRANE REIS

50. 'n Kraandrywer of ander werknemer wat saam met 'n kraan reis en in beheer daarvan is, word teen die skaal van blote tyd betaal vir die duur van die reis waartydens hy vir die veiligheid van die kraan verantwoordelik gehou word, min enige tydperk wat hy rus. Vir tyd wat daar werklik met die kraan op Sondae of buite die gewone diensure op weekdae gewerk word, word daar soos vir Sondagtyd of oortyd, na gelang van die geval, betaal.

VOORWAARDES VAN TOEPASSING OP VRAGKONTROLEURS, TERREINBEAMPTES EN OORGANGBEWAKERS WAT REIS, SPOORWERKERS WAT OORLAAIWERK DOEN, KONDUKTEURS (OPLEIDING) EN KONTROLEURS (OPLEIDING)

51. (1) Aan vragkontroleurs, terreinbeamptes en oorgangbewakers wat reis, spoorwerkers wat oorlaaiwerk doen, kondukteurs (opleiding) en kontroleurs (opleiding) word, afgesien van die totale tyd wat hulle in 'n betaalmaand moet werk, 'n maand se salaris gewaarborg, mits hulle op elke dag (met inbegrip van Sondae) van daardie betaalmaand vir diens beskikbaar is.

(2) Om te bepaal of oortyd aan 'n werknemer genoem in paragraaf (1) betaal moet word vir enige tyd wat hy in 'n betaalmaand gewerk het, word die getal weekdae waarop hy in daardie betaalmaand gewerk het of vir diens beskikbaar was, met agt vermenigvuldig en indien die totale tyd wat aldus bereken is, minder is as die totale tyd wat hy werklik op weekdae gedurende daardie betaalmaand gewerk het of vir diens beskikbaar was, word die verskil as oortyd betaal.

(3) Die voorwaardes van toepassing op treinpersoneel kan, in die mate wat nodig geag word, op kondukteurs (opleiding) en kontroleurs (opleiding) toegepas word in welke geval die betrokke personeel dienooreenkomstig ver-wittig sal word.

GRONDSLAG VAN BETALING VAN 'N WERKNEMER WAT 'N SKOF WERK WAT UIT WEEKDAGEN SONDAGTYD BESTAAN OF WAT 'N GEREELDE WEEKDAGSKOF WERK WAT MIN OF MEER UIT 'N SESDE VAN SY AMPTELIKE WEEKLIKSE DIENSURE BESTAAN

52. As 'n werknemer—

(a) 'n skof werk wat bestaan uit weekdag- en Sondagtyd, word die weekdag- en Sondagtyd pro rata verdeel volgens die tyd wat elke dag gewerk word, gebaseer op die getal ure wat in die volle skof gewerk word; of

(ii) While the craft is under way after watches have been set:

On weekdays.

Periods on watch in excess of normal hours: overtime.

Periods off watch: no payment.

On Sundays.

Periods on watch: Sunday time.

Periods off watch: no payment.

(iii) The following minima will apply:

When period afloat does not exceed four hours:

On weekdays: half a day straight time.

On Sundays: half a day Sunday time.

When period afloat exceeds four hours:

On weekdays: one day straight time.

On Sundays: one day Sunday time.

(2) These conditions do not apply to employees who are required to sleep on board a harbour craft at night during ordinary weather.

CRANE DRIVERS OR OTHER EMPLOYEES TRAVELLING WITH CRANES

50. A crane driver or other employee, travelling with and in attendance upon a crane, shall be paid straight time for the time occupied by the journey during which he is held responsible for the safety of the crane, less any period during which he is resting. Any time actually worked with the crane on Sundays, or outside ordinary hours of duty on weekdays, shall be paid for as Sunday time or overtime as the case may be.

CONDITIONS APPLICABLE TO TRAVELLING CARGO CONTROLLERS, YARD OFFICIALS AND CROSSING ATTENDANTS, RAILWORKERS EMPLOYED ON TRANSHIP PORTERAGE DUTIES, GUARDS (TRAINING) AND CONDUCTORS (TRAINING)

51. (1) Travelling cargo controllers, travelling yard officials, travelling crossing attendants, railworkers employed on tranship portage duties, guards (training) and conductors (training) shall, irrespective of the total time they may be required to work in a paymonth, be guaranteed a month's salary if they are available for duty on every day (including Sundays) in that paymonth.

(2) For the purpose of determining whether overtime is payable in respect of any time worked in a paymonth by an employee mentioned in paragraph (1), the number of weekdays on which he worked or was available for duty in that paymonth shall be multiplied by eight and, if the total time so calculated is less than the total time he actually worked or was available on weekdays during that paymonth, the difference shall be paid as overtime.

(3) The conditions applicable to trainmen, so far as may be deemed necessary, may be applied to guards (training) and conductors (training) in which event the personnel concerned shall be notified accordingly.

BASIS OF PAYMENT WHEN AN EMPLOYEE WORKS A SHIFT WHICH IS COMPRISED OF WEEKDAY AND SUNDAY TIME OR WORKS A REGULAR WEEKDAY SHIFT WHICH, IN DURATION, IS EITHER MORE OR LESS THAN ONE-SIXTH OF HIS OFFICIAL WEEKLY HOURS OF DUTY

52. Where an employee works—

(a) a shift comprising weekday and Sunday time, the division of weekday and Sunday time shall be pro rata to time worked on each day based on the number of hours worked in the complete shift; or

- (b) 'n weekdagskof werk wat as gevolg van reëlings wat ingevolge die bepalings van regulasie 9 (4) getref is, langer of korter as 'n sesde van sy amptelike weeklikse diensure is, word een dag se salaris vir sodanige skof aan hom betaal.

POLISIEBEAMPTES WAT ONDERSOEKWERK DOEN—VERGOEDING VIR VERLIES OF BESKADIGING VAN PRIVATE KLERE

53. As die private klere van 'n lid van die polisiepersoneel wat ondersoekwerk doen, vernietig of beskadig word in die uitvoering van sy pligte, kan sodanige lid vergoed word vir die skade of verlies wat hy gely het.

VERSEKERINGSDEKKING

54. (1) (a) Werknemers wat lede is van lugbemanningen en ander werknemers wat gedurende vlugte in 'n vliegtuig of helikopter moet werk, asook werknemers wat in die uitvoering van hulle pligte per lug moet reis, word vir sodanige bedrae en in sodanige omstandighede verseker as waartoe daar van tyd tot tyd besluit mag word.

(b) 'n Werknemer word, indien hy in die uitvoering van sy pligte te sterwe kom of blywende arbeidsongeskiktheid opdoen regstreeks vanweë ondermynende, terroristiese of politieke geïnspireerde bedrywighede of sabotasie, vir sodanige bedrae en in sodanige omstandighede verseker as waartoe daar van tyd tot tyd besluit mag word.

(2) Die versekering ingevolge paragraaf (1) word in die volgende voorrangorde, betaal:

- Aan die weduwee of, in die geval van 'n oorlede werkneemster, aan die wewenaar; of
- aan die kinders, aangenome kinders wat wettig aange- neem is ingevolge die bepalings van 'n wet op die aanneem van kinders, of stiefkinders, in gelyke dele; of
- aan die vader en moeder, in gelyke dele, of aan die langselewende van hulle; of
- aan die broers en susters, in gelyke dele; of
- indien daar geen naasbestaendes soos gemeld in (a) tot (d) is nie en onderworpe aan die bepalings van paragraaf (3), aan die boedel van die oorledene.

In al die gevalle gemeld in (b) tot (d) word betaling gedoen net aan persone wat ten tyde van die afsterwe van die oorlede werknemer van hom afhanklik was.

(3) By die toepassing van die bepalings van paragraaf (2) van hierdie regulasie, het die afhanklike moeder van 'n buite-egtelike kind van die oorlede lid, of 'n afhanklike buite-egtelike kind, of 'n afhanklike aangenome kind wat nie wettig ingevolge die bepalings van 'n wet op die aanneem van kinders aangeneem is nie, dieselfde regte onderskeidelik as 'n weduwee en 'n wettige kind waar daar geen weduwee of wettige kind is nie.

VAKLEERLINGSKAPVOORWAARDES—TEORETIESE OPLEIDING

55. Die voorwaardes van toepassing op die teoretiese opleiding van vakleerlinge word in oorlegpleging met die Departement van Mannekrag bepaal.

VOORSKOTTE

56. Aan 'n werknemer aan wie verlof van afwesigheid vir 'n tydperk van twee weke of langer toegestaan is, kan met die goedkeuring van die amptenaar wat die verlof magtig, 'n voorskot betaal word van hoogstens sy besoldiging vir die verloftydperk wat toegestaan is, onderworpe daaraan dat 'n pro rata-bedrag van die aftrekkings wat deur middel van sy betaalbewys gevorder word, van sodanige voorskot afgetrek word.

- (b) a weekday shift which, in consequence of arrangements made in terms of the provisions of regulation 9 (4), is either more or less than one-sixth of his official weekly hours of duty, he shall receive one day's salary in respect of such shift.

POLICEMEN EMPLOYED ON INVESTIGATION DUTY—COMPENSATION FOR LOSS OF OR DAMAGE TO PRIVATE CLOTHING

53. In the event of the destruction of or damage to the private clothing of any member of the police, employed on investigation duties, in the execution of his duty, such member may be compensated for the damage or loss sustained.

INSURANCE COVER

54. (1) (a) Employees who are members of aircrews and other employees who are required to carry out duties within an aircraft or helicopter during flight, as well as employees who are required to travel by air in the course of their duties, shall be insured for such sums and under such conditions as may be decided upon from time to time.

(b) An employee shall, if he dies or suffers permanent disablement in the course of his duties as a direct result of subversive, terrorist or politically inspired activities, or sabotage, be insured for such sums and under such conditions as may be decided upon from time to time.

(2) The insurance in terms of paragraph (1) shall be paid in the following order of preference:

- To the widow or, in the case of a deceased female employee, to the widower; or
- to the children, adopted children who have been legally adopted under the provisions of any Act relating to the adoption of children, or step-children, in equal shares; or
- to the father and mother, in equal shares, or to the survivor of them; or
- to the brothers and sisters, in equal shares; or
- in the event of there being no relatives as enumerated in (a) to (d) and subject to the terms of paragraph (3), to the estate of the deceased.

In all cases mentioned in (b) to (d) payments shall be made only to persons who were dependent upon the deceased employee at the time of his demise.

(3) For the purpose of the applications of the provisions of paragraph (2) of this regulation, the dependent mother of an illegitimate child of the deceased employee, or a dependent illegitimate child, or a dependent adopted child who has not been legally adopted under the provisions of any Act relating to the adoption of children shall, where there is no widow or legitimate child, have the same rights as a widow and a legitimate child respectively.

APPRENTICESHIP CONDITIONS—THEORETICAL TRAINING

55. The conditions governing the theoretical training of apprentices shall be laid down in consultation with the Department of Manpower.

ADVANCES

56. An employee who has been granted leave of absence for a period of two weeks or more, may, with the approval of the officer authorising the leave, be paid in advance an amount not exceeding his emoluments for the period of leave granted, subject to the deduction from such advance of a pro rata amount of the stoppages recoverable through the medium of his pay-vouchers.

AFDELING 2

VOORWAARDES VAN TOEPASSING OP TREINPERSONEEL

57. Die regulasies in hierdie afdeling, d.w.s. van 57 tot 70 (inbegryp), is van toepassing net op treinpersoneel.

WOORDBEPALINGS

58. Vir die doel van hierdie afdeling en tensy dit onbestaanbaar is met die verband—

betekén “aankomstyd” —

- (i) die vasgestelde tyd, of
- (ii) indien die trein laat loop, die werklike tyd, of
- (iii) die tyd waarop rangeerwerk na aankoms voltooi is;

betekén “beginplek” die plek waarvandaan ’n trein vertrek by die aanvang van ’n rit in die geval van ’n regstreekse rit, ’n heen-en-weerit, kruisplekbedryf of skakeldiens; die buitestasie waar die terugrit van ’n heen-en-weerit begin; die plek waar ’n trein oorgeneem word in die geval van kruisplekbedryf, of die plek waar ’n trein onderweg oorgeneem word;

betekén “beskikbaar” dat ’n lid van die treinpersoneel vir diens beskikbaar is wanneer sy dienste nie tussen middernag en middernag op ’n weekdag vereis word nie;

betekén “gewone tyd” tyd wat op weekdae gewerk word;

betekén “heen-en-weerit” ’n rit van een stasie na ’n ander en terug sonder dat daar tussenin afgeboek word;

betekén “kruisplekbedryf” die werk van ’n trein na ’n plek waar twee treine kruis en waar die treinpersoneel of ’n lid van die treinpersoneel treine omruil en die trein wat oorgeneem is na die tuisdepot terugwerk;

betekén “lokomotiefpersoneel” drywers, leerling-treindrywers, seniordrywersassistent, seniorstokers, drywersassistent en stokers;

betekén “regstreekse rit” ’n enkelrit tussen twee plekke waarvoor die treinpersoneel aan- en afgeboek word;

sluit “seniorstoker” seniordrywersassistent in;

betekén “skakeldiens” ’n diens wat uit ’n reeks ritte in een bepaalde dienstydperk bestaan wat nie deur die omskrywing van “regstreekse rit” of “heen-en-weerit” gedek word nie;

sluit “stoker” drywersassistent in;

betekén “treinpersoneel” ’n drywer, ’n leerling-treindrywer, ’n seniordrywersassistent, ’n seniorstoker, ’n drywersassistent, ’n stoker, ’n kondukteur of ’n kontroleur;

betekén “vasgestelde tyd” die tydperk wat in die bedryfstydboek of in ’n kennisgewing insake spesiale treine (uitgesonder ballas- en materiaal-treine) toegestaan word en wat—

- (i) in die geval van ’n passasierstrein, bereken word van die vasgestelde tyd waarop sodanige trein moet vertrek van die beginplek, wat beskou word as die stasie waar passasiers vir die eerste keer opklim, tot die vasgestelde tyd waarop sodanige trein moet aankom op die stasie waarvandaan die treinpersoneel ’n trein op die terugrit moet werk of waar die treinrit finaal eindig om al die passasiers te laat afklim;
- (ii) in die geval van ’n goederetrein, bereken word van die vasgestelde tyd waarop sodanige trein moet vertrek van die beginplek, wat beskou word as die stasie of opstelsterrein waar die vrag voor die rit aangehaak word, tot die vasgestelde tyd waarop sodanige trein moet aankom op die stasie of in die opstelsterrein waar die vrag afgehaak word of waarvandaan die treinpersoneel ’n terugrit moet werk;

SECTION 2

CONDITIONS APPLICABLE TO TRAINMEN

57. The regulations contained in this section, 57 to 70 inclusive, are applicable to trainmen only.

INTERPRETATION OF TERMS

58. For the purpose of this section unless inconsistent with the context—

“available” means that a trainman is available for duty when his services are not required between midnight and midnight on a weekday;

“crossing point working” means the working of a train to a point where two trains cross and where the trainmen or a trainman change trains and work the train taken over back to the home depot;

“fireman” includes driver’s assistant;

“link working” means working which comprises a series of trips within one specific tour of duty which does not fall within the definition of “straight” or “round” trip;

“locomotive personnel” means drivers, pupil train drivers, senior driver’s assistants, senior firemen, driver’s assistants and firemen;

“ordinary time” means time which is worked on weekdays;

“round trip” means a trip worked from one station to another and back, without any intermediate book-off;

“schedule time” means the period allowed in the Working Time Book or in a Special Train Notice (ballast and material trains excepted)—

- (i) in the case of a passenger train, calculated from the time such train is scheduled to depart from the starting point, which shall be understood to mean the station at which passengers first entrain, until the time such train is scheduled to arrive at the station from which the trainmen are required to work a return train or at which station the train finally terminates for the purpose of detraining all passengers;
- (ii) in the case of a goods train, calculated from the time such train is scheduled to depart from the starting point, which shall be understood to mean the station or marshalling yard at which the load is attached prior to the trip, until the time such train is booked to arrive at the station or marshalling yard at which the load is detached or from which the trainmen are required to work a return trip;
- (iii) in the case of a mixed train, calculated from the time such train is scheduled to depart from the starting point, until the time such train is booked to arrive at the station or marshalling yard from which the trainmen are required to work a return train or at which station or marshalling yard the train finally terminates for the purpose of detraining passengers or detaching the load;

“senior fireman” includes senior driver’s assistant;

“starting point” means the point from which a train departs at the commencement of a trip in the case of a straight trip, a round trip, crossing point working or link working; the out-station where the return trip of a round trip commences; the point where a train is taken over in the case of crossing point working, or the point where a train en route is taken over;

“straight trip” means a single trip between two points in respect of which the trainmen are booked on and off;

“time of arrival” means—

- (i) scheduled time, or
- (ii) if running late, actual time, or
- (iii) time of completion of any shunting duties performed after arrival;

- (iii) in die geval van 'n gemengde trein, bereken word van die vasgestelde tyd waarop sodanige trein van die beginplek moet vertrek, tot die vasgestelde tyd waarop sodanige trein op die stasie of in die opstel-terrein moet aankom waarvandaan die treinpersoneel 'n trein op die terugrit moet werk of waar die treinrit finaal eindig om die passasiers te laat afklim of om die vrag af te haak;

betekén "vertrektyd"—

- (i) die vasgestelde tyd, of
- (ii) indien die skedule verander is, die werklike tyd, of
- (iii) die tyd waarop rangeerwerk voor vertrek begin word.

VEREISTE KWALIFIKASIES VIR AANSTELLING AS TREINPERSONEEL

59. Die kwalifikasies vir aanstelling as treinpersoneel word van tyd tot tyd bepaal.

BEREKENING VAN TYD

60. (1) Tyd wat deur treinpersoneel gewerk word, word op 'n maandelikse grondslag bereken, en elke maand (hierna 'n betaalmaand genoem) word afsonderlik behandel. Die betaalmaand strek van die 16de dag van 'n maand tot die 15de dag van die volgende maand. As 'n lid van die treinpersoneel van diens afwesig is en nie op volle betaling vir die tydperk of tydperke van afwesigheid geregtig is nie, word sy salaris vir daardie maand in dieselfde verhouding verminder as dié tussen sodanige tydperk of tydperke van afwesigheid en die getal dae (Sondae ingesluit) in die betaalmaand.

(2) (a) Onderworpe aan die bepalinge van subparagraaf (b) word treinpersoneel ooreenkomstig die voorwaardes in hierdie regulasie gekrediteer met—

- (i) die vasgestelde tyd, of die werklike tyd vir die hele rit as dit langer is, of die werklike tyd as 'n kennisgewing insake spesiale treine nie uitgereik is nie of as stasie-tot-stasiebedryf op die trein van toepassing is, plus
- (ii) sodanige aan- en afboektyd as wat ingevolge regulasie 62 bepaal mag word, onderworpe aan sodanige minimum tydtoelatings as wat ingevolge regulasie 63 van toepassing mag wees, plus
- (iii) bonustyd, as dit verdien is, ingevolge regulasie 64.

(b) Kontroleurs wat hekdien of ander stasiepligte verrig, word gekrediteer met die tyd wat hulle werklik op diens was.

(3) (a) Waar dit ook al doenlik is, moet elke amptenaar wat die beweging van treine kontroleer, spesiale looptye uitreik in gevalle waar 'n trein om enige rede die bestemmingstasie gouer as in die vasgestelde tyd kan bereik.

(b) As reëlings getref is dat 'n trein vroeër of later as die tyd bepaal in die bedryfstydboek van die beginplek vertrek, word daar beskou dat die vasgestelde tyd vroeër of later begin en geëindig het.

(4) (a) 'n Lid van die treinpersoneel wat op 'n buitestasie vir 'n terugrit moet wag of wat by sy tuisdepot vir 'n verder rit moet wag, word met ononderbroke tyd gekrediteer mits die tydperk tussen die aankoms- en die vertrektyd hoogstens drie uur is, en gedurende sodanige tydperk word hy as beskikbaar beskou vir enige diens wat nodig geag word.

(b) As die tydperk tussen die aankoms- en die vertrektyd langer as drie uur is, word die lid van die treinpersoneel van diens afgeboek. Die heen- en die terugrit word as regstreekse ritte beskou.

"time of departure" means—

- (i) scheduled time, or
- (ii) if schedule is altered, actual time, or
- (iii) time of commencement of any shunting duties performed prior to departure;

"trainman" means a driver, a pupil train driver, a senior driver's assistant, a senior fireman, a driver's assistant, a fireman, a guard or a conductor.

QUALIFICATIONS REQUIRED FOR APPOINTMENT AS TRAINMAN

59. The qualifications for appointment as trainman shall be as laid down from time to time.

COMPUTATION OF TIME

60. (1) Time worked by trainmen shall be computed on a monthly basis and each month (hereinafter referred to as a paymonth) shall stand by itself. The paymonth shall extend from the 16th day of a month to the 15th day of the next month. If a trainman is absent from duty and is not entitled to payment in full in respect of the period or periods of absence, his salary for that month shall be commensurately reduced in accordance with the relationship which such period or periods of absence bear to the number of days (including Sundays) in the paymonth.

(2) (a) Subject to the provisions of subparagraph (b), trainmen shall, under the conditions contained in this regulation, be credited with time—

- (i) for the schedule time, or the actual time taken for the complete journey if greater, or actual time where a Special Train Notice is not issued, or when running on station-to-station working, plus
- (ii) such booking on and off time allowances as may be laid down in terms of regulation 62, subject to such minimum time allowances as may be applicable in terms of regulation 63, plus
- (iii) bonus time, if earned, in terms of regulation 64.

(b) Conductors on barrier or other station duties shall be credited with actual time on duty.

(3) (a) It shall be the duty of any officer controlling the movement of trains to issue a special running schedule, wherever practicable, in cases where, due to any circumstances, a train can reach its destination station in a lesser time than schedule time.

(b) If it is arranged that a train leaves the starting point earlier or later than the time shown in the Working Time Book, the schedule time shall be regarded as having been commenced and completed earlier or later.

(4) (a) A trainman who is required to wait at an out-station for a return trip, or who is required to wait at his home depot for a further trip, shall, provided the period between the times of arrival and departure does not exceed three hours, be credited with continuous time, and during such period his services shall be available for any duty required.

(b) If the period between times of arrival and departure exceeds three hours, the trainman shall be booked off duty. The trips out and back shall be regarded as straight trips.

(5) (a) 'n Lid van die treinpersoneel op vasgestelde skakelritte word gekrediteer met die vasgestelde tyd vir al die skakelritte of met die werklike tyd as dit langer is.

(b) Aan 'n lid van die treinpersoneel wat treine op 'n heen-en-weerit werk, word die vasgestelde tyd vir die volle heen-en-weerit (met inbegrip van die pouse op 'n buitestasie) toegestaan, of die werklike tyd as dit langer is.

(c) As twee regstreekse ritte—heen en terug—in 'n heen-en-weerit omgesit word omdat die tydperk tussen die twee ritte verminder word na drie uur of minder, word die treinpersoneel gekrediteer met die werklike tyd wat hulle op diens is, mits daar nie minder as die vasgestelde tyd vir die terugrit toegelaat word nie.

(d) As treinpersoneel bykomende pligte, hetsy vóór of (sonder om afgeboek te word) ná 'n vasgestelde regstreekse of heen-en-weerit of 'n skof op skakeldiens, moet verrig, word sodanige bykomende tyd as 'n verlenging van die vasgestelde rit of dienstydperk op skakelritte beskou, maar word daar nie van hulle vereis om tyd te werk wat op die vasgestelde tyd gewen is nie.

(6) As 'n trein wat nie skakel- of heen-en-weeritte aflê nie op die tyd bepaal in die bedryfstydboek of kennisgewing insake spesiale treine van die beginplek vertrek en voor tyd op die bestemmingstasie aankom, word die volle vasgestelde tyd toegelaat.

(7) As 'n trein wat nie skakel- of heen-en-weeritte aflê nie op die tyd bepaal in die bedryfstydboek of kennisgewing insake spesiale treine van die beginplek vertrek en nie die vasgestelde tyd loop wat vir die rit toegelaat is nie maar laat op die bestemmingstasie aankom, word die werklike loop-tyd toegestaan.

(8) As treinpersoneel 'n trein na 'n tussenkruisplek moet werk en sonder om afgeboek te word daarvandaan na hulle tuisdepot moet terugkeer terwyl hulle 'n trein werk wat hulle van ander treinpersoneel oorgeneem het, word hulle gekrediteer met die volle vasgestelde tyd vir die heen- en die terugrit, met inbegrip van die pouse op die tussenkruisplek.

(9) As 'n trein wat nie skakel- of heen-en-weeritte aflê nie, laat van 'n aanvangsplek vertrek en die treinpersoneel wat moet oorneem ooreenkomstig regulasie 66 (2) laat uitgeroep word, word daar beskou dat die betrokke vasgestelde tyd dienooreenkomstig later begin en ophou. In sulke gevalle word die vasgestelde tyd toegelaat, plus die tyd wat hulle werklik op diens is voordat die trein vertrek.

(10) Treinpersoneel wat ballas-, materiaal- of noodtreine werk en lokomotiefpersoneel wat op rangeer-, stoot- of loslokomotiewe werk, word gekrediteer met die werklike tyd wat gewerk word.

OORTYD EN SONDAGTYD

61. (1) Die totale tyd wat gewerk word, word sover doenlik deur 'n billike toewysing van die werk, gelykop verdeel onder al die treinpersoneel in elke graad op elke depot.

(2) Vir weekdagtyd wat as oortyd behandel word en vir diens op 'n Sondag word daar betaal teen die toepaslike skaal wat van tyd tot tyd bepaal word. Om die getal ure te bereken waarvoor daar op hierdie grondslag betaal moet word, word 'n gedeelte van 'n uur wat minder as 30 minute is, buite rekening gelaat, terwyl 'n gedeelte van 'n uur wat 30 minute of meer is, as 'n uur beskou word. Die afronding van orige minute geld vir die totale oortyd of Sondagtyd wat gedurende 'n betaalmaand gewerk is en nie vir elke afsonderlike dienstydperk nie.

(3) Die uurlikse skaal vir die betaling van oortyd en Sondagtyd word—

(a) in die geval van 'n lid van die treinpersoneel wat in 'n hoër graad waarneem, op sy salaris plus enige gemagtigde toelae vir waarneming in hoër graad bepaal;

(5) (a) A trainman working scheduled link trips shall be credited with the schedule time for the complete link, or actual time if greater.

(b) A trainman working a round trip shall be allowed the schedule time for the complete round trip (including the interval at an out-station), or actual time if greater.

(c) When two straight trips out and back are converted to a round trip by reason of the interval between the trips being reduced to a period of three hours or less, the trainman shall be credited with the actual time on duty provided not less than schedule time shall be allowed for the return trip.

(d) If a trainman is called upon to perform additional duty either before or (without being booked off) after a scheduled straight or round trip, or a tour of link working, such additional time shall be regarded as an extension of the scheduled trip or tour of link working, but he shall not be required to work any time gained on the schedule.

(6) If a train in other than link or round trip working leaves the starting point at the time shown in the Working Time Book or Special Train Notice, and arrives at its destination before time, the full schedule time shall be allowed.

(7) Where a train in other than link or round trip working leaves the starting point at the time shown in the Working Time Book or Special Train Notice, does not maintain the schedule time allowed for the run, and arrives at the destination station late, the actual time occupied on the run shall be allowed.

(8) When trainmen are required to work a train to an intermediate crossing point and, without being booked off, to return therefrom to their home depot working a train that has been taken over from other trainmen, they shall be credited with the full schedule time for the forward and return trips including the interval at the intermediate crossing point.

(9) If a train in other than link or round trip working leaves an intermediate starting point late and the outgoing trainmen are called late in accordance with the provisions of regulation 66 (2), the schedule time applicable shall be held to commence and finish correspondingly later. In such cases schedule time shall be allowed plus actual time on duty prior to the start of the train.

(10) Trainmen working ballast, material or breakdown trains and locomotive personnel employed on shunting, banking or light locomotives shall be credited with the actual time worked.

WEEKDAY OVERTIME AND SUNDAY TIME

61. (1) The total time worked shall, as far as practicable, be equalised between all trainmen in each grade at each depot by an equitable allocation of the work.

(2) Payment for weekday time which is treated as overtime and for duty performed on a Sunday shall be made at the appropriate rate laid down from time to time. For the purpose of determining the number of hours for which payment is to be made on this basis, a fraction of an hour which is less than 30 minutes shall be disregarded while a fraction of an hour which is 30 minutes or more shall be regarded as an hour. The levelling up of odd minutes shall apply to the total overtime or Sunday time worked during any paymonth and not in respect of each separate tour of duty.

(3) The hourly rates of payment for weekday overtime and for Sunday time shall be determined—

(a) in the case of a trainman acting in a higher grade, on his salary plus any acting-in-higher-grade allowance authorised;

(b) in die geval van enige ander lid van die treinpersoneel net op sy salaris bepaal.

(4) (a) Die amptelike weeklikse diensure vir treinpersoneel is 48 uur. Oortyd word daaglik gekrediteer ten opsigte van alle weekdagtyd wat gewerk word en wat meer as agt uur per dag is, bereken van middernag tot middernag. As daar op enige weekdag minder as agt uur gewerk word of as die werknemer vir diens beskikbaar is, word geen weekdagtyd wat gedurende die maand gewerk is, gebruik om die gewone tyd vir daardie dag aan te vul nie.

(b) As 'n skof op 'n Saterdag begin en op 'n Sondag eindig, of op 'n Sondag begin en op 'n Maandag eindig, word alle weekdagtyd ingesluit by enige ander weekdagtyd wat op die Saterdag of Maandag gewerk is om oortyd vir die betrokke dae te bepaal.

TYDTOELATINGS VIR AAN- EN AFBOEK

62. Tydtoelatings vir aan- en afboek word op sodanige voorwaardes en volgens sodanige skale gedoen as wat van tyd tot tyd bekend gemaak mag word.

MINIMUM TYDTOELATINGS

63. (1) (a) Die volgende minimum tyd word toegestaan aan treinpersoneel wat treine werk en aan lokomotiefpersoneel wat op stoot-, rangeer-, los- en ballas- of materiaal-treinlokomotiewe werk:

As die vasgestelde tyd vir 'n regstreekse of heen-en-weerit of 'n skof op skakeldiens (of die werklike tyd in die geval van stoot-, rangeer-, los- en ballas- of materiaal-treinlokomotiewe en treine waarop stasie-tot-stasiebedryf van toepassing is), plus tyd vir aan- en afboek—

- (i) nie langer as 4 uur is nie, word tyd gelykstaande met 'n halfdag toegestaan;
- (ii) langer as 4 uur is, maar nie langer as 6 uur nie, word tyd gelykstaande met 'n driekwartdag toegestaan;
- (iii) langer as 6 uur is, word 'n minimum van 'n dag se tyd toegestaan

(b) 'n Minimum van 'n dag se tyd word aan treinpersoneel toegestaan vir—

- (i) enige rit van 218 kilometer per passasierstrein;
- (ii) enige rit van 194 kilometer per gemengde trein;
- (iii) enige rit van 178 kilometer per goederetrein.

Wanneer 'n minimum afstand op een of beide ritte van 'n heen-en-weerit toegelaat word, word daar nie betaal vir die pouse op die bestemmingstasie nie. As die werklike tyd op diens egter langer as die twee minimum tydperke saam is, word die personeel vir werklike tyd op diens betaal.

(2) Indien die vasgestelde tyd oorskry word en die werklike tyd op diens as gevolg daarvan te staan kom op meer as die minimum tyd wat van toepassing sou gewees het as die vasgestelde tyd gehandhaaf was, word net die werklike tyd toegelaat.

(3) 'n Dag se tyd kan vir enige spesiale rit gemagtig word. Spesiale minimum tye kan ook gemagtig word en daar kan besluit word op watter voorwaardes sodanige minimum tye toegelaat moet word.

(4) As 'n lid van die treinpersoneel wat opdrag kry om hom op 'n weekdag of 'n Sondag vir diens aan te meld, hom aldus aanmeld en sy diens word nie gebruik nie, word hy met twee uur oortyd of Sondagtyd na gelang van die geval gekrediteer en kan daar van hom vereis word om op die depot te werk gedurende die tydperk waarvoor tyd toegelaat word. As daar gedurende sodanige tydperk ander werk aan hom toegewys word, word sy dienstdag as ononderbroke bereken van die tyd wat hy vir diens aangeteken het.

(b) in the case of any other trainman, on his salary only.

(4) (a) The official weekly hours of duty for trainmen are 48. Overtime shall be credited daily in respect of all weekday time worked in excess of eight hours per day reckoned from midnight to midnight. If on any weekday less than eight hours is worked, or if the employee is available for duty, no weekday time worked during the month shall be utilised to make up the ordinary time for that day.

(b) If a shift commences on a Saturday and finishes on a Sunday, or commences on a Sunday and finishes on a Monday, all weekday time shall be included with any other weekday time which is worked on the Saturday or Monday to determine overtime for the days in question.

BOOKING ON AND OFF TIME ALLOWANCES

62. Booking on and off time allowances shall be made under such conditions and according to such scales as may be notified from time to time.

MINIMUM TIME ALLOWANCES

63. (1) (a) The following minimum time shall be allowed to trainmen working trains and to locomotive personnel employed on banking, shunting, light and ballast or material train locomotives:

Where the schedule time for any straight or round trip or tour of link working (or actual time in the case of banking, shunting, light and ballast or material train locomotives and trains running on station-to-station working) plus booking on and off time—

- (i) does not exceed 4 hours; time equivalent to half a day shall be allowed;
- (ii) exceeds 4 hours but does not exceed 6 hours; time equivalent to three-quarters of a day shall be allowed;
- (iii) exceeds 6 hours; a minimum of a day's time shall be allowed.

(b) A minimum of a day's time shall be allowed to trainmen for—

- (i) any passenger train run of 218 kilometres;
- (ii) any mixed train run of 194 kilometres;
- (iii) any goods train run of 178 kilometres.

Where a minimum distance on one or both trips of a round trip is allowed, no payment shall be made for the interval at the destination station. If the actual time on duty is, however, longer than the two minimums together, the personnel shall be paid for the actual time on duty.

(2) If, as the result of the schedule time being exceeded, the actual time on duty is more than the minimum time which would have been applicable, had the schedule time been maintained, actual time only shall be allowed.

(3) A day's time may be authorised for any special run. Special minimum times and the conditions under which such minimum times shall be allowed, may likewise be authorised.

(4) If a trainman who is ordered to report for duty on a weekday or Sunday does so report, and his services are not utilised, he shall be credited with two hours overtime or Sunday time, as the case may be, and may be required to work at the depot during the period for which time is allowed. If during such period he is assigned other work, time shall be calculated as continuous from the time of signing on duty.

(5) As 'n lid van die treinpersoneel wat 'n kort skof gewerk het waarvoor 'n minimum tyd toegelaat word, nog 'n kort skof moet werk waarvoor 'n tweede minimum tyd toegelaat kan word, word hy gekrediteer met nie meer as die ononderbroke tydperk vandat hy vir die eerste rit aanteken totdat hy na die laaste rit afteken nie, onderworpe aan 'n minimum van een dag se tyd. Die bepalings van hierdie paragraaf geld nie as een van of beide die skofte wat gewerk is, onderworpe is aan die minimum betalings waarvoor daar in paragraaf (1) (b) voorsiening gemaak word nie.

(6) By die toepassing van regulasie 67, regulasie 129 (5) en hierdie regulasie beteken—

- (a) 'n dag se tyd, 8 uur;
- (b) 'n driekwart van 'n dag se tyd, 6 uur en
- (c) 'n halfdag se tyd, 4 uur.

BONUSTYD TOEGELAAT AS TREINE STIP LOOP

64. (1) (a) As 'n passasiers-, gemengde of goederetrein of 'n stoot- of hulplokomotief op 'n rit van meer as vyf kilometer stip op tyd loop, word bonustyd, bereken teen 10 persent van die vasgestelde looptyd van elke rit afsonderlik, toegestaan aan die treinpersoneel wat werklik verantwoordelik is vir sodanige werking van die trein.

(b) Die bonustyd word verminder met die getal minute wat die trein later as die vasgestelde looptyd by die bestemmingstasie aankom.

(2) (a) Bonustyd vir treinpersoneel op voorstedelike passasierstreine word ooreenkomstig die volgende tabel toegestaan:

<i>Vasgestelde looptyd</i>	<i>Bonustyd-toelating Minute</i>
(i) Hoogstens 7 uur 59 minute	25
(ii) Agt uur maar hoogstens tien uur	35
(iii) Meer as tien uur	45

(b) Die vasgestelde looptyd van voorstedelike passasierstreine word bereken van die vasgestelde vertrektyd van die eerste trein tot die vasgestelde aankomstyd van die laaste trein in die skakel. As die treinpersoneel gedurende die tussentydperke waarin hulle nie afgeboek is nie as passasiers op diens reis of ander pligte verrig, word die vasgestelde tyd van die skakel nie met sodanige tydperke verminder nie.

(c) As enige trein in die skakel van die voorstedelike passasiersdiens nie die vasgestelde looptyd handhaaf nie, word die getal minute wat die trein later as die vasgestelde looptyd by die bestemmingstasie aankom, afgetrek van die totale bonustyd wat verdien is.

(3) Wanneer 'n lid van die treinpersoneel 'n hooflyntrein en daarna 'n voorstedelike passasierstrein, of andersom, werk sonder om af te boek, word die bonustyd ooreenkomstig paragraaf (1) bereken op die vasgestelde looptyd van elke rit afsonderlik, met inbegrip van dié van die voorstedelike passasierstreine.

(4) Die bonustydtoelating vir treinpersoneel wat volgens die kaboestelsel werk, word bereken op die grondslag van die vasgestelde looptyd vir elke gedeelte van die rit wat deur 'n bepaalde treinbemanning gewerk word en die bonustydtoelating wat vir die hele rit verdien is, word gelykop onder die afsonderlike grade van die betrokke personeel verdeel.

(5) 'n Vertraging by die bestemmingstasie voor binnelating benadeel nie die toekenning van die bonustyd waar dit verskuldig is nie.

(6) Die bonustyd word nie toegestaan vir ritte met loslokomotiewe, ballas-, materiaal- of noodtreine of treine wat uit leë passasierswaens bestaan en van/na die oorsaankplekke vertrek/gaan voordat/nadat die passasiers op die vertrek-/eindstasie op/afgeklim het nie.

(5) Where a trainman who has worked a short shift for which a minimum time is allowed, is required to work a further short shift for which a second minimum time may be allowed, he shall be credited with not more than continuous time from the time of signing on for the first trip to the time of signing off after the last trip, subject to a minimum of one day's time. The provisions of this paragraph are not applicable where either one or both of the shifts worked are governed by the minimum payments for which provision is made in paragraph (1) (b).

(6) For the purpose of the application of regulation 67, regulation 129 (5) and this regulation—

- (a) a day's time means 8 hours;
- (b) three-quarters of a day's time means 6 hours; and
- (c) half a day's time means 4 hours.

BONUS TIME ALLOWANCE FOR PUNCTUAL RUNNING

64. (1) (a) If a passenger, mixed or goods train or a banking or assisting locomotive on a trip of more than five kilometres arrives punctually, bonus time, calculated at 10 per cent of the scheduled running time of each trip separately, shall be allowed to the trainmen who are actually responsible for such working of the train.

(b) The bonus time shall be reduced by the number of minutes a train arrives later than the scheduled running time at the destination station.

(2) (a) Bonus time for trainmen on suburban passenger trains shall be allowed according to the following table:

<i>Scheduled running time</i>	<i>Bonus time allowance Minutes</i>
(i) Not exceeding 7 hours 59 minutes	25
(ii) Eight hours but not exceeding ten hours	35
(iii) Exceeding ten hours	45

(b) The scheduled running time of suburban passenger trains shall be computed from the scheduled time of departure of the first train to the scheduled time of arrival of the last train in the link. If the trainmen travel on duty as passengers or perform other duties during the intermediate periods during which they are not booked off, the scheduled time of the link shall not be reduced by such periods.

(c) If any train in the link of the suburban passenger service does not maintain the scheduled running time the number of minutes the train arrives later than the scheduled running time at the destination station shall be deducted from the total bonus time earned.

(3) If a trainman works a main line train and thereafter without being booked off works a suburban passenger train, or vice versa, bonus time shall be computed in terms of paragraph (1) on the scheduled running time of each trip separately including those of the suburban passenger trains.

(4) The bonus time allowance for trainmen working on the caboose system shall be computed on the basis of the scheduled running time for each portion of the trip which is worked by a particular train crew and the bonus time allowance earned for the full trip shall be divided equally among the separate grades of personnel concerned.

(5) A delay at the destination station prior to admittance shall not interfere with the operation of the bonus time where due.

(6) The bonus time is not granted for trips with light locomotives, ballast, material or breakdown trains or trains comprising empty coaching stock and departing/proceeding from/to the stabling point before/after the passengers have boarded/detrained at the departure/terminal station.

(7) Die bonustyd wat treinpersoneel gedurende 'n betaalmaand verdien, word as gewone tyd of Sondagtyd beskou, watter ook al van toepassing is. As 'n skof op 'n Saterdag begin en op 'n Sondag eindig, word die bonustyd as Sondagtyd gekrediteer en as 'n skof op 'n Sondag begin en op 'n Maandag eindig, word die bonustyd op die Maandag as gewone tyd gekrediteer.

(8) By die toepassing van hierdie regulasie word die bonustyd gekrediteer ten opsigte van die dag waarop die trein aankom.

(9) Die bonustydoelating kan op enige ander trein as dié bepaal in paragrafe (1) en (2) toegepas word en die voorgeskrewe bonustydoelating kan gewysig word.

KABOESDIENS

65. (1) Die tyd wat gewerk en afgeboek word deur treinpersoneel wat op regstreekse of heen-en-weerritte volgens die kaboestelsel werk, word bereken op grondslag van die vasgestelde daaglikse diensure, afgesien van hoe lank die rit duur.

(2) As die treinpersoneel op die buitestatie afgeboek word terwyl hulle wag om die terugrit te werk, word die heen- en die terugrit as regstreekse ritte beskou, maar as die tydperk tussen die aankoms van die trein op die buitestatie en sy vertrek daarvandaan nie langer as drie uur is nie, word die rit as 'n heen-en-weerrit beskou. Die totale tyd wat ôf op die regstreekse ôf op die heen-en-weerrit toegelaat word, na gelang van die geval, word op weekdae toegewys as gewone tyd en op Sondae as Sondagtyd, en dit word gelykop tussen die betrokke treinpersoneel verdeel. In die geval van weekdagtyd word tyd wat meer as agt uur is (bereken van middernag tot middernag) as oortyd gekrediteer.

(3) Afboekskoste teen twee keer die gewone skaal bepaal in regulasie 114 word betaal vir elke tydperk wat treinpersoneel onderweg in die kaboes afgeboek word.

(4) Afboekskoste word teen die skaal bepaal in regulasie 114 betaal as treinpersoneel op die buitestatie afgeboek word.

UITROEP VAN PERSONEEL VIR DIENS

66. (1) 'n Lid van die treinpersoneel word by sy aangeleëde woonplek vir diens uitgeroep, mits hy nie meer as 2,5 kilometer van die stasie af woon nie, maar 'n lid van die treinpersoneel wat gereelde treine werk, of wat van sy volgende dienstrydperk in kennis gestel word wanneer hy afboek, of wat op 'n klein depot gestasioneer is, word nie tussen 07h00 en 21h00 vir diens uitgeroep nie.

(2) Wanneer 'n trein van die vorige depot of tussenstasie af laat loop en dit op 'n tussendepot oorgeneem moet word, moet die verantwoordelike beampte, as hy oor inligting beskik aangaande die benaderde tyd waarop die trein op sy stasie verwag kan word, reël dat die treinpersoneel op die volgende grondslag uitgeroep word:

As die trein 1 uur laat loop.....	Word die treinpersoneel op die gewone vasgestelde tyd uitgeroep;
as die trein 1 uur 15 minute laat loop	word die treinpersoneel 15 minute laat uitgeroep;
as die trein 1 uur 30 minute laat loop	word die treinpersoneel 30 minute laat uitgeroep; ens.

Treinpersoneel wat gewoonlik nie vir diens uitgeroep word nie, word in gevalle soos waarvoor daar in hierdie paragraaf voorsiening gemaak word, spesiaal in kennis gestel wanneer hulle op diens moet gaan, en nadat hulle aldus in kennis gestel is, boek hulle nie vir diens aan voordat hulle dienste nodig is nie.

(7) The bonus time earned by trainmen during a pay-month shall be treated as ordinary time or Sunday time, whichever is applicable. If a shift commences on a Saturday and terminates on a Sunday, the bonus time shall be credited as Sunday time and if a shift commences on a Sunday and terminates on a Monday, the bonus time on the Monday shall be credited as ordinary time.

(8) In the application of this regulation, the bonus time shall be credited in respect of the day upon which the train arrives.

(9) The bonus time allowance may be applied to any train other than those specified in paragraphs (1) and (2), and the stipulated bonus time allowance may be amended.

CABOOSE WORKING

65. (1) The time worked and booked off by trainmen working on the caboose system on straight or round trips shall be based on the fixed daily hours of duty, irrespective of the time taken on the trip.

(2) Where the trainmen are booked off at the out-station pending the return journey, the forward and return trips shall be regarded as "straight trips" but, where the period between the arrival of the train at the out-station and the departure therefrom does not exceed three hours, the trip shall be regarded as a round trip. The total time allowed on either the straight trip or the round trip, as the case may be, shall be allocated as ordinary time on weekdays, or as Sunday time on Sundays, and divided equally between the trainmen concerned. In the case of weekday time, time in excess of eight hours (calculated from midnight to midnight) shall be credited as overtime.

(3) A booking-off expense at twice the ordinary rate laid down in regulation 114 shall be paid for each period trainmen are booked off en route in the caboose.

(4) Booking-off expenses shall be paid on the scale laid down in regulation 114 when trainmen are booked off at the out-station.

CALLING MEN FOR DUTY

66. (1) A trainman shall be called from his registered place of residence provided he resides not more than 2,5 kilometres from the station, but a trainman assigned regular trains or notified when booking off of his next period of duty, or stationed at a minor depot, shall not be called between the hours of 07h00 and 21h00.

(2) When a train is running late from the previous depot or intermediate station, and is taken over at an intermediate depot, the responsible official, if he is in possession of information indicating the approximate time at which the train may be expected to arrive at his station, shall arrange for the trainmen to be called in accordance with the following:

If running 1 hour late.....	trainmen shall be called at the right time;
if running 1 hour 15 minutes late	trainmen shall be called 15 minutes late; and
if running 1 hour 30 minutes late	trainmen shall be called 30 minutes late, and so on.

Trainmen who are not ordinarily called for duty shall, in such cases as are provided for in this paragraph, be specially advised of the time they shall be required for duty, and when so advised shall not book on duty until required.

WANNEER WERKNEMERS AS PASSASIERE REIS

67. (1) Aan treinpersoneel wat op 'n weekdag of 'n Sondag as passasiers moet reis om 'n trein van 'n buitestatie af te werk of wat as passasiers van 'n buitestatie af moet terugkeer nadat hulle 'n trein gewerk het, word tyd soos volg toegestaan:

(a) As hulle op die buitestatie afgeboek word:

- | | |
|--|--|
| (i) Onderwyl hulle as passasiers reis | Gewone tyd of Sondagtyd, na gelang van die geval, met enige minimum van toepassing, maar hoogstens tyd vir 'n dag. |
| (ii) Onderwyl hulle op 'n lokomotief of in 'n kondukteurswa werk of reis | Gewone tyd of Sondagtyd, na gelang van die geval, met enige minimum van toepassing. |

(b) As hulle nie op die buitestatie afgeboek word nie:

Gewone tyd of Sondagtyd, na gelang van die geval, afgesien daarvan of hulle gewerk, op 'n lokomotief of in 'n kondukteurswa gereis, as passasier gereis of gewag het, met enige minimum van toepassing.

(2) Treinpersoneel wat as passasiers op diens reis, kan kosteloos van beddegoed op die trein voorsien word as hulle die nodige toepaslike order oorhandig wat deur 'n behoorlike gemagtigde beampte uitgereik is, met dien verstande dat as omstandighede sodanig is dat 'n bed nie gebruik kan word nie, die toepaslike order aan die end van die rit ingedien word.

(3) Afboekskoste wat ingevolge regulasie 114 toelaatbaar is, word ook betaal, maar reiskoste word nie toegestaan nie.

(4) As treinpersoneel (behalwe kontroleurs) ingevolge regulasie 69 op 'n stasie duskant die depotstasie van diens afgepos word omdat hulle 12 uur diens voltooi het, word gewone tyd of Sondagtyd, na gelang van die geval, toegestaan vir enige tyd wat in beslag geneem word om die depotstasie te bereik nadat hulle afgepos is.

(5) As treinpersoneel na 'n stasie moet reis vir spesiale diens aldaar en nie vir die doel waarvoor daar in die voorgaande paragrafe voorsiening gemaak is nie, word hulle ten opsigte van die tydperk wat so in beslag geneem is, met gewone weekdagtyd gekrediteer of vir Sondagtyd betaal, na gelang van die geval, onderworpe aan 'n maksimum van 'n dag se tyd, met dien verstande dat as hulle op enige dag reis en werk, hulle met gewone weekdagtyd gekrediteer of soos vir Sondagtyd betaal word, na gelang van die geval, net vir daardie gedeelte (as daar is) van hulle reistyd wat tesame met die werktijd hoogstens 'n dag se tyd is.

(6) " 'n Dag se tyd" soos in hierdie regulasie gebruik, beteken 8 uur soos in regulasie 63 (6) voorgeskryf.

RUS

68. Behalwe in gevalle van nood, word daar aan treinpersoneel wat 'n skof van minstens agt uur (aan- en afboektyd ingesluit) voltooi het, die volgende rustyd toegestaan voordat hulle weer vir diens aangeboek word:

Op 'n buitestatie: 8 uur.

Op 'n werknemer se tuisstasie—

- (i) na voltooiing van 'n skof van minstens 8 uur, maar minder as 14 uur (aan- en afboektyd ingesluit): 12 uur;
- (ii) na voltooiing van 'n skof van 14 uur of langer (aan- en afboektyd ingesluit): 16 uur.

Die besluit om voor die verstryking van die bepaalde rustyd weer op diens te gaan, berus by die betrokke werknemer. Versuim om behoorlik te rus gedurende die rustydperk wat toegestaan is, word as 'n dissiplinêre oortreding behandel.

TRAVELLING AS PASSENGER

67. (1) A trainman who is required to travel as a passenger on either a weekday or a Sunday for the purpose of working a trip from an out-station or who is required to return as a passenger from an out-station after working a trip, shall be allowed time as follows:

(a) If booked off at an out-station:

- | | |
|---|--|
| (i) Whilst travelling as a passenger | Ordinary time or Sunday time, as the case may be, with any minimum applicable, but not exceeding a day's time. |
| (ii) Whilst working or travelling on a locomotive or in a guard's van | Ordinary time or Sunday time, as the case may be, with any minimum applicable. |

(b) If not booked off at an out-station:

Ordinary time or Sunday time, as the case may be, whether working, travelling on a locomotive or in a guard's van, travelling as a passenger or waiting, with any minimum applicable.

(2) A trainman travelling on duty as a passenger may, on production of the necessary covering order issued by a duly authorised official, be afforded without charge the use of bedding on the train, provided that if circumstances are such that use cannot be made of a bed, the covering order is handed in at the end of the trip.

(3) Booking-off expenses permissible in terms of regulation 114 shall also be paid, but travelling expenses shall not be allowed.

(4) A trainman (other than a conductor) relieved from duty at a station short of the depot station on account of his having completed 12 hours duty, as provided for in regulation 69, shall be allowed ordinary time or Sunday time, as the case may be, for any time occupied in reaching his depot station after being relieved.

(5) A trainman who is required to travel to a station for special duty thereat and not for a purpose provided for in the preceding paragraphs, shall, in respect of the period so occupied, be credited with ordinary weekday time or be paid Sunday time, as the case may be, subject to a maximum of a day's time, provided that if he both travels and works on any day, only that portion (if any) of his travelling time which, when added to his working time, does not exceed a day's time, shall be credited as ordinary weekday time or paid for as Sunday time, as the case may be.

(6) "A day's time" as used in this regulation shall mean 8 hours as stipulated in regulation 63 (6).

REST

68. Except in cases of emergency, a trainman after completing a shift of at least eight hours (booking-on and booking-off time included), shall be allowed the following interval of rest before being booked on duty again:

At an out-station: 8 hours.

At an employee's home station—

- (i) after completion of a shift of at least 8 hours (booking-on and booking-off time included), but less than 14 hours: 12 hours;
- (ii) after completion of a shift of 14 hours or more (booking-on and booking-off time included): 16 hours.

The decision to take up duty again before expiry of the rest interval shall be at the discretion of the employee concerned. Failure to take proper rest during the period of rest provided shall be dealt with as a disciplinary infringement.

AFLOS VAN TREINPERSONEEL, BEHALWE KONTROLEURS

69. (1) 'n Lid van die treinpersoneel (behalwe 'n kontroleur) wat langer as die gewone diensure moet werk, kan versoek dat 'n berig per telegram gestuur word dat hy na verloop van 'n totale tydperk van 12 uur diens (aan- en afboektyd ingesluit) afgelos word, en sodanige aflos word verskaf onderworpe aan die vereistes van die Suid-Afrikaanse Vervoerdienste.

(2) 'n Lid van die lokomotiefpersoneel kan eis om afgelos te word sodra sy trein aankom op sy tuisdepot of op 'n buitedepot waar daar personeel beskikbaar is om hom aldus af te los, wanneer sy dienstdydperk langer as 10 uur (aan- en afboektyd ingesluit) was.

GEWAARBORGDE BETALINGS

70. (1) Aan 'n lid van die treinpersoneel wat elke dag (Sondae ingesluit) in 'n betaalmaand vir diens beskikbaar was, word volle salaris vir daardie maand gewaarborg.

(2) As 'n lid van die treinpersoneel nie vir diens op een of meer dae (Sondae ingesluit) in 'n betaalmaand beskikbaar is nie as gevolg van verlof, siekte of enige ander rede, is sy gewaarborgde maandelikse betaling vir daardie maand aan 'n eweredige vermindering onderworpe.

HOOFSTUK 4**VERLOF VAN AFWESIGHEID****NIE-OPLOOPBARE EN OPLOOPBARE VERLOF**

71. (1) Aan werknemers in vaste diens, wat voor die betaalmaand Junie 1975 gesalarieerde betrekkinge beklee het, val vakansieverlof met volle betaling toe teen die volgende skaal:

Salaris	Nie-oploopbare verlof per jaar	Oploopbare verlof per jaar
	Dae	Dae
(a) Hoogstens die maksimum in salarisgroep IEE.....	14	11
(b) Hoër as die maksimum in salarisgroep IEE maar nie hoër as die maksimum in salarisgroep 1DJ nie.....	14	16
(c) Meer as die maksimum in salarisgroep 1DJ of na voltooiing van 20 jaar ononderbroke diens	14	21

(2) Werknemers (1) aan wie gesalarieerde status van 16 Mei 1975 af toegeken is en (2) wat op of na die begin van die betaalmaand Junie 1975 tot die Vervoerdienste toetree het, verdien verlof soos volg:

	Nie-oploopbare verlof per jaar	Oploopbare verlof per jaar
	Dae	Dae
(a) Na voltooiing van een jaar, maar minder as twee jaar diens	14	3
(b) Na voltooiing van twee jaar maar minder as tien jaar diens en in ontvangs van 'n salaris van minder as die maksimum in salarisgroep 1HK.....	14	6
(c) Na voltooiing van tien jaar maar minder as twintig jaar diens of na voltooiing van twee jaar diens en in ontvangs van 'n salaris gelyk aan die maksimum in salarisgroep 1HK, maar minder as die maksimum in salarisgroep 1JA	14	13

RELIEFING OF TRAINMEN OTHER THAN CONDUCTORS

69. (1) A trainman (other than a conductor) who is required to work beyond the ordinary hours of duty, may request that a telegraphic message be sent for relief after the expiration of a total period of 12 hours of duty (booking-on and booking-off time included), and such relief shall be provided subject to the exigencies of the South African Transport Services.

(2) A member of the locomotive personnel may claim to be relieved from his train on arrival at his home depot or at an outside depot where a member of the personnel is available to so relieve him whenever his tour of duty has exceeded 10 hours (booking-on and booking-off time included).

GUARANTEED PAYMENTS

70. (1) Every trainman who has been available for duty on every day (including Sundays) in a paymonth shall be guaranteed his full salary for that month.

(2) Should a trainman not be available for duty on one or more days (including Sundays) in a paymonth, due to leave of absence, sickness or for any other reason, his monthly guarantee payment for that month shall be subject to a proportionate reduction.

CHAPTER 4**LEAVE OF ABSENCE****NON-ACCUMULATIVE AND ACCUMULATIVE LEAVE**

71. (1) Leave shall accrue to employees in permanent employment, who occupied salaried positions prior to the June 1975 paymonth, on the following basis:

Salary	Non-accumulative leave per annum	Accumulative leave per annum
	Days	Days
(a) Not exceeding the maximum in salary group IEE.....	14	11
(b) Exceeding the maximum in salary group IEE but not exceeding the maximum in salary group 1DJ.....	14	16
(c) More than the maximum in salary group 1DJ or after completion of 20 years' continuous service.....	14	21

(2) Leave shall accrue as follows to employees who (1) were granted salaried status from 16 May 1975 and (2) joined the Transport Services on or after the commencement of the June 1975 paymonth:

	Non-accumulative leave per annum	Accumulative leave per annum
	Days	Days
(a) On completion of one year, but less than two years' service.....	14	3
(b) On completion of two years' but less than ten years' service and in receipt of a salary of less than the maximum in salary group 1HK.....	14	6
(c) On completion of ten years' but less than twenty years' service or on completion of two years' service and in receipt of a salary equal to the maximum in salary group 1HK but less than the maximum in salary group 1JA.....	14	13

	Nie-oploopbare verlof per jaar	Oploopbare verlof per jaar
	Dae	Dae
(d) Na voltooiing van twintig jaar diens of na voltooiing van twee jaar diens en in ontvangs van 'n salaris van minstens die maksimum in salarisgroep IJA	14	21

(3) As 'n werknemer vir verlof teen 'n hoër skaal in aanmerking kom, word hy op die datum waarop hy aldus in aanmerking kom vir daardie kalenderjaar gekrediteer met die bykomende verlof wat hom toeval.

(4) As 'n werknemer se salaris verminder word en hy as gevolg van sodanige vermindering in aanmerking kom vir verlof teen 'n laer skaal, val verlof teen die verminderde skaal hom eers toe met ingang van die kalenderjaar wat volg op dié waarin sy salaris verminder is.

SENIOR AMPTENARE, GEDIPLOMEERDE SKEEPS-PERSONEEL EN LEDE VAN LUGBEMANNINGS

72. (1) (a) Van die datum waarop 'n senior amptenaar of 'n lid van die gediplomeerde skeeps personeel twaalf maande diens voltooi, kom hy ondanks die bepalings van regulasie 71 in aanmerking vir vakansieverlof met betaling op die minimum grondslag van 14 dae nie-oploopbare en 21 dae oploopbare verlof per jaar, wat in die geval van 'n senior amptenaar wat lid van 'n lugbemanning is, toegestaan word onderworpe aan die bepalings van paragraaf (3) van hierdie regulasie.

(b) Van die datum waarop 'n werknemer twaalf maande diens as lid van 'n lugbemanning (uitgesonderd 'n senior amptenaar) voltooi, kom hy ondanks die bepalings van regulasie 71 in aanmerking vir vakansieverlof met betaling op die minimum grondslag van 14 dae nie-oploopbare en 16 dae oploopbare verlof per jaar, wat toegestaan word onderworpe aan die bepalings van paragraaf (3) van hierdie regulasie.

(c) Vakansieverlof met betaling teen die skaal genoem in subparagrafe (a) en (b), ten opsigte van elke kalenderjaar na dié waarin verlof 'n werknemer die eerste keer ingevolge daardie subparagrafe toeval, word aan die begin van elke sodanige kalenderjaar beskikbaar gestel.

(2) As 'n werknemer genoem in subparagraaf (1) (b) ingevolge regulasie 71 in aanmerking kom vir oploopbare vakansieverlof met betaling teen 21 dae per jaar, val sodanige verlof hom ingevolge regulasie 71 toe, maar die toestaan van verlof aan sodanige werknemer is ook onderworpe aan die bepalings van paragraaf (3) van hierdie regulasie.

(3) Terwyl 'n werknemer lid van 'n lugbemanning is, moet hy elke jaar minstens 21 dae vakansieverlof neem of in een ononderbroke tydperk of in twee tydperke waarvan een tydperk minstens 14 dae is.

LANGDIENSVERLOF

73. (1) By die toepassing van die bepalings van hierdie regulasie beteken "amptenaar" 'n werknemer wat voor die betaalmaand Junie 1975 op 'n jaarlikse grondslag besoldig was en "werksman" 'n werknemer wat voor die betaalmaand Junie 1975 op 'n maandelikse grondslag besoldig was.

(2) Iemand wat voor die betaalmaand Junie 1975 as amptenaar in diens geneem is, asook iemand wat op of na die begin van die betaalmaand Junie 1975 tot die Suid-Afrikaanse Vervoerdienste toetree, is op 1 Januarie van die jaar na dié waarin hy tien jaar ononderbroke diens voltooi, geregtig op langdiensverlof van 30 dae met volle betaling of 60 dae met halfbetaling.

	Non-accumulative leave per annum	Accumulative leave per annum
	Days	Days
(d) On completion of twenty years' service or on completion of two years' service and in receipt of a salary of at least the maximum in salary group IJA	14	21

(3) If an employee qualifies for leave on a higher scale, he shall, on the date upon which he so qualifies, be credited in respect of that calendar year with the additional leave which accrues to him.

(4) If the salary of an employee is reduced, as a result of which reduction he qualifies for leave on a lower scale, leave on the reduced scale shall accrue to him only with effect from the calendar year following that in which his salary was reduced.

SENIOR OFFICERS, CERTIFICATED MARINE STAFF AND MEMBERS OF AIRCREWS

72. (1) (a) From the date on which he completes twelve months service, a senior officer or a member of the certificated marine staff, notwithstanding the provisions of regulation 71, shall qualify for paid vacation leave on the minimum basis of 14 days' non-accumulative and 21 days' accumulative leave per annum, the granting of which in the case of a senior officer who is a member of an aircrew shall be subject to the provisions of paragraph (3) of this regulation.

(b) From the date on which he completes twelve months' service as a member of an aircrew (excluding a senior officer), an employee, notwithstanding the provisions of regulation 71, qualifies for paid vacation leave on the minimum basis of 14 days' non-accumulative and 16 days' accumulative leave per annum, the granting of which is subject to the provision of paragraph (3) of this regulation.

(c) Paid vacation leave on the scale set out in subparagraphs (a) and (b) in respect of each calendar year subsequent to that in which leave first accrues to an employee in terms thereof, shall be regarded as available at the commencement of each such calendar year.

(2) When an employee referred to in subparagraph (1) (b) qualifies under the provisions of regulation 71 for paid accumulative vacation leave at the scale of 21 days per year, such leave shall accrue in terms of regulation 71, but the granting of leave to such employee shall also be subject to the terms of paragraph (3) of this regulation.

(3) While an employee remains a member of an aircrew, he shall take at least 21 days' vacation leave each year, either in one continuous period or in two periods one of which shall be not less than 14 days.

LONG SERVICE LEAVE

73. (1) For the purpose of the application of the provisions of this regulation "officer" means an employee who was remunerated on an annual basis prior to the June 1975 paymonth and "employee" an employee who was remunerated on a monthly basis prior to the June 1975 paymonth.

(2) A person who was engaged as an officer prior to the June 1975 paymonth, as well as a person who joins the South African Transport Services on or after the commencement of the June 1975 paymonth, is, on 1 January of the year following that in which he completes ten years continuous service, entitled to long service leave of 30 days on full pay or 60 days on half pay.

(3) 'n Werknemer wat voor die betaalmaand Junie 1975 as amptenaar uit 'n werksmangraad aangestel is of onmiddellik voor die begin van daardie betaalmaand 'n werksmanbetrekking beklee het, is geregtig om langdiensverlof teen die volgende skaal:

(3) An employee who was appointed as an officer from an employee grade prior to the June 1975 paymonth or occupied an employee position immediately prior to the commencement of that paymonth, is entitled to long service leave on the following scale:

(a) Minimum getal jare ononderbroke diens as werksman	(b) Minimum getal jare ononderbroke diens in 'n gesalarieerde betrekking	(c) Getal dae langdiensverlof wat toeval op 1 Januarie van die jaar na dié waarin die minimum getal jare diens in 'n gesalarieerde betrekking, soos onder hoof (b) aangetoon, voltooi word—
10 9 8 7 6 5 jaar en minder	5 6 7 8 9 10	met volle betaling of met halfbetaling 5 10 10 20 15 30 20 40 25 50 30 60

(a) Minimum number of years continuous service as an employee	(b) Minimum number of years continuous service in a salaried position	(c) Number of days long service leave which accrues on 1 January of the year following that in which the minimum number of years service in a salaried position, as shown under heading (b), is completed
10 9 8 7 6 5 years and less	5 6 7 8 9 10	On full pay or On half pay 5 10 10 20 15 30 20 40 25 50 30 60

(4) Vir daaropvolgende ononderbroke diens val langdiensverlof op 1 Januarie van elke jaar 'n werknemer genoem in paragrawe (2) en (3) toe op die grondslag van 5 dae met volle betaling of 10 dae met halfbetaling.

(4) In respect of subsequent continuous service, long service leave accrues to an employee referred to in paragraphs (2) and (3) on the basis of 5 days on full pay or 10 days on half pay on 1 January of each year.

OPENBARE VAKANSIEDAE

74. (1) As 'n werknemer se pligte dit toelaat, kan hy op 'n openbare vakansiedag van diens vrygestel word sonder verlies van besoldiging.

(2) As 'n werknemer op enige openbare vakansiedag moet werk, word hy vir die tyd wat hy werk, op sodanige grondslag betaal as wat van tyd tot tyd bepaal mag word.

PUBLIC HOLIDAYS

74. (1) Provided his duties permit, an employee may be released from duty on any public holiday without loss of emoluments.

(2) If an employee is required to work on any public holiday, he shall be paid for the time worked on such basis as may be laid down from time to time.

WERKNEMERS WAT IN KLIMAATSTOELAESTREKE WOON OF WERK

75. (1) Aan 'n werknemer wat twaalf maande lank ononderbroke gewoon en gewerk het in 'n streek wat as klimaatstoelaestreek verklaar is en aan wie 'n klimaatstoelaestreek betaal word, word bykomende nie-oploopbare verlof met betaling van 6 dae per jaar toegestaan.

(2) Aan 'n werknemer wat in 'n nie-klimaatstoelaestreek gestasioneer is, maar wat vir 'n tydperk van minstens twaalf maande minstens 25 persent van sy werktid in enige van die verklaarde klimaatstoelaestreke gewerk het en 'n klimaatstoelaestreek ten opsigte daarvan ontvang, kan bykomende nie-oploopbare verlof met betaling van 3 dae per jaar toegestaan word.

(3) Nadat die eerste tydperk van nie-oploopbare verlof 'n werknemer ingevolge hierdie regulasie toegeval het, word daar beskou dat verder nie-oploopbare verlof wat hom ingevolge paragraaf (1) of (2) toeval, op 1 Januarie van elke daaropvolgende jaar verskuldig is, mits die bepalinge van sodanige paragraaf op daardie datum nog van toepassing is.

(4) Die nie-oploopbare verlof waarvoor daar in hierdie regulasie voorsiening gemaak word, staan bekend as "klimaatverlof".

EMPLOYEES DOMICILED OR WORKING IN CLIMATIC-ALLOWANCE AREAS

75. (1) An employee who has been resident and employed continuously for twelve months in an area which has been defined as a climatic-allowance area and is paid a climatic allowance, shall be allowed 6 days' additional non-accumulative paid leave per annum.

(2) An employee who is stationed in a non-climatic-allowance area, but who has, for a period of not less than twelve months, been working for not less than 25 per cent of his working time in any of the defined climatic-allowance areas, and in respect of which he is paid a climatic allowance, may be granted 3 days' additional non-accumulative paid leave per annum.

(3) After the first period of non-accumulative leave has accrued in terms of this regulation, further non-accumulative leave which accrues in terms of paragraph (1) or (2) shall be regarded as being due on the 1st January of each succeeding year, provided that, on that date, the conditions prescribed in such paragraph are still applicable.

(4) The non-accumulative leave provided for in this regulation shall be known as "climatic leave".

WERKNEMERS GESTASIONEER IN SUIDWES-AFRIKA

76. (1) Aan 'n werknemer wat in Suidwes-Afrika gestasioneer is en wat met jaarlikse vakansieverlof na die Republiek gaan, kan hoogstens een keer per jaar bykomende verlof met betaling toegestaan word om die tyd te dek wat noodsaaklikerwys in beslag geneem word om van sy hoofkwartier in Suidwes-Afrika na Nakop en van dié stasie terug na sy hoofkwartier te reis.

(2) Aan 'n vakleerling wat in Suidwes-Afrika gestasioneer is en sy tuiste in daardie gebied het maar tydelik vir opleidingsdoeleindes na die Republiek oorgeplaas is, mag hoogstens een keer per jaar wanneer hy met jaarlikse vakansieverlof na sy tuiste in Suidwes-Afrika gaan, sodanige bykomende verlof met betaling toegestaan word as wat nodig is om die tyd te dek wat noodsaaklikerwys in beslag geneem word om van sy hoofkwartier in die Republiek na Nakop en van dié stasie op sy retoerreis na sy hoofkwartier in die Republiek te reis.

VERLOF VAN AFWESIGHEID SONDER BETALING

77. Verlof sonder betaling kan aan 'n werknemer toegestaan word, onderworpe aan sodanige voorwaardes as wat bepaal mag word. Enige verlof met volle of halfbetaling ingevolge enige regulasie in hierdie hoofstuk, kan saam met verlof sonder betaling toegestaan word onderworpe aan die bepalings van regulasie 92.

NOODHULP- EN SPORTWEDSTRYDE

78. Spesiale verlof met betaling van hoogstens ses dae per jaar kan toegestaan word aan 'n werknemer wat lid is van 'n noodhulporganisasie om noodhulpwedstryde by te woon, asook om 'n werknemer in staat te stel om aan goedgekeurde interprovinsiale sportwedstryde van die Suid-Afrikaanse Vervoerdienste deel te neem. As die afstand wat afgelê moet word 'n langer tydperk noodsaak, kan dit gemagtig word.

SPESIALE VERLOF: VERDEDIGINGSDIENSTE

79. (1) Aan 'n werknemer wat kragtens die Verdedigingswet, 1957, militêre diens moet verrig, word spesiale verlof toegestaan en sy burgerlike besoldiging betaal ingevolge sodanige voorwaardes as wat die Minister van tyd tot tyd mag bepaal.

(2) 'n Werknemer wat na voltooiing van sy aanvanklike verpligte militêre diens verder verpligte militêre diens vir kort tydperke verrig of wat in die Burgermag of die kommando's dien, word spesiale verlof toegestaan om sodanige tydperke te dek en word sy burgerlike besoldiging ten opsigte daarvan betaal. Hy behou die soldy wat hy gedurende sodanige tydperke van spesiale verlof van die Departement van Verdediging ontvang.

(3) Spesiale verlof wat onderworpe is aan sodanige voorwaardes met betrekking tot betaling as wat van tyd tot tyd bepaal mag word, kan toegestaan word aan 'n werknemer wat as lid van die Suid-Afrikaanse Weermag of die Polisiereserwe of wat as spesiale konstabel aangestel kragtens die Polisiewet, 1958, van bevoegde gesag opdrag ontvang om noodsaaklike dienste te verrig om toestande die hoof te bied wat voortspruit uit onrus of gevreesde onrus of om watter ander redes ook al, wat die beskerming van die Republiek se veiligheid noodsaak.

VERLOF VOOR AFTREDE OF AFDANKING

80. Aan 'n werknemer wat op die punt staan om kragtens artikels 11 tot 15 van die Wet afgedank te word, kan verlof van afwesigheid met betaling binne die tydperk van twaalf maande onmiddellik voor die datum wat vir sy aftrede of afdanking bepaal is, toegestaan word vir enige tydperk of tydperke van hoogstens die getal dae verlof wat hom toegeval het of nege maande, watter ook al die kortste tydperk is.

EMPLOYEES STATIONED IN SOUTH-WEST AFRICA

76. (1) An employee stationed in South-West Africa proceeding on annual vacation leave to the Republic may be granted not more often than once per annum, such additional paid leave as will cover the time necessarily occupied in travelling from his headquarters in South-West Africa to Nakop, and from that station on the return journey to his headquarters.

(2) An apprentice stationed in South-West Africa who has his home in that territory and who is temporarily transferred to the Republic for training purposes may, when proceeding on annual vacation leave to his home in South-West Africa, be granted not more often than once per annum, such additional paid leave as will cover the time necessarily occupied in travelling from his headquarters in the Republic to Nakop and from that station to his headquarters in the Republic on the return journey.

UNPAID LEAVE OF ABSENCE

77. Subject to such conditions as may be laid down, unpaid leave may be granted to an employee. Any leave with full or half pay due in terms of any regulation included in this Chapter may, subject to the provisions of regulation 92, be granted in conjunction with unpaid leave.

FIRST-AID AND SPORTING COMPETITIONS

78. Special paid leave, not exceeding six days per annum, may be granted to an employee who is a member of a first-aid organisation to attend first-aid competitions in ambulance work and to enable an employee to take part in approved inter-provincial sporting competitions of the South African Transport Services. If the distance to be covered necessitates a longer period, such longer period may be authorised.

SPECIAL LEAVE: DEFENCE DUTIES

79. (1) An employee who in terms of the Defence Act, 1957, is liable to perform military service shall be granted special leave and be paid his civil emoluments under such conditions as the Minister may determine from time to time.

(2) An employee who, after completion of his original compulsory military service, performs further compulsory military service for short periods or who serves in the Citizen Force or the commando's, shall be granted special leave to cover such periods of service and shall be paid his civil emoluments in respect thereof. He shall retain the pay he receives from the Department of Defence during such periods of special leave.

(3) Special leave subject to such conditions in respect of payment as may be laid down from time to time, may be granted to an employee who, as a member of the South African Defence Force or the Police Reserve or as a special constable appointed in terms of the Police Act, 1958, is called upon by competent authority to undertake essential duties to meet circumstances arising from a state of unrest or apprehended unrest or for any other reason whatsoever necessitating the protection of the safety of the Republic.

LEAVE PRIOR TO RETIREMENT

80. An employee, whose services are about to be dispensed with in terms of sections 11 to 15 of the Act, may be granted paid leave of absence falling within the twelve months immediately preceding the date fixed for his retirement, for any period or periods not exceeding the number of days' leave accrued to him, or nine months, whichever is the lesser period.

BETALING IN PLAAS VAN VERLOF

81. (1) (a) 'n Werknemer wie se dienste kragtens artikels 11 tot 15 van die Wet beëindig word, is by uitdienstreding geregtig op die betaling van sy salaris ten opsigte van vakansieverlof wat ten tyde van sy uitdienstreding aan hom verskuldig is tot hoogstens 365 dae, met dien verstande dat die getal dae ten opsigte waarvan betaling gedoen word, nie meer as een dag vir elke voltooië kalendermaand diens is nie, en met dien verstande voorts dat die toepaslike maksimum van 365 dae of die totaal van een dag vir elke voltooië kalendermaand diens, na gelang van die geval, verminder word met die getal dae vakansieverlof wat die werknemer gedurende die laaste twaalf maande van sy diens geneem het in oorskryding van die getal dae vakansieverlof wat hom ten tyde van uitdienstreding jaarliks toeval.

(b) 'n Werknemer wie se dienste beëindig word om ander redes as dié in paragraaf (1) (a) vermeld of wat bedank, is by beëindiging van sy diens geregtig op die betaling van sy salaris ten opsigte van 'n tydperk van nie-oplooptbare vakansieverlof wat hy op die datum waarop sy diens eindig, in sy krediet het, met dien verstande dat daar van die werknemer vereis kan word om sodanige verlof in geheel of ten dele te neem tydens die duur van 'n tydperk van kennisgewing wat die beëindiging van sy diens voorafgaan.

(c) (i) 'n Werkneemster wat vir 'n ononderbroke tydperk van minstens vyf jaar werksaam was en met die oog op haar huwelik vrywillig bedank en binne drie maande daarna in die huwelik tree, is geregtig op die betaling van haar salaris ten opsigte van 'n tydperk van vakansieverlof van 91 dae min een van die volgende twee tydperke, waar van toepassing, watter tydperk ook al op die grootste getal dae te staan kom:

- (a) Enige vakansieverlof wat sy gedurende die laaste 30 dae van haar diens geneem het;
- (b) Die vakansieverlof geneem in oorskryding van die verlof wat jaarliks gekrediteer is indien sy gedurende die twaalf maande wat eindig op die laaste dag van haar diens, met vakansieverlof was vir 'n tydperk wat langer is as die verlof waarmee sy jaarliks gekrediteer word, of vir enige tydperke wat altesaam langer is as die verlof waarmee sy jaarliks gekrediteer word,

met dien verstande dat die werkneemster nie kragtens hierdie subparagraaf geregtig is op betaling vir 'n getal dae in oorskryding van die verlof wat op die laaste dag van haar diens in haar krediet staan nie.

(ii) 'n Werkneemster wat na vyf jaar ononderbroke diens in die huwelik tree maar nie bedank nie, is geregtig op die betaling van haar salaris ten opsigte van 'n tydperk van vakansieverlof van 91 dae min een van die volgende twee tydperke, waar van toepassing, watter tydperk ook al op die grootste getal dae te staan kom:

- (a) Enige vakansieverlof wat sy geneem het gedurende die 30 dae wat op die dag van haar huwelik eindig;
- (b) Die vakansieverlof geneem in oorskryding van die verlof jaarliks gekrediteer indien sy gedurende die twaalf maande wat op die dag van haar huwelik eindig, met vakansieverlof was vir 'n tydperk wat langer is as die verlof waarmee sy jaarliks gekrediteer word, of vir enige tydperke wat altesaam langer is as die verlof waarmee sy jaarliks gekrediteer word,

met dien verstande dat die werkneemster nie kragtens hierdie subparagraaf geregtig is op die betaling vir 'n getal dae in oorskryding van die verlof wat op die dag van haar huwelik in haar krediet staan nie. Indien haar dienste daarna om engeen van die redes gemeld in paragraaf (1) (a) beëindig word, word die getal dae verlof waarvoor sy dan betaling kan ontvang, verminder met die getal dae verlof waarvoor sy ten tyde van haar huwelik betaling ontvang het, benevens die vermindering ooreenkomstig genoemde paragraaf (1) (a).

PAY IN LIEU OF LEAVE

81. (1) (a) An employee whose services are dispensed with in terms of sections 11 to 15 or the Act shall on retirement be entitled to payment of his salary in respect of vacation leave due to him at the date of his retirement up to a maximum of 365 days, provided that the number of days in respect of which payment shall be made shall not exceed a total of one day for each completed calendar month's service, and provided further that the applicable maximum of 365 days or the total of one day for each completed calendar month's service, as the case may be, shall be reduced by the number of days vacation leave taken by the employee in the last twelve months of his service in excess of the number of days vacation leave that accrues to him annually at the time of retirement.

(b) An employee whose services are dispensed with for reasons other than those mentioned in paragraph (1) (a) or who resigns shall, on termination of his service, be entitled to payment of his salary in respect of any period of non-accumulative vacation leave which may be standing to his credit at the date upon which his service terminates, provided that the employee may be required to take the whole or any portion of such leave during the currency of any period of notice preceding the termination of his service.

(c) (i) A female employee whose period of continuous employment is not less than five years and who voluntarily resigns in contemplation of marriage and marries within three months thereafter, shall be entitled to payment in respect of a period of vacation leave of 91 days minus whichever of the following two periods, if applicable, amounts to the larger number of days:

- (a) Any vacation leave taken by her during the last 30 days of her service;
- (b) The vacation leave taken in excess of the leave credited annually if she was on vacation leave during the twelve months ending on her last day of service for a period longer than the period of leave credited to her annually, or for any periods that in the aggregate exceeded the period of leave credited to her annually,

provided that the female employee shall not, in terms of this subparagraph, be entitled to payment for a period of days in excess of the number of days' leave to her credit on the last day of her service.

(ii) A female employee who marries after five years' continuous employment but does not resign, shall be entitled to payment of her salary in respect of a period of vacation leave of 91 days minus whichever of the following two periods, if applicable, amounts to the larger number of days:

- (a) Any vacation leave taken by her during the period of 30 days ending on the day of her marriage;
- (b) The vacation leave taken in excess of the leave credited annually if she was on vacation leave during the twelve months ending on the day of her marriage for a period longer than the period of leave credited to her annually, or for any period that in the aggregate exceeded the period of leave credited to her annually,

provided that the female employee shall not, in terms of this subparagraph, be entitled to payment for a period of days in excess of the number of days' leave to her credit on the day of her marriage. Should her services thereafter be terminated for any of the reasons mentioned in paragraph (1) (a), the number of days in respect of which she is then entitled to payment shall be reduced by the number of days leave in respect of which payment was made at the time of her marriage, in addition to the reduction in terms of such paragraph (1) (a).

(2) Behalwe soos bepaal in paragraaf (1), mag die emolumente vir 'n tydperk van vakansieverlof wat aan 'n werknemer verskuldig is maar nie toegestaan is nie, nie uitbetaal word nie, maar die waarde van sodanige verlof wat 'n oorlede werknemer tot die datum van sy dood toegeval het, kan onderworpe aan sodanige voorwaardes as wat die Minister van tyd tot tyd mag bepaal, betaal word

- (i) aan die weduwee of wewenaar, of
- (ii) in gelyke dele aan die minderjarige kinders en stiefkinders en volkome afhanklike volwasse kinders en stiefkinders, of
- (iii) ingeval daar geen afhanklikes is nie, aan die boedel van die oorlede werknemer.

(3) Die betaling genoem in paragraaf (2) kan toegestaan word aan ander afhanklikes soos bepaal in pensioenregulasie 44.

(4) Die waarde van verlof word bereken volgens die salaris van die werknemer, plus

enige toelae wat as salaris beskou word vir die doel van hierdie regulasie, plus

vir die doel van paragraaf (2) of (3), enige klimaatstoelae wat van toepassing mag wees.

(5) Ondanks die andersluidende bepalings vervat in paragraaf (2) kan die Hoofbestuurder van tyd tot tyd 'n keuse bied aan werknemers wat op 'n datum deur hom bepaal in diens van die Suid-Afrikaanse Vervoerdienste is, welke keuse uitgeoefen moet word binne 'n tydperk deur hom bepaal, om die kontantwaarde van klimaat-, nie-oplooptbare, oplooptbare en/of langdiensverlof wat op daardie datum in hulle krediet staan, uitbetaal te word tot op 'n maksimum van 30 dae, met dien verstande egter dat—

- (a) die keuse aan die personeel in die algemeen aangebied word en nie aan besondere individue of groepe nie,
- (b) verskillende tydperke waarin die keuse uitgeoefen moet word, bepaal kan word om uiteenlopende omstandighede in ag te neem,
- (c) in die geval van 'n lid van 'n lugbemanning genoem in regulasie 72 (3), die getal dae ten opsigte waarvan betaling gemaak word, nie sodanig moet wees nie dat dit die getal dae wat in sy krediet sal oorbly, so sal verminder dat dit minder sal wees as die getal dae nodig om hom in staat te stel om gedurende die betrokke jaar aan die genoemde regulasie te voldoen,
- (d) die waarde van die verlof bereken word volgens die salaris van die werknemer plus enige toelae wat as salaris beskou word vir die doel van hierdie regulasie asook, vir die doel van subparagraaf (h) van hierdie paragraaf, enige klimaatstoelae van toepassing, in elke geval teen die skaal van toepassing op die eerste dag van die betaalmaand waarin die waarde van verlof ingevolge hierdie paragraaf uitbetaal word,
- (e) die getal dae verlof ten opsigte waarvan 'n werknemer die keuse uitoefen om uitbetaal te word, behandel moet word as 'n debet teen klimaat-, nie-oplooptbare, oplooptbare en langdiensverlof, in daardie volgorde, wat in sy krediet staan,
- (f) geen voorskot teen die waarde van verlof ingevolge hierdie paragraaf betaalbaar, gemaak word nie,
- (g) die verlof ten opsigte waarvan betaling ingevolge hierdie paragraaf gemaak word, vir die doel van die tweede voorbehoudsbepaling by paragraaf (1) (a), of by paragrawe (1) (c) (i) (a) of (b) en (1) (c) (ii) (a) of (b) van hierdie regulasie, nie in ag geneem word nie,

(2) Except as provided in paragraph (1), the payment of emoluments in respect of a period of vacation leave due but not granted to an employee may not be made to him, but the value of such leave as may have accrued to a deceased employee up to the date of his death may, subject to such conditions as the Minister may prescribe from time to time, be paid to—

- (i) the widow or widower, or
- (ii) the minor children and stepchildren and entirely dependent adult children and stepchildren in equal parts, or
- (iii) in the event of there being no dependants, to the estate of the deceased employee.

(3) The payment referred to in paragraph (2) may be extended to other dependants as described in Pension Regulation 44.

(4) The value of leave shall be calculated on the salary of the employee plus—

any allowance regarded as salary for the purpose of this regulation; plus—

for the purpose of paragraph (2) or (3) any climatic allowance applicable.

(5) Notwithstanding the contrary provisions contained in paragraph (2), the General Manager may from time to time grant to employees in the service of the South African Transport Services on a date stipulated by him, an option, to be exercised within a period stipulated by him, to be paid the cash value of climatic, non-accumulative, accumulative and/or long service leave, standing to their credit on that date, up to a maximum of 30 days, provided, however, that—

- (a) the option shall be offered to the personnel generally and not to particular individuals or groups,
- (b) different periods during which the option should be exercised may be stipulated to take differing circumstances into account,
- (c) in the case of a member of an aircrew referred to in regulation 72 (3), the number of days in respect of which payment shall be made shall not be such as to reduce the number of days leave remaining to his credit below the number of days necessary to enable him to comply with that regulation during the year in question,
- (d) the value of the leave shall be calculated on the salary of the employee plus any allowance regarded as salary for the purpose of this regulation and, for the purpose of subparagraph (h) of this paragraph, any climatic allowance applicable, in each case at the scale applicable on the first day of the paymonth during which payment of the value of leave in terms of this paragraph is made,
- (e) the number of days leave in respect of which an employee elects to be paid shall be treated as a debit against climatic, non-accumulative, accumulative and long service leave, in that order, standing to the employee's credit,
- (f) no advance may be made against the value of leave payable in terms of this paragraph,
- (g) the leave in respect of which payment is made in terms of this paragraph shall not be taken into account for the purposes of the second proviso to paragraph (1) (a), or paragraphs (1) (c) (i) (a) or (b) and (1) (c) (ii) (a) or (b) of this regulation,

- (h) indien 'n werknemer sterf nadat hy die keuse waarvoor in hierdie paragraaf voorsiening gemaak word, uitgeoefen het, maar voordat die waarde van verlof betaal is, die bepalings van paragrafe (2) en (3) *mutatis mutandis* toegepas word,
- (i) indien die dienste van 'n werknemer weens ontslag of gedwonge bedanking beëindig word of indien hy dros nadat hy die keuse uitgeoefen het maar voordat die waarde van verlof betaal is, sodanige betaling nie gedoen word nie en die saak behandel word asof geen keuse uitgeoefen was nie,
- (j) indien die dienste van 'n werknemer beëindig word om 'n ander rede as dood, ontslag, gedwonge bedanking of omdat hy gedros het nadat hy die keuse uitgeoefen het maar voordat die waarde van verlof betaal is, die betrokke bedrag nietemin opeisbaar en betaalbaar sal wees, en
- (k) die keuse nie gebied word nie aan 'n werknemer wat vir die volle kalenderjaar waarin die keuse aan die personeel gebied word, met verlof sonder betaling sal wees.

ALGEMENE VOORWAARDES

TOESTAAN VAN VERLOF

82. (1) Nie-oploopbare verlof is 'n reg en behoort 'n aanvang te neem in die kalenderjaar waarin dit toeval. As die nie-oploopbare verlof weens omstandighede nie aan 'n werknemer toegestaan kan word in die jaar waarin dit toeval nie, word sodanige verlof na die volgende jaar of jare oorgedra soos omstandighede mag vereis.

(2) Verlof behalwe nie-oploopbare verlof is 'n voorreg en nie 'n reg nie.

(3) Verlof word toegestaan onderworpe aan die vereistes van die Suid-Afrikaanse Vervoerdienste, en daar kan van 'n werknemer vereis word om verlof te eniger tyd te neem.

GRONDSLAG WAAROP NIE-OPLOOPBARE, OPLOOPBARE EN LANGDIENSVLOF 'N WERKNEMER TOEVAL

83. (1) Vir verlofdoeleindes word die jaar as die kalenderjaar beskou, d.w.s. van 1 Januarie tot 31 Desember, maar behalwe in die mate bepaal in regulasie 71, word daar beskou dat nie-oploopbare, oploopbare en langdiensverlof ten opsigte van elke kalenderjaar na dié waarin verlof 'n werknemer ingevolge hierdie regulasies die eerste keer toeval, aan die begin van elke sodanige kalenderjaar verskuldig is.

(2) As 'n werknemer vir 'n volle kalenderjaar met verlof sonder betaling van diens afwesig was, val geen verlof met betaling ingevolge hierdie regulasies hom ten opsigte van sodanige kalenderjaar toe nie.

BEREKENING VAN VERLOF

84. (1) As onderbrekings in diens vir pensioen- of superannuasiedoeleindes gekondoneer is of as 'n jaargeldtrekker weer in diens geneem is in 'n ander hoedanigheid as dié van 'n loswerknemer, word die ononderbroke diens onmiddellik voor die onderbreking in aanmerking geneem vir die berekening van verlof ingevolge hierdie regulasies.

(2) Oploopbare verlof wat 'n werknemer toeval, word bereken op die grondslag van sy salaris en/of aantal jare diens gedurende die kalenderjaar waarin die verlof hom toeval.

GRONDSLAG WAAROP DAAR VIR VERLOF MET BETALING BETAAL WORD

85. Vir verlof met betaling wat aan 'n werknemer toegestaan word, word hy die salaris betaal wat onmiddellik voor die aanvang van die verlof aan hom betaalbaar is, met dien verstande dat as 'n verhoging in sy salaris toegestaan en van

(h) should an employee die after having exercised the option provided for in this paragraph but before the payment of the value of leave is effected, the provisions of paragraphs (2) and (3) shall, *mutatis mutandis*, be applicable,

(i) should an employee's services be terminated by reason of dismissal, enforced resignation or abscondment after he has exercised the option but before payment of the value of leave is effected, such payment shall not be effected and the matter shall be dealt with as if the option had not been exercised,

(j) should an employee's services be terminated for any reason other than death, dismissal, enforced resignation or abscondment after he has exercised the option but before payment of the value of leave is effected, the amount involved shall nevertheless be due and payable to him, and

(k) the option shall not be offered to an employee who will be absent from duty on leave without pay for the whole calendar year during which the option is offered to the personnel.

GENERAL CONDITIONS

GRANTING OF LEAVE

82. (1) Non-accumulative leave is a right and should be commenced within the calendar year in which it accrues. If circumstances are such that an employee cannot be granted non-accumulative leave during the year in which it accrues, such leave shall be carried forward to the following year or years as circumstances may require.

(2) Leave, other than non-accumulative leave, is a privilege and not a right.

(3) Leave shall be granted subject to the exigencies of the South African Transport Services and an employee may be required to take leave at any time.

BASIS ON WHICH NON-ACCUMULATIVE, ACCUMULATIVE AND LONG SERVICE LEAVE ACCRUES

83. (1) For leave purposes, the year shall be reckoned as the calendar year, i.e. 1 January to 31 December, but except to the extent prescribed in regulation 71, non-accumulative, accumulative and long service leave in respect of any calendar year following that in which leave in terms of these regulations first accrues, shall be deemed to be due at the commencement of each such calendar year.

(2) Paid leave in terms of these regulations shall not accrue to an employee in respect of a calendar year during the whole of which he has been absent from duty on leave without pay.

COMPUTATION OF LEAVE

84. (1) Where breaks in service have been condoned for pension or superannuation purposes, or where an annuitant has been re-employed in other than a casual capacity, the continuous service immediately prior to the break shall be taken into account for the purpose of calculating leave in terms of these regulations.

(2) Accumulative leave accruing to an employee shall be computed on the basis of his salary and/or number of years service during the calendar year in which the leave accrues.

BASIS OF PAYMENT IN RESPECT OF PAID LEAVE

85. Payment for paid leave granted to an employee shall be based on the salary payable to him immediately prior to the commencement of the leave, provided that if an increase in his salary is granted, operative from a date within such

'n datum binne sodanige verloftydperk van krag word, daar teen die verhoogde salaris betaal word vir dié gedeelte van die verlof vanaf die datum waarop die verhoging van krag geword het.

VERLOFTYDPERKE WAARIN SONDAE EN/OF OPENBARE VAKANSIEDAE OF, IN DIE GEVAL VAN POLISIEBEAMPTES, RUSDAE VAL

86. (1) 'n Tydperk van vakansieverlof wat toegestaan word aan 'n werknemer sluit tussenkomende Sondaë, openbare vakansiedae en rusdae in.

(2) Vir die doel van hierdie regulasie sluit "vakansieverlof" nie-oplooptbare, oplooptbare, langdiens- en klimaatsverlof in.

SIEKTE GEDURENDE VERLOF

87. Siekte gedurende 'n tydperk van verlof met of sonder betaling onderbreek nie die tydperk van goedgekeurde verlof nie, en sodanige verloftydperk verstryk eers voordat die bepaling van hoofstuk 5 van toepassing word.

TE VEEL VERLOF TOEGESTAAN

88. As daar per abuis meer as die toelaatbare getal dae verlof toegestaan word, kan magtiging verleen word dat sodanige ekstra verlof afgetrek word van verlof wat die werknemer daarna mag toeval.

TERUGKEER NA DIENS VOORDAT VERLOF VERSTRYK HET

89. 'n Werknemer wat afwesig is met gemagtigde verlof mag nie diens hervat voordat die volle tydperk van sodanige verlof verstryk het nie, tensy toestemming aan hom verleen word om dit te doen.

VERSUIM OM VIR DIENS AAN TE MELD NADAT VERLOF VERSTRYK HET

90. Daar word beskou dat 'n werknemer wat hom nie onmiddellik na verstryking van 'n tydperk van gemagtigde verlof vir diens aanmeld nie, sonder toestemming van diens afwesig is.

VERLOF WORD NIE TOEGESTAAN OM 'N WERKNEMER IN STAAT TE STEL OM GELD UIT 'N BRON BUITE DIE SUID-AFRIKAANSE VERVOERDIENSTE TE VERDIEN NIE

91. Behoudens die bepaling van regulasie 18 (3) (b), word verlof met betaling nie toegestaan om 'n werknemer in staat te stel om sake te doen of 'n vergadering of konferensie by te woon waarvoor hy uit bronne buite die Suid-Afrikaanse Vervoerdienste betaal word nie. Die bepaling van hierdie regulasie is nie van toepassing op verlof wat ingevolge die bepaling van regulasie 80 toegestaan word nie.

VERLOF WORD NIE TOEGESTAAN NA KENNISGEWING VAN ONTSLAG NIE

92. Verlof met betaling, behalwe verlof wat 'n reg is, word nie aan 'n werknemer toegestaan nadat hy kennis van ontslag ontvang het nie.

BEVOEGDHEID OM SPESIALE VERLOF TOE TE STAAN

93. Spesiale verlof van afwesigheid met volle of gedeeltelike betaling kan aan 'n werknemer na goeddunke van die Hoofbestuurder toegestaan word.

LOSWERKNEMERS

94. Die regulasies in hierdie hoofstuk is nie van toepassing op werknemers wat in 'n los hoedanigheid diens doen nie, behalwe in die mate waartoe daar van tyd tot tyd besluit word.

period of leave, the payment for that portion of the leave, from the operative date of the increase, shall be made at the increased salary.

PERIODS OF LEAVE WITHIN WHICH ARE INCLUDED SUNDAYS AND/OR PUBLIC HOLIDAYS OR, IN THE CASE OF POLICEMEN, REST DAYS

86. (1) A period of vacation leave granted to an employee shall be inclusive of intervening Sundays, public holidays and rest days.

(2) For the purposes of this regulation, "vacation leave" includes non-accumulative, accumulative, long service and climatic leave.

SICKNESS DURING LEAVE

87. Sickness during any period of paid or unpaid leave shall not interrupt the period of leave sanctioned which shall be exhausted before the provisions of Chapter 5 become applicable.

OVERGRANTING OF LEAVE

88. In the event of leave being granted erroneously in excess of the amount permissible, authority may be granted for the excess to be deducted from any leave which may subsequently accrue.

RETURN TO DUTY BEFORE EXPIRATION OF LEAVE

89. An employee who has proceeded on authorised leave may not return to duty until the full period of such leave has expired, unless he receives permission to do so.

FAILURE TO REPORT FOR DUTY AFTER LEAVE

90. An employee who fails to report for duty immediately after the expiration of a period of authorised leave shall be deemed to have absented himself from duty without permission.

LEAVE NOT TO BE GRANTED TO ENABLE AN EMPLOYEE TO EARN MONEY FROM A SOURCE OUTSIDE THE SOUTH AFRICAN TRANSPORT SERVICES

91. Except for the provisions of regulation 18 (3) (b), paid leave shall not be granted to enable an employee to transact business or to attend a meeting or conference for which payment is received by him from sources outside the South African Transport Services. The terms of this regulation shall not apply to leave granted under the provisions of regulation 80.

LEAVE NOT PERMISSIBLE AFTER NOTICE OF DISMISSAL

92. Paid leave, other than leave which is a right, shall not be granted to an employee after he has received notice of dismissal.

POWER TO GRANT SPECIAL LEAVE

93. An employee may, in the discretion of the General Manager, be granted special leave of absence with full or partial pay.

CASUAL EMPLOYEES

94. The regulations contained in this Chapter are inapplicable to employees employed in a casual capacity except to the extent decided upon from time to time.

HOOFSTUK 5**AFWESIGHEID VAN DIENS WEENS SIEKTE****SIEKTELOON**

95. (1) Onderworpe aan die bepalings van hierdie hoofstuk en behoudens die bepalings van paragraaf (2), ontvang 'n werknemer wat—

- (a) drie jaar ononderbroke diens voltooi het, volle salaris ten opsigte van 'n afwesigheid van diens weens siekte vir 'n tydperk van hoogstens ses maande; of
- (b) minder as drie jaar ononderbroke diens voltooi het, na voltooiing van minstens een maand diens en onderworpe aan die bepalings van regulasie 100, twee derdes salaris ten opsigte van 'n afwesigheid van diens weens siekte vir 'n tydperk van hoogstens drie maande.

(2) Siekteloon word nie aan 'n werknemer wat minder as 10 jaar ononderbroke diens voltooi het, betaal ten opsigte van 'n afwesigheid van diens weens siekte vir een dag of vir die eerste dag van 'n tydperk van siekte nie.

(3) Dit sal nie vir 'n werknemer nodig wees om vakansieverlof te gebruik om enige tydperk van afwesigheid van diens weens siekte te dek nie.

SENIOR AMPTENARE EN GEDIPLOMEERDE SKEEPSPERSONEEL: SIEKTELOON

96. Ondanks die bepalings van regulasie 95 en onderworpe aan die bepalings van hierdie hoofstuk, ontvang 'n senior amptenaar of 'n lid van die gediplomeerde skeeps personeel—

- (a) wat drie jaar ononderbroke diens voltooi het, volle salaris ten opsigte van 'n afwesigheid van diens weens siekte vir 'n tydperk van hoogstens ses maande, met inbegrip van betaling vir—
 - (i) die eerste dag van sodanige afwesigheid; en
 - (ii) 'n afwesigheid van net een dag; of
- (b) wat minder as drie jaar ononderbroke diens voltooi het, na voltooiing van minstens een maand diens en onderworpe aan die bepalings van regulasie 100, volle salaris ten opsigte van 'n afwesigheid van diens weens siekte vir 'n tydperk van hoogstens drie maande, met inbegrip van betaling vir—
 - (i) die eerste dag van sodanige afwesigheid; en
 - (ii) 'n afwesigheid van net een dag.

ALGEMENE BEPALINGS

97. (1) Siekteloon word betaal slegs as 'n sertifikaat ingedien word wat deur 'n mediese praktisyn uitgereik is en die tydperk dek waarvoor die siekteloon betaal moet word.

(2) As 'n mediese praktisyn sertifiseer dat 'n werknemer wat moontlik in aanraking kan kom met 'n persoon wat aan 'n besmetlike of aansteeklike siekte ly, hom nie aan die gevaar van die besmetting of aansteeking moet blootstel nie, voer sodanige werknemer die voorskrif van die mediese praktisyn uit. As 'n werknemer reeds aan die gevaar van besmetting of aansteeking blootgestel is, die mediese praktisyn van mening is dat gesondheidsvoorsorgmaatreëls dit noodsaak dat sodanige werknemer van diens afwesig moet wees totdat daar vasgestel kan word of hy die siekte opgedoen het of nie en die mediese praktisyn dienoreenkomstig sertifiseer, word siekteloon ingevolge hierdie hoofstuk aan die werknemer betaal vir sodanige tydperk as wat die mediese praktisyn nodig het om vas te stel of die werknemer die siekte opgedoen het of nie, met dien verstande dat siekteloon nie toegestaan word as 'n werknemer in gebreke bly om te voldoen aan enige van die afsonderingsvoorwaardes wat die mediese praktisyn opgelê het nie.

CHAPTER 5**ABSENCE FROM DUTY OWING TO SICKNESS****SICK PAY**

95. (1) Subject to the provisions of this chapter, and except for the provisions of paragraph (2), an employee who has completed—

- (a) three years' continuous service shall receive full salary in respect of an absence from duty due to sickness for a period which does not exceed six months; or
- (b) less than three years' continuous service shall, after completion of at least one month's service and subject to the provisions of regulation 100, receive two-thirds salary in respect of an absence from duty due to sickness for a period which does not exceed three months.

(2) Sick pay is not payable to an employee with less than 10 years' continuous service in respect of an absence from duty due to sickness for one day or for the first day of a period of sickness.

(3) An employee shall not be required to utilise vacation leave to cover any period of absence from duty due to sickness.

SENIOR OFFICERS AND CERTIFICATED MARINE PERSONNEL: SICK PAY

96. Notwithstanding the provisions of regulation 95 and subject to the provisions of this Chapter a senior officer or a member of the certificated marine staff—

- (a) who has completed three years' continuous service shall receive full salary in respect of an absence from duty due to sickness for a period which does not exceed six months, including payment for—
 - (i) the first day of such absence; and
 - (ii) an absence of only one day; or
- (b) who has completed less than three years' continuous service shall, after completion of at least one month's service and subject to the provisions of regulation 100, receive full salary in respect of an absence from duty due to sickness for a period which does not exceed three months, including payment for—
 - (i) the first day of such absence; and
 - (ii) an absence of only one day.

GENERAL PROVISIONS

97. (1) Sick pay shall be paid only on production of a certificate, issued by a medical practitioner, covering the period for which payment is to be made.

(2) If a medical practitioner certifies that it is necessary that an employee, who is liable to come in contact with any person suffering from an infectious or contagious disease, shall isolate himself from the risk of such infection or contagion, such employee shall comply with the direction of the medical practitioner. If an employee has already incurred the risk of infection or contagion, the medical practitioner considers that health precautions necessitate that such employee shall absent himself from duty until it can be determined whether he has contracted the disease or not and the medical practitioner certifies accordingly, the employee shall be allowed sick pay in terms of this Chapter for such period as the medical practitioner requires to determine whether the employee has contracted the disease or not, provided that if any employee fails to comply with any isolation conditions imposed by the medical practitioner sick pay shall not be allowed.

(3) Siekteloon word nie toegestaan vir tydperke van afwesigheid uit die Republiek of Suidwes-Afrika nie, behalwe op spesiale magtiging, en dan net as 'n sertifikaat ingedien word wat deur twee mediese praktisyns onderteken is en waarin daar aanbeveel word dat 'n werknemer deur 'n deskundige of in 'n hospitaal buite die genoemde gebied behandel word of waarin 'n lang seereis voorgeskryf word as noodsaaklik vir die herstel van 'n werknemer na 'n bepaalde siekte of 'n bepaalde ongeskiktheid.

(4) Siekteloon vir afwesigheid van diens vir hersteldoel-eindes word slegs na 'n bepaalde siekte toegestaan, en dan net as 'n verandering, of spesiale behandeling wat nie by die werknemer se tuisstasie beskikbaar is nie, vir sy herstel noodsaaklik is. Siekteloon word nie vir afwesigheid van diens toegestaan in gevalle waar die betrokke mediese sertifikaat aantoon dat dit wenslik is dat 'n werknemer moet rus en/of van woonplek moet verander vir die doel om te herstel nie.

(5) Siekteloon kan geweier word as die siekte aan wanordelike gedrag of onbesonnenheid te wyte is, of as dit die gevolg is van 'n ongeluk wat 'n werknemer opgedoen het weens deelname aan motorkar- of motorfietsreises of aan enige vorm van beroepsport vir geldpryse of as die betrokke werknemer onredelik weier of versuim om behoorlike geneeskundige behandeling te ondergaan of te verkry, of as die werknemer die bepalinge van paragrawe (6) en (7) van hierdie regulasie oortree.

(6) 'n Werknemer wat as onbekwaam vir diens gesertifiseer word, mag nie sy woning sonder toestemming van 'n mediese praktisyn verlaat nie tensy daar dringende en noodsaaklike redes is om dit te doen, ten opsigte waarvan die bewyslas op hom sal rus.

(7) 'n Werknemer wat as onbekwaam vir diens gesertifiseer word, mag geen werk vir of ten behoeve van iemand anders buite die Suid-Afrikaanse Vervoerdienste verrig nie, hetsy hy op vergoeding daarvoor geregtig is of nie. Hy mag ook geen sake doen of bedryf beoefen nie, hetsy vir eie rekening of in samewerking met enigiemand anders.

(8) Werknemers wat venereiese siekte opdoen, is geregtig op siekteloon ingevolge hierdie regulasies, mits hulle hulle by die eerste geleentheid by 'n mediese praktisyn aanmeld, hulle sonder versuim aan geneeskundige behandeling onderwerp en 'n sertifikaat inlewer wat deur 'n mediese praktisyn uitgereik is.

(9) As 'n werknemer wat op 'n afgeleë plek gestasioneer is, 'n spesialis op 'n groot sentrum moet besoek en as gevolg daarvan van sy hoofkwartier afwesig sal wees, word koste vir sodanige tydperk van afwesigheid aan hom betaal teen die skale voorgeskryf in regulasie 106. Die koste word betaal slegs ten opsigte van 'n besoek aan 'n spesialis weens die sieklike of liggaamlike ongeskiktheid van die werknemer self en nie vir 'n tydperk van hospitaalbehandeling nie.

GEBRUIK VAN VAKANSIEVERLOF OM TYDPERKE VAN SIEKTE TE DEK

98. 'n Werknemer wat weens siekte van diens afwesig is, kan vakansieverlof gebruik om die tydperk van sy afwesigheid of 'n gedeelte daarvan te dek as daar sodanige verlof beskikbaar is.

SPESIALE VERLENGING VAN SIEKTELOON

99. Onderworpe aan die bepalinge van regulasie 100 kan magtiging verleen word dat volle of gedeeltelike siekteloon aan 'n werknemer betaal word ten opsigte van 'n tydperk van afwesigheid van diens weens siekte bo en behalwe die tydperk bepaal in regulasies 95 (1) en 96.

MAKSIMUM TYDPERK VAN SIEKTELOON

100. Siekteloon word nie vir 'n langer tydperk betaal as dié wat 'n werknemer in die diens van die Suid-Afrikaanse Vervoerdienste was toe daar gesertifiseer is dat hy ongeskik vir diens is nie.

(3) Sick pay shall not be allowed for periods of absence from the Republic and South West Africa, except on special authority, and then only where a certificate is submitted, signed by two medical practitioners, recommending treatment by an expert or in a hospital outside the area stated, or prescribing a long sea voyage as essential for the recovery of an employee following a specific illness or specific disability.

(4) Sick pay in respect of absence from duty for recuperative purposes may be allowed only after a specific illness where a change, or special treatment not available at his home station, is essential for an employee's recovery. Sick pay shall not be allowed in respect of an absence from duty where the covering medical certificate indicates that it is desirable for an employee to obtain a rest and/or change of residence for the purpose of general recuperation.

(5) Sick pay may be disallowed if the sickness is due to disorderly conduct or indiscretion, or is the result of any accident sustained by an employee through motor car or motorcycle racing or participation in any form of professional sport for money prizes, or if the employee concerned unreasonably refuses or neglects to obtain or submit to adequate medical attention, or if the employee contravenes the provisions of paragraphs (6) and (7) of this regulation.

(6) An employee who is certified as unfit for duty shall not absent himself from his residence without the consent of a medical practitioner, unless there are urgent and necessary reasons for doing so, the onus of proof of which shall rest upon him.

(7) An employee who is certified as unfit for duty shall not perform any work for or on behalf of another person outside the South African Transport Services, whether or not he is entitled to remuneration therefor; neither shall he engage in any form of business or trade whether on his own account or in association with any other person.

(8) Employees who contract venereal disease shall, provided they report to a medical practitioner at the earliest opportunity and submit themselves for treatment without delay, be eligible to receive sick pay in terms of these regulations on production of a certificate issued by a medical practitioner.

(9) An employee stationed at an outlying point who is required to visit a specialist at a large centre, necessitating absence from his headquarters, shall be paid, for the duration of such absence, expenses at the rates laid down in regulation 106. The expenses shall be paid only in respect of a visit to a specialist on account of the ill-health or physical disability of the employee himself and not in respect of any period of hospital treatment.

UTILISATION OF VACATION LEAVE TO COVER PERIODS OF SICKNESS

98. An employee who may be absent from duty owing to sickness may elect to utilise vacation leave if available to cover the period of his absence or any portion thereof.

SPECIAL EXTENSIONS OF SICK PAY

99. Subject to the provisions of regulation 100, the payment of full or partial sick pay to an employee may be authorised covering a period of absence from duty due to sickness in excess of that stipulated in regulation 95 (1) or 96.

MAXIMUM PERIOD OF SICK PAY

100. Sick pay shall not be paid for a longer period than that for which an employee has been in the service of the South African Transport Services at the time he is certified to be unfit for duty.

SPEZIALE MAGTE

101. (1) Onderworpe aan die bepalings van regulasie 100 kan die Hoofbestuurder in gevalle waar 'n werknemer minder as die volle salaris ontvang, die bedrag na goeddunke vermeerder tot hoogstens dié van die volle salaris.

(2) Die Hoofbestuurder kan na goeddunke magtiging verleen vir die betaling van siekteloon bo en behalwe dié waarvoor daar in hierdie regulasies voorsiening gemaak word.

(3) Die benaming "Hoofbestuurder" in hierdie regulasie beteken die Hoofbestuurder, 'n waarnemende hoofbestuurder, 'n adjunk-hoofbestuurder of 'n assistent-hoofbestuurder persoonlik.

HOOFTUK 6**AFWESIGHEID VAN DIENS WEENS BESERING OP DIENS OF 'N BEDRYFSIEKTE****RAPPORTEER VAN BESERING OP DIENS OF 'N BEDRYFSIEKTE**

102. 'n Werknemer wat op diens beseer word of 'n bedryfsiekte opdoen, moet sodanige besering of bedryfsiekte aan sy hoër amptenaar rapporteer onmiddellik nadat hy die besering of bedryfsiekte opgedoen het of so gou moontlik daarna. Die werknemer, sy hoër amptenaar en die getuies (as daar is) moet die vorms invul wat vir die rapporteer van beserings of bedryfsiektes verskaf word, en die hoër amptenaar moet die ingevulde vorms, tesame met sy eie verslag, sonder versuim aan die betrokke hoër gesag stuur.

BETALING GEDURENDE ARBEIDSONGESKIKTHEID

103. (1) Onderworpe aan die bepalings van paragraaf (4), ontvang 'n werknemer sy salaris gedurende 'n tydperk van arbeidsongeskiktheid veroorsaak deur 'n ongeval of 'n bedryfsiekte ten opsigte waarvan die Suid-Afrikaanse Vervoerdienste kragtens die wet van toepassing op die betaling van skadeloosstelling aan werksmanne, aanspreeklik is.

(2) 'n Werknemer wat op diens beseer word of 'n bedryfsiekte soos bedoel in paragraaf (1) opdoen terwyl hy in 'n hoër graad waarneem, kan ten opsigte van die tydperk van arbeidsongeskiktheid sodanige toelae vir waarneming in hoër graad ontvang as wat hy sou ontvang het vir die tyd wat hy in sodanige hoër graad sou waargeneem het as hy nie op so 'n wyse beseer was of sodanige bedryfsiekte opgedoen het nie.

(3) Die betaling van salaris kragtens die bepalings van hierdie hoofstuk of van siekteloon ingevolge die bepalings van hoofstuk 5, sluit skadeloosstelling in wat betaalbaar is ten opsigte van dieselfde tydperk van arbeidsongeskiktheid kragtens die wet gemeld in paragraaf (1).

(4) As 'n werknemer ongeskik raak vir diens as gevolg van 'n ongeval wat voortspruit uit sy diens en in die loop daarvan plaasvind, maar wat veroorsaak is in omstandighede wat 'n ander persoon of persone, en nie die Suid-Afrikaanse Vervoerdienste nie, wettig aanspreeklik maak vir die betaling van skadevergoeding aan sodanige werknemer ten opsigte daarvan, word sodanige deel van sy besoldiging aan hom betaal as wat gelykstaan met die skadeloosstelling vir tydelike algehele arbeidsongeskiktheid wat aan hom betaalbaar is kragtens die wet op skadeloosstelling van werksmanne. Hy is nie op die res van sy salaris geregtig nie, maar dit kan aan hom betaal word in welke geval dit as 'n voorskot beskou word hangende die uitslag van enige regsgeding wat deur hom of deur die Suid-Afrikaanse Vervoerdienste ten behoeve van hom teen sodanige ander persoon ingestel mag word om skadevergoeding te vorder vir die verlies aan inkomste. Indien sodanige geding slaag, word die voormelde bedrag wat as 'n voorskot aan die werknemer betaal is, op hom verhaal tot hoogstens die bedrag van sodanige skadevergoeding wat op sodanige ander persoon verhaal is. Indien daar met die instemming van die

SPECIAL POWERS

101. (1) Subject to the provisions of regulation 100, the General Manager may, in his discretion, where a lesser payment than full salary is made to an employee, increase the payment to an amount not exceeding full salary.

(2) The General Manager may, in his discretion, authorise the payment of sick pay beyond the provisions of these regulations.

(3) The designation "General Manager" used in this regulation means the General Manager, an Acting General Manager, a Deputy General Manager or an Assistant General Manager personally.

CHAPTER 6**ABSENCE FROM DUTY OWING TO INJURY ON DUTY OR OCCUPATIONAL DISEASE****REPORTING OF INJURY ON DUTY OR OCCUPATIONAL DISEASE**

102. An employee who is injured on duty or who contracts an occupational disease shall report the injury or occupational disease to his superior officer immediately after it has occurred or been contracted or as soon thereafter as circumstances permit, and the employee, his superior officer and any witnesses, shall complete the form provided for the purpose of reporting injuries or occupational diseases. The superior officer shall forward the completed forms, together with his own report, without delay, to the appropriate higher authority.

PAY DURING INCAPACITATION

103. (1) Subject to the terms of paragraph (4), an employee shall be paid his salary during a period of disablement for employment due to an accident or an industrial disease in respect of which the South African Transport Services is liable under the law applicable to workmen's compensation.

(2) An employee who is injured on duty or who sustains an industrial disease as contemplated in paragraph (1) while acting in a higher grade may, in respect of the period of his incapacitation, be paid such acting-in-higher-grade allowance as would have been payable to him for the period during which he would have acted in such higher grade, had he not been so injured or had he not sustained such occupational disease.

(3) Payment of salary made under the provisions of this Chapter or of sick pay made under the provisions of Chapter 5, shall include any compensation payable in respect of the same period of disablement for employment in terms of the law referred to in paragraph (1).

(4) Where an employee is incapacitated for duty as the result of an accident arising out of and in the course of his employment but caused in circumstances which create a legal liability in some person other than the South African Transport Services to pay damages to such employee in respect thereof, there shall be paid to him such portion of his emoluments as represents the amount of the compensation for temporary total disablement payable to him in terms of the law relating to workmen's compensation. He shall not be entitled to the balance of his salary but it may be paid to him in which case it shall be regarded as an advance pending the outcome of any legal proceedings that may be instituted by him, or by the South African Transport Services on his behalf, against such other person for the recovery of damages for loss of income. If such proceedings are successful, the amount advanced to the employee as aforesaid, shall be recovered from him to the extent to which it does not exceed such damages recovered from such other

Suid-Afrikaanse Vervoerdienste uiteindelik geen sodanige regsgeding ingestel word nie, of as dit wel ingestel word en daarna met sodanige instemming laat vaar word, of as dit nie slaag nie, word gemelde bedrag nie op die betrokke werknemer verhaal nie.

HOOFSTUK 7

BETALING VIR KOSTE IN DIE GEVAL VAN AFWESIGHEID OP DIENS VAN HOOFKWARTIER, BY OORPLASING EN IN ANDER SPESIALE OMSTANDIGHED

ALLE WERKNEMERS

WOORDBEPALINGS

104. Vir die toepassing van die bepalings van die regulasies in hierdie hoofstuk beteken—

“gewone etensyd” die tye wanneer ontbyt, middagete of aandete gewoonlik genuttig word, nl. onderskeidelik tussen 07h00 en 09h00, 12h00 en 14h00, 18h00 en 20h00, behalwe as sodanige tye in die diensure van ’n werknemer val wat ’n ononderbroke skof werk, en onderworpe daaraan dat wanneer ’n etensyd binne die vasgestelde diensure val, die duur van sodanige etensyd dié is wat in die diensuurstaat voorgeskryf is;

“hoofkwartier” die kantoor, stasie, depot, werkwinkel, hawegebied, werkwinkelkompleks, rangeerterrein of ander werkplek wat as ’n werknemer se vaste werkplek beskou word;

“tuisstasie” die spoorwegstasie of -halte naaste aan ’n werknemer se vaste verblyfplek.

ALGEMENE BEPALINGS

105. (1) Aan ’n werknemer van wie daar vereis word om op diens van sy hoofkwartier afwesig te wees, word die geriewe verskaf en/of koste betaal op die toepaslike grondslag waarvoor daar in die regulasies in hierdie hoofstuk voorsiening gemaak word, onderworpe aan die bepalings van die volgende paragrawe, met dien verstande egter dat spesiale voorsiening in verband met geriewe of koste gemaak kan word in die geval van ’n amptenaar wat die betrekking beklee van die hoof van een van die Suid-Afrikaanse Vervoerdienste se takke of departemente, ’n betrekking gelykwaardig met of senior bo sodanige betrekking of enige ander betrekking soos van tyd tot tyd bepaal mag word.

(2) As ’n werknemer wat op ’n ander plek as sy hoofkwartier werk, weens siekte van diens afgeboek word en sy gesondheidstoestand hom nie toelaat om na sy hoofkwartier terug te keer nie, kan koste steeds aan hom betaal word vir die hele tydperk wat hy weg is van sy hoofkwartier, mits die omstandighede sodanige handelswyse regverdig.

(3) Onderworpe aan die bepalings van paragraaf (4), is ’n werknemer wat op diens van sy hoofkwartier afwesig moet wees terwyl hy in ’n hoër graad waarneem, daarop geregtig om die koste te ontvang wat betaalbaar is op die grondslag van die kosteskaal van toepassing op die betrekking waarin hy waarneem, wat in die geval van koste ingevolge regulasie 106 bereken word op sy salaris plus die toelae vir waarneming in hoër graad wat aan hom toegestaan is.

(4) As ’n werknemer op diens van sy hoofkwartier afwesig moet wees terwyl hy waarneem in ’n betrekking waarop ’n kosteskaal van toepassing is wat laer is as dié van toepassing op sy eie betrekking, word die koste wat betaalbaar mag wees teen die hoër skaal bereken.

(5) As die koste wat ’n werknemer weg van sy hoofkwartier aangaan meer beloop as die koste wat ingevolge regulasie 106 aan hom betaalbaar is, kan hy, indien die omstandighede dit regverdig, vir werklike uitgawes vergoed word, mits sy eis deur bewyse van uitbetaling gestaaf word.

person. If, with the concurrence of the South African Transport Services no such proceedings are ultimately instituted or if, having been commenced, they are abandoned with like concurrence or fail, the said amount shall not be recovered from the employee concerned.

CHAPTER 7

EXPENSES FOR ABSENCE ON DUTY FROM HEADQUARTERS, ON TRANSFER AND IN OTHER SPECIAL CIRCUMSTANCES

ALL EMPLOYEES

INTERPRETATION OF TERMS

104. For the purpose of the application of the provisions of the regulations in this Chapter—

“customary meal time” is the time during which breakfast, lunch or dinner is normally partaken of, i.e., between 07h00 and 09h00, 12h00 and 14h00, 18h00 and 20h00 respectively, but excludes these times when they occur during the hours of duty of an employee working a straight shift, and provided that, where a meal time falls within the scheduled hours of duty, the period of such meal time shall be that prescribed in the hours of duty schedule;

“headquarters” is the office, station, depot, workshop, harbour area, workshop complex, shunting yard, or other place of employment which is regarded as an employee’s permanent place of work;

“home station” is the nearest railway station or halt to an employee’s permanent residence.

GENERAL PROVISIONS

105. (1) An employee who is required to be absent on duty from his headquarters shall be afforded the facilities and/or paid expenses on the appropriate basis provided for in the regulations contained in this Chapter, subject to the provisions of the following paragraphs, provided however that special provision may be made as to facilities or expenses in the case of an officer holding the position of a head of one of the branches or departments of the South African Transport Services, a position equivalent or senior thereto or any other position as may be determined from time to time.

(2) An employee who, while performing duty at a place other than his headquarters, is booked off duty sick and is not in a state of health permitting his return to his headquarters, may, while he remains away from his headquarters, continue to be paid expenses, provided that the circumstances justify such a course.

(3) An employee who is required to be absent on duty from his headquarters while he is acting in a higher grade, shall, subject to the provisions of paragraph (4), be entitled to receive any expenses payable on the basis of the scale of expenses applicable to the position in which he is acting, computed, in the case of expenses payable in terms of regulation 106, on his salary plus any acting-in-higher-grade allowance granted to him.

(4) If an employee is required to be absent from his headquarters while he is acting in a position to which a rate of expenses is applicable which is lower than that applicable to his own position, any expenses payable shall be computed on the higher scale.

(5) If the expenses incurred by an employee away from his headquarters are in excess of the expenses which are payable to him in terms of regulation 106, he may, if the circumstances justify such action, be reimbursed for actual expenditure provided his claim is supported by evidence of disbursement.

(6) By die berekening van koste word daar beskou dat 'n werknemer van sy hoofkwartier afwesig is vandat hy van sy hoofkwartierstasie of tuisstasie vertrek, watter ook al die naaste aan sy bestemming is, totdat hy weer by sy hoofkwartierstasie of tuisstasie aankom, watter ook al die naaste is aan die plek waarvandaan hy terugkeer of, in die geval van 'n oorpasing, totdat hy op die bestemmingstasie aankom. By die berekening van 'n betaling teen 'n uurlikse skaal, word 'n tydperk van minder as dertig minute buite rekening gelaat, maar word 'n tydperk van dertig minute of meer as een uur gereken.

(7) Geen koste word gehef vir departementele akkommodasie (personeelwoning uitgesluit) van enige aard wat vir slaapdoeleindes aan 'n werknemer beskikbaar gestel word wanneer hy op diens afwesig van sy hoofkwartier is nie.

(8) As 'n werknemer wat op diens van sy hoofkwartier afwesig is, nie van departementele akkommodasie (personeelwoning uitgesluit) voorsien word nie, word aan hom benewens die koste teen die toepaslike uurlikse skaal akkommodasiekoste betaal teen die skaal bepaal in regulasie 106.

(9) 'n Werknemer wat aangesê word om weg van sy hoofkwartier te werk, word terselfdertyd deur sy beheervoe-rende of ander verantwoordelike amptenaar aangesê of hy na sy tuiste moet terugkeer na voltooiing van 'n skof en of hy moet oorbly by die plek waar hy tydelik werk, en die genoemde amptenaar moet seker maak dat hierdie opdrag gegee word.

(10) Geen terugbetaling ten opsigte van enige buitengewone uitgawe soos huurmotorkoste, drageld, footjies, bewaarkamer-koste, droogskoonmaak-koste, wasserykoste, ens. word gedoen nie, behalwe in die geval van 'n eis ingevolge paragraaf (5).

(11) Koste word nie aan 'n werknemer betaal gedurende enige tydperk van verlof nie, behalwe in die geval van oorplaaskoste ingevolge regulasie 120 (2).

(12) Geen koste word aan 'n werknemer by sy hoofkwartier of tuisstasie betaal nie.

ALLE WERKNEMERS MET INBEGRIP VAN LEDE VAN DIE GEREELDE AFLOSPERSONEEL MAAR UITGESONDER WERKNEMERS WAT DISTRIKS- OF TRAJEKDIENS VERRIG SOOS BEPAAL IN REGULASIE 107, TREINPERSONEEL, EETWAPERSONEEL, PADVERVOERDRYWERS EN ANDER WERKNEMERS AAN WIE AFBOEKKOSTE INGEVOLGE HIERDIE REGULASIES BETAAL WORD

106. Aan 'n bogenoemde werknemer [behalwe 'n polisie-beampte aan wie 'n toelae ingevolge regulasie 40 (11) betaal word] wat diens weg van sy hoofkwartier moet doen, word koste onderworpe aan sodanige voorwaardes as wat bepaal mag word, soos volg betaal:

(1) Indien die werknemer elke dag met redelike gerief vir 'n behoorlike rustyd na sy hoofkwartier of tuiste kan gaan—

- | | |
|--|--|
| (a) as die tydperk van afwesigheid tien uur en minder is | die werklike noodsaaklike uitgawes onderworpe aan 'n maksimum bedrag van R2,50. Kwitansies word nie vereis nie, maar daar word op die kostebewys aangedui by welke plek en in watter omstandighede die uitgawe aangegaan is; |
| (b) as die tydperk van afwesigheid meer as tien uur is | teen die toepaslike uurlikse skaal bepaal in paragraaf (3). |

(2) Indien die werknemer nie elke dag met redelike gerief vir 'n behoorlike rustyd na sy hoofkwartier of tuiste kan gaan nie, word koste teen die uurlikse skaal betaal vir die volle tydperk van afwesigheid, plus akkommodasiekoste waar van toepassing, teen die toepaslike skaal bepaal in paragraaf (3).

(6) In the computation of expenses, absence from headquarters shall be regarded as commencing at the time an employee departs from his headquarters station or home station, whichever is the nearer to his destination, and as terminating at the time he arrives back at his headquarters station or home station, whichever is the nearer to the place from which he is returning, or in the case of transfer, at the time of arrival at the destination station. In computing a payment at an hourly tariff rate, a period of less than thirty minutes shall be disregarded but a period of thirty minutes or more shall be reckoned as one hour.

(7) No charges shall be levied in respect of departmental accommodation (personnel residences excluded) of any description made available to an employee for sleeping purposes when he is absent on duty from his headquarters.

(8) Where an employee who is absent on duty from his headquarters, is not provided with departmental accommodation (personnel residences excluded), he shall be paid, in addition to expenses at the appropriate hourly tariff rate, an accommodation expense on the scale laid down in regulation 106.

(9) An employee who is instructed to work at a place away from his headquarters, shall at the same time be instructed by his controlling officer or other responsible officer whether he must return to his home on completion of a shift or remain at the place where he is temporarily employed, and the said officer shall ensure that these instructions are given.

(10) No refund shall be made in respect of any extraneous expenditure incurred such as for taxi hire, portage, tips, cloakroom charges, dry cleaning, laundry charges etc. except in the case of a claim in terms of paragraph (5).

(11) Expenses shall not be paid to an employee during any period of leave, except in the case of transfer expenses in terms of regulation 120 (2).

(12) No expenses shall be paid to an employee at his headquarters or home station.

ALL EMPLOYEES INCLUDING MEMBERS OF THE REGULAR RELIEF PERSONNEL BUT EXCLUDING EMPLOYEES EMPLOYED ON DISTRICT OR SECTION DUTY AS DEFINED IN REGULATION 107, TRAINMEN, DINING-CAR PERSONNEL, ROAD TRANSPORT DRIVERS AND OTHER EMPLOYEES WHO ARE PAID BOOKING-OFF EXPENSES IN TERMS OF THESE REGULATIONS

106. An employee specified above [other than a police-man who is paid an allowance in terms of regulation 40 (11)] who is required to undertake duty away from his headquarters shall, subject to such conditions as may be laid down, be paid expenses as follows:

(1) If the employee is able with reasonable convenience to proceed to his headquarters or home each day for a proper period of rest—

- | | |
|---|---|
| (a) if the period of absence is ten hours or less | the actual essential expenses subject to a maximum amount of R2,50. Receipts are not required but the place and the circumstances under which the expenditure was incurred should be indicated on the expenses voucher; |
| (b) if the period of absence exceeds ten hours | at the appropriate hourly rate prescribed in paragraph (3). |

(2) If the employee is unable with reasonable convenience to proceed to his headquarters or home each day for a proper period of rest, he shall be paid expenses at the hourly rate for the total period of absence plus accommodation expenses, where applicable, at the appropriate rate prescribed in paragraph (3).

(3) KOSTESKALE:

(3) EXPENSES TARIFFS:

Salaris	Uurlikse skaal		Akkommodasiekoste vir verblyf in 'n hotel, ander geregistreerde woonplek of personeelwoning gestaaf deur die nodige bewys van betaling	Akkommodasiekoste wanneer daar nie in 'n hotel, ander geregistreerde woonplek of personeelwoning tuisgegaan word nie en akkommodasie nie voorsien word nie
	Wanneer die tydperk van afwesigheid nie oor middernag strek nie	Wanneer die tydperk van afwesigheid oor middernag strek		
Minder as die maksimum in salarisgroep 1LK	35c	50c	Werklike uitgawe onderworpe aan 'n minimum van R8,00 en 'n maksimum van R29,00 per nag	R8,00 per nag
Die maksimum in salarisgroep 1LK of hoër maar minder as die maksimum in salarisgroep 9	40c	55c	Werklike uitgawe onderworpe aan 'n minimum van R8,00 en 'n maksimum van R32,00 per nag	R8,00 per nag
Die maksimum in salarisgroep 9 of hoër	40c	55c	Werklike uitgawe onderworpe aan 'n minimum van R8,00 en 'n maksimum van R36,00 per nag	R8,00 per nag

(3) EXPENSES TARIFFS:

Salary	Hourly rate		Accommodation expense for residence in a hotel, other registered abode or personnel residence supported by the requisite proof of payment	Accommodation expense when not accommodated in a hotel, other registered abode or personnel residence and accommodation is not provided
	When the period of absence does not extend beyond midnight	When the period of absence extends beyond midnight		
Less than the maximum in salary group 1LK	35c	50c	Actual expenses subject to a minimum of R8,00 and a maximum of R29,00 per night	R8,00 per night.
The maximum in salary group 1LK or more, but less than the maximum in salary group 9	40c	55c	Actual expenses subject to a minimum of R8,00 and a maximum of R32,00 per night	R8,00 per night
The maximum in salary group 9 or more	40c	55c	Actual expenses subject to a minimum of R8,00 and a maximum of R36,00 per night	R8,00 per night

(4) Die bedrae genoem in paragrawe (1) en (3) kan sonder formele wysiging daarvan, van tyd tot tyd na goeiddunke van die Hoofbestuurder tot voordeel van werknemers verander word. Vir die doel van hierdie paragraaf beteken "Hoofbestuurder", die Hoofbestuurder, 'n waarnemende hoofbestuurder, 'n adjunk-hoofbestuurder of 'n assistent-hoofbestuurder persoonlik.

WERKNEMERS WAT DISTRIKS- OF TRAJEKDIENS VERRIG

107. (1) Aan 'n werknemer wat distriks- of trajekdiens verrig, word koste betaal teen die toepaslike uurlikse skaal op die grondslag uiteengesit in regulasie 106 as die tydperk van afwesigheid op 'n weekdag meer as tien uur is of vir enige tydperk van afwesigheid op 'n Sondag.

(2) Aan 'n werknemer wat distriks- of trajekdiens weg van sy distrik of trajek moet verrig of op diens moet reis, word koste betaal op die grondslag uiteengesit in regulasie 106.

SEEREISE

108. Aan 'n werknemer (behalwe 'n werknemer genoem in regulasie 110) wat in die uitvoering van sy plig 'n seereis tussen hawens in die Republiek of Suidwes-Afrika of 'n seereis na ander lande moet onderneem, word koste teen die skaal betaal as waartoe daar van tyd tot tyd besluit mag word.

REISE (BEHALWE SEE- OF LUGREISE) BUITE DIE GRENSE VAN DIE REPUBLIEK EN SUIDWES-AFRIKA

109. Aan 'n werknemer wat vir amptelike sake buite die grense van die Republiek en Suidwes-Afrika reis, behalwe per boot of vliegtuig, word sodanige reiskoste (as daar is) betaal as waartoe daar van tyd tot tyd besluit mag word.

(4) The amounts quoted in paragraphs (1) and (3) may without formal amendment be adjusted from time to time to the advantage of employees in the discretion of the General Manager. For the purpose of this paragraph, "General Manager" shall mean the General Manager, an Acting General Manager, a Deputy General Manager or an Assistant General Manager personally.

EMPLOYEES EMPLOYED ON DISTRICT OR SECTION DUTY

107. (1) An employee who is employed on district or section duty shall be paid expenses at the appropriate hourly rate on the basis set out in regulation 106 if the period of absence on a weekday exceeds ten hours or for any period of absence on a Sunday.

(2) When an employee is required to perform district or section duty away from his district or section or to travel on duty, he shall be paid expenses on the basis set out in regulation 106.

JOURNEYS BY SEA

108. An employee (other than an employee referred to in regulation 110) who, in the course of his duty, is required to undertake a journey by sea between ports in the Republic or South West Africa, or by sea to other countries, shall be paid expenses at the rate as may be decided from time to time.

TRAVELLING OUTSIDE THE BORDERS OF THE REPUBLIC AND SOUTH-WEST AFRICA OTHER THAN BY SEA OR AIR

109. An employee travelling on official business outside the borders of the Republic and South-West Africa, excluding journeys by sea or air, shall be paid such travelling expenses (if any) as may be decided from time to time.

VAARTUIGPERSONEEL

110. (1) Aan 'n werknemer wat op 'n sleepboot of baggerskip werk en weg van sy hoofkwartier op sy vaartuig diens moet doen, word koste teen die toepaslike uurlikse skaal betaal.

(2) 'n Werknemer wat koste ingevolge paragraaf (1) ontvang, betaal vir etes wat departementeel verskaf word.

NOODWERK

111. (1) Aan 'n werknemer wat noodwerk op 'n plek weg van sy hoofkwartier doen, word koste ingevolge regulasie 106 betaal net vir die tydperk waarvoor hy nie die spesiale betaling soos bepaal in regulasie 47 ontvang nie.

(2) In die geval van 'n noodtrein geld die bepaling van hierdie regulasie nie vir treinpersoneel soos omskryf in regulasie 58 nie.

POLISIEBEAMPTES

112. As polisiebeamptes te eniger tyd op 'n plek saamgetrek word in omstandighede wat dit vir hulle onmoontlik of onwenslik maak om hulle eie voedsel te verskaf, word rantsoene of ander voedsel kosteloos aan hulle verskaf in plaas van die koste wat ingevolge die bepaling van die betrokke regulasies aan hulle betaal mag word.

BYWONING VAN HOFSTTINGS EN DEPARTEMENTELE ONDERSOEKE EN AFLÊ VAN TOETSE EN EKSAMENS

113. (1) Aan 'n werknemer wat 'n departementele ondersoek weg van sy hoofkwartier moet bywoon, word koste ooreenkomstig regulasie 106 betaal vir die tydperk wat hy noodsaaklikerwys van sy hoofkwartier afwesig moet wees, afgesien daarvan of hy geskors is of nie.

(2) Die bepaling van paragraaf (1) kan ook toegepas word in die geval van 'n werknemer wat op grond van 'n dagvaarding of ander bevel as getuie in 'n hof verskyn of wat 'n departementele toets of eksamen aflê, onderworpe aan sodanige voorwaardes as wat van tyd tot tyd bekendgemaak mag word.

TREINPERSONEEL WAT TREINE WERK—AFBOEKKOSTE

114. (1) As 'n lid van die treinpersoneel op 'n buitestasie afgeboek word in die omstandighede waarvoor daar in regulasie 60 (4) (b) voorsiening gemaak word, word die volgende afboekoste toegestaan teen die uurlikse skaal soos bepaal in regulasie 106:

Afboektydperk	Koste betaalbaar.
Hoogstens vyf uur	Vyf uur teen die toepaslike uurlikse skaal.
Langer as vyf uur, maar hoogstens tien uur	Tien uur teen die toepaslike uurlikse skaal.
Langer as tien uur	Die werklike tydperk afgeboek teen die toepaslike uurlikse skaal.

Geen afboekoste word betaal nie as 'n lid van die treinpersoneel ingevolge regulasie 63 (5) vir ononderbroke tyd betaal word ofskoon hy tussen ritte van diens afgeboek word.

(2) Aan 'n lid van die treinpersoneel wat aflos- of ander diens op 'n depot behalwe sy hoofkwartier doen, word die koste bepaal in regulasie 106 betaal.

(3) As 'n lid van die treinpersoneel wat aflos- of ander diens op 'n depot weg van sy hoofkwartier doen en koste teen die uurlikse skaal ontvang, 'n trein van die depot waar hy die aflos- of ander diens doen, na sy tuisstasie werk en daar van diens afgeboek word, word afboekoste nie betaal nie, maar word die betaling van koste teen die uurlikse skaal nie onderbreek nie, tensy hy langer as twaalf uur op sy tuisstasie bly. Afboekoste word betaal as die lid van die treinpersoneel 'n trein na 'n ander stasie werk en daar afgeboek word.

FLOATING PERSONNEL

110. (1) An employee employed on a tug or dredger, when detailed for duty with his craft away from his headquarters, shall be paid expenses at the appropriate hourly tariff rate.

(2) An employee in receipt of expenses in terms of paragraph (1) shall be required to pay for meals supplied departmentally.

BREAKDOWN WORK

111. (1) An employee who is absent from his headquarters on breakdown duty shall receive expenses in terms of regulation 106 only in respect of that period for which he does not receive the special payment prescribed in regulation 47.

(2) In the case of a breakdown train the provisions of this regulation shall not apply to trainmen as defined in regulation 58.

POLICEMEN

112. If at any time policemen are concentrated at any place, in circumstances which render it impossible or undesirable for them to provide their own food, rations or other food shall be supplied to them free of charge in lieu of the payment of expenses under the provisions of the relevant regulations.

ATTENDANCE AT COURT, DEPARTMENTAL INQUIRIES, TESTS AND EXAMINATIONS

113. (1) An employee who is required to attend a departmental inquiry away from his headquarters shall, irrespective of whether or not he is under suspension, be paid expenses in accordance with regulation 106 in respect of the period during which he is necessarily absent from his headquarters.

(2) The provisions of paragraph (1) may also be applied in the case of an employee attending court as a witness under subpoena or other order, or undergoing a departmental test or examination, subject to such conditions as may be notified from time to time.

TRAINMEN WORKING TRAINS—BOOKING-OFF EXPENSES

114. (1) If a trainman is booked off duty at an out-station under the circumstances provided for in regulation 60 (4) (b), the following booking-off expenses at the hourly rate determined in regulation 106 shall be allowed:

Period booked off	Expenses payable
Not exceeding five hours	Five hours at the appropriate hourly rate.
Exceeding five hours, but not exceeding ten hours	Ten hours at the appropriate hourly rate.
Exceeding ten hours	The actual period booked off duty at the appropriate hourly rate.

No booking-off expenses shall be payable if a trainman is paid continuous time in terms of regulation 63 (5) although he is booked off duty between trips.

(2) A trainman performing relief or other duty at a depot other than his headquarters shall be paid expenses in terms of regulation 106.

(3) A trainman, relieving or performing other duty at any depot away from his headquarters and being paid the hourly tariff rate of expenses, who works a train from the depot at which he is relieving or performing other duty to his home station where he is booked off duty, shall not be entitled to booking-off expenses, but the payment of expenses at the hourly tariff rate shall not be interrupted unless he remains at his home station for a period exceeding twelve hours. Booking-off expenses shall be paid if the trainman works a train to any other station and is booked off duty thereat.

(4) (a) Treinpersoneel wat ballas- of materiaaltreine werk, word nie koste, behalwe afboekskoste ingevolge die bepalings van hierdie regulasie, betaal nie—

- (i) as hulle snags na hulle hoofkwartier kan terugkeer,
- (ii) as hulle 'n trein na 'n buitestatie werk en hoogstens een rit van en terug na sodanige buitestatie aflê voordat hulle na hulle hoofkwartier terugkeer, en
- (iii) as hulle van 'n kaboes voorsien is,

onderworpe aan die bepaling dat hoogstens die ekwivalent van die koste vir een afboektydperk, nl. vir tien uur, betaal word vir elke dag—sowel weekdag as Sondag—in die maand waarin treinpersoneel van hulle tuisdepot afwesig is.

(b) Treinpersoneel wat ballas- of materiaaltreine werk onder ander voorwaardes as dié waarvoor daar in subparagraaf (a) voorsiening gemaak word, is daarop geregtig om koste teen die uurlikse skaal bepaal in regulasie 106 te ontvang, maar is nie geregtig op afboekskoste nie.

TREINPERSONEEL—VERSKAFFING VAN VOEDSEL

115. Die beampte in beheer van 'n depot reël dat voldoende voedsel vir die reis of tydperk verskaf word (of dat daarvoor betaal word) as—

- (1) 'n werknemer wat vir stasie-, gereedheids-, toevallige, depot- of rangeerpligte aangeboek is, met kort kennisgewing die werk moet oorneem van 'n lid van die treinpersoneel wat 'n trein werk waardeur hy genoodsaak word om van sy tuisdepot weg te gaan;
- (2) 'n lid van die treinpersoneel wat op 'n buitestatie aangeboek is, 'n trein na 'n ander depot as sy tuisdepot moet werk;
- (3) die vasgestelde rit van 'n lid van die treinpersoneel verleng word na 'n plek wat verder is as dié waarheen hy oorspronklik aangeboek is, met die gevolg dat die voedsel wat hy van sy huis gebring het, ontoereikend is vir die verlengde reis;
- (4) die rit van 'n lid van die treinpersoneel wat vir 'n heen-en-weerit aangeboek is, na 'n regstreekse rit verander word, met die gevolg dat hy nie genoeg voedsel vir die regstreekse rit het nie;
- (5) 'n lid van die treinpersoneel op sy tuisdepot uitgeroep word om 'n trein met kort kennisgewing op 'n rit te werk (drie uur of minder vanaf die tyd waarop hy aangesê is om hom vir diens aan te meld totdat hy diens moet aanvaar) en as gevolg daarvan nie genoeg tyd het om voorsorg te maak vir voedsel vir die rit nie; en
- (6) die beginplek van 'n lid van die treinpersoneel verander is van die gewone opstelsterrein na 'n ander stasie, sylyn of terrein in die teenoorgestelde rigting van dié as sy eindbestemming, met die gevolg dat die voedsel wat hy van sy huis gebring het ontoereikend is vir die verlengde reis.

Die waarde van voedsel wat verskaf word, word nie teruggevorder nie, en die verskaffing van voedsel of die betaling daarvoor raak nie die betaling van afboekskoste as dit verskuldig is nie. Aflooskoste word nie toegestaan nie.

PADVERVOERPERSONEEL

116. (1) As 'n padvervoerdrywer of 'n assistent van 'n padvervoerdrywer op padvervoerdienste van sy hoofkwartier af werk en op 'n ander plek as sy hoofkwartier van diens aangeboek word, word die volgende afboekskoste aan hom betaal:

Afboektydperk	Kosteskaal
Hoogstens vyf uur.....	Vyf uur teen die toepaslike uurlikse skaal.
Langer as vyf uur, maar hoogstens tien uur	Tien uur teen die toepaslike uurlikse skaal.
Langer as tien uur.....	Die werklike tydperk aangeboek teen die toepaslike uurlikse skaal.

(4) (a) Trainmen working ballast or material trains shall be ineligible to receive expenses other than booking-off expenses in terms of this regulation—

- (i) when they are able to return to their headquarters at night;
- (ii) when they work to an out-station and undertake not more than one trip from and back to such out-station before returning to their headquarters; and
- (iii) when they are provided with a caboose;

subject to the proviso that not more than the equivalent of expenses for one booking-off period, i.e. for ten hours, shall be paid for each day—a weekday as well as a Sunday—in the month during which a trainman is absent from his home depot.

(b) Trainmen working ballast or material trains under conditions other than those provided for in subparagraph (a) shall be entitled to receive the hourly tariff rate of expenses prescribed in regulation 106, but will be ineligible to receive booking-off expenses.

TRAINMEN—SUPPLY OF FOOD

115. An official in charge of a depot shall arrange for food to be supplied (or payment made therefor) sufficient for the journey or period—

- (1) when it is necessary for an employee booked on for station, stand-by, spare, depot or shunting duties to take over at short notice the duties of a trainman working a train which necessitates his leaving his home depot;
- (2) when it is necessary for a trainman booked off at an out-station to work to a depot other than his home depot;
- (3) when the scheduled run of a trainman is extended to a point beyond that for which he was originally booked, resulting in his not being provided with sufficient food from his home for the extended journey;
- (4) when the actual run of a trainman booked to work a round trip is converted into a straight trip resulting in his not being provided with sufficient food for the straight trip;
- (5) when a trainman is called out at his home depot to work a trip at short notice (a period of three hours or less from the time the trainman is warned to the time he has to assume duty) and as a result thereof has had insufficient time to provide food for the trip; and
- (6) when the starting point of a trainman has been altered from the normal marshalling yard to another station, siding or yard in a direction opposite to that of the ultimate terminus resulting in the employee not being provided with sufficient food from his home for the extended journey.

The value of food supplied shall not be recovered and the supply of food or the payment thereof shall not interfere with the payment of booking-off expenses, if due. Relieving expenses shall not be allowed.

ROAD TRANSPORT SERVICE PERSONNEL

116. (1) A road transport driver or an assistant to a road transport driver employed on road transport services and operating from his headquarters shall, when booked off duty at a point other than his headquarters, be paid the following booking-off expenses:

Period booked off	Rate of expenses
Not exceeding five hours	Five hours at the appropriate hourly rate.
Exceeding five hours but not exceeding ten hours	Ten hours at the appropriate hourly rate.
Exceeding ten hours.....	The actual period booked off duty at the appropriate hourly rate.

Koste op hierdie grondslag word ook betaal aan elke sodanige werknemer wat aflos- of ander diens op 'n padvervoerdienste weg van sy hoofkwartier doen wanneer hy van diens afgeboek word op 'n plek weg van sy hoofkwartier of plek waar hy sodanige aflos- of ander diens verrig.

(2) Aan 'n padvervoerdrywer of 'n assistent van 'n padvervoerdrywer wat aflos- of ander diens op 'n ander sentrum as sy hoofkwartier doen, word die koste bepaal in regulasie 106 betaal.

VERSKAFFING VAN VOEDSEL-PADVERVOER- DRYWERS EN HULLE ASSISTENTE

117. Die beampte in beheer van 'n depot kan reël dat 'n padvervoerdrywer en sy assistent van voldoende voedsel vir die reis of tydperk voorsien word (of dat daarvoor betaal word) as hulle—

- (1) sonder voorafgaande kennisgewing moet omdraai voordat hulle hulle tuisdepot bereik en 'n bykomende rit moet onderneem as gevolg waarvan die tydperk tussen die vasgestelde tyd van aankoms op hulle hoofkwartier na voltooiing van die gewone rit en die werklike tyd waarop hulle weer op hulle hoofkwartier aankom, 'n uur of langer as 'n uur ná 'n gewone etenstyd duur; en
- (2) in 'n noodgeval op hulle tuisdepot vir 'n spesiale rit uitgeroep word met so 'n kort kennisgewing dat hulle nie voedsel vir die reis kan saamneem nie en hulle 'n uur of meer as 'n uur ná 'n gewone etenstyd van hulle hoofkwartier afwesig sal wees;

mits hulle nie voedsel met een van die Suid-Afrikaanse Vervoerdienste se gereelde of spesiale busse of met 'n ander beskikbare vervoermiddel van hulle huise kan kry nie.

BAANMEESTERS

118. Aan 'n baanmeester word daar teen die uurlikse kosteskaal op dieselfde grondslag as vir distriks- of trajekdienspersoneel betaal.

PERSONEEL, BEHALWE TREINPERSONEEL, WAT OP TREINE WEG VAN HULLE HOOFKWARTIER WERK

119. Aan 'n werknemer wat per trein moet reis om te help met oorlaai- of soortgelyke werk wat weg van sy hoofkwartier gedoen word, word koste betaal net op die grondslag soos voorgeskryf vir treinpersoneel in regulasie 114, vir enige tydperk wat hy op 'n plek weg van sy hoofkwartier van diens afgeboek word. Die uurlikse kosteskaal vir die totale tydperk van afwesigheid is nie in hierdie omstandighede van toepassing nie.

ORPLAASKOSTE

120. (1) Koste word ingevolge die bepalings van hierdie regulasie betaal slegs as 'n werknemer oorgeplaas word omdat die Suid-Afrikaanse Vervoerdienste dit vereis, en nie as hy op eie versoek of as gevolg van dissiplinêre stappe oorgeplaas word nie, tensy bevoegde gesag anders besluit.

(2) Aan 'n werknemer wat van een stasie na 'n ander oorgeplaas word, kan koste vir die reis, selfs al is hy met verlof, van sy huidige na sy nuwe hoofkwartier teen die toepaslike skale in regulasie 106 toegestaan word vir homself, sy eggenote en elke lid van sy gesin wat twaalf jaar of ouer is, en teen die helfte van sodanige skale vir elke lid van sy gesin wat onder twaalf jaar is, ongeag die tyd wat deur die reis in beslag geneem word, met dien verstande dat as sodanige werknemer met bevordering oorgeplaas word, word koste aan hom betaal teen die skale van toepassing op die salaris wat by sy bevordering aan hom toegestaan word.

Expenses on this basis shall also be payable to any such employee employed on relief or other duty on a road transport service away from his headquarters when he is booked off duty at a place away from his headquarters or the place at which he is performing such relief or other duty.

(2) A road transport driver or an assistant to a road transport driver performing relief or other duty at a centre other than his headquarters shall be paid expenses in terms of regulation 106.

SUPPLY OF FOOD—ROAD TRANSPORT DRIVERS AND THEIR ASSISTANTS

117. An official in charge of a depot may arrange for food to be supplied to a road transport driver and his assistant (or for payment to be made therefor), sufficient for the journey or period—

- (1) when, before reaching their home depot, they are required to turn back without previous advice, and undertake an additional trip, as a result of which the period which intervenes between the actual time of arrival back at their headquarters and the scheduled time for arrival back at their headquarters on completion of the normal trip, extends for one or more hours beyond a customary meal time; and
- (2) when they are called out at their home depots in an emergency to undertake a special trip, are unable to provide food for the journey owing to the short notice given, and their absence from their headquarters covers a period extending for one or more hours beyond a customary meal time;

provided it is impracticable for them to obtain food from their homes by means of one of the South African Transport Services' scheduled or special buses, or other conveyance which may be available.

PLATELAYERS

118. A platelayer shall be paid the hourly tariff rate of expenses on the same basis as district or section duty staff.

PERSONNEL, OTHER THAN TRAINMEN, WORKING ON TRAINS AWAY FROM THEIR HEADQUARTERS

119. An employee who is required to travel by train to assist in connection with tranship or similar work undertaken away from his headquarters, shall be paid expenses only on the basis prescribed for trainmen in regulation 114 in respect of any period during which he is booked off duty at a place away from his headquarters. The hourly tariff rate of expenses for the total period of absence is not applicable in these circumstances.

TRANSFER EXPENSES

120. (1) Payments under the provisions of this regulation shall be made only if an employee is transferred to meet the exigencies of the South African Transport Services, and not at his own request or as a sequel to disciplinary action, unless competent authority should decide otherwise.

(2) An employee who is transferred from one station to another may, even if he is on leave, be allowed, in respect of the journey from his present to his new headquarters, expenses at the appropriate rates in regulation 106, irrespective of the duration of the journey, for himself, his wife and each member of his family who is twelve years of age or older, and half such rates for each member of his family who is under twelve years of age, provided that where promotion is accorded on transfer, the rates of expenses applicable shall be those to which the salary granted on promotion entitles such employee.

(3) 'n Werknemer kan ook sy meubels en benodigdhede of deur of op koste van die Suid-Afrikaanse Vervoerdienste laat verpak en uitpak na gelang van wat 'n gemagtigde amptenaar mag beveel en onder sodanige voorwaardes as wat van tyd tot tyd bekendgemaak mag word.

(4) 'n Getroude werknemer wat oorgeplaas word soos deur paragraaf (1) beoog en wie se meubels en huishoudelike benodigdhede vervoer word, kan hoogstens een dag met betaling by sy ou hoofkwartier en 'n verdere dag by sy nuwe hoofkwartier van diens vrygestel word om persoonlike sake te behartig wat met sy oorpasing gepaard gaan.

(5) Vergoeding word betaal vir redelike koste wat 'n werknemer aangaan vir die vervoer van sy meubels en benodigdhede van sy verblyfplek na die stasie en van die stasie na sy nuwe verblyfplek, met dien verstande dat die werknemer op stasies waar 'n besteldiens deur die Suid-Afrikaanse Vervoerdienste of ingevolge kontrak verskaf word, van sodanige gerief gebruik maak.

(6) (a) Aan 'n werknemer wat 'n huis of woonstel bewoon waarin hy sy eie meubels gebruik en soos in paragraaf (1) beoog, oorgeplaas word, word benewens die koste bepaal in paragraaf (2) en onderworpe aan die bepalinge van hierdie paragraaf, 'n vaste bedrag betaal as vergoeding vir enige bykomende uitgawe wat hy as gevolg van sy oorpasing mag aangaan. Die vaste bedrag wat op die grootte van die gesin gebaseer is, is soos volg:

(i) 'n Werknemer wat na 'n private huis of woonstel verhuis:

	Vaste bedrag R
Werknemer en eggenote, sonder afhanklike kinders	720
Werknemer, eggenote en een afhanklike kind	860
Werknemer, eggenote en twee afhanklike kinders	1 000
Werknemer, eggenote en drie of meer afhanklike kinders	1 150
Ongetroude werknemer, asook 'n wewenaar, weduwee en 'n geskeide werknemer sonder afhanklike kinders	290
Wewenaar, weduwee en geskeide werknemer met—	
een afhanklike kind	720
twee afhanklike kinders	860
drie of meer afhanklike kinders	1 000

(ii) 'n Werknemer wat na 'n departementele huis of woonstel verhuis:

	Vaste bedrag R
Getroude werknemer met of sonder afhanklike kinders, asook 'n wewenaar, 'n weduwee en 'n geskeide werknemer met een of meer afhanklike kinders	720
Ongetroude werknemer	290

(b) Onderworpe aan sodanige voorwaardes as wat bepaal mag word, word die vaste bedrag aan 'n werknemer betaal sodra hy by sy nuwe hoofkwartier in 'n ongemeubileerde huis of woonstel intrek of skriftelik aandui dat hy van voorneme is om dit so spoedig doenlik te doen.

(c) As 'n werknemer alleen oorplaas en sy gesin om persoonlike redes by sy ou hoofkwartier aanbly, kan die helfte van die vaste bedrag aan hom betaal word en die res sodra sy gesin by hom aansluit.

(d) As 'n werknemer aan wie die volle of die helfte van die vaste bedrag betaal is binne drie maande van die datum van sy oorpasing weens behuisingsprobleme of om ander persoonlike redes na sy vorige hoofkwartier terugverplaas word, kan die vaste bedrag op hom verhaal word.

(e) As 'n werknemer aan wie die volle of die helfte van die vaste bedrag betaal is binne drie maande van die datum van sy oorpasing bedank of dros, word die vaste bedrag op hom verhaal.

(3) An employee may also have his furniture and effects packed and unpacked, either by or at the expense of the South African Transport Services, as may be directed by an authorised officer, under such conditions as may be notified from time to time.

(4) A married employee who is transferred as contemplated in paragraph (1) and moves his household, may be released from duty with pay for not more than one day at his old headquarters and a further day at his new headquarters to attend to personal affairs connected with his transfer.

(5) Reasonable expenses shall be allowed for the cost of removing the furniture and effects from an employee's residence to the station and from the station to the new residence, provided that at any station where cartage is undertaken by South African Transport Services or under contract, such facility shall be used.

(6) (a) An employee who occupies a house or a flat which is furnished with his own furniture and is transferred as contemplated in paragraph (1), shall, in addition to the expenses prescribed in paragraph (2) and subject to the provisions of this paragraph, be paid a fixed amount as compensation for any additional expenditure which he may incur as a result of his transfer. The fixed amount which is based on the size of the family is as follows:

(i) An employee who moves to a private house or flat:

	Fixed amount R
Employee and wife without dependent children	720
Employee, wife and one dependent child	860
Employee, wife and two dependent children	1 000
Employee, wife and three or more dependent children	1 150
Unmarried employee, as well as a widower, widow or divorced employee without dependent children	290
Widower, widow and divorced employee with—	
one dependent child	720
two dependent children	860
three or more dependent children	1 000

(ii) An employee who moves to a departmental house or flat:

	Fixed Amount R
Married employee with or without dependent children, as well as a widower, widow or divorced employee with one or more dependent children	720
Unmarried employee	290

(b) Subject to such conditions as may be laid down, the fixed amount shall be payable to an employee as soon as he moves into an unfurnished house or flat at his new headquarters or indicates in writing that he intends doing so as early as practicable.

(c) If an employee transfers alone and his family remains at his old headquarters due to personal reasons, half the fixed amount may be paid to him and the balance when his family joins him.

(d) If an employee who has been paid the full or half the fixed amount is transferred back to his old headquarters due to housing problems or other personal reasons, within three months from the date of his transfer, the fixed amount may be recovered from him.

(e) If an employee who has been paid the full or half the fixed amount resigns or absconds within three months from the date of his transfer, the fixed amount shall be recovered from him.

(f) Indien die vaste bedrag aan 'n werknemer betaal is en hy om een of ander rede na verloop van drie maande van die datum van sy oorpasing nog nie in 'n huis of woonstel ingetrek het nie, kan hy die vaste bedrag behou.

(g) As 'n getroude werknemer en sy eggenote wat ook in die Suid-Afrikaanse Vervoerdienste se diens is, oorgeplaas word, soos bedoel in paragraaf (1), word die vaste bedrag net aan hom betaal.

(h) Aan 'n werknemer wat 'n huis of woonstel bewoon het waarin hy sy eie meubels gebruik het maar dit as gevolg van sy oorpasing na die gereelde aflospersoneel ontruim en sodanige meubels geberg of verkoop het en hy as gevolg van 'n amptelike oorpasing van die gereelde aflospersoneel weer 'n ongemeubileerde huis of woonstel betrek, kan die vaste bedrag vir laasgenoemde oorpasing betaal word. Bergingskoste word nie terugbetaal nie.

(7) Die bedrae genoem in paragraaf (6) kan sonder formele wysiging daarvan van tyd tot tyd na goeddunke van die Hoofbestuurder tot voordeel van werknemers verander word. Vir die doel van hierdie paragraaf beteken "Hoofbestuurder" die Hoofbestuurder, 'n waarnemende hoofbestuurder, 'n adjunk-hoofbestuurder of 'n assistent-hoofbestuurder persoonlik.

(8) 'n Eis om vergoeding deur 'n getroude werknemer wat nie 'n huis of 'n woonstel bewoon nie of wat 'n gemeubileerde huis of woonstel huur, vir bykomende uitgawe wat aangegaan is toe hy departementeel oorgeplaas is, word op meriete oorweeg. Die eis moet deur kwitansies of ander bewyse van uitbetaling gestaaf word.

(9) As 'n werknemer met kort kennisgewing oorgeplaas word en gevolglik huur moet betaal vir 'n kennisgewingtydperk waartydens hy nie die verblyfplek bewoon nie, kan die bedrag wat hy betaal het of 'n gedeelte daarvan aan hom terugbetaal word.

OMGESETTE KOSTE EN SPESIALE GEVALLE

ALLE WERKNEMERS

121. (1) Die Hoofbestuurder kan magtiging verleen vir die betaling van omgesette koste in plaas van enige skaal wat in hierdie regulasies voorgeskryf word.

(2) In spesiale gevalle kan die Hoofbestuurder bykomende betalings magtig ten opsigte van die tydperk of die kosteskaal wat in hierdie regulasies voorgeskryf word.

(3) Ondanks die bepalings van hierdie regulasies kan die Hoofbestuurder in die algemeen of in besondere gevalle magtig dat die uitgawe wat 'n werknemer by sy hoofkwartierstasie aangaan, ten volle of gedeeltelik aan hom terugbetaal word, mits sodanige uitgawe redelikerwyse aangegaan word as gevolg van spesiale omstandighede wat voortspruit uit die uitvoering van sy ampspligte.

(4) Die benaming "Hoofbestuurder" in hierdie regulasie beteken die Hoofbestuurder, 'n waarnemende hoofbestuurder, 'n adjunk-hoofbestuurder of 'n assistent-hoofbestuurder persoonlik.

HOOFSTUK 8

ONBEKWAAMHEID

122. Die komitee bedoel in artikel 11 (3) van die Wet, bestaan uit 'n voorsitter en twee lede wat deur die Hoofbestuurder benoem word, en (met uitsondering van 'n geval waar die werknemer wie se aftrede oorweeg word, 'n senior amptenaar is) een lid wat deur die betrokke vakvereniging benoem word. In die geval van 'n senior amptenaar, bestaan die komitee slegs uit die voorsitter en twee lede wat deur die Hoofbestuurder benoem word. "Hoofbestuurder" beteken vir die doel van hierdie regulasie, die Hoofbestuurder, 'n waarnemende hoofbestuurder, 'n adjunk-hoofbestuurder of 'n assistent-hoofbestuurder persoonlik.

(f) If the fixed amount has been paid to an employee and he has for one or other reason not yet moved to a house or flat after three months have elapsed from the date of his transfer, he may retain the fixed amount.

(g) If a married employee and his wife, who is also employed by the South African Transport Services, are transferred as contemplated in paragraph (1), the fixed amount is payable to the husband only.

(h) An employee who occupied a house or flat furnished with his own furniture but vacated it as a result of his transfer to the regular relief personnel and stored or sold such furniture, and as a result of an official transfer from the regular relief personnel again moves into an unfurnished house or flat, may be paid the fixed amount in respect of the latter transfer. Storage charges shall not be refunded.

(7) The amounts mentioned in paragraph (6) may, without formal amendment thereof, be adjusted from time to time to the benefit of employees in the discretion of the General Manager. For the purposes of this paragraph "General Manager" shall mean the General Manager, an Acting General Manager, Deputy General Manager or Assistant General Manager personally.

(8) A claim for compensation by a married employee, who does not reside in a house or flat or who rents a furnished house or flat, for additional expenditure incurred when transferred departmentally, shall be considered on its merits. The claim shall be supported by receipts or other evidence of disbursement.

(9) If an employee is transferred at short notice and, as a result, has to pay rent in lieu of notice, he may be reimbursed the amount paid or any part thereof.

COMMUTED EXPENSES AND SPECIAL CASES ALL EMPLOYEES

121. (1) The General Manager may authorise the payment of a commuted expense in lieu of any tariff prescribed in these regulations.

(2) In special cases, the General Manager may authorise additional payments either in respect of the period or the rate of expenses prescribed in these regulations.

(3) Notwithstanding anything contained in these regulations, the General Manager may, either generally or in particular cases, authorise the repayment to an employee of the whole or a portion of any expenditure incurred by him at his headquarters station where such expenditure is reasonably incurred by reason of special circumstances arising out of the performance by the employee of his official duties.

(4) The designation "General Manager" used in this regulation means the General Manager, an Acting General Manager, a Deputy General Manager or an Assistant General Manager personally.

CHAPTER 8

INEFFICIENCY

122. The Committee referred to in section 11 (3) of the Act shall consist of a chairman and two members nominated by the General Manager, and (other than in a case where the employee whose retirement is being considered is a senior officer) one member nominated by the trade union concerned. In the case of a senior officer, the committee shall consist only of the chairman and two members nominated by the General Manager. "General Manager" means, for the purpose of this regulation, the General Manager, an Acting General Manager, a Deputy General Manager or an Assistant General Manager personally.

HOOFSTUK 9

AFDELING 1

DISSIPLINE

TOEPASBAARHEID VAN REGULASIES VERVAT IN AFDELING 1

123. Die bepalings van die regulasies in hierdie afdeling (regulasies 123 tot 131 inbegryp) is van toepassing op alle werknemers behalwe polisiebeamptes en sekuriteitswagte op wie die bepalings van die gemelde regulasies van toepassing is net in die mate bepaal in regulasie 139 (9) en in regulasie 141.

DISSIPLINÊRE OORTREDINGS MOET GERAPPOORTEER WORD

124. (1) As daar beweer of vermoed word dat 'n werknemer aan 'n dissiplinêre oortreding skuldig is en die geval deur 'n hoër gesag hersien moet word, moet die gesaghebbende werknemer die omstandighede dadelik aan een van die amptenare genoem in regulasie 126 rapporteer.

(2) So 'n rapport moet 'n duidelike verklaring van die beweerde oortreding bevat asook ander besonderhede wat nodig geag word deur die persoon wat die saak rapporteer, en saamgestuur word met sodanige skriftelike en ondertekende verklarings as wat ter staving van die rapport verkry kan word.

SKORSING VAN DIENS

125. (1) As 'n beweerde dissiplinêre oortreding of 'n strafregtelike aanklag wat in opdrag van die Staat teen 'n werknemer ingebring is, as ernstig beskou word, kan 'n toesighoudende amptenaar of 'n ander verantwoordelike werknemer wat in beheer van personeel is, onderworpe aan die bepalings van paragraaf (2), sodanige werknemer kragtens die bepalings van artikel 17 (5) van die Wet tydelik van diens skors hangende 'n ondersoek, en hy moet sy hoër amptenaar onmiddellik van die skorsing in kennis stel.

(2) As die werknemer wat 'n dissiplinêre oortreding ontdek, nie regstreeks oor sodanige werknemer beheer voer nie, moet hy die saak sonder versuim aan die amptenaar in beheer of 'n ander beskikbare gesag rapporteer wat opdrag kan gee dat die persoon tydelik geskors word as dit nodig is. 'n Skorsing ingevolge hierdie regulasie moet so gou moontlik skriftelik bekragtig of nietig verklaar word deur een van die amptenare wat ingevolge die bepaling van regulasie 126 met bevoegdheid bekleed is.

(3) 'n Werknemer wat geskors is vir 'n oortreding in verband waarmee strafregtelike vervolging nie teen hom ingestel word nie, kan gedurende die tydperk van skorsing werk buite die Suid-Afrikaanse Vervoerdienste aanvaar, onderworpe aan die voorwaarde dat hy—

- (i) besonderhede van sodanige werk verstrek sodra hy in die buitebetrekking begin werk, en
- (ii) binne 48 uur nadat sy skorsing opgehef is, diens by die Suid-Afrikaanse Vervoerdienste hervat.

AMPTENARE GEMAGTIG OM MET GEVALLE VAN DISSIPLINÊRE OORTREDING TE HANDEL

126. (1) By ontvangs van 'n verslag genoem in regulasie 124 kan 'n assistent-hoofsuperintendent (dissipline), 'n seniorsuperintendent (dissipline), 'n superintendent (dissipline), 'n assistent-superintendent (dissipline) of, in 'n geval waar die werknemer op wie die verslag betrekking het, die senior van die mees senior van sodanige amptenare wat jurisdiksie ingevolge paragraaf (2) het, 'n amptenaar wat die senior van sodanige werknemer is, onderworpe aan die bepalings van paragraaf (2) en die dissiplinêre bepalings van die Wet, onder sy eie ampsbenaming en naam op die wyse in hierdie regulasies bepaal, ondersoek instel na en

CHAPTER 9

SECTION 1

DISCIPLINE

APPLICABILITY OF REGULATIONS CONTAINED IN SECTION 1

123. The regulations contained in this section (123 to 131 inclusive) are applicable to all employees with the exception of policemen and security guards to whom the said regulations are applicable only to the extent provided for in regulation 139 (9) and in regulation 141.

DISCIPLINARY INFRINGEMENTS TO BE REPORTED

124. (1) Where it is alleged or suspected that an employee has been guilty of a disciplinary infringement and review by higher authority is necessary, the employee in authority shall forthwith report the circumstances to one of the officers specified in regulation 126.

(2) All such reports shall embody a clear statement of the offence alleged, and any other particulars which the person reporting the matter may think it necessary to include, and shall be accompanied by such supporting written and signed statements as may be obtainable.

SUSPENSION FROM DUTY

125. (1) Where an alleged disciplinary offence or a criminal charge which has been preferred against an employee at the instance of the State, is regarded as serious, a supervising officer or other responsible employee who is in charge of personnel may, subject to the terms of paragraph (2), temporarily suspend an employee from duty in terms of section 17 (5) of the Act, pending an investigation, and shall immediately report the suspension to his superior officer.

(2) If the employee who detects a disciplinary offence is not directly responsible for the control of such employee, he shall report the matter without delay to the officer in charge or other available authority, who may order temporary suspension if necessary. A suspension made under this regulation shall as soon as possible be confirmed or annulled in writing by one of the officers vested with authority in terms of regulation 126.

(3) An employee under suspension for an infringement in connection with which he is not being criminally prosecuted, shall not be debarred from taking up employment outside the South African Transport Services during the period of suspension, subject to the condition that he—

- (i) furnishes particulars of such employment immediately he takes up duty in the outside occupation, and
- (ii) resumes duty with the South African Transport Services within 48 hours after his suspension has been raised.

OFFICERS EMPOWERED TO DEAL WITH CASES OF DISCIPLINARY INFRINGEMENT

126. (1) On receipt of a report referred to in regulation 124, an Assistant Chief Superintendent (Discipline), a Senior Superintendent (Discipline), a Superintendent (Discipline), an Assistant Superintendent (Discipline) or, in a case where the employee to whom the report relates is senior to the most senior of such officers having jurisdiction in terms of paragraph (2), an officer senior to such employee, may, subject to the terms of paragraph (2) and to the disciplinary provisions of the Act, under his own designation and name,

kan hy of 'n ander sodanige amptenaar 'n beslissing gee oor die skuld of onskuld van die werknemer waarna die verslag verwys en, indien die bevinding skuldig is, een van die strawwe oplê waarvoor in artikel 19 (1) van die Wet voorsiening gemaak word.

(2) Wanneer 'n assistent-hoofsuperintendent (dissipline), 'n seniorsuperintendent (dissipline), 'n superintendent (dissipline) of 'n assistent-superintendent (dissipline) die bevoegdheid uitoefen wat ingevolge hierdie regulasie aan hom verleen is, is hy bevoeg om sodanige bevoegdheid uit te oefen met betrekking tot die werknemers in enige departement binne die geografiese gebied ten opsigte waarvan hy aangestel is of enige ander gebied wat van tyd tot tyd bekend gemaak mag word. Ander amptenare, wat die bevoegdheid ingevolge paragraaf (1) uitoefen, doen dit slegs in hulle eie departemente.

(3) Ondanks die bepalinge van hierdie regulasie kan 'n amptenaar wat die graad superintendent of hoër in die Hoofbestuurder se kantoor of in die Ministerie van Vervoerwese beklee, aangestel word om ingevolge hierdie regulasies ondersoek in te stel na, 'n beslissing te gee en straf op te lê in verband met 'n rapport bedoel in regulasie 124 wat betrekking het op 'n lid van die personeel van sodanige kantoor of die Ministerie.

(4) Die Hoofbestuurder kan aan ander amptenare as dié bedoel in paragrafe (1) en (3) van hierdie regulasie, die bevoegdheid verleen om ondersoek in te stel na en 'n beslissing te gee oor bewerings van geringe dissiplinêre oortredings en om straf kragtens artikel 19 (1) (a) van die Wet op te lê.

GERINGE DISSIPLINÊRE OORTREDINGS

127. (1) Indien 'n oortreding as 'n geringe dissiplinêre oortreding beskou word en die bepalinge van artikel 17 (2) van die Wet nagekom is, moet die amptenaar wat met die geval handel, na oorweging van die werknemer se mondelinge of skriftelike verduideliking en van verder inligting wat hy nodig of raadsaam ag om in te win ten einde tot 'n behoorlike beslissing te geraak, die werknemer of—

- (a) vryspreek; of
- (b) een van die strawwe soos bepaal in artikel 19 (1) (a) van die Wet oplê.

(2) As straf opgelê word ten opsigte van 'n klagstaat wat meer as een aanklag bevat, moet die straf normaalweg vir elke afsonderlike aanklag bepaal en opgelê word, maar as die verskeie aanklagte op dieselfde stel omstandighede betrekking het, kan al die aanklagte vir die doel van strafoplegging saamgevat word.

(3) 'n Werknemer moet nie van 'n geringe dissiplinêre oortreding aangekla word ná dertig dae nadat die dissiplinêre oortreding gerapporteer is nie, en ook nie as die oortreding nie gerapporteer is binne dertig dae nadat dit begaan is nie.

ERNSTIGE DISSIPLINÊRE OORTREDINGS

128. (1) Indien 'n oortreding as 'n ernstige dissiplinêre oortreding beskou word, kan die amptenaar wat met die geval handel—

- (i) die werknemer wat na bewering 'n oortreding begaan het, skors as hy nie reeds geskors is nie; of
- (ii) 'n tydelike skorsingsbevel bekragtig of nietig verklaar; en
- (iii) 'n skriftelike aanklag aan die beweerde oortreder laat beteken en hom geleentheid gee om op of voor 'n bepaalde datum, minstens vyf werkdade na die ontvangs van die aanklag, skriftelik daarop te antwoord.

inquire into and he, or another such officer, may decide upon the guilt or innocence of the employee to whom the report relates and, if the finding is guilty, impose one of the punishments for which provision is made in section 19 (1) of the Act.

(2) In exercising the powers vested in him in terms of this regulation, as Assistant Chief Superintendent (Discipline), a Senior Superintendent (Discipline), a Superintendent (Discipline) or an Assistant Superintendent (Discipline) shall be competent to exercise such powers in relation to employees in any department within the geographical area in respect of which he has been appointed or any other area that may be notified from time to time. Other officers, exercising powers in terms of paragraph (1), shall do so within their own departments only.

(3) Notwithstanding anything contained in this regulation, an officer holding the grade of Superintendent or higher may be appointed in the office of the General Manager or in the Ministry of Transport Affairs to inquire into, decide upon and impose punishment in terms of these regulations in connection with a report referred to in regulation 124 relating to a member of the personnel of such office or the Ministry.

(4) The General Manager may grant to officers other than those referred to in paragraphs (1) and (3) of this regulation, power to inquire into and decide upon allegations of minor disciplinary infringements and to impose punishment in terms of section 19 (1) (a) of the Act.

MINOR DISCIPLINARY INFRINGEMENTS

127. (1) If an offence is regarded as a minor disciplinary infringement, and the provisions of section 17 (2) of the Act have been complied with, the officer dealing with the case shall after considering the employee's oral or written explanation and any further information which he may deem necessary or desirable to obtain to arrive at a proper decision, either—

- (a) acquit the employee; or
- (b) impose one of the punishments as prescribed in section 19 (1) (a) of the Act.

(2) Where punishment is imposed in respect of a charge comprising more than one count, the punishment shall normally be assessed and imposed in respect of each of the individual counts, but where the several counts relate to the same set of circumstances, all the counts may be treated as one for the purpose of imposing punishment.

(3) An employee shall not be charged with a minor disciplinary infringement later than thirty days after the offence is reported, nor shall he be so charged unless the offence is reported within thirty days of its occurrence.

SERIOUS DISCIPLINARY INFRINGEMENTS

128. (1) If an offence is regarded as a serious disciplinary infringement, the officer dealing with the case—

- (i) may suspend the employee against whom an offence is alleged, if not already suspended; or
- (ii) may confirm or annul any temporary order of suspension; and
- (iii) shall cause a written charge to be served upon him and shall give him an opportunity to reply thereto in writing on or before a date to be specified, which shall not be less than five working days from the time of the receipt of the charge.

(2) As die genoemde amptenaar meen dat 'n saak wat aan hom voorgelê is, nie na regte mee gehandel kan word as 'n ernstige dissiplinêre oortreding nie, kan hy dit as 'n geringe dissiplinêre oortreding afhandel of kan hy dit vir afhandelings verwys na enige ander amptenaar wat gemagtig is om met sodanige dissiplinêre oortreding te handel.

(3) As 'n werknemer teen wie 'n rapport aangaande so 'n dissiplinêre oortreding ingedien is, met verlof (ook gemagtigde siekteverlof) is, moet die aanklag aan hom beteken word en kan hy dadelik geskors word of kan die skorsingsbevel na goeddunke van die amptenaar wat met die geval handel, teruggehou word totdat sodanige verlof verstryk. As dit nie bekend is waar 'n werknemer hom bevind nie, moet die aanklag en/of kennisgewing van skorsing per aangetekende brief aan sy jongs bekende adres gerig word.

(4) Sodra die antwoord op die aanklag ontvang word, of as dit nog nie ontvang is teen die datum wat daarin bepaal is nie, moet die amptenaar wat met die saak handel of 'n ander sodanige amptenaar soos bedoel in regulasie 126 (1), na behoorlike oewerweging van die getuienis en verklarings wat hy voor hom het en van verder inligting wat hy nodig of raadsaam ag om in te win ten einde tot 'n behoorlike beslissing te geraak, of

(a) die werknemer vryspreek; of

(b) as hy besluit dat die werknemer skuldig is maar dat die oortreding nie 'n swaarder straf regverdig as dié wat vir 'n geringe dissiplinêre oortreding opgelê kan word nie, met die geval as een van 'n geringe dissiplinêre oortreding handel en een van die strawwe bepaal in artikel 19 (1) (a) van die Wet oplê; of

(c) opdrag gee dat 'n ondersoek gehou word en daarna voortgaan soos uiteengesit in regulasies 129 en 131; of

(d) onderworpe aan die bepalings van regulasie 129, een van die strawwe bepaal in artikel 19 (1) (b) van die Wet oplê.

As 'n straf van 'n boete opgelê word ten opsigte van 'n klagstaat wat meer as een aanklag bevat, moet die straf normaalweg vir elke afsonderlike aanklag bepaal en opgelê word, maar as die verskeie aanklagte op dieselfde stel omstandighede betrekking het, kan al die aanklagte vir die doel van strafoplegging saamgevat word.

(5) Sodra 'n besluit geneem is, moet die aangeklaagde werknemer skriftelik daarvan in kennis gestel word.

(6) In geval van 'n vermindering in salaris of 'n verlaging in rang, graad of klas met 'n vermindering in salaris as straf, word die verlaging in rang, graad of klas van krag van die datum waarop die kennisgewing van straf aan die werknemer oorhandig word, maar enige vermindering in salaris word van krag van die eerste dag van die volgende betaalmaand tensy die kennisgewing van straf op die eerste dag van 'n betaalmaand aan die werknemer oorhandig word, in welke geval die vermindering in salaris onmiddellik in werking tree.

(7) Die kennisgewing van straf waarin die vermindering in salaris of verlaging in rang, graad of klas met 'n vermindering in salaris vir 'n bepaalde tydperk aangekondig word, moet ook die datum aandui waarop die betrokke werknemer in sy vorige rang, graad of klas herstel moet word en/of weer sy vorige salaris moet ontvang. Sodanige datum moet die eerste dag van die betaalmaand wees.

ONDERSOEK NA ERNSTIGE DISSIPLINÊRE OORTREDINGS

129. (1) As 'n werknemer in vaste diens aangekla word van 'n ernstige oortreding wat hy nie ondubbelsinnig skriftelik erken het nie en die amptenaar wat met die geval handel die oortreding as so ernstig beskou dat dit die oplê van een van die strawwe bepaal in artikel 19 (1) (b) (iii),

(2) Where the said officer is of the opinion that a case which has been submitted to him is not a proper one to be dealt with as one of serious disciplinary infringement, he may dispose of the case as a minor disciplinary infringement or may refer it for disposal to any other officer who is empowered to deal with such a disciplinary infringement.

(3) In the event of an employee against whom such a disciplinary infringement has been reported being on leave of absence (including authorised sick leave), the charge shall be served upon him, and he may be suspended forthwith or the order of suspension may be withheld until the expiry of such leave, in the discretion of the officer dealing with the case. If the whereabouts of an employee are not known, the charge and/or intimation of suspension shall be addressed by registered letter to his last known address.

(4) As soon as the reply to the charge is received, or if the reply to the charge is not received by the date specified therein, the officer dealing with the case or another such officer as provided for in regulation 126 (1), shall, after due consideration of the evidence and statements which he then has before him, and of any further information which he may deem necessary or desirable to obtain in order to arrive at a proper decision, either—

(a) acquit the employee; or

(b) if he decides that the employee is guilty but that the offence does not merit a more severe punishment than can be imposed for a minor disciplinary infringement, deal with the case as one of minor disciplinary infringement and impose one of the punishments prescribed in section 19 (1) (a) of the Act; or

(c) order an inquiry to be held and thereafter proceed in the manner set forth in regulation 129 and 131; or

(d) subject to the terms of regulation 129, impose one of the punishments prescribed in section 19 (1) (b) of the Act.

Where a punishment of a fine is imposed in respect of a charge comprising more than one count, the punishment shall normally be assessed and imposed in respect of each of the individual counts but where the several counts relate to the same set of circumstances, all the counts may be treated as one for the purpose of imposing punishment.

(5) As soon as a decision is made, the employee charged shall be notified thereof in writing.

(6) Where a punishment of reduction in salary or of reduction in rank, grade or class with a reduction in salary is imposed, the reduction in rank, grade or class shall take effect as from the date on which the notification of punishment is handed to the employee, but any reduction in salary shall take effect only from the first day of the following paymonth, unless the notification of punishment is handed to the employee on the first day of a paymonth, in which case the reduction in salary shall take effect immediately.

(7) The notification of a punishment of a reduction in salary or of a reduction in rank, grade or class with reduction in salary for a specified period, shall indicate the date as from which the employee concerned shall be restored to his former rank, grade or class and/or receive his former salary. Such date shall be the first day of the paymonth.

INQUIRIES INTO SERIOUS DISCIPLINARY INFRINGEMENTS

129. (1) If an employee in permanent employment is charged with a serious offence, which he has not admitted unequivocally in writing, and the officer dealing with the case considers that such offence is of so serious a nature as to necessitate the imposition of one of the punishments provided for in section 19 (1) (b) (iii), (iv), (v), (vi) and

(iv), (v), (vi) en (vii) van die Wet noodsaak, of as sodanige werknemer skuld erken het maar verlang dat 'n ondersoek gehou word, of as ander omstandighede so 'n stap regverdig, moet die aangeklaagde werknemer skriftelik in kennis gestel word van 'n datum en tyd waarop die aanklag verder ondersoek sal word deur die amptenaar wat met die geval handel of deur sodanige ander amptenaar of amptenare as wat ingevolge die bepalings van regulasie 130 aangestel mag word. Die aangeklaagde werknemer moet in sodanige kennisgewing meegedeel word dat hy op die datum, tyd en plek wat daarin genoem word, by 'n ondersoek teenwoordig moet wees, en hy moet versoek word om kennis te gee van watter werknemers (as daar is) hy as getuies vir sy verdediging wil oproep, sodat daar gereël kan word dat hulle die ondersoek bywoon.

(2) Sodanige ondersoek moet nie later nie as op die laaste dag van die tydperk bepaal in artikel 19 (5) (e) van die Wet begin, en as die aangeklaagde werknemer 'n getuie wil oproep wat nie 'n werknemer is nie, kan hy dit doen, maar hy moet dit op eie koste doen en self die nodige reëlings tref.

(3) As daar verlang word dat 'n werknemer ten behoeve van 'n aangeklaagde werknemer moet getuig, word daar op versoek van die aangeklaagde werknemer gereël dat sodanige werknemer die ondersoek bywoon.

(4) As 'n aangeklaagde werknemer verkies om by 'n ondersoek bygestaan te word, kan hy kragtens artikel 21 (1) van die Wet van bystand gebruik maak en moet hy volledige besonderhede van die persoon deur wie hy bygestaan wil wees, minstens twaalf dae voor die datum bepaal vir die ondersoek verstrek aan die amptenaar onder wie se beheer hy werk of aan die amptenaar of amptenare wat die ondersoek hou, met dien verstande dat as die werknemer in kennis gestel is dat die ondersoek op 'n bepaalde dag geopen sal word net om sy antwoord op die aanklag aan te teken en daarna verdaag sal word sonder dat getuienis aangehoor word, hy nie geregtig is om by die verrigtinge op daardie dag deur 'n ander persoon bygestaan te word nie.

(5) (a) 'n Werknemer wat 'n ander werknemer by 'n ondersoek bystaan, word kragtens artikel 21 (2) van die Wet betaal vir die tyd wat hy sodanige ondersoek bywoon.

(b) Die grondslag van betaling is soos volg:

TREINPERSONEEL

Die volgende tyd word toegestaan aan 'n lid van die treinpersoneel:

- (i) As hy nie op die dag werk waarop hy die ondersoek bywoon nie—gewone tyd vir die tydperk van sy bywoning, onderworpe aan 'n minimum van 'n halfdag en 'n maksimum van een dag; en
- (ii) as hy op die dag werk waarop hy die ondersoek bywoon—gewone tyd vir die tydperk van sy bywoning, onderworpe aan 'n maksimum van 'n halfdag.

ALLE ANDER WERKNEMERS

'n Werknemer (behalwe 'n lid van die treinpersoneel) ontvang een dag se betaling vir elke dag waarop hy die ondersoek moet bywoon.

(c) 'n Werknemer wat gewoonlik oortyd-, bonuswerk- of ander spesiale betalings ontvang, word nie daarvoor vergoed wanneer hy 'n ander werknemer by 'n ondersoek bystaan nie.

(d) Geen reiskoste word betaal aan 'n werknemer wat 'n ondersoek bywoon om 'n ander werknemer by te staan nie.

(e) Vir die toepassing van hierdie paragraaf sluit die uitdrukking "tydperk van sy bywoning" tyd in wat noodsaaklikerwys deur 'n werknemer bestee word om tussen sy hoofkwartier en die plek van die ondersoek te reis, maar

(vii) of the Act, or if such employee has admitted his guilt but desires that an inquiry shall be held, or if other circumstances warrant such a course, the employee charged shall be given notice in writing, of a date and time when the charge will be further inquired into by the officer dealing with the case or such other officers as may be appointed under regulation 130. In such notice the employee charged shall be informed that he is required to be present at an inquiry to be held at the date, time and place mentioned in the notice, and he shall be called upon to notify what employees, if any, he desires to call as witnesses in his defence, in order that arrangements may be made for their attendance.

(2) Such inquiry shall be commenced not later than on the last day of the period prescribed in section 19 (5) (e) of the Act and if the employee charged desires to call a witness who is not an employee he may do so, but at his own expense and by his own arrangement.

(3) The attendance of any employee who may be required to give evidence on behalf of an employee charged shall, on application by the employee concerned, be arranged.

(4) If an employee charged elects to avail himself of assistance at an inquiry he may do so in terms of section 21 (1) of the Act and he shall, not less than twelve days before the date fixed for the inquiry, supply to the officer under whose control he is employed or to the officer or officers holding the inquiry, full particulars of the person whom he desires to assist him, provided that if the employee has been notified that the inquiry will be opened on a particular day only for the purpose of recording his reply to the charge and will thereafter be adjourned without any evidence being heard, he shall not be entitled to be assisted by another person at the proceedings on that day.

(5) (a) An employee assisting another employee at an inquiry shall be paid, for the period of his attendance at such inquiry, in terms of section 21 (2) of the Act.

(b) The basis of pay shall be as follows:

TRAINMEN

A trainman shall be credited with time on the following basis:

- (i) Where no duty is performed on the day upon which attendance at the inquiry takes place—ordinary time for the period of his attendance, subject to a minimum of half a day and a maximum of one day; and
- (ii) where, on the day upon which attendance at the inquiry takes place, duty is performed—ordinary time for the period of his attendance subject to a maximum of half a day.

ALL OTHER EMPLOYEES

An employee (other than a trainman) shall receive one day's pay in respect of his period of attendance at the inquiry for each day on which he is so occupied.

(c) No payment shall be made to an employee for loss of overtime, bonuswork earnings or other special payments ordinarily earned by an employee attending to assist another employee at an inquiry.

(d) No travelling expenses shall be paid to any employee attending to assist another employee at an inquiry.

(e) For the purpose of the application of this paragraph, the expression "period of his attendance" includes any time necessarily spent by an employee in travelling between his headquarters and the venue of the inquiry, but no payment

daar word nie betaal of tyd toegestaan, na gelang van die geval, vir 'n Sondag of openbare vakansiedag of 'n gedeelte daarvan, wat binne die tydperk van bywoning val nie, tensy die ondersoekverrigtinge op so 'n dag plaasvind.

(f) " 'n Dag se tyd" vir die doel van hierdie paragraaf beteken 8 uur soos bepaal deur regulasie 63 (6).

(6) Die getuie van getuies wat lede van die publiek is en nie bereid of in staat is om die ondersoek by te woon of daar te getuig nie, kan per beëdigde verklaring afgeneem en gebruik word, mits daar ander getuie is, afgelê by die ondersoek deur een of meer getuies, wat die beëdigde verklaring staaf.

(7) Die aangeklaagde werknemer moet by die ondersoek versoek word om die aanklag te erken of te ontken. Hy word die geleentheid gegee om sy saak te stel. As die verklarings van die getuies ter stawing van die aanklag nie deur die aangeklaagde werknemer erken word nie, word die getuies aangehoor en word hy toegelaat om hulle onder kruisverhoor te neem. Die aangeklaagde werknemer kan enige ander werknemer of persoon as getuie vir sy verdediging oproep. Die amptenaar of amptenare wat die ondersoek hou, kan enige vraag wat hy of hulle nodig ag, aan 'n getuie stel en hy of hulle moet, tensy dit klaarblyklik ondoenlik is, ook getuie afneem van enige persoon wat in staat is of mag wees om inligting te verstrek wat betrekking het op die juistheid of andersins van enige verklaring of getuie wat deur die aangeklaagde werknemer gemaak of afgelê is, of op die geldigheid van enige verweer wat hy aangevoer het. Alle noodsaaklike getuie moet behoorlik in die amptelike taal aangeteken word waarin dit afgelê word en moet deur die amptenaar onderteken word wat die ondersoek hou of, as daar meer as een ondersoekamptenaar is, deur die voorsitter en, sover moontlik, deur die getuie. 'n Werknemer wat 'n dissiplinêre oortreding rapporteer, mag nie aan die ondersoek deelneem nie, behalwe as getuie.

(8) 'n Ondersoek kan van tyd tot tyd verdaag word.

(9) Versuim van die aangeklaagde werknemer om die ondersoek of 'n gedeelte daarvan by te woon, indien dit te wyte is aan omstandighede waarvoor hy beheer het, kan as 'n dissiplinêre oortreding behandel word, en dit maak nie die ondersoek ongeldig nie, mits die amptenaar of amptenare wat die ondersoek hou, oortuig is daarvan dat die kennisgewing genoem in paragraaf (1) behoorlik aan die betrokke werknemer beteken of afgelewer is.

(10) As dit na die mening van die voorsittende amptenaar by die ondersoek wenslik is dat die getuie van 'n getuie onder eed afgelê word, moet hy die getuie meedeel dat daar van hom vereis sal word om sy getuie onder eed te bevestig nadat dit aangeteken is, en as die genoemde amptenaar 'n kommissaris van ede is, moet hy sodanige gedeelte van die getuie wat aangeteken is nadat die getuie aldus meegedeel is op die gepaste tydstip deur die getuie laat beëdig, met dien verstande dat die bedoelde amptenaar nie getuie deur so 'n getuie mag laat beëdig as hy rede het om te glo dat die getuie onwillig is om sy getuie onder eed te bevestig nie.

AANSTELLING VAN AMPTENARE OM 'N ONDER- SOEK TE HOU

130. Een of meer amptenare (behalwe die werknemer wat die beweerde oortreding gerapporteer het) kan aangestel word om ten behoeve van 'n amptenaar genoem in regulasie 126 'n ondersoek ingevolge die bepalinge van regulasie 129 of 'n ander soortgelyke ondersoek te hou en om in alle aanverwante sake op te tree as 'n amptenaar wat gemagtig is om met die geval te handel, met slegs dié voorbehoud dat in plaas daarvan om die aangeklaagde werknemer vry te spreek of skuldig te bevind, sodanige amptenaar of amptenare sy/hulle gevolgtrekkings oor die getuie en volledige

shall be made or time credited, as the case may be, for a Sunday or public holiday or part of any such day, falling within the period of attendance, unless inquiry proceedings occur on any such day.

(f) "A day's time" for the purpose of this paragraph shall mean 8 hours as stipulated in regulation 63 (6).

(6) The evidence of witnesses who are members of the public and who are not prepared or able to attend or to give evidence at the inquiry, may be taken by affidavit and used, provided other evidence exists, given at the inquiry by one or more witnesses, which substantiates the affidavit.

(7) At the inquiry the employee charged shall be called upon to admit or deny the charge. He shall be afforded an opportunity of stating his case. If the statements of the witnesses in support of the charge are not admitted by the employee charged, the witnesses shall be heard and he shall be allowed to cross-examine them. The employee charged may call any other employee or other person as a witness in his defence. The officer or officers conducting the inquiry may put any question that may be deemed necessary to any witness and he or they shall, unless it is clearly impracticable to do so, also take evidence from any person who is or may be able to furnish information bearing upon the correctness or otherwise of any statement made or given by the employee charged, or upon the validity of any defence raised by him. All essential evidence shall be duly recorded in the official language in which it is tendered and be signed by the officer conducting the inquiry or, if there be more than one, by the chairman and, as far as practicable, by the witness. No employee reporting a disciplinary infringement shall take any part in an inquiry except as a witness.

(8) Any inquiry may be adjourned from time to time.

(9) Failure on the part of the employee charged to attend the inquiry or any part thereof, if due to circumstances within his control, may be dealt with as a disciplinary infringement and shall not invalidate the inquiry, if the officer or officers conducting the inquiry is or are satisfied that the notice referred to in paragraph (1) has been duly served upon or delivered to the employee concerned.

(10) If, in the opinion of the officer presiding at or over the inquiry, it is desirable that the evidence of any witness be taken under oath, the said officer shall inform such witness that he will be required to swear to the truth of his evidence after it has been recorded, and thereupon such officer shall, if he is a commissioner of oaths, at the appropriate time administer an oath to such witness in respect of such portion of his evidence as was recorded after the witness was so informed, provided that the said officer shall not administer an oath to such witness if he has reason to believe that the witness is unwilling to swear to the truth of his evidence.

APPOINTMENT OF OFFICERS TO HOLD INQUIRY

130. One or more officers (other than the employee reporting the alleged offence) may be appointed on behalf of an officer specified in regulation 126 to hold an inquiry under regulation 129 or other inquiry of a similar nature, and to act in all matters relating thereto as an officer empowered to deal with the case, save only that instead of acquitting the employee charged or finding him guilty, such

redes vir sodanige gevolgtrekkings asook sy/hulle aanbevelings (as daar is) moet voorlê aan die amptenaar genoem in regulasie 126 of, indien sodanige amptenaar nie beskikbaar is nie, aan 'n ander amptenaar met gelyke of meer senior gradering.

GEDRAGSLYN NÁ DIE ONDERSOEK

131. As die amptenaar wat gemagtig is om met die saak te handel, die getuienis persoonlik aanhoor, moet hy, tensy dit klaarblyklik ondoenlik is, ook getuienis afneem van enige persoon wat in staat is of mag wees om inligting te verstrek wat betrekking het op die juistheid of andersins van enige verklaring of getuienis wat deur die aangeklaagde werknemer gemaak of afgelê is, of op die geldigheid van enige verweer wat hy aangevoer het. As 'n amptenaar of amptenare ingevolge regulasie 130 aangestel is om 'n ondersoek ingevolge regulasie 129 te hou en daardie amptenaar of amptenare in gebreke gebly het om getuienis in te win wat na die mening van die amptenaar wat met die saak handel, nodig is om hom in staat te stel om tot 'n behoorlike en regverdigde beslissing in die saak te geraak, moet hy die saak na daardie amptenaar of amptenare terugverwys met die opdrag om die ondersoek te heropen en om verder getuienis wat hy mag aandui, af te neem. Nadat hy òf al die getuienis aangehoor het òf oorweging verleen het aan die getuienis wat afgeneem en die verslag wat ingedien is deur die amptenaar of amptenare wat aangestel is om die ondersoek te hou, moet die amptenaar wat met die saak handel, of die ander sodanige amptenaar genoem in regulasie 126 (1), voortgaan soos deur daardie regulasie bepaal word.

AFDELING 2

POLISIEBEAMPTES—DISSCIPLINE

WOORDBEPALINGS

132. Vir die doel van hierdie afdeling—

beteken “bevelvoerende offisier” die polisieoffisier wat as sodanig aangewys is om bevel te voer oor die lede van die Polisiemag vir 'n bepaalde streek of ander gebied of wat daaraan verbonde of toegewys is vir diens of dissipline;

beteken “meerdere”, benewens enige polisieoffisier wat hoër is in rang of senioriteit, 'n polisiebeampte met enige rang wat gesag het oor 'n ander;

sluit “polisiebeampte” 'n konstabel (rekrut) en sekuriteitswag in.

RAPPORTEER VAN DISSIPLINÊRE OORTREDINGS

133. (1) As daar beweer of vermoed word dat 'n polisiebeampte skuldig is aan 'n dissiplinêre oortreding en die geval deur 'n hoër gesag hersien moet word, rapporteer die gesaghebbende polisiebeampte die omstandighede dadelik aan sy meerdere.

(2) Alle sodanige rapporte moet 'n duidelike verklaring bevat van die dissiplinêre oortreding wat beweer of vermoed word, asook ander besonderhede wat nodig geag word deur die polisiebeampte wat die saak rapporteer, en sodanige skriftelike en ondertekende verklarings as wat ter stawing van die rapport verkry kan word, moet saamgestuur word.

SKORSING VAN DIENS

134. (1) As daar beweer of vermoed word dat 'n polisiebeampte hom skuldig gemaak het aan 'n ernstige dissiplinêre oortreding, of as daar beskou word dat 'n strafregtelike aanklag wat teen 'n polisiebeampte ingebring is, ernstig is, kan hy kragtens artikel 17 (5) van die Wet van diens geskors word deur òf op magtiging van die Hoofbestuurder of enige polisiebeampte wat sy meerdere is of wat gesag oor hom het. As die persoon wat die polisiebeampte skors of magtiging vir sy skorsing verleen, nie 'n amptenaar is wat ingevolge regulasie 135 gemagtig is om dissiplinêre stappe

officer(s) shall report his/their conclusions upon the evidence, full reasons for arriving at the same, and recommendations (if any) to the officer specified in regulation 126 or, should such officer not be available, to another similarly graded or more senior officer.

PROCEDURE FOLLOWING INQUIRY

131. When the officer empowered to deal with the case hears the evidence personally he shall, unless it is clearly impracticable to do so, also take evidence from any person who is or may be able to furnish information bearing upon the correctness or otherwise of any statement made or evidence given by the employee charged, or upon the validity of any defence raised by him: Where an officer or officers has or have been appointed in terms of regulation 130 to hold an inquiry under regulation 129, and such officer or officers has or have failed to obtain any evidence which, in the opinion of the officer dealing with the case, is necessary to enable him to arrive at a proper and just decision in the case, he shall refer the matter back to the said officer or officers with directions to reopen the inquiry and to take such further evidence as he may indicate. After having heard all the evidence or, as the case may be, after having considered the evidence taken and the report submitted by the officer or officers appointed to hold the inquiry, the officer dealing with the case or the other such officer as provided for in regulation 126 (1) shall proceed as laid down in that regulation.

SECTION 2

POLICEMEN—DISCIPLINE

INTERPRETATIONS

132. For the purpose of this section, the term—

“commanding officer” means the police officer designated as such in command of the members of the Police Force for any given region or other area, or attached thereto for duty or discipline;

“superior officer” means, in addition to any police officer superior in rank or seniority, a policeman of any rank who is in a position of authority over another; and

“policeman” includes a constable (recruit) and security guard.

DISCIPLINARY INFRINGEMENTS TO BE REPORTED

133. (1) Where it is alleged or suspected that a policeman has been guilty of a disciplinary infringement and review by higher authority is necessary, the policeman in authority shall forthwith report the circumstances to his superior officer.

(2) All such reports shall embody a clear statement of the disciplinary infringement alleged or suspected, and any other particulars which the policeman reporting the matter may think it necessary to include, and shall be accompanied by such supporting written and signed statements as may be obtainable.

SUSPENSION FROM DUTY

134. (1) Where it is alleged or suspected that a policeman has been guilty of a serious disciplinary infringement, or where a criminal charge which has been preferred against a policeman is regarded as serious, he may, in terms of section 17 (5) of the Act, be suspended from duty by, or on the authority of, the General Manager or of any policeman who is his superior or who is in a position of authority over him. Where the person who suspends the policeman or authorises his suspension is not an officer who is empowered in terms of regulation 135 to take disciplinary action against the

teen hom te doen nie, word die skorsing in die eerste plek as tydelik beskou en is dit onderworpe aan skriftelike bekragting of nietigverklaring so gou moontlik deur 'n amptenaar wat aldus met dissiplinêre magte bekleed is.

(2) 'n Polisiebeampte wat geskors is vir 'n oortreding in verband waarmee strafregtelike vervolging nie teen hom ingestel word nie, mag nie gedurende die tydperk van skorsing belet word om werk buite die Suid-Afrikaanse Vervoerdienste te aanvaar nie, onderworpe aan die voorwaarde dat hy—

- (i) besonderhede van sodanige werk aan die Kommissaris van die Suid-Afrikaanse Spoorwegpolisie verstrek sodra hy in die buitebetrekking begin werk, en
- (ii) binne 48 uur nadat sy skorsing opgehef is, diens by die Suid-Afrikaanse Vervoerdienste hervat.

AMPTENARE WAT GEMAGTIG IS OM MET GEVALLE VAN DISSIPLINÊRE OORTREDINGS TE HANDEL

135. By ontvangs van 'n rapport genoem in regulasie 133 kan enigeen van die volgende amptenare, nl.—

- die Hoofbestuurder,
- die Kommissaris van die Suid-Afrikaanse Spoorwegpolisie,
- 'n adjunk-kommissaris van die Suid-Afrikaanse Spoorwegpolisie,
- 'n assistent-kommissaris van die Suid-Afrikaanse Spoorwegpolisie,
- 'n ander polisieoffisier,
- 'n amptenaar wat wettig in die plek van een van die voornoemde amptenare waarneem,

onderworpe aan die dissiplinêre bepalings van die Wet en binne die beperkings wat deur hierdie regulasies opgelê word, elkeen onder sy eie ampsbenaming en/of rang en naam, ondersoek instel na, 'n beslissing gee oor en straf opleë waarvoor in artikel 19 (1) van die Wet voorsiening gemaak word, in verband met die aangeleentheid, met dien verstande dat nóg 'n adjunk-kommissaris, nóg 'n assistent-kommissaris nóg 'n ander polisieoffisier sodanige stappe mag doen in die geval van 'n polisiebeampte wat sy senior is (of wat senior in rang is bo die betrekking waarin hy waarneem), maar sonder om afbreuk te doen aan bevoegdheid of beperkinge waarvoor uitdruklik in regulasies 137, 138, 140 en 141 voorsiening gemaak word. Die Hoofbestuurder of die Kommissaris kan egter die bevoegdheid wat ingevolge hierdie regulasie aan 'n polisieoffisier verleen is, beperk of intrek op sodanige wyse as wat hy as raadsaam mag beskou.

OORTREDINGS WAT AS DISSIPLINÊRE OORTREDING BESKOU WORD

136. Enigeen van die volgende dade of versuime van die kant van 'n polisiebeampte word o.a. as 'n dissiplinêre oortreding beskou, naamlik as hy—

- (1) 'n muitery of opstand begin, daartoe aanhits, dit veroorsaak of daaraan deelneem;
- (2) by 'n muitery of opstand aanwesig is en nie sy uiterste bes doen om dit te onderdruk nie;
- (3) met 'n ander persoon saamspan om 'n muitery of opstand te veroorsaak;
- (4) van 'n muitery of opstand weet en in gebreke bly om dit sonder versuim aan sy bevelvoerende offisier te rapporteer;
- (5) sy meerdere slaan of hom met geweld bedreig, of dreigende of weerspannige taal teenoor hom gebruik, of 'n parmantige of weerspannige houding teenoor hom aanneem;

policeman, the suspension shall be regarded as temporary in the first instance and shall be subject to written confirmation or annulment as soon as possible by any such officer who is so vested with disciplinary powers.

(2) A policeman under suspension for an infringement in connection with which he is not being criminally prosecuted, shall not be debarred from taking up employment outside the South African Transport Services during the period of suspension, subject to the condition that he—

- (i) furnishes the Commissioner of South African Railways Police with particulars of such employment immediately he takes up duty in the outside occupation, and
- (ii) resumes duty with the South African Transport Services within 48 hours after his suspension has been raised.

OFFICERS EMPOWERED TO DEAL WITH CASES OF DISCIPLINARY INFRINGEMENT

135. On receipt of a report referred to in regulation 133, any of the following officers, viz.—

- the General Manager,
- the Commissioner of South African Railways Police,
- a Deputy Commissioner of South African Railways Police,
- an Assistant Commissioner of South African Railways Police,
- any other police officer,
- an officer who is lawfully acting in the place of one of the above-mentioned officers;

may, subject to the disciplinary provisions of the Act and within the limitations imposed by these regulations, each under his own designation and/or rank and name, inquire into, decide upon and impose a punishment provided for in section 19 (1) of the Act in connection with the matter, provided that neither a Deputy Commissioner, and Assistant Commissioner nor other police officer may take any such action in the case of a policeman who is his senior (or is senior in rank to the position in which he is acting), but without derogating from powers or limitations expressly provided for in regulations 137, 138, 140 and 141. The General Manager or the Commissioner may, however, restrict or suspend the power conferred by this regulation upon any police officer in such manner as he may deem expedient.

OFFENCES REGARDED AS DISCIPLINARY INFRINGEMENTS

136. Any of the undermentioned acts or omissions on the part of a policeman shall, inter alia, be regarded as a disciplinary infringement—

- (1) beginning, inciting to, causing or joining in any mutiny or seditious conduct;
- (2) being present during any mutiny or seditious conduct and failing to use his utmost endeavour to suppress it;
- (3) conspiring with any person to cause mutiny, or seditious conduct;
- (4) knowing of any mutiny or seditious conduct and failing to report it without delay to his commanding officer;
- (5) striking or offering violence to, or using threatening or insubordinate language towards his superior officer, or behaving towards him in an insolent or insubordinate manner;

- (6) 'n ondergeskikte onderdruk of op 'n tirannieke wyse behandel;
- (7) 'n naamlose mededeling aan die Minister, die Hoofbestuurder, 'n streekbestuurder, die Kommissaris van die Suid-Afrikaanse Spoorwegpolisie of 'n ander meerdere rig;
- (8) valse aantygings van onbehoorlike gedrag teen 'n meerdere maak;
- (9) 'n polisiebeampte vals beskuldig of in enige aanklag 'n valse verklaring aflê wat die karakter van 'n ander polisiebeampte raak of waarin belangrike feite verswyg word;
- (10) 'n aanklag of rapport wat teen 'n polisiebeampte ingedien is, terughou of onredelik vertraag;
- (11) uit die Polisiemag dros, of diens daarin weier, of 'n ander polisiebeampte aanraai of oorhaal om te dros of diens te weier, of 'n persoon ontvang of herberg terwyl hy weet dat sodanige persoon dros of onwettig van diens afwesig is, of as hy ontdek dat iemand dros of onwettig van diens afwesig is, versuim om die aangeleentheid aan sy meerdere te rapporteer of om alles in sy vermoë te doen om so iemand wat dros of onwettig van diens afwesig is, te laat aanhou;
- (12) op watter wyse ook al met opset 'n opskudding veroorsaak of 'n vals alarm gee;
- (13) baklei, 'n opskudding veroorsaak of hom andersins wanordelik gedra;
- (14) onder die invloed van alkoholiese drank is, hetsy op of van diens;
- (15) afhanklikheidsvormende medisyne gebruik terwyl hy op diens is;
- (16) 'n plek wat 'n dranklisensie het, binnegaan terwyl hy op diens is, behalwe in die uitvoering van sy plig, of wanneer hy noodsaaklikerwys verblyf nodig het, met dien verstande dat hierdie bepalings nie van toepassing is in die geval van toegang tot die verterke van 'n spoorwegontspanningsklub nie behalwe die kroeg;
- (17) 'n siekte of ongesteldheid veins of voorwend of 'n vrystelling van diens verkry of probeer verkry deur middel van 'n valse of oordrewe verklaring omtrent 'n besering, pyn of siekte;
- (18) 'n siekte of swaakheid in homself veroorsaak, of homself of 'n ander polisiebeampte opsetlik vermink of beseer, hetsy op versoek van sodanige polisiebeampte of nie, of homself deur iemand laat vermink of beseer, met die doel om homself of sodanige ander polisiebeampte daardeur ongeskik vir diens te maak;
- (19) indien hy 'n venereiese siekte opgedoen het, versuim om dit onverwyld aan sy meerdere te rapporteer;
- (20) op diens slaap;
- (21) van diens gaan voordat hy behoorlik en reëlmatig afgelos is;
- (22) inligting mondeling of skriftelik openbaar maak wanneer dit sy plig is om dit geheim te hou;
- (23) sonder behoorlike magtiging enige saak of aangeleentheid wat die Suid-Afrikaanse Vervoerdienste of die Polisiemag raak, regstreeks of onregstreeks aan die pers of 'n private persoon meedeel;
- (24) sonder behoorlike magtiging 'n gevangene of iemand anders wat in bewaring is, loslaat of hom opsetlik of deur nalatigheid laat ontsnap;
- (25) kommissie, 'n geskenk, gelde of vergoeding vra of aanneem wat daarop gemik is om hom te beweeg om sy plig te versuim of om enigiets te doen wat strydig met sy plig is, of as hy versuim om die aanbod van sodanige kommissie, geskenk, gelde of vergoeding skriftelik aan sy bevelvoerende offisier te rapporteer;
- (6) oppressive or tyrannical conduct towards an inferior;
- (7) making an anonymous communication to the Minister, General Manager, a Regional Manager, Commissioner of South African Railways Police or other superior officer;
- (8) falsely imputing improper conduct to a superior officer;
- (9) making a false accusation against any policeman; or in any complaint making any false statement affecting the character of another policeman or suppressing any material fact;
- (10) withholding, or unreasonably delaying, any complaint or report made against any policeman;
- (11) deserting from the Police Force, or refusing to serve therein, or advising or persuading any other policeman to desert or refuse to serve, or knowingly receiving or entertaining any deserter or illegal absentee, or on discovering any deserter or illegal absentee, failing to report the matter to his superior officer or to do everything in his power to cause such deserter or illegal absentee to be apprehended;
- (12) by any means whatever intentionally occasioning a disturbance or false alarm;
- (13) fighting, creating a disturbance, or otherwise behaving in a riotous manner;
- (14) being under the influence of any alcoholic liquor whether on or off duty;
- (15) using dependence-producing drugs while on duty;
- (16) entering, while on duty, any place licensed for the sale of intoxicating liquor, except in the exercise of his duty or when necessarily requiring accommodation, provided that these provisions will not apply in the case of entry to the apartments of a Recreation Club of the South African Transport Services, excluding the bar;
- (17) malingering or feigning disease or illness, or obtaining or attempting to obtain relief from duty on a false or exaggerated plea of injury, pain or sickness;
- (18) causing disease, sickness of infirmity in himself, or wilfully maiming or injuring himself or any other policeman, whether at the request of such policeman or not, or causing himself to be maimed or injured by any other person, with intent thereby to render himself or such other policeman unfit for duty;
- (19) if he has contracted venereal disease, failing to report the matter promptly to his superior officer;
- (20) being asleep on duty;
- (21) absenting himself from duty before being properly and regularly relieved;
- (22) disclosing orally or in writing any information which it was his duty not to disclose;
- (23) communicating without proper authority, directly or indirectly, to the press or to any member of the public, any matter or thing relating to the South African Transport Services or the police force;
- (24) without proper authority, releasing a prisoner or other person in custody, or by a wilful act or by negligence suffering him to escape;
- (25) soliciting or accepting any commission, gift, fee or consideration to induce him to omit to carry out his duty, or to do any act in conflict with his duty, or failing to report in writing to his commanding officer, the offer of any such commission, gift, fee or consideration;

- (26) kommissie, gelde, vergoeding of 'n beloning wat nie die besoldiging is wat hom vir sy werk toekom nie, ten opsigte van die uitvoering van sy plig eis of dit sonder die skriftelike toestemming van die Kommissaris van die Suid-Afrikaanse Spoorwegpolisie aanneem, of as hy versuim om die aanbod van sodanige kommissie, gelde, vergoeding of beloning skriftelik te rapporteer;
- (27) enige voordeel aanneem ten opsigte van of op enige wyse 'n geldelike belang het by die koop of verkoop van enigiets vir die Suid-Afrikaanse Vervoerdienste of vir 'n menasie, kantien of ontspannings- of ander klub verbonde aan die Suid-Afrikaanse Vervoerdienste;
- (28) eiendom steel, terughou, misbruik, ongemagtigde gebruik daarvan maak, dit deur nalatigheid verloor of dit opsetlik beskadig;
- (29) 'n verpligting op hom neem teenoor 'n gelisensieerde handelaar in alkoholiese drank of 'n buffetkelner of iemand anders wat vir sodanige gelisensieerde handelaar werk, of as hy aandeel hou in 'n maatskappy waarvan die hoofdoel is om alkoholiese drank te vervaardig of te verskaf of om daarin te handel;
- (30) onnodige geweld gebruik teenoor 'n gevangene of iemand anders wat in hegtenis is;
- (31) hetsy hy in uniform geklee is of nie, willens en wetens die kenteken, embleem, partykleure of enige soort teken van 'n politieke organisasie dra;
- (32) lid word of is van 'n vereniging met politieke oogmerke, of stemme werf vir 'n kandidaat wat hom verkiesbaar stel vir die Parlement, 'n provinsiale, afdelings- of munisipale raad, 'n gesondheidskomitee of 'n ander soortgelyke liggaam, of as hy op vergaderings in verband met so 'n verkiesing praat of op enige ander wyse deelneem om die belange van 'n kandidaat by so 'n verkiesing te bevorder behalwe deur sy stem uit te bring of wettige bevels in verband met die voer van die verkiesing na te kom;
- (33) in enige verslag, opgawe, eis, register, boek of ander dokument 'n valse, misleidende of onnaukeurige verklaring maak of met sy medewete laat maak of iets daaruit weglaat, met die doel om te bedrieg; of as hy 'n boek of dokument terughou, skend, verander, vernietig of wegneem met die doel om enigiemand te benadeel of om te bedrieg;
- (34) regstreeks of onregstreeks geld leen by of deur bemiddeling van 'n polisiebeampte met 'n laer rang, of homself onder 'n geldelike verpligting teenoor 'n mindere in rang stel;
- (35) sonder skriftelike toestemming van die Hoofbestuurder, in grond spekulere, handel dryf of sake doen of verbonde is aan 'n handels- of landbou-onderneming, hetsy regstreeks of onregstreeks;
- (36) tensy dit streng vir die sake van die Suid-Afrikaanse Vervoerdienste is, gebruik maak van die diens van 'n ander polisiebeampte, 'n beriggewer of iemand anders in die polisie diens;
- (37) hom op 'n wyse gedra wat 'n polisiebeampte van sy rang nie betaam nie;
- (38) 'n amptelike vuurwapen op enige plek roekeloos, nalatig of sonder wettige regverdiging gebruik of hanteer; en
- (39) deur enige handeling, gedrag of versuim, die goeie orde en dissipline van die Polisiemag benadeel, hetsy dit in 'n ander gedeelte van hierdie regulasies omskryf word of nie.

Skriftelike toestemming van die Hoofbestuurder of die Kommissaris van die Suid-Afrikaanse Spoorwegpolisie om iets te doen wat sonder sodanige toestemming 'n oortreding van die bepalings van paragraaf (26) of (35) sou wees, word

- (26) accepting, without the permission in writing of the Commissioner of South African Railways Police, or demanding in respect of the performance of his duties, any commission, fee, consideration or reward, not being the emoluments payable to him in respect of his duties, or failure to report in writing the offer of any such commission, fee, consideration or reward;
- (27) taking any advantage in respect of or being in any way pecuniarily interested in the purchase or sale of anything for the South African Transport Services or for any mess, canteen or recreation or other club associated with the South African Transport Services;
- (28) stealing, withholding, misapplying, making unauthorised use of, losing by neglect or wilfully damaging any property;
- (29) placing himself under an obligation to a licensed dealer in alcoholic liquor, or to any barman or other person in the employ of any such licensed dealer, or holding shares in a company, the main object of which is the manufacture or supply of, or trading in, alcoholic liquor;
- (30) using any unnecessary violence to any prisoner or other person in custody;
- (31) when in or out of uniform, knowingly wearing the badge, emblem, party colours or device of any kind of a political organisation;
- (32) becoming or being a member of any society having political objects, or canvassing for a candidate seeking election to Parliament, a provincial, divisional or municipal council, a health committee or other similar body, or speaking at meetings held in connection with any such election, or taking any part whatever in furthering the interests of any candidate at any such election, beyond recording his vote or carrying out lawful orders in connection with the conduct of the election;
- (33) in any report, return, claim, record, book or other document making, or being privy to the making of, any false, misleading or inaccurate statement or any omission, with intent to deceive; or with intent to injure any person or, with intent to deceive, suppressing, defacing, altering or making away with any book or document;
- (34) directly or indirectly borrowing any money from or through any policeman of inferior rank, or placing himself under a pecuniary obligation to an inferior in rank;
- (35) without the permission in writing of the General Manager, speculating in land or engaging in any trade, business, or commercial or agricultural undertaking, either directly or indirectly;
- (36) making use of, except strictly on the business of the South African Transport Services, the services of any other policeman, any informant or other person in police employ;
- (37) conducting himself in a manner unbecoming a policeman of his rank;
- (38) using or handling an official firearm in any place recklessly, negligently or without legal justification; and
- (39) any act, conduct or neglect to the prejudice of good order and discipline of the Police Force, whether or not defined in any other part of these regulations.

Any permission in writing granted by the General Manager or Commissioner of South African Railways Police to do anything which, without such permission, would be a contravention of paragraph (26) or (35), shall be conveyed

aan die betrokke polisiebeampte deur sy bevelvoerende offisier oorgedra. Die bepalings van paragraaf (16) is nie van toepassing op 'n polisieoffisier nie. Die bepalings van paragraaf (1) tot (4), (6), (10), (11), (14), (18), (27), (29), (31), (32), (34) tot (37) en (39) is nie op sekuriteitswagte van toepassing nie.

DISCIPLINÊRE OORTREDINGS—POLISIEBEAMPTES BEHALWE POLISIEOFFISIERS

GERINGE OORTREDINGS

137. (1) As daar beweer word dat 'n polisiebeampte met die rang van sersant of laer, hom skuldig gemaak het aan 'n disiplinêre oortreding wat na die mening van die polisieoffisier aan wie dit gerapporteer is, van geringe aard is, en mits die bepalings van artikel 17 (2) van die Wet nagekom is, moet sodanige offisier nadat hy die polisiebeampte se mondelinge of skriftelike verduideliking en verdere inligting wat hy nodig of raadsaam ag ten einde tot 'n behoorlike beslissing te geraak, oorweeg het, die polisiebeampte of—

- (a) vryspreek; of
- (b) een van die strawwe bepaal in artikel 19 (1) (a) van die Wet ople.

(2) As straf opgelê word ten opsigte van 'n klagstaat wat meer as een aanklag bevat, moet die straf normaalweg vir elke afsonderlike aanklag bepaal en opgelê word, maar as die verskeie aanklagte op dieselfde stel omstandighede betrekking het, kan al die aanklagte vir die doel van strafoplegging saamgevat word.

(3) 'n Polisiebeampte moet nie van 'n geringe disiplinêre oortreding aangekla word ná dertig dae nadat die disiplinêre oortreding gerapporteer is nie, en ook nie as die oortreding nie gerapporteer is binne derig dae nadat dit begaan is nie.

ERNSTIGE OORTREDINGS

138. (1) As daar beweer word dat 'n polisiebeampte met die rang van sersant of laer hom skuldig gemaak het aan 'n ernstige disiplinêre oortreding, kan enige amptenaar genoem in regulasie 135 met 'n rang in die geval van 'n polisieoffisier nie laer as dié van luitenant-kolonel nie, of enige amptenaar wat wettig in die plek van daardie amptenare waarneem, onderworpe aan die bepalings van paragraaf (2)—

- (a) 'n polisieoffisier magtig om 'n skriftelike aanklag aan sodanige polisiebeampte te beteken;
- (b) indien nodig, 'n polisieoffisier magtig om ingevolge die bepalings van regulasie 139 ondersoek in te stel na die aanklag dat 'n disiplinêre oortreding begaan is; en
- (c) 'n polisiebeampte aanstel om getuieis ter stawing van die aanklag te lei as 'n ondersoek gehou moet word.

(2) 'n Polisiebeampte moet nie aangestel word om 'n ondersoek te hou of getuieis ter stawing van 'n aanklag te lei as hy op enige wyse deel gehad het aan die rapport wat teen die aangeklaagde polisiebeampte ingedien is nie.

(3) So gou moontlik nadat 'n delegasie ingevolge paragraaf (1) uitgereik is, moet die betrokke polisieoffisier 'n skriftelike aanklag uitreik aan die polisiebeampte wat hom na bewering aan 'n disiplinêre oortreding skuldig gemaak het en hom die geleentheid gee om op of voor 'n bepaalde datum, minstens vyf werkdade na die ontvangs van die aanklag, skriftelik daarop te antwoord.

(4) Sodra die antwoord op die aanklag ontvang word, of as dit nog nie ontvang is teen die datum wat daarin bepaal is nie, moet die polisieoffisier wat met die geval handel, die stukke in verband met die saak, tesame met sodanige ander inligting as wat nodig of raadsaam geag word, vir beslissing voorlê aan die amptenaar deur wie hy ingevolge paragraaf (1) aangestel is om op te tree.

to the policeman concerned by his commanding officer. The provisions of paragraph (16) shall not be applicable to a police officer. The provisions of paragraphs (1) to (4), (6), (10), (11), (14), (18), (27), (29), (31), (32), (34) to (37) and (39) are not applicable to security guards.

DISCIPLINARY INFRINGEMENTS — POLICEMEN OTHER THAN POLICE OFFICERS

MINOR OFFENCES

137. (1) If a policeman of or below the rank of sergeant is alleged to have committed a disciplinary infringement which, in the opinion of the police officer to whom it is reported, is of a minor nature, and provided that the provisions of section 17 (2) of the Act have been complied with, such officer, after considering the policeman's oral or written explanation and any further information which he may deem necessary or desirable to arrive at a proper decision, shall either—

- (a) acquit the policeman; or
- (b) impose one of the punishments prescribed in section 19 (1) (a) of the Act.

(2) Where punishment is imposed in respect of a charge comprising more than one count, the punishment shall normally be assessed and imposed in respect of each of the individual counts, but where the several counts relate to the same set of circumstances, all the counts may be treated as one for the purpose of imposing punishment.

(3) A policeman shall not be charged with a minor disciplinary infringement later than thirty days after the offence is reported, nor shall he be so charged unless the offence is reported within thirty days of its occurrence.

SERIOUS OFFENCES

138. (1) If a policeman of or below the rank of sergeant is alleged to have committed a serious disciplinary offence, any officer specified in regulation 135 of a rank, in the case of a police officer, not lower than that of lieutenant-colonel, or any officer lawfully acting in the place of one of those officers, may, subject to the provisions of paragraph (2)—

- (a) authorise a police officer to cause a written charge to be served upon such policeman;
- (b) if necessary, authorise a police officer to inquire, in terms of regulation 139, into the charge that a disciplinary infringement has been committed; and
- (c) appoint a policeman to lead evidence in support of the charge if it is necessary to hold an inquiry.

(2) A policeman shall not be appointed to conduct an inquiry or to lead evidence in support of a charge if he has in any way been involved in the report made against the policeman charged.

(3) As soon as practicable after the issue of a delegation in terms of paragraph (1), the police officer concerned shall serve a written charge upon the policeman who is alleged to have committed a disciplinary infringement and shall give him an opportunity to reply thereto in writing on or before a date to be specified, which shall not be less than five working days from the receipt of the charge.

(4) As soon as the reply to the charge is received, or if it is not received by the date specified therein, the police officer dealing with the case shall submit the papers in connection with the case, together with any further information which he may deem necessary or desirable, for decision to the officer by whom he was appointed in terms of paragraph (1) to act.

(5) Die amptenaar aan wie die saak voorgelê is vir beslissing, moet na behoorlike oorweging van die getuienis en verklarings wat hy voor hom het, asook van verdere inligting wat hy nodig of raadsaam ag om in te win ten einde tot 'n behoorlike beslissing te geraak en met inagneming van die bepalinge van regulasie 139 (7) en (8) *mutatis mutandis* en onderworpe aan die bepalinge van regulasie 139 (1), òf—

- (a) die polisiebeampte vryspreek; òf
- (b) as hy besluit dat die polisiebeampte skuldig is maar dat die oortreding nie 'n swaarder straf regverdig as dié wat vir 'n geringe dissiplinêre oortreding opgelê kan word nie, met die geval as een van geringe dissiplinêre oortreding handel en een van die strawwe bepaal in artikel 19 (1) (a) van die Wet op; òf
- (c) opdrag gee dat 'n ondersoek gehou word en daarna voortgaan soos uiteengesit in regulasie 139; òf
- (d) 'n straf van 'n boete van minstens tien maar hoogstens twintig rand op; òf
- (e) as die oortreding na sy mening so ernstig is dat dit 'n swaarder straf regverdig, nie later nie as 'n week na die datum waarop die antwoord op die aanklag ontvang is of ontvang moes gewees het, sy aanbeveling doen vir oorweging deur 'n assistent-kommissaris of 'n adjunk-kommissaris op hoofkantoor.

(6) As 'n straf van 'n boete opgelê word ten opsigte van 'n klagstaat wat meer as een aanklag bevat, moet die straf normaalweg vir elke afsonderlike aanklag bepaal en opgelê word, maar as die verskeie aanklagte op dieselfde stel omstandighede betrekking het, kan al die aanklagte vir die doel van strafoplegging saamgevat word.

(7) Sodra 'n besluit geneem is, moet die aangeklaagde polisiebeampte skriftelik daarvan in kennis gestel word.

(8) As die saak ingevolge paragraaf (5) (a) of (b) afgehandel word, is die bepalinge van regulasie 140 (5) *mutatis mutandis* van toepassing.

DISSIPLINÊRE ONDERSOEKE—POLISIEBEAMPTES BEHALWE POLISIEOFFISIÊRE

139. (1) As 'n polisiebeampte in vaste diens met die rang van sersant of laer aangekla word van 'n ernstige dissiplinêre oortreding wat hy nie ondubbelsinnig skriftelik erken het nie en die polisieoffisier wat met die geval handel, die oortreding as so ernstig beskou dat dit die op; van een van die strawwe noodsaak wat in artikel 19 (1) (b) (iii), (iv), (v), (vi) en (vii) van die Wet bepaal word, of as sodanige polisiebeampte skuld erken het maar verlang dat 'n ondersoek gehou word, of as ander omstandighede so 'n stap regverdig, moet die polisieoffisier—

- (a) hom in kennis stel—
 - (i) dat ondersoek gehou sal word na die aanklag, en dat hy dit moet bywoon; en
 - (ii) van die plek waar sodanige ondersoek gehou sal word en op watter datum en tyd dit sal begin;
- (b) hom beveel om nie later nie as 'n bepaalde datum—
 - (i) die name, grade en hoofkwartiere van die werknemers, te meld wat hy as getuies vir sy verdediging wil oproep, as daar is, en,
 - (ii) indien hy verkies om kragtens artikel 21 (1) van die Wet by die ondersoek bygestaan te word, die naam van die persoon te verstrek deur wie hy bygestaan wil wees en, as so iemand 'n werknemer is, sy graad en hoofkwartier;
- (c) hom inlig dat indien hy 'n getuie vir sy verdediging wil oproep wat nie 'n werknemer is nie, hy dit kan doen, maar dit op eie koste moet doen en self die nodige reëlins moet tref; en

(5) The officer to whom the case is submitted for decision shall, after due consideration of the evidence and statements which he then has before him, as well as of any further information which he may deem necessary or desirable to obtain in order to arrive at a proper decision, and with due regard being had to the provisions of regulation 139 (7) and (8) *mutatis mutandis* and subject to the provisions of regulation 139 (1), either—

- (a) acquit the policeman; or
- (b) if he decides that the policeman is guilty but that the offence does not merit a more severe punishment than can be imposed for a minor disciplinary infringement, deal with the case as one of minor disciplinary infringement and impose one of the punishments prescribed in section 19 (1) (a) of the Act; or
- (c) order an inquiry to be held and thereafter proceed in the manner set forth in regulation 139; or
- (d) impose a punishment of a fine of not less than ten nor more than twenty rand; or
- (e) if, in his opinion, the offence is of so serious a nature as to justify a more severe punishment, make his recommendation for the consideration of an Assistant Commissioner or a Deputy Commissioner at Headquarters not later than a week after the date the reply to the charge is received or should have been received.

(6) Where a punishment of a fine is imposed in respect of a charge comprising more than one count, the punishment shall normally be assessed and imposed in respect of the individual counts, but when the several counts relate to the same set of circumstances, all the counts may be treated as one for the purpose of imposing punishment.

(7) As soon as a decision is made, the policeman charged shall be notified thereof in writing.

(8) If the case is disposed of in terms of paragraph (5) (a) or (b) the provisions of regulation 140 (5) shall *mutatis mutandis* apply.

DISCIPLINARY INQUIRIES—POLICEMEN OTHER THAN POLICE OFFICERS

139. (1) If a policeman in permanent employment of or below the rank of sergeant is charged with a serious offence, which he has not admitted unequivocally in writing, and the police officer dealing with the case considers that such offence is of so serious a nature as to necessitate the imposition of one of the punishments provided for in section 19 (1) (b) (iii), (iv), (v), (vi) and (vii) of the Act, or if such policeman has admitted his guilt but desires that an inquiry shall be held, or if other circumstances warrant such a course, the police officer shall—

- (a) inform him—
 - (i) that an inquiry, which he must attend, will be held into the charge; and
 - (ii) of the place where such inquiry is to be held and of the date and time it will commence;
- (b) instruct him to state, not later than a specified date,
 - (i) the name, grade and headquarters of the employees, if any, he desires to call as witnesses in his defence and,
 - (ii) if he elects to avail himself of assistance at the inquiry, in terms of section 21 (1) of the Act, the name of the person he desires to assist him and, if such person is an employee, his grade and headquarters;
- (c) inform him that if he desires to call a witness in his defence who is not an employee, he may do so, but at his own expense and by his own arrangement; and

(d) reël dat die ondersoek bygewoon word deur—

- (i) die polisiebeampte wat aangekla is,
- (ii) die getuies, behalwe 'n getuie genoem in subparagraaf (c),
- (iii) die helper genoem in subparagraaf (b) (ii), indien nodig, mits hy 'n werknemer is,
- (iv) 'n tolk, indien nodig.

(2) 'n Polisieoffisier aan wie dit ingevolge die bepalings van regulasie 138 opgedra is om 'n dissiplinêre ondersoek te hou, kan—

- (a) sodanige ondersoek op enige plek op die persele van die Suid-Afrikaanse Vervoerdienste hou of, as dit nie gerieflik is nie, op enige ander plek wat deur die Kommissaris van die Suid-Afrikaanse Spoorwegpolisie goedgekeur word, met dien verstande dat die ondersoek nie gehou word op 'n sentrum waar die polisiebeampte in sy verdediging benadeel sal word deurdat sodanige sentrum weg is van die plek of gebied waar die oortreding waarvan hy aangekla is, na bewering begaan is nie; en
- (b) met behoorlike inagneming van die bepalings van artikel 19 (5) (e) van die Wet, 'n datum en tyd vasstel waarop die ondersoek moet begin, met dien verstande dat sodanige ondersoek nie vroeër moet begin as die sewende dag na dié waarop die aanklag beteken is nie.

(3) Die polisieoffisier aan wie dit opgedra is om die ondersoek te hou, moet sorg dat die bepalings van paragraaf (1) behoorlik nagekom word, en hy moet ook die nodige instruksies uitreik vir die bywoning van die ondersoek deur die aangeklaagde polisiebeampte en al die getuies behalwe dié gemeld in subparagraaf (c) van paragraaf (1).

(4) By 'n ondersoek ingevolge die bepalings van hierdie regulasie mag niemand anders teenwoordig wees nie as die polisieoffisier wat die ondersoek hou, die eskort of 'n gedeelte daarvan (indien daar is), die aangeklaagde polisiebeampte, die persoon wat hom bystaan (as daar is), die werknemer wat die getuienis ter stawing van die aanklag lei en die tolk (indien nodig), terwyl elke getuie teenwoordig mag wees slegs onderwyl hy ondervra word.

(5) By elke ondersoek moet die verklaring van elke getuie aan hom voorgelees word, en hy moet dit onderteken, terwyl die polisieoffisier wat die ondersoek hou, elke verklaring en elke bladsy van die getuienis of bewysstuk wat deur hom gehanteer word, moet teken.

(6) As die aangeklaagde polisiebeampte skuldig pleit, hoef geen getuienis behalwe sy pleidooi aangeteken te word nie. Die voorsittende polisieoffisier kan egter na goeddunke sodanige verder getuienis aanhoor as wat hy nodig mag ag om hom in staat te stel om die straf te bepaal wat opgelê moet word.

(7) Nadat die aangeklaagde polisiebeampte skuldig pleit het of skuldig bevind is, moet alle vorige veroordelings teen hom voorgelê word en sodanige veroordelings moet deur die voorsittende polisieoffisier kragtens artikel 19 (3) van die Wet in ag geneem word voordat hy oor die straf besluit of sy aanbeveling doen.

(8) As die aangeklaagde polisiebeampte sodanige vorige veroordelings ontken nadat hy skuldig gepleit het of skuldig bevind is, kan die voorsittende polisieoffisier eis dat dit bewys word en indien nodig die verhoor van die saak uitstel. As daar later bewys word dat sodanige besonderhede van veroordelings juis is, kan die voorsittende polisieoffisier hierdie nuwe feit in aanmerking neem wanneer hy die straf oplê of sy aanbeveling doen.

(d) arrange for the attendance at the inquiry of—

- (i) the policeman charged,
- (ii) the witnesses, other than a witness referred to in subparagraph (c),
- (iii) the assistant referred to in subparagraph (b) (ii), if required, provided he is an employee, and
- (iv) an interpreter, if required.

(2) A police officer, deputed under the provisions of regulation 138, to conduct a disciplinary inquiry, may—

- (a) hold such inquiry at any place on the premises of the South African Transport Services or, if this is not convenient, at any other place sanctioned by the Commissioner of South African Railways Police, provided that the inquiry shall not be held at a centre where the policeman will be prejudiced in his defence because such centre is away from the place at or area within which the offence, with which a policeman is charged, is alleged to have been committed; and
- (b) with due regard to the provisions of section 19 (5) (e) of the Act, fix a date and time when the inquiry will be commenced, provided that such inquiry shall not be commenced earlier than the seventh day following that upon which the charge is served.

(3) The police officer deputed to hold the inquiry shall be responsible for the proper carrying out of the provisions of paragraph (1), and it shall also be his duty to issue the necessary instructions for the attendance at the inquiry of the policeman charged and of all the witnesses other than persons referred to in paragraph (1) (c).

(4) No person shall be present at an inquiry held in terms of this regulation other than the police officer conducting the inquiry, the escort, if any, or a portion thereof, the policeman charged, his assistant, if any, the employee who leads the evidence in support of the charge, the interpreter, if required, and any witness while he is under examination.

(5) At every inquiry, the statement of every witness shall be read over to him and he shall be required to sign it and the police officer conducting the inquiry shall sign every statement and every page of evidence or exhibit handled by him.

(6) On a plea of guilty by the policeman charged, there shall be no need to record any evidence, other than the plea of the policeman charged. The police officer presiding may, however, in his discretion, hear such further evidence as he may desire to enable him to determine the punishment to be imposed.

(7) After a plea or finding of guilty, any previous record against the policeman charged shall be produced and such record shall, in terms of section 19 (3) of the Act, be taken into consideration by the police officer presiding before deciding upon the punishment or making his recommendation.

(8) If the policeman charged after pleading or being proved guilty, denies such previous record, the police officer presiding may demand that such be proved, remanding the hearing of the case, if necessary. If it is subsequently proved that such record is genuine, the police officer presiding may take this new fact into consideration when imposing punishment, or making his recommendation.

(9) Die bepalings van regulasies 128 (3) en 129 (5) tot (10) is, waar dit ter sake is, van toepassing by die instel van dissiplinêre sake en enige ondersoek ingevolge hierdie regulasie, met dien verstande dat daar by die toepassing van die bepalings van regulasie 129 (5) (e) beskou word dat die woorde " 'n Sondag of openbare vakansiedag of 'n gedeelte daarvan" vervang word deur die woorde " 'n rusdag of gedeelte daarvan".

GEDRAGSLYN NÁ DIE ONDERSOEK—POLISIE-BEAMPTES BEHALWE POLISIEOFFISIERS

140. (1) Na die afhandeling van 'n ondersoek wat ingevolge die bepalings van regulasie 139 gehou is, en oorweging van al die getuienis moet die polisieoffisier wat die ondersoek gehou het, òf—

- (a) die polisiebeampte vrysprek; òf
- (b) as hy besluit dat die polisiebeampte skuldig is maar dat die oortreding nie 'n swaarder straf regverdig as dié wat vir 'n geringe dissiplinêre oortreding opgelê kan word nie, met die geval as een van geringe dissiplinêre oortreding handel en een van die strawwe bepaal in artikel 19 (1) (a) van die Wet oplê; òf
- (c) voorlopig 'n straf van 'n boete van minstens tien maar hoogstens twintig rand oplê; òf
- (d) as die oortreding na sy mening so ernstig is dat dit 'n swaarder straf regverdig, sy aanbeveling doen vir oorweging deur 'n hoër gesag.

(2) (a) Elke polisieoffisier wat 'n ondersoek ingevolge die bepalings van regulasie 139 gehou het, moet nie later nie as 'n week na die afhandeling van sodanige ondersoek, die stukke van die saak, tesame met sy beslissing of aanbeveling en sodanige ander inligting as wat nodig geag word, aan die Kommissaris van die Suid-Afrikaanse Spoorwegpolisie deurstuur vir—

- (i) inligting in die geval van 'n beslissing ingevolge paragraaf (1) (a) of (b); of
- (ii) bekragtiging of andersins van 'n straf wat voorlopig opgelê is ingevolge paragraaf (1) (c); of
- (iii) 'n beslissing in die geval van 'n aanbeveling ingevolge paragraaf (1) (d);

na gelang van die geval.

(b) Die Kommissaris van die Suid-Afrikaanse Spoorwegpolisie, 'n adjunk-kommissaris van die Suid-Afrikaanse Spoorwegpolisie, 'n assistent-kommissaris van die Suid-Afrikaanse Spoorwegpolisie, 'n kolonel of 'n luitenant-kolonel in die Hoofkantoor moet—

- (i) in die geval van 'n straf wat voorlopig opgelê is ingevolge die bepalings van paragraaf (1) (c), òf die veroordeling nietig verklaar òf die straf bekragtig of verminder;
- (ii) as die saak voorgelê is vir 'n beslissing ingevolge paragraaf (1) (d)—
 - (a) die polisiebeampte vrysprek; of
 - (b) die geval as 'n geringe dissiplinêre oortreding beskou en een van die strawwe bepaal in artikel 19 (1) (a) van die Wet oplê; of
 - (c) die geval as 'n ernstige dissiplinêre oortreding beskou en een van die strawwe bepaal in artikel 19 (1) (b) van die Wet oplê.

(c) As dit vir 'n polisieoffisier wat ingevolge subparagraaf (b) met 'n geval moet handel, voorkom of die polisieoffisier wat die ondersoek gehou het, in gebreke gebly het om getuienis af te neem wat na die mening van eersgenoemde polisieoffisier nodig is om hom in staat te stel om tot 'n behoorlike en regverdige beslissing in die saak te geraak, kan hy (voordat stappe ingevolge 'n bepaling van daardie subparagraaf gedoen word) die saak na laasgenoemde polisieoffisier terugverwys met die opdrag om die ondersoek te heropen en om sodanige getuienis af te neem as wat hy mag aandui.

(9) The provisions of regulations 128 (3) and 129 (5) to (10) are, where relevant, applicable in the conduct of disciplinary proceedings and any inquiry in terms of this regulation, provided that in the application of the provisions of regulation 129 (5) (e), the words "a rest day or part of any such day" shall be regarded as being substituted for the words "a Sunday or public holiday or part of any such day".

PROCEDURE FOLLOWING INQUIRY—POLICEMEN OTHER THAN POLICE OFFICERS

140. (1) Upon the conclusion of an inquiry conducted in terms of regulation 139, the police officer who conducted the inquiry shall, after considering all the evidence, either—

- (a) acquit the policeman; or
- (b) if he decides that the policeman is guilty but that the offence does not merit a more severe punishment than can be imposed for a minor disciplinary infringement, deal with the case as one of minor disciplinary infringement and impose one of the punishments prescribed in section 19 (1) (a) of the Act; or
- (c) provisionally impose a punishment of a fine of not less than ten nor more than twenty rand; or
- (d) if, in his opinion, the offence is of so serious a nature as to justify a more severe punishment, make his recommendation for the consideration of higher authority.

(2) (a) Every police officer, who has conducted an inquiry in terms of regulation 139, shall, not later than a week after the conclusion of such inquiry, transmit the records of the case, together with his decision or recommendation and such other information as may be deemed necessary, to the Commissioner of South African Railways Police—

- (i) for information in the case of a decision given in terms of paragraph (1) (a) or (b); or
- (ii) for confirmation or otherwise of a punishment provisionally imposed in terms of paragraph (1) (c); or
- (iii) for decision on a recommendation made in terms of paragraph (1) (d);

as the case may be.

(b) The Commissioner of South African Railways Police, a Deputy Commissioner of South African Railways Police, an Assistant Commissioner of South African Railways Police, a Colonel or a Lieutenant-Colonel at Headquarters shall—

- (i) in the case of a punishment provisionally imposed in terms of paragraph (1) (c), either quash the conviction or confirm or reduce the punishment;
- (ii) when the case is submitted for decision in terms of paragraph (1) (d)—
 - (a) acquit the policeman; or
 - (b) treat the case as one of minor disciplinary infringement and impose one of the punishments prescribed in section 19 (1) (a) of the Act; or
 - (c) treat the case as one of serious disciplinary infringement and impose one of the punishments prescribed in section 19 (1) (b) of the Act.

(c) If it appears to a police officer who is required to deal with a case in terms of subparagraph (b), that the police officer who conducted the inquiry has failed to take any evidence which, in the opinion of the first-mentioned police officer, is necessary to enable him to arrive at a proper and just decision in the case, he may (before taking any action in terms of any provision of that subparagraph) refer the case back to the last-mentioned police officer, with instructions to reopen the inquiry and to take such evidence as he may indicate.

(3) 'n Straf wat voorlopig opgelê is ingevolge paragraaf (1) (c) is nie geldig nie, tensy en voordat dit ingevolge die bepalings van paragraaf (2) bekragtig is.

(4) As 'n straf van 'n waarskuwing of berisping of van 'n boete opgelê word ten opsigte van 'n klagstaat wat meer as een aanklag bevat, moet die straf normaalweg vir elke afsonderlike aanklag bepaal en opgelê word, maar as die verskeie aanklagte op dieselfde stel omstandighede betrekking het, kan al die aanklagte vir die doel van strafoplegging saamgevat word.

(5) Al die stukke wat betrekking het op 'n saak waarin 'n straf vir 'n geringe dissiplinêre oortreding opgelê is en wat ingevolge die bepalings van paragraaf (2) (a) (i) vir inligting aan die Kommissaris van die Suid-Afrikaanse Spoorwegpolisie gestuur word, moet vernietig word nadat die polisiebeampte op wie dit van toepassing is, gebruik gemaak het van sy reg om te appelleer ingevolge die bepalings van regulasie 153 (3) (a) of nadat die tyd verstryk het waarin hy die reg gehad het om te appelleer.

DISCIPLINE—POLISIEOFFISIERS

141. (1) Benewens die bepalings van regulasies 132 tot 136 (inbegryp), is die bepalings van regulasies 127, 128 en 129 in afdeling 1 op polisieoffisiere en adjudant-polisieoffisiere van toepassing, behalwe waar daar anders in hierdie regulasie bepaal word.

(2) (a) As 'n polisieoffisier aangekla is van 'n dissiplinêre oortreding wat hy ontken het of as sodanige polisieoffisier die aanklag erken het maar te kenne gee dat hy verlang dat 'n ondersoek gehou word, kan enigeen van die amptenare genoem in regulasie 135 met 'n status in die geval van 'n polisieoffisier van minstens dié van assistent-kommissaris, as hy meen dat daar genoeg rede bestaan vir verdere optrede, en onderworpe aan die bepalings van subparagraaf (b)—

- (i) 'n raad van ondersoek aanstel wat bestaan uit een of meer amptenare wie se rang of status minstens gelykstaan met dié van die aangeklaagde polisieoffisier, om ondersoek in te stel na die aanklag; en
- (ii) 'n polisiebeampte aanstel om getuienis ter stawing van die aanklag te lei.

(b) 'n Polisiebeampte wat enigsins betrokke was by die indiening van die aanklag teen die aangeklaagde polisieoffisier mag nie as lid van die raad van ondersoek aangestel word of getuienis ter stawing van die aanklag lei nie.

(3) Nadat die raad van ondersoek sy verrigtinge afgehandel het, moet hy sy bevinding so gou moontlik skriftelik voorlê aan die amptenaar deur wie hy aangestel is om op te tree, wat—

- (a) die aangeklaagde offisier moet vryspreek; of
- (b) as hy besluit dat die aangeklaagde polisieoffisier skuldig is een van die strawwe bepaal in artikel 19 (1) van die Wet moet oplê,

met dien verstande dat as dit vir die amptenaar wat met die geval handel, voorkom dat die raad van ondersoek in gebreke gebly het om getuienis af te neem wat na sy mening nodig is om hom in staat te stel om tot 'n behoorlike en regverdigde beslissing in die saak te geraak, kan hy (voordat stappe ingevolge subparagraaf (a), (b) of (c) gedoen word) die saak na die raad van ondersoek terugverwys met die opdrag om die ondersoek te heropen en om sodanige getuienis af te neem as wat hy aandui.

(4) Die woord "polisieoffisier" in hierdie regulasie sluit 'n adjudant-polisieoffisier in.

(3) A punishment provisionally imposed in terms of paragraph (1) (c) shall not be valid unless and until it is confirmed under the provisions of paragraph (2).

(4) Where a punishment of a caution or reprimand or of a fine is imposed in respect of a charge comprising more than one count, the punishment shall normally be assessed and imposed in respect of each of the individual counts, but where the several counts relate to the same set of circumstances, all the counts may be treated as one for the purpose of imposing punishment.

(5) All the records of a case, in which punishment for a minor disciplinary infringement has been imposed, and which are submitted to the Commissioner of South African Railways Police for information in terms of paragraph (2) (a) (i) shall be destroyed after the policeman to whom they relate has either exercised his right of appeal in terms of regulation 153 (3) (a), or the right of exercising such an appeal has expired.

DISCIPLINE—POLICE OFFICERS

141. (1) The provisions of regulations 127, 128 and 129, contained in Section 1, except where provided to the contrary in this regulation, are applicable to police officers and warrant officers in addition to the provisions of regulations 132 to 136 inclusive.

(2) (a) Where a police officer has been charged with a disciplinary infringement which he has denied, or where, having admitted the charge, such police officer intimates his desire that an inquiry shall be held, any officer specified in regulation 135, of not lower status, in the case of a police officer, than that of Assistant Commissioner may, if he is of the opinion that there is sufficient cause for further action, and subject to the provisions of subparagraph (b)—

- (i) appoint a Board of Inquiry consisting of one or more officers of a rank or status at least equal to that of the police officer charged, to inquire into the charge; and
- (ii) appoint a policeman to lead evidence in support of the charge.

(b) A policeman who was in any way involved in the submission of the complaint against the police officer charged shall not be appointed to be a member of the Board of Inquiry or to lead evidence in support of the charge.

(3) The Board of Inquiry shall, as soon as practicable after the conclusion of its proceedings, report its finding in writing to the officer by whom it was appointed to act, who shall—

- (a) acquit the officer charged; or
- (b) if he decides that the officer charged is guilty, impose one of the punishments for which provision is made in section 19 (1) of the Act;

provided that if it appears to the officer dealing with the case that the Board of Inquiry has failed to take any evidence which in his opinion is necessary to enable him to arrive at a proper and just decision in the case, he may, before taking any action in terms of subparagraph (a), (b) or (c), refer the matter back to the Board of Inquiry with directions to reopen the inquiry and to take such further evidence as he may indicate.

(4) The term "police officer" in this regulation includes a warrant police officer.

AFDELING 3

DISCIPLINE—ALLE WERKNEMERS

INSAE IN TOEPASLIKE STUKKE

142. (1) 'n Werknemer wat aan 'n dissiplinêre oortreding skuldig bevind word sonder dat 'n dissiplinêre ondersoek gehou word, kan nie aanspraak maak op afskrifte van die toepaslike stukke met getuiens wat by skuldigbevinding en strafoplegging in ag geneem is nie, maar indien en wanneer hy appèl aanteken, kan hy versoek dat afskrifte daarvan asook 'n afskrif van enige memorandum of aantekening wat redes bevat vir die besluit van die amptenaar wat die straf opgelê of die vorige appèl behandel het, vir insae tot sy beskikking gestel word, en in daardie geval word dit vir 'n redelike tyd aan hom beskikbaar gestel sodat hy dit persoonlik kan nagaan en word hy toegelaat om afskrifte daarvan te maak.

(2) 'n Werknemer wat na 'n dissiplinêre ondersoek aan 'n dissiplinêre oortreding skuldig bevind word, kan nie aanspraak maak op 'n afskrif van die verslag van die ondersoekverrigtinge nie, maar indien en wanneer hy appèl aanteken, kan hy versoek dat 'n afskrif van die verslag, asook 'n afskrif van enige memorandum of aantekening wat redes bevat vir die besluit van die amptenaar wat die straf opgelê of die vorige appèl behandel het, vir insae tot sy beskikking gestel word, en in daardie geval word dit vir 'n redelike tyd aan hom beskikbaar gestel sodat hy dit persoonlik kan nagaan en word hy toegelaat om afskrifte daarvan te maak. Wanneer 'n appellant sodanige stukke nagaan, kan die persoon wat hom by die dissiplinêre ondersoek bygestaan het, of wat hy gekies het om hom by die aanhoor van sy appèl by te staan, teenwoordig wees.

GEDRAGSLYN AS 'N DISSIPLINÊRE OORTREDING NEERKOM OP 'N STRAFREGTELIKE MISDRYF

143. (1) As 'n werknemer aangekla word van 'n strafregtelike oortreding, kan hy van diens geskors word kragtens artikel 17 (5) van die Wet.

(2) Dissiplinêre stappe teen 'n werknemer weens 'n handeling of versuim in verband waarmee die amptenaar wat met die saak handel, weet dat die werknemer terselfdertyd strafregtelik vervolgd word, word uitgestel of opgeskort soos bepaal in artikel 18 (1) (b) van die Wet, tensy die aangeklaagde werknemer ooreenkomstig paragraaf (c) van daardie subartikel te kenne gegee het dat hy verlang dat sodanige stappe voortgesit word. As die stappe uitgestel is soos hierbo vermeld, word die betrokke werknemer nie aangekla nie, selfs as sou hy dit verlang, voordat die strafsak teen hom finaal afgehandel is.

(3) As 'n werknemer deur 'n hof op 'n strafregtelike aanklag skuldig bevind is, moet 'n amptenaar wat ingevolge hierdie regulasies gemagtig is om dissiplinêre stappe teen die werknemer te doen, besluit of die aanklag waarop die werknemer skuldig bevind is van so 'n aard is dat dit beskou kan word as 'n dissiplinêre oortreding ten opsigte waarvan sodanige stappe in belang van die Suid-Afrikaanse Vervoerdienste teen die werknemer gedoen behoort te word. As die amptenaar besluit dat sodanige stappe gedoen behoort te word, moet die werknemer aangekla en moet daar ooreenkomstig die Wet en hierdie regulasies met die geval gehandel word. Alle vraagstukke met betrekking tot die betaling of terughouding van salaris gedurende 'n tydperk van skorsing, hetsy voor of ná die werknemer se skuldigbevinding deur die hof, word ooreenkomstig artikel 18 (3) (b) van die Wet beslis.

(4) As 'n werknemer aangekla word van 'n dissiplinêre oortreding wat neerkom op 'n misdryf waaraan hy deur 'n hof skuldig bevind is, word daar beskou dat 'n gewaarmerkte afskrif van die akte van beskuldiging of klagstaat in die strafsak, tesame met die werknemer se pleit daarop, die

SECTION 3

DISCIPLINE—ALL EMPLOYEES

INSPECTION OF RELEVANT DOCUMENTS

142. (1) An employee who is found guilty of a disciplinary infringement without a disciplinary inquiry being held, shall not be entitled to demand copies of the relevant documents containing evidence taken into consideration at the time he was found guilty and punishment was imposed, but if and when he notes an appeal he may request that copies thereof as well as a copy of any memorandum or note containing reasons for the decision by the officer who imposed the punishment or who dealt with the previous appeal, be made available to him for inspection, and in that event they shall be placed at his disposal for a reasonable time for his personal inspection, and he shall be permitted to make copies thereof.

(2) An employee who is found guilty of a disciplinary infringement after the holding of a disciplinary inquiry shall not be entitled to demand a copy of the record of the disciplinary inquiry proceedings, but if and when he notes an appeal he may request that a copy of the record as well as a copy of any note or memorandum containing reasons for the decision by the officer who imposed the punishment or who dealt with the previous appeal, be made available to him for inspection, and in that event they shall be placed at his disposal for a reasonable time for his personal inspection, and he shall be permitted to make copies thereof. When making such inspection the appellant may be accompanied by the person who assisted him at the disciplinary inquiry or whom he has selected to assist him at the hearing of his appeal.

PROCEDURE IF A DISCIPLINARY INFRINGEMENT AMOUNTS TO A CRIMINAL OFFENCE

143. (1) If an employee is charged with a criminal offence he may be suspended from duty as provided in section 17 (5) of the Act.

(2) Disciplinary proceedings against an employee for an act or omission in connection with which he is, to the knowledge of the officer dealing with the case, at the same time being criminally prosecuted, shall be postponed or stayed as provided in section 18 (1) (b) of the Act, unless the employee charged has intimated in terms of paragraph (c) of that subsection that he desires such proceedings to be continued. Where such proceedings have been postponed as aforesaid, the employee concerned shall not be charged, even though he may so desire, before the criminal proceedings against him have been finally disposed of.

(3) If an employee is convicted by a court on a criminal charge, an officer who is in terms of these regulations empowered to take disciplinary action against the employee shall decide whether the offence of which the employee has been convicted is such that it can be regarded as a disciplinary infringement in respect of which such action ought, in the interest of the South African Transport Services, to be taken against the employee. If the officer decides that such action ought to be taken, the employee shall be charged and the case be dealt with in terms of the Act and these regulations. All questions as to the payment or withholding of salary during any period of suspension, whether prior to or subsequent to the employee's conviction by the court, shall be decided in accordance with section 18 (3) (b) of the Act.

(4) If an employee is charged with a disciplinary infringement which amounts to an offence of which he has been convicted by a court, a certified copy of the indictment or charge in the criminal case, together with the employee's

uitspraak gegee en die vonnis opgelê deur die hof, afdoende bewys is dat hy daardie misdryf gepleeg het, tensy die skuldige bevinding deur 'n hoër hof tersyde gestel is, met dien verstande dat dit die aangeklaagde werknemer vrystaan om bewyse aan te voer dat hy in werklikheid ten onregte skuldig bevind is.

(5) As die hof 'n werknemer vryspreek of as die strafregtelike aanklag teruggetrek word, word daar ooreenkomstig artikel 18 (3) (c) van die Wet met die geval gehandel.

(6) By die toepassing van artikel 18 (5) van die Wet, is die werknemer daarop geregtig om bewys aan te voer ter stawing van strawwe of nadele wat hy gely het.

(7) 'n Werknemer wat geskors is omdat strafregtelike vervolging teen hom ingestel is, mag gedurende die tydperk van skorsing werk buite die Suid-Afrikaanse Vervoerdienste aanvaar, onderworpe aan die voorwaardes dat hy—

- (a) besonderhede van sodanige werk verstrek sodra hy in die buitebetrekking begin werk; en
- (b) binne 48 uur nadat sy skorsing opgehef is, diens by die Suid-Afrikaanse Vervoerdienste hervat.

HOOFTUK 10

AFDELING 1

DISSIPLINÊRE APPÈLLE—ALLE WERKNEMERS BEHALWE POLISIEBEAMPTES

WERKNEMERS OP WIE DIE REGULASIES VAN TOEPASSING IS

144. (1) Die regulasies in hierdie afdeling is van toepassing op alle werknemers behalwe polisiebeamptes en sekuriteitswagte in die mate deur regulasie 153 bepaal.

(2) Geen bepaling vervat in hierdie afdeling of in afdeling 2 word uitgelê om te verhoed dat enige appèlgesag in 'n saak waar die appellant slegs teen die straf appèl aangeteken het, enige bevinding rakende die skuld van die appellant wysig nie, waar die getuienis volgens die mening van die appèlgesag sodanige stap regverdig.

INDIEN VAN DISSIPLINÊRE APPÈLLE

145. Kennis van appèl kragtens die bepalings van artikel 20 (1) van die Wet moet skriftelik gegee en in 'n verseëlde kovert regstreeks aan die Sekretaris van die Dissiplinêre Appèlraad, p.a. die Hoofbestuurder, Suid-Afrikaanse Vervoerdienste, Johannesburg, gerig word. Sodanige kennisgewing wat deur die werknemer persoonlik onderteken moet wees, moet die redes vir die appèl duidelik meld en aantoon teen watter van die aangeleenthede genoem in artikel 20 (1) (a) daar geappelleer word, met dien verstande dat 'n werknemer wat gebruik maak van die vergunning waarvoor daar in regulasie 142 voorsiening gemaak word, die verstrekking van die redes vir sy appèl, maar nie die indiening van sy kennisgewing om appèl aan te teken nie, kan uitstel tot hoogstens 14 dae na die datum waarop afskrifte van die toepaslike stukke die eerste keer vir insae tot sy beskikking gestel is.

GEDRAGSLYN

146. (1) Sou gou doenlik na die ontvangs van sodanige appèl moet 'n tyd en plek vir die aanhoor daarvan bepaal word. Die appellant en sy departementshoof word skriftelik daarvan in kennis gestel.

(2) As dit nie bekend is waar die appellant hom bevind nie, moet die kennisgewing van die tyd en plek vir die aanhoor van die appèl per aangetekende brief aan sy jongs bekende adres gerig word.

(3) As die appellant in gebreke bly om te verskyn en bewys gelewer word dat die behoorlike kennisgewing wel aan hom gegee of gepos is soos reeds genoem, kan die saak in sy afwesigheid volgens die beskikbare getuienis ondersoek en behandel word.

plea thereto, the verdict pronounced and the sentence imposed by the court, shall be sufficient proof of the commission by him of such offence, unless the conviction has been set aside by a superior court, provided that it shall be competent for the employee charged to adduce evidence that he was in fact wrongly convicted.

(5) If an employee is acquitted by the court or the criminal charge is withdrawn, the case shall be dealt with in accordance with section 18 (3) (c) of the Act.

(6) In applying the provisions of section 18 (5) of the Act, the employee shall be entitled to produce evidence in support of any penalties or disabilities suffered.

(7) An employee who has been suspended by reason of the institution of a criminal prosecution against him shall not be debarred from taking up employment outside the South African Transport Services during the period of suspension, subject to the conditions that he—

- (a) furnishes particulars of such employment immediately he takes up duty in the outside occupation; and
- (b) resumes duty with the South African Transport Services within 48 hours after his suspension has been raised.

CHAPTER 10

SECTION 1

DISCIPLINARY APPEALS—ALL EMPLOYEES OTHER THAN POLICEMEN

APPLICABILITY OF THE REGULATIONS

144. (1) The regulations contained in this section are applicable to all employees except policemen and security guards to the extent provided for in regulation 153.

(2) Nothing contained in this Section or in Section 2 shall be construed as preventing any appeal authority in a case in which the appellant has appealed against the punishment only, from altering the finding as to the guilt of the appellant should the evidence, in the opinion of the appeal authority, justify such action.

LODGING OF DISCIPLINARY APPEALS

145. Notice of an appeal exercised in accordance with the provisions of section 20 (1) of the Act, shall be made in writing and shall be despatched in a sealed envelope addressed direct to the Secretary, Disciplinary Appeal Board, c/o General Manager, South African Transport Services, Johannesburg. Such notice which shall be signed personally by the employee shall clearly state the grounds upon which the appeal is based, and shall indicate against which of the matters, specified in section 20 (1) (a), the appeal is made, provided that an employee who avails himself of the facility for which provision is made in regulation 142 may defer indicating the grounds upon which the appeal is based, but not the submission of his notice of appeal, to a date not later than fourteen days after the date on which copies of the relevant documents were first made available for his inspection.

PROCEDURE

146. (1) As soon as practicable after receipt of any such appeal, a time and place for the hearing of the appeal shall be fixed. Notice thereof in writing shall be given to the appellant and to the head of his department.

(2) If the whereabouts of the appellant are unknown, the notification of the time and place at which the appeal will be heard shall be posted by registered letter to his last known address.

(3) In the event of failure of the appellant to appear, and on proof of the proper notice having been given or posted to the appellant as aforesaid, the case may be investigated and dealt with in his absence on the available evidence.

BYSTAND BY APPELLE

147. (1) As 'n werknemer wat na 'n dissiplinêre appèlraad appelleer, verkies om by die aanhoor van sy appèl kragtens die bepalings van artikel 21 van die Wet bygestaan te word, moet hy die Dissiplinêre Appèlraad van sodanige voorneme in kennis stel wanneer hy sy appèl indien en volledige besonderhede van die persoon wat hy gekies het, verstrek.

(2) 'n Werknemer wat 'n ander werknemer by 'n appèl bystaan, word kragtens die bepalings van artikel 21 (2) van die Wet en op die grondslag bepaal in regulasie 129 (5) betaal vir die tyd wat hy sodanige appèl bywoon.

BETALING AAN APPELLANT GEDURENDE APPELVERRIGTINGE

148. (1) 'n Appellant word betaal vir tyd wat hy noodsaaklikewyse aan die aanhoor van sy appèl bestee en vir tyd wat in beslag geneem word deur sy reise na en van die plek of plekke waar die appèl aangehoor word.

AANHOOR VAN GETUIENIS

149. (1) Getuienis wat afgeneem is by 'n dissiplinêre ondersoek waarby die appellant teenwoordig was en die geleentheid gehad het om getuienis af te lê, die getuies te hoor en hulle onder kruisverhoor te neem, kan toegelaat word.

(2) As 'n appellant in gebreke bly om te verskyn, kan verdere getuienis wat ter sake is en kragtens artikel 20 (1) (b) van die Wet nodig geag word, in sy afwesigheid afgeneem word.

(3) Die getuienis van getuies wat lede van die publiek is en nie bereid of in staat is om die appèlverhoor by te woon of daar te getuig nie, kan per beëdigde verklaring afgeneem en gebruik word, mits daar ander getuienis is (afgelê by die dissiplinêre ondersoek of ten tyde van die appèlverhoor) deur een of meer getuies wat die beëdigde verklaring staaf.

(4) As dit na die mening van die Voorsitter van die Dissiplinêre Appèlraad wenslik is dat die getuienis van 'n getuie onder eed afgelê word, moet hy sodanige getuie meedeel dat daar van hom vereis sal word om sy getuienis onder eed te bevestig nadat dit aangeteken is, en as die Voorsitter 'n kommissaris van eed is, moet hy sodanige gedeelte van die getuienis wat aangeteken is nadat die getuie aldus meege-deel is, op die gepaste tydstip deur die getuie laat beëdig, met dien verstande dat genoemde Voorsitter nie getuienis deur so 'n getuie mag laat beëdig as hy rede het om te glo dat die getuie onwillig is om sy getuienis onder eed te bevestig nie.

AMPTENAAR AAN WIE DIE DISSIPLINÊRE APPELRAAD VERSLAG MOET DOEN

150. (1) Die Dissiplinêre Appèlraad moet, onderworpe aan die bepalings van regulasie 153 (1) (b), soos volg van sy bevinding verslag doen:

- (a) As die besluit waarteen daar geappelleer word, gegee is deur 'n assistent-hoofsuperintendent (dissipline), 'n seniorsuperintendent (dissipline), 'n superintendent (dissipline) of 'n assistent-superintendent (dissipline) moet verslag gedoen word aan die appellant se departementshoof, met dien verstande dat indien sodanige departementshoof die Hoofbestuurder is, hy sy appèlgesag aan 'n adjunk-hoofbestuurder, 'n assistent-hoofbestuurder of 'n hoofdirekteur kan deleger en indien sodanige departement die Ministerie van Vervoerwese is, word vir die doel van hierdie regulasie beskou dat die hoof daarvan aan wie verslag gedoen moet word, die senior administratiewe amptenaar in die Ministerie in diens van die Suid-Afrikaanse Vervoerdienste is.

ASSISTANCE AT APPEALS

147. (1) If an employee who appeals to a Disciplinary Appeal Board elects to avail himself of assistance at the hearing of such appeal in terms of section 21 of the Act, he shall notify the Disciplinary Appeal Board of such intention when lodging his appeal and furnish full particulars of the person chosen.

(2) An employee assisting another employee at an appeal shall be paid for the period of his attendance at such appeal in terms of the provisions of section 21 (2) of the Act and on the basis set out in regulation 129 (5).

PAYMENT TO APPELLANT DURING APPEAL PROCEEDINGS

148. (1) An appellant shall be paid for any time necessarily spent at the hearing of his appeal and for time taken in travelling to and from the place or places at which such appeal is heard.

HEARING OF EVIDENCE

149. (1) Evidence taken at a disciplinary inquiry at which the appellant was present and had an opportunity of giving evidence and of hearing and cross-examining the witnesses, may be admitted.

(2) If an appellant fails to appear, any further relevant evidence as may be deemed necessary as provided for in section 20 (1) (b) of the Act, may be taken in his absence.

(3) The evidence of witnesses who are members of the public and who are not prepared or able to attend or to give evidence at the hearing of the appeal, may be taken by affidavit and used, provided other evidence exists (given at the disciplinary inquiry or at the hearing of the appeal) by one or more witnesses who substantiate the affidavit.

(4) If, in the opinion of the Chairman of the Disciplinary Appeal Board, it is desirable that the evidence of any witness be taken under oath, he shall inform such witness that he will be required to swear to the truth of his evidence after it has been recorded, and thereupon the Chairman shall, if he is a commissioner of oaths, at the appropriate time administer an oath to such witness in respect of such portion of his evidence as was recorded after the witness was so informed, provided that the said Chairman shall not administer an oath to such witness if he has reason to believe that the witness is unwilling to swear to the truth of his evidence.

OFFICER TO WHOM DISCIPLINARY APPEAL BOARD SHALL REPORT

150. (1) The Disciplinary Appeal Board shall, subject to the provisions of regulation 153 (1) (b), report its finding as follows:

- (a) Where the decision appealed against was given by an Assistant Chief Superintendent (Discipline), a Senior Superintendent (Discipline), a Superintendent (Discipline) or an Assistant Superintendent (Discipline), the report shall be submitted to the head of the appellant's department, provided that where the head of such department is the General Manager, he may delegate his appeal authority to a Deputy General Manager, an Assistant General Manager or a Chief Director and where such department is the Ministry of Transport Affairs the head thereof, to whom the report shall be submitted, shall be deemed, for the purpose of this provision, to be the senior administrative officer in the Ministry in the employ of the South African Transport Services.

- (b) As die appellant nie in die Ministerie van Vervoerwese of in die Hoofbestuurder se departement gewerk het nie en die besluit waarteen appèl aangeteken is, gegee is deur die amptenaar gemeld in regulasie 126 (1) wat die senior is van die mees senior van die ander amptenare wat daarin gemeld is, moet daar verslag gedoen word aan die appellant se departementshoof, met dien verstande dat, indien die amptenaar wat die besluit gegee het die departementshoof was, verslag aan die Hoofbestuurder gedoen moet word wat sy appèlgesag aan 'n adjunk-hoofbestuurder, 'n assistent-hoofbestuurder of 'n hoofdirekteur kan delegeer.
- (c) As die appellant in die Hoofbestuurder se departement gewerk het en die besluit waarteen appèl aangeteken is, gegee is deur 'n amptenaar wat die senior is van 'n assistent-hoofsuperintendent (dissipline) ingevolge die bepalings van regulasie 126 (1), of deur 'n amptenaar ingevolge die bepalings van regulasie 126 (3), moet daar verslag gedoen word aan die Hoofbestuurder wat sy appèlgesag kan delegeer aan 'n adjunk-hoofbestuurder, 'n assistent-hoofbestuurder of 'n hoofdirekteur, met dien verstande dat, indien die amptenaar wat die besluit gegee het die Hoofbestuurder was, verslag aan die Raad van Suid-Afrikaanse Vervoerdienste gedoen moet word.
- (d) As die appellant in die Ministerie van Vervoerwese gewerk het en die besluit waarteen daar appèl aangeteken is, gegee is deur die amptenaar gemeld in regulasie 126 (1) wat die senior is van die mees senior van die ander amptenare wat daarin gemeld is, of deur 'n amptenaar ingevolge die bepalings van regulasie 126 (3), moet verslag gedoen word aan die senior administratiewe amptenaar in die Ministerie in diens van die Suid-Afrikaanse Vervoerdienste, met dien verstande dat indien die amptenaar wat die besluit gegee het sodanige senior administratiewe amptenaar was, verslag aan die Raad van Suid-Afrikaanse Vervoerdienste gedoen moet word.
- (2) Die Dissiplinêre Appèlraad moet sy bevinding rapporteer op die wyse bepaal in artikel 20 (2) van die Wet, en die saak moet daarna afgehandel word soos bepaal in die betrokke subartikels van daardie artikel van die Wet.
- (3) As 'n werknemer sy appèl kragtens artikel 20 (5) van die Wet verder wil voer, moet hy sy kennisgewing van appèl binne veertien dae na die ontvangs van die beslissing persoonlik indien en die redes vir sy verdere appèl duidelik uiteensit, met dien verstande dat 'n werknemer wat gebruik maak van die vergunning waarvoor daar in paragraaf (5) voorsiening gemaak word, die verstrekking van die redes vir sodanige verdere appèl, maar nie die indiening van sy kennisgewing van appèl nie, kan uitstel tot hoogstens veertien dae na die datum waarop die verslag van die Dissiplinêre Appèlraad se verrigtinge die eerste keer vir insae tot sy beskikking gestel word.
- (4) 'n Werknemer wat kragtens die bepalings van artikel 20 (7) van die Wet voor die Raad van Suid-Afrikaanse Vervoerdienste wil verskyn, moet kennis daarvan gee wanneer die appèl ingedien word.
- (5) (a) Aan 'n werknemer wat na die Raad van Suid-Afrikaanse Vervoerdienste appelleer teen sy ontslag of gedwonge bedanking moet op aansoek 'n afskrif van die verslag van die Dissiplinêre Appèlraad se verrigtinge gegee word vir sy eie gebruik en vir die gebruik van die persoon wat gekies is om hom by te staan by die aanhoor van sy appèl. Die afskrif wat aldus verstrekk word, moet ingelewer word nadat die Raad van Suid-Afrikaanse Vervoerdienste die appèl aanhoor het.
- (b) Where the appellant was employed other than in the Ministry of Transport or in the General Manager's department and the decision appealed against was given by the officer referred to in regulation 126 (1) senior in rank to the most senior of the other officers referred to therein, the report shall be submitted to the head of the appellant's department, provided that, if the officer who gave the decision was the head of department, the report shall be submitted to the General Manager who may delegate his appeal authority to a Deputy General Manager, an Assistant General Manager or a Chief Director.
- (c) Where the appellant was employed in the General Manager's department and the decision appealed against was given by an officer senior in rank to an Assistant Chief Superintendent (Discipline) by virtue of the provisions of regulation 126 (1) or by an officer by virtue of the provisions of regulation 126 (3) the report shall be submitted to the General Manager who may delegate his appeal authority to a Deputy General Manager, an Assistant General Manager or a Chief Director, provided that, if the officer who gave the decision was the General Manager, the report shall be submitted to the South African Transport Services Board.
- (d) Where the appellant was employed in the Ministry of Transport Affairs and the decision appealed against was given by the officer referred to in regulation 126 (1) senior in rank to the most senior of the other officers referred to therein or by an officer by virtue of the provisions of regulation 126 (3) the report shall be submitted to the senior administrative officer in the Ministry in the employ of South African Transport Services, provided that if the officer who gave the decision was such senior administrative officer, the report shall be submitted to the South African Transport Services Board.
- (2) The Disciplinary Appeal Board shall report its finding in the manner prescribed in section 20 (2) of the Act and the case shall thereafter be disposed of in terms of the relevant subsections of that section of the Act.
- (3) If an employee desires to pursue his appeal in terms of section 20 (5) of the Act he shall personally submit his notification of appeal within fourteen days of the receipt of the decision and clearly set forth the reason for his further appeal, provided that an employee who avails himself of the facility for which provision is made in paragraph (5) may defer setting forth the reasons for such further appeal, but not the submission of his notice of appeal, to a date not later than fourteen days after the date on which the record of the Disciplinary Appeal Board proceedings is first made available for his inspection.
- (4) An employee who desires to appear before the South African Transport Services Board in terms of section 20 (7) of the Act shall give notification thereof at the time the appeal is submitted.
- (5) (a) An employee who appeals to the South African Transport Services Board against dismissal or enforced resignation shall, upon application, be provided with a copy of the record of the Disciplinary Appeal Board proceedings for his own use and that of the person chosen to assist him at the hearing of his appeal. The copy so provided shall be handed in after the hearing of the appeal by the South African Transport Services Board.

(b) Behalwe soos bepaal in subparagraaf (a), kan 'n werknemer nie aanspraak maak op 'n afskrif van die verslag van die Dissiplinêre Appèlraad se verrigtinge nie, maar indien en wanneer hy appèl aanteken soos in hierdie regulasies bepaal, kan hy versoek dat die verslag vir insae tot sy beskikking gestel word, en in daardie geval moet die verslag vir 'n redelike tyd aan hom beskikbaar gestel word sodat hy dit persoonlik kan nagaan en moet hy toegelaat word om 'n afskrif van die hele verslag of 'n gedeelte daarvan te maak. Wanneer die appellant die verslag aldus nagaan, kan die persoon wat hy gekies het om hom by die aanhoor van sy appèl by te staan, teenwoordig wees.

AFSTANDDOENING VAN REG OM NA DISSIPLINÊRE APPELRAAD TE APPELLEER

151. (1) As 'n werknemer kragtens artikel 20 (9) van die Wet afstand doen van sy reg om na die Dissiplinêre Appèlraad te appelleer en na sy departementshoof appelleer, welke term vir die doel van hierdie regulasie die amptenaar of die Raad van Suid-Afrikaanse Vervoerdienste beteken aan wie die Dissiplinêre Appèlraad kragtens regulasie 150 (1) verslag sou gedoen het indien die appellant nie van sy reg van appèl na die Dissiplinêre Appèlraad afstand gedoen het nie, moet sy appèl ingedien word binne veertien dae nadat hy die beslissing ontvang het waarteen hy appelleer.

(2) 'n Appèl ingevolge hierdie regulasie moet skriftelik ingedien word en moet die redes vir die appèl duidelik meld, en dit moet aantoon teen watter van die aangeleenthede genoem in artikel 20 (1) (a) van die Wet daar geappelleer word. Die appèl moet deur die appellant persoonlik onderteken wees en gerig word aan die amptenaar na wie daar geappelleer word of aan die Raad van Suid-Afrikaanse Vervoerdienste, na gelang van die geval, en dit moet langs die gewone amptelike kanale aangestuur word, met dien verstande dat 'n werknemer wat gebruik maak van die vergunning waarvoor daar in regulasie 142 voorsiening gemaak word, die verstrekking van die redes vir sy appèl, maar nie die indiening van sy kennisgewing van appèl nie, kan uitstel tot hoogstens 14 dae na die datum waarop afskrifte van die toepaslike stukke die eerste keer vir insae tot sy beskikking gestel is.

(3) By ontvangs van 'n appèl ingevolge hierdie regulasie vra die amptenaar wat gemagtig is om met die saak te handel of die Raad van Suid-Afrikaanse Vervoerdienste, na gelang van die geval, om die betrokke stukke en hersien hy of die Raad die vorige verrigtinge. Hy of die Raad kan verder getuienis vra of reël dat 'n ondersoek gehou word of enige ander stappe doen wat nodig geag word. 'n Beslissing word so gou doenlik gegee, en dit word skriftelik aan die appellant meegedeel. As die appellant nie met die beslissing (behalwe 'n beslissing van die Hoofbestuurder of die Raad van Suid-Afrikaanse Vervoerdienste) tevrede is nie, kan hy binne veertien dae na die ontvangs van die beslissing verder na die Hoofbestuurder appelleer deur middel van 'n brief wat deur hom persoonlik onderteken is en waarin hy die redes vir die verdere appèl duidelik uiteensit. Die brief moet langs die gewone kanale aangestuur word. Die amptenaar teen wie se beslissing daar geappelleer word, moet die betrokke stukke onverwyl aan die Hoofbestuurder deurstuur, wat verder getuienis kan vra of kan reël dat 'n ondersoek ingestel word of enige ander stappe kan doen wat hy nodig mag ag. Die Hoofbestuurder moet sy beslissing so gou doenlik gee, en dit moet skriftelik aan die appellant meegedeel word.

(4) As die appellant nie tevrede is met die besluit van die Hoofbestuurder nie, kan hy binne veertien dae na die ontvangs van sodanige beslissing, skriftelik versoek dat die geval na die Raad van Suid-Afrikaanse Vervoerdienste verwys word. Sodanige versoek moet deur die appellant persoonlik onderteken wees en langs die gewone kanale aangestuur word.

(b) Except as provided in subparagraph (a), an employee shall not be entitled to demand a copy of the Disciplinary Appeal Board proceedings, but if and when he notes an appeal as provided by these regulations, he may request that the record be made available to him for inspection, and in that event the record shall be placed at his disposal for a reasonable time for his personal inspection, and he shall be permitted to make a copy of the whole or any portion thereof. When making such inspection the appellant may be accompanied by the person whom he has selected to assist him at the hearing of his appeal.

WAIVING OF RIGHT OF APPEAL TO DISCIPLINARY APPEAL BOARD

151. (1) Where an employee waives his right of appeal to the Disciplinary Appeal Board in terms of section 20 (9) of the Act and appeals to the head of his department, which term shall mean, for the purpose of this regulation, the officer to whom or the South African Transport Services Board to which the Disciplinary Appeal Board would have reported in terms of regulation 150 (1) had the appellant not waived his right of appeal to the former Board, such appeal shall be lodged within fourteen days of receipt by the employee of the decision against which the appeal is lodged.

(2) An appeal under this regulation shall be made in writing and shall clearly state the grounds upon which the appeal is based and shall indicate against which of the matters specified in section 20 (1) (a) of the Act, the appeal is made. It shall be signed personally by the appellant and addressed to the officer to whom the appeal is made or to the South African Transport Services Board, as the case may be, and forwarded through the usual official channels, provided that an employee who avails himself of the facility for which provision is made in regulation 142 may defer indicating the grounds upon which the appeal is based, but not the submission of his notice of appeal, to a date not later than fourteen days after the date on which copies of the relevant documents were first made available for his inspection.

(3) On receipt of an appeal under this regulation, the officer empowered to deal with the case, or the South African Transport Services Board, as the case may be, shall call for the records and review the previous proceedings. He or such Board may call for further evidence or arrange for an inquiry to be held or take any other steps deemed necessary. A decision shall be given as early as practicable, which shall be communicated to the appellant in writing. If the appellant is dissatisfied with the decision (other than a decision of the General Manager or the South African Transport Services Board) he may, within fourteen days of the receipt of the decision, appeal further to the General Manager by means of a letter signed by him personally clearly setting forth the reasons for the further appeal which should be forwarded through the usual channels. The officer whose decision is appealed against shall forthwith transmit the records of the case to the General Manager, who may call for further evidence or arrange for an inquiry to be held or take any other steps he may deem necessary. The General Manager shall give his decision as early as practicable and the decision shall be communicated to the appellant in writing.

(4) If the appellant is dissatisfied with the decision of the General Manager, he may, within fourteen days of the receipt of such decision, ask in writing that the case be referred to the South African Transport Services Board. Such a request should be signed personally by the appellant and forwarded through the usual channels.

SPEZIALE BEPALINGS AANGAANDE VASTE EN TYDELIKE WERKNEMERS

152. (1) (a) 'n Werknemer in vaste of tydelike diens teen wie 'n beslissing gegee is wat ingevolge die dissiplinêre bepalings nie teen hom aangeteken is nie en wat nie met sodanige beslissing tevrede is nie, kan binne 14 dae na die ontvangs van die beslissing appelleer na—

- (i) sy departementshoof as die straf deur 'n amptenaar met 'n laer status opgelê is; of
- (ii) die Hoofbestuurder as die straf deur 'n departementshoof opgelê is, tensy die Hoofbestuurder die amptenaar is met wie se besluit die appellant ontevrede is.

(b) 'n Werknemer in tydelike diens wat 'n straf weens 'n dissiplinêre oortreding opgelê is wat teen hom aangeteken is en wat nie met sodanige beslissing tevrede is nie, kan binne 14 dae na die ontvangs van die beslissing appelleer na—

- (i) sy departementshoof as die straf deur 'n amptenaar met 'n laer status opgelê is, en daarna (tensy die Hoofbestuurder die departementshoof is) na die Hoofbestuurder as hy nie met sy departementshoof se beslissing tevrede is nie; of
- (ii) die Hoofbestuurder as die straf deur 'n ander departementshoof as die Hoofbestuurder opgelê is, en daarna die Raad van Suid-Afrikaanse Vervoerdienste as hy nie met die Hoofbestuurder se beslissing tevrede is nie; of
- (iii) die Raad van Suid-Afrikaanse Vervoerdienste as die straf deur die Hoofbestuurder opgelê is.

(2) 'n Appèl ingevolge paragraaf (1) moet skriftelik ingedien word en deur die appellant persoonlik onderteken wees. Dit moet gerig word aan die amptenaar na wie daar geappelleer word en langs die gewone kanale aangestuur word. Die appellant moet die redes vir die appèl duidelik meld en aantoon of hy teen die bevinding of die opgelegde straf of teen beide appelleer.

(3) Die beslissing van die departementshoof, die Hoofbestuurder of die Raad van Suid-Afrikaanse Vervoerdienste, na gelang van die geval, is finaal.

(4) Die uitdrukking "sy departementshoof" in hierdie regulasie beteken die amptenaar aan wie die Dissiplinêre Appèlraad verslag sou gedoen het indien regulasie 150 van toepassing was.

AFDELING 2

DISSIPLINÊRE APPÈLE—POLISIEBE-AMPTES EN SEKURITEITSWAGTE

INDIEN VAN DISSIPLINÊRE APPÈLE

153. (1) (a) As 'n polisiebeampte in vaste diens 'n straf vir 'n dissiplinêre oortreding opgelê is wat teen hom aange-teken is en hy kragtens artikel 20 (1) van die Wet daarteen wil appelleer, moet hy die gedragslyn bepaal in regulasie 145 volg.

(b) As 'n polisiebeampte ingevolge hierdie paragraaf appelleer, is die bepalings van regulasies 146 tot 150 (inbegryp), onderworpe aan die bepalings van subparagraaf (c), van toepassing op sy geval, met dien verstande dat as die beslissing waarteen daar geappelleer word, deur 'n polisieoffisier behalwe die Kommissaris van die Suid-Afrikaanse Spoorwegpolisie gegee of bekragtig is, die Dissiplinêre Appèlraad sy bevinding aan die Kommissaris van die Suid-Afrikaanse Spoorwegpolisie moet rapporteer.

(c) By die toepassing van die bepalings van regulasie 147 (2) word daar beskou dat regulasie 129 (5) (e) gewysig is in die mate wat in regulasie 139 (9) aangedui word.

SPECIAL PROVISIONS AFFECTING PERMANENT AND TEMPORARY EMPLOYEES

152. (1) (a) An employee in permanent or temporary employment, against whom a decision has been given which has not been placed on record against him under the provisions governing discipline, who is dissatisfied with such decision, may, within 14 days of the receipt of the decision, appeal to—

- (i) the head of his department, where the punishment was imposed by an officer of lower status; or
- (ii) the General Manager, where the punishment was imposed by a head of department, unless the General Manager is the officer with whose decision the appellant is dissatisfied.

(b) An employee in temporary employment, upon whom punishment for a disciplinary infringement has been imposed and placed on record against him, who is dissatisfied with such decision, may, within fourteen days of the receipt of the decision, appeal to—

- (i) the head of his department, where the punishment was imposed by an officer of lower status, and thereafter (unless the General Manager is the head of his department) to the General Manager if he is dissatisfied with the decision of the head of his department; or
- (ii) the General Manager, where the punishment was imposed by a head of department other than the General Manager, and thereafter to the South African Transport Services Board if he is dissatisfied with the General Manager's decision; or
- (iii) the South African Transport Services Board, where the punishment was imposed by the General Manager.

(2) An appeal under paragraph (1) shall be made in writing and signed personally by the appellant. It shall be addressed to the officer to whom the appeal is made and forwarded through the usual channels. The appellant shall clearly state the grounds upon which the appeal is based and shall indicate whether the appeal is against the finding, or the punishment imposed, or both.

(3) The decision of the head of department, the General Manager, or the South African Transport Services Board, as the case may be, shall be final.

(4) In this regulation the expression "head of his department" means the officer to whom the Disciplinary Appeal Board would have reported had regulation 150 been applicable.

SECTION 2

DISCIPLINARY APPEALS—POLICEMEN AND SECURITY GUARDS

LODGING OF DISCIPLINARY APPEALS

153. (1) (a) A policeman in permanent employment, upon whom punishment for a disciplinary infringement has been imposed and placed on record against him and who wishes to appeal in terms of section 20 (1) of the Act, shall observe the procedure provided for in regulation 145.

(b) When a policeman lodges an appeal in terms of this paragraph, the provisions of regulations 146 to 150 inclusive shall, subject to the provisions of subparagraph (c), be applicable to his case, provided that if the decision appealed against was given or confirmed by any police officer other than the Commissioner of South African Railways Police, the Disciplinary Appeal Board shall report its findings to the Commissioner of South African Railways Police.

(c) In the application of the provisions of regulation 147 (2), regulation 129 (5) (e) shall be regarded as being amended to the extent indicated in regulation 139 (9).

(2) (a) 'n Polisiebeampte wat kragtens artikel 20 (9) van die Wet afstand doen van sy reg om na die Disziplinêre Appèlraad te appelleer, kan na die Kommissaris van die Suid-Afrikaanse Spoorwegpolisie appelleer, of na die Hoofbestuurder teen 'n beslissing wat deur die Kommissaris van die Suid-Afrikaanse Spoorwegpolisie gegee is, of na die Raad van Suid-Afrikaanse Vervoerdienste teen 'n beslissing wat deur die Hoofbestuurder gegee is.

(b) 'n Appellant wat nie tevrede is met die beslissing van 'n amptenaar aan wie sy appèl ingevolge die bepalings van subparagraaf (a) gerig is nie, kan verder appelleer vir sover daar in artikel 20 (9) van die Wet daarvoor voorsiening gemaak word.

(c) 'n Appèl ingevolge hierdie paragraaf word skriftelik ingedien binne veertien dae nadat die polisiebeampte die beslissing ontvang het waarteen hy appelleer. Dit moet gerig word aan die amptenaar na wie daar geappelleer word of aan die Raad van Suid-Afrikaanse Vervoerdienste, na gelang van die geval, en moet langs die gewone amptelike kanale aangestuur word.

(d) In sy appèl moet die appellant die redes vir sy appèl duidelik meld en aantoon daarin of hy appelleer teen die beslissing waarvolgens hy aan die disziplinêre oortreding skuldig bevind is of teen die straf wat opgelê is, of teen 'n bevel in verband met die betaling of terughouding van salaris gedurende die hele tydperk van skorsing of 'n gedeelte daarvan, of teen enige twee of meer sodanige aangeleenthede, met dien verstande dat 'n polisiebeampte wat gebruik maak van die vergunning waarvoor daar in regulasie 142 voorsiening gemaak word, die verstrekking van die redes vir sy appèl, maar nie die indiening van sy kennisgewing van appèl nie, kan uitstel tot hoogstens 14 dae na die datum waarop afskrifte van die toepaslike stukke die eerste keer vir insae tot sy beskikking gestel is.

(e) Daar moet volgens die bepalings van artikel 20 (10) van die Wet en van regulasie 151 (3) gehandel word met 'n appèl wat ingevolge die bepalings van hierdie paragraaf ingedien word.

(3) (a) 'n Polisiebeampte in vaste, tydelike of losdiens wat vir 'n geringe disziplinêre oortreding gestraf is, kan binne 14 dae nadat hy kennis ontvang het van die straf wat hom opgelê is, appelleer na—

- (i) die Kommissaris van die Suid-Afrikaanse Spoorwegpolisie as die straf deur 'n offisier met 'n laer status opgelê is; of
- (ii) die Hoofbestuurder as die straf deur die Kommissaris van die Suid-Afrikaanse Spoorwegpolisie opgelê is.

(b) 'n Polisiebeampte in tydelike of losdiens wat vir 'n ernstige disziplinêre oortreding gestraf is, kan binne 14 dae nadat hy kennis ontvang het van die straf wat hom opgelê is, appelleer na—

- (i) die Kommissaris van die Suid-Afrikaanse Spoorwegpolisie as die straf deur 'n offisier met 'n laer status opgelê is, en daarna na die Hoofbestuurder as hy nie met die Kommissaris se beslissing tevrede is nie; of
- (ii) die Hoofbestuurder as die straf deur die Kommissaris van die Suid-Afrikaanse Spoorwegpolisie opgelê is, en daarna na die Raad van Suid-Afrikaanse Vervoerdienste as hy nie met die Hoofbestuurder se beslissing tevrede is nie; of
- (iii) die Raad van Suid-Afrikaanse Vervoerdienste as die straf deur die Hoofbestuurder opgelê is.

(c) Die beslissing van die Kommissaris van die Suid-Afrikaanse Spoorwegpolisie of die Hoofbestuurder of die Raad van Suid-Afrikaanse Vervoerdienste, na gelang van die geval, is finaal.

(4) Vir die doel van hierdie regulasie sluit die benaming "polisiebeampte" 'n sekuriteitswag in.

(2) (a) A policeman, who waives his right of appeal to the Disciplinary Appeal Board in terms of section 20 (9) of the Act, may appeal to the Commissioner of South African Railways Police, or, if the decision appealed against was given by the Commissioner of South African Railways Police, to the General Manager, or, if the decision appealed against was given by the General Manager, to the South African Transport Services Board.

(b) An appellant, who is dissatisfied with the decision of an officer to whom his appeal was addressed in terms of subparagraph (a), may appeal further to the extent provided for in section 20 (9) of the Act.

(c) An appeal lodged in terms of this paragraph shall be made in writing within fourteen days of the receipt by the policeman of the decision against which his appeal is made. It shall be addressed to the officer to whom the appeal is made or to the South African Transport Services Board, as the case may be, and forwarded through the usual official channels.

(d) In his appeal, the appellant shall clearly indicate the grounds upon which his appeal is based and shall state whether the appeal is against the decision finding him guilty of the disciplinary infringement, or against the punishment imposed, or against any order made regarding the payment or withholding of salary during the whole or any part of a period of suspension, or against any two or more of such matters, provided that a policeman who avails himself of the facility for which provision is made in regulation 142 may defer indicating the grounds upon which the appeal is based, but not the submission of his notice of appeal, to a date not later than fourteen days after the date on which copies of the relevant documents were first made available for his inspection.

(e) An appeal submitted in terms of this paragraph shall be dealt with in accordance with the provisions of section 20 (10) of the Act and of regulation 151 (3).

(3) (a) A policeman in permanent, temporary or casual employment, who has been punished for a minor disciplinary infringement, may, within fourteen days of the receipt of the notification of punishment, appeal to—

- (i) the Commissioner of South African Railways Police, where the punishment was imposed by an officer of lower status; or
- (ii) the General Manager, where the punishment was imposed by the Commissioner of South African Railways Police.

(b) A policeman in temporary or casual employment who has been punished for a disciplinary infringement of a serious nature, may, within 14 days of receipt of the decision, appeal to—

- (i) the Commissioner of South African Railways Police, where the punishment was imposed by an officer of lower status, and thereafter to the General Manager if he is dissatisfied with the Commissioner's decision; or
- (ii) the General Manager, where the punishment was imposed by the Commissioner of South African Railways Police, and thereafter to the South African Transport Services Board if he is dissatisfied with the General Manager's decision, or
- (iii) the South African Transport Services Board where the punishment was imposed by the General Manager.

(c) The decision of the Commissioner of South African Railways Police, or the General Manager, or the South African Transport Services Board, as the case may be, shall be final.

(4) For the purpose of this regulation, the designation "policeman" includes a security guard.

AFDELING 3

DISSIPLINÊRE APPËLLE—ALGEMEEN

VERANDERING VAN STRAF WAT ONTSLAG OF VERPLIGTE BEDANKING BEHEL, NA 'N STRAF WAT VERMINDERING IN SALARIS MEEBRING

154. As 'n straf wat ontslag of verpligte bedanking behels, by appèl versag word na 'n straf wat 'n verlaging in graad of klas met 'n vermindering in salaris of net 'n vermindering in salaris meebring, moet die bepalings van regulasie 128 (6) en (7) toegepas word ten opsigte van die datum waarop enige vermindering in salaris ingevolge die versagting van straf in werking tree, ondanks die feit dat die versagte straf die oorspronklike straf vervang van die datum waarop laasgenoemde straf opgelê is.

HOOFSTUK 11

DIVERSE

GRATIFIKASIES AAN WERKNEMERS WAT WEENS ARBEIDSONGESKIKTHEID AFGEDANK WORD

155. Die bedrag wat ingevolge Pensioenregulasie 35 (2) as gratifikasie uit inkomste aan 'n werknemer betaal word, is 'n som wat gelyk is aan die verskil tussen die bedrag van die gratifikasie waarop hy geregtig sou gewees het as sy dienste beëindig was ten gevolge van 'n vermindering of reorganisasie van personeel kragtens artikel 12 van die Wet, en die bedrag wat hy ingevolge Pensioenregulasie 35 (1) ontvang.

GRATIFIKASIES AAN WERKNEMERS WAT WEENS ONGESKIKTHEID AS GEVOLG VAN AKTIEWE KRYGSDIENS AFGEDANK WORD

156. (1) As 'n werknemer wat lid is van die Nuwe Superannuasiefonds wat gestig is kragtens die Spoorweg- en Hawepensioenwet, 1971, verplig word om, voordat hy vir 'n tydperk van tien jaar bygedra het, af te tree weens blywende arbeidsongeskiktheid wat die gevolg is van wonde of siekte wat hy in of as gevolg van aktiewe krygsdiens in die Suid-Afrikaanse Weermag of, voor 31 Mei 1961, in enige een van die Britse Koninklike Magte opgedoen het, kan 'n gratifikasie aan hom toegestaan word—

(a) wat gelyk is aan ses maande se volle salaris teen die insluitende salarisskaal wat op sy uitdienstreedatum op hom van toepassing is, in plaas van die gratifikasie bepaal in regulasie 155; of

(b) wat bereken word asof artikel 12 van die Wet van toepassing was,

watter ook al groter is.

(2) Die gratifikasie genoem in paragraaf (1) word beneens die voordeel bepaal in Pensioenregulasie 35 (1) toegestaan.

(3) Die voorwaardes van hierdie regulasie vir die betaling van 'n gratifikasie gelyk aan ses maande se salaris, kan geld vir enige werknemer wat nie 'n bydraer is nie en wat in soortgelyke omstandighede afgedank word.

TITEL VAN REGULASIES

157. Regulasies 1 tot 157 wat hierin vervat word, staan bekend as die "Personeelregulasies".

SECTION 3

DISCIPLINARY APPEALS—GENERAL

MODIFICATION OF PUNISHMENT OF DISMISSAL OR ENFORCED RESIGNATION TO A PUNISHMENT INVOLVING REDUCTION IN SALARY

154. Where a punishment of dismissal or enforced resignation is modified on appeal to a punishment of reduction in rank, grade or class with a reduction in salary, or to a punishment of reduction in salary only, then, notwithstanding the fact that the modified punishment replaces the original punishment as from the date on which the latter was imposed, the provisions of regulation 128 (6) and (7) shall be observed in regard to the date as from which any reduction in salary involved in the modified punishment shall actually take effect.

CHAPTER 11

MISCELLANEOUS

GRATUITIES TO EMPLOYEES RETIRED THROUGH INCAPACITATION

155. The amount to be paid to any employee by way of a gratuity from revenue in terms of Pension Regulation 35 (2) shall be a sum equal to the difference between the amount of the gratuity which he would have been entitled to receive had his services been dispensed with in consequence of a reduction in or reorganisation of personnel in terms of section 12 of the Act, and the amount of the benefit received by him in terms of Pension Regulation 35 (1).

GRATUITIES TO EMPLOYEES RETIRED AS RESULT OF ACTIVE SERVICE CONDITIONS

156. (1) If an employee who is a member of the New Superannuation Fund established under the Railways and Harbours Pensions Act, 1971, be compelled, before he has contributed in respect of a period of ten years, to retire in consequence of active war service in the South African Defence Force or, prior to the 31st May 1961, in any of Her Britannic Majesty's Forces, he may be granted—

(a) a gratuity equal to six month's full salary calculated at the inclusive salary scale, operative at the date of retirement, in lieu of the gratuity provided for in regulation 155; or

(b) a gratuity equivalent to the gratuity that would have been payable had section 12 of the Act been applicable,

whichever is the greater.

(2) The gratuity referred to in paragraph (1) shall be in addition to the benefit prescribed in Pension Regulation 35 (1).

(3) The terms of this regulation as to the payment of a gratuity equivalent to six months' salary may be applied to any employee who is a non-contributor, and whose retirement is occasioned under similar circumstances.

TITLE OF REGULATIONS

157. Regulations 1 to 157 as provided for herein shall be known as the "Personnel Regulations".

REGULASIES INSAKE DISSIPLINÊRE APPELRAADBENOEMINGS

REGULASIES INSAKE DIE BENOEMING VAN PERSONEELVERTEENWOORDIGERS OM IN DISSIPLINÊRE APPELRADE TE DIEN EN DIE OMSKRYWING VAN DIE DISTRIKTE WAARIN SODANIGE RADE MOET FUNGEER

WOORDBEPALINGS

1. By die vertolking van hierdie regulasies het die woorde en uitdrukkings wat daarin gebruik word, die betekenisse wat daaraan gegee word in die Wet op Diensvoorwaardes (Suid-Afrikaanse Vervoerdienste), 1983 (hierna "die Wet" genoem), en in die Personeelregulasies, tensy dit uit die verband anders blyk.

DISTRIKTE VAN DISSIPLINÊRE APPELRADE

2. Vir die benoeming van personeelverteenvoerders vir 'n dissiplinêre appèlraad soos bepaal in artikel 20 (11) van die Wet, is 'n distrik—

- (1) in die geval van alle werknemers behalwe polisiebeamptes, die gebiede wat onder regstreekse beheer van elkeen van die volgende amptenare is, met inbegrip van al die hawens, vuurtorings, spoorlyne, padvervoerdienste, kantore, werkwinkels, depots en stasies in sodanige gebiede:

	<i>Distrik</i>
Die Streekbestuurder, Kaapstad	1
Die Streekbestuurder, Kimberley	2
Die Streekbestuurder, Port Elizabeth	3
Die Streekbestuurder, Oos-Londen	4
Die Streekbestuurder, Bloemfontein	5
Die Streekbestuurder, Durban	6
Die Streekbestuurder, Johannesburg	7
Die Streekbestuurder, Pretoria	8
Die Streekbestuurder, Windhoek	9
Die Areabestuurder, Saldana	10

- (2) in die geval van polisiebeamptes—

- (a) vir offisiere en adjudant-offisiere distrik (i): al die gebiede in die distrikte 1 tot 10 (inbegryp) genoem in paragraaf (1),
- (b) vir polisiebeamptes, behalwe dié genoem in subparagraaf (a) wat gestasioneer is binne die—
- die gebiede in die distrikte omskryf in paragraaf (1), wat soos volg gegroepeer en as distrikte beskou word:
- distrik (ii): die gebiede in die distrikte 7 en 8;
- die distrik (iii): die gebiede in die distrikte 1, 3, 4 en 10;
- distrik (iv): die gebiede in die distrikte 5 en 6; en
- distrik (v): die gebiede in die distrikte 2 en 9.
- | | | |
|--------------------------|---|--|
| streek Suid-Transvaal | } | distrik (ii): die gebiede in die distrikte 7 en 8; |
| streek Noord-Transvaal | | |
| streek Wes-Kaapland | } | die distrik (iii): die gebiede in die distrikte 1, 3, 4 en 10; |
| streek Kaap-Midde-lande | | |
| streek Oos-Kaapland | } | distrik (iv): die gebiede in die distrikte 5 en 6; en |
| streek Noordwes-Kaapland | | |
| streek Natal | } | distrik (v): die gebiede in die distrikte 2 en 9. |
| streek Oranje-Vrystaat | | |
| streek Noord-Kaapland | } | |
| streek Suidwes-Afrika | | |

LEDE BENOEM DEUR VAKVERENIGINGS OM BEPAALDE GROEPE WERKNEMERS TE VERTEENWOORDIG

3. (1) Om te verseker dat werknemers wat deur die vakverenigings tot lede van die dissiplinêre appèlrade benoem word, verteenwoordigend is van die groepe werknemers waartoe 'n appellant behoort, word hulle en hulle plaasvervangers soos volg op die voorgeskrewe wyse benoem uit werknemers in die onderskeie distrikte:

- (a) Groep A een lid vir elkeen van die distrikte 1 tot 10 (inbegryp)
- (b) Groep B een lid vir elkeen van die distrikte 1 tot 10 (inbegryp)
- (c) Groep C een lid vir elkeen van die distrikte 1 tot 10 (inbegryp)

DISCIPLINARY APPEAL BOARD NOMINATION REGULATIONS

REGULATIONS GOVERNING THE NOMINATION OF PERSONNEL REPRESENTATIVES TO SERVE ON DISCIPLINARY APPEAL BOARDS AND THE DEFINITION OF THE DISTRICTS WITHIN WHICH SUCH BOARDS SHALL FUNCTION

INTERPRETATION OF TERMS

1. In the interpretation of these regulations, the words and expressions used therein have the meaning assigned to them in the Conditions of Employment (South African Transport Services) Act, 1983 (hereinafter referred to as "the Act"), and in the Personnel Regulations, unless the context otherwise indicates.

DISTRICTS OF DISCIPLINARY APPEAL BOARDS

2. For the purpose of the nomination of personnel representatives on a Disciplinary Appeal Board, as provided for by section 20 (11) of the Act, a district—

- (1) in the case of all employees other than policeman, shall be the areas directly controlled by each of the undermentioned officers, including all harbours, lighthouses, railway lines, road transport services, offices, workshops, depots and stations situated therein:

	<i>District</i>
The Regional Manager, Cape Town	1
The Regional Manager, Kimberley	2
The Regional Manager, Port Elizabeth	3
The Regional Manager, East London	4
The Regional Manager, Bloemfontein	5
The Regional Manager, Durban	6
The Regional Manager, Johannesburg	7
The Regional Manager, Pretoria	8
The Regional Manager, Windhoek	9
The Area Manager, Saldanha	10

- (2) in the case of policemen, shall be—

- (a) for officers and warrant officers District (i): All the areas in the Districts 1 to 10 inclusive, shown in paragraph (1);
- (b) for policemen, other than those shown in subparagraph (a) stationed within the— the areas in the districts defined in paragraph (1) which shall be grouped as follows and be regarded as Districts:
- | | | |
|---------------------------------|---|---|
| Southern Transvaal Region | } | District (ii): the areas in the Districts 7 and 8; |
| Northern Transvaal Region | | |
| Cape Western Region | } | District (ii): the areas in the Districts 1, 3, 4 and 10; |
| Cape Midland Region | | |
| Cape Eastern Region | } | District (iv): the areas in the Districts 5 and 6; and |
| North Western Cape Region | | |
| Natal Region | } | District (v): the areas in the Districts 2 and 9. |
| Orange Free State Region | | |
| Cape Northern Region | } | |
| South-West Africa Region | | |

MEMBERS NOMINATED BY TRADE UNIONS TO REPRESENT CERTAIN GROUPS OF EMPLOYEES

3. (1) In order that the employees nominated by trade unions to serve as members of the Disciplinary Appeal Boards shall be representative of the group of employees to which an appellant belongs, they and their alternates shall be nominated, in the manner prescribed, from employees in the respective districts as follows:

- (a) Group A one member for each of the districts 1 to 10 inclusive.
- (b) Group B one member for each of the districts 1 to 10 inclusive.
- (c) Group C one member for each of the districts 1 to 10 inclusive.

- (d) Groep D een lid vir elkeen van die distrikte 1 tot 10 (inbegryp)
- (e) Groep E een lid vir elkeen van die distrikte 1 tot 10 (inbegryp)
- (f) Groep F een lid vir elkeen van die distrikte 1 tot 10 (inbegryp)
- (g) Polisiebeamptes—
- | | |
|---|--|
| om offisiere en adju-
dant-offisiere te ver-
teenwoordig | een offisier wat nie laer as 'n ma-
jor gegradeer is nie, om distrik
(i) te verteenwoordig; |
| om polisiebeamptes be-
halwe offisiere te
vertteenwoordig | een polisiebeampte (behalwe 'n of-
fisier) vir elkeen van die distrikte
(ii) tot (v) (inbegryp). |

(2) Wanneer 'n lid van 'n dissiplinêre appèlraad om een of ander rede nie sy plig as lid kan uitvoer nie, tree sy plaasvanger in sy plek op.

(3) Die groepe A tot F genoem in paragraaf (1) bestaan uit sodanige grade personeel as wat van tyd tot tyd deur die Minister in oorleg met die betrokke vakverenigings bepaal mag word.

AMPSTERMYN VAN LEDE EN HULLE PLAASVERVANGERS WAT DEUR DIE VAKVERENIGINGS BENOEM WORD

4. (1) Onderworpe aan die bepalings van regulasie 6 is die ampstermyn van die lede en plaasvervangers van lede van dissiplinêre appèlrade wat deur die vakverenigings benoem word, drie jaar.

(2) Indien die ampstermyn van 'n lid of 'n plaasvanger wat deur 'n vakvereniging benoem is, verstryk het en geen werknemer nog benoem is om hom op te volg nie, beklee sodanige lid of plaasvanger, na gelang van die geval, onderworpe aan die bepalings van regulasie 6, steeds die amp totdat die betrokke pos deur benoeming aangevul is, al het die ampstermyn bepaal in paragraaf (1) reeds verstryk.

HOE PERSONEELVERTEENWOORDIGERS EN HULLE PLAASVERVANGERS BENOEM WORD

5. (1) Lede en hulle plaasvervangers wat as personeelverteenvoerders optree, word benoem deur die vakverenigings wat die volgende personeelgroepe verteenwoordig:

- Groep A
- Groep B
- Groep C
- Groep D
- Groep E
- Groep F
- Polisiepersoneel

(2) Voor die ampstermyn van personeelverteenvoerders verstryk, versoek die Hoofbestuurder die vakverenigings om werknemers te benoem om vir 'n tydperk van drie jaar as lede en plaasvervangers in dissiplinêre appèlrade te dien. Die vakverenigings verstrek besonderhede van die naam, graad departement en hoofkwartier van elke werknemer wat hulle benoem, aan die Hoofbestuurder.

(3) Werknemers wat benoem word, moet tweetalig wees.

(4) Slegs werknemers in vaste diens kan benoem word.

(5) Die Hoofbestuurder stel die betrokke werknemers skriftelik in kennis dat hulle benoem is en stel die personeel deur middel van die Weeklikse Kennisgewing in kennis van die werknemers wat benoem is om die verskeie groepe te verteenwoordig.

BEDANKING VAN 'N LID OF PLAASVERVANGER WAT DEUR 'N VAKVERENIGING BENOEM IS, EN DIE VUL VAN DIE VAKATURE

6. (1) 'n Lid of plaasvanger in 'n dissiplinêre appèlraad wat deur 'n vakvereniging benoem is, kan sy amp te eniger tyd neerlê deur die Hoofbestuurder skriftelik in kennis te stel van sy voorneme om te bedank.

- (d) Group D one member for each of the districts 1 to 10 inclusive.
- (e) Group E one member for each of the districts 1 to 10 inclusive.
- (f) Group F one member for each of the districts 1 to 10 inclusive.
- (g) Policemen—
- | | |
|---|--|
| to represent officers
and warrant police
officers | one officer whose grading is not
lower than that of a major, to
represent District (i); |
| to represent policemen
other than officers | one policeman (other than an of-
ficer) for each of the Districts (ii)
to (v) inclusive. |

(2) Whenever a member of a Disciplinary Appeal Board is unable, for any reason, to carry out his duties as member, his alternate shall function in his place.

(3) The groups A to F mentioned in paragraph (1) shall comprise such grades of personnel as may be decided upon from time to time by the Minister in consultation with the trade unions concerned.

PERIOD OF OFFICE OF MEMBERS AND THEIR ALTERNATES NOMINATED BY TRADE UNIONS

4. (1) Subject to the provisions of regulation 6, the period of office of members and alternate members of Disciplinary Appeal Boards nominated by trade unions shall be three years.

(2) If, upon the expiration of the period of office of a member or an alternate member nominated by a trade union, no employee has yet been nominated to succeed him, the serving member or alternate member, as the case may be, shall, subject to the provisions of regulation 6, continue in office pending the filling of the office in question by nomination, notwithstanding that the period of office prescribed in paragraph (1) has expired.

METHOD OF NOMINATING PERSONNEL REPRESENTATIVES AND THEIR ALTERNATES

5. (1) Members and alternate members to serve as personnel representatives shall be nominated by the trade unions representing the following groups of personnel:

- Group A
- Group B
- Group C
- Group D
- Group E
- Group F
- Police Personnel

(2) The General Manager shall, prior to the expiration of the term of office of the personnel representatives, request the trade unions to nominate employees to serve as members and alternate members of Disciplinary Appeal Boards for a period of three years. The trade unions shall submit to the General Manager details of the name, grade, department and headquarters of each employee nominated.

(3) Employees nominated shall be bilingual.

(4) Only employees in permanent employment shall be eligible for nomination.

(5) The General Manager shall inform the employees concerned, in writing, of their nomination and shall inform the personnel, through the medium of the Weekly Notice, of the employees nominated to represent the various groups.

RESIGNATION OF AND FILLING OF A VACANCY FOR A MEMBER OR ALTERNATE MEMBER NOMINATED BY A TRADE UNION

6. (1) A member or an alternate member of a Disciplinary Appeal Board nominated by a trade union, may resign his office at any time on giving notice in writing to the General Manager of his intention to resign.

(2) 'n Lid of plaasvervanger wat deur 'n vakvereniging benoem is, beklee nie langer sy amp nie, as hy—

- (a) sy amp neerlê;
- (b) nie meer 'n werknemer is nie;
- (c) nie meer lid van die vakvereniging is wat hom benoem het nie;
- (d) oorgeplaas word uit die distrik, soos omskryf in regulasie 2, waarin hy gestasioneer was ten tyde van sy benoeming; of
- (e) skuldig bevind word aan 'n ernstige dissiplinêre oortreding en swaar gestraf word.

(3) As die pos van 'n lid of plaasvervanger wat deur 'n vakvereniging benoem is, vakant raak voordat sy ampstermyn verstryk, versoek die Hoofbestuurder die betrokke vakvereniging om 'n opvolger te benoem om die amp vir die onverstreke tydperk te beklee.

(4) As die pos van 'n lid vakant raak en die betrokke vakvereniging die plaasvervanger tot sodanige pos benoem, benoem hy terselfdertyd 'n plaasvervanger.

TITEL VAN REGULASIES

7. Regulasies 1 tot 7 wat hierin vervat word, staan bekend as "Regulasies insake Dissiplinêre Appèlraadbenoemings".

(2) A member or an alternate member nominated by a trade union, shall cease to hold office should he—

- (a) resign his office;
- (b) cease to be an employee;
- (c) cease to belong to the trade union by which he was nominated;
- (d) be transferred from the district, as defined in regulation 2, in which he was stationed at the time of his nomination; or
- (e) be found guilty of a serious disciplinary infringement and be severely punished.

(3) Should the office of a member or alternate member nominated by a trade union become vacant prior to the expiration of his term of office, the General Manager shall request the trade union concerned to nominate a successor who shall hold office for the unexpired period.

(4) Should the position of a member become vacant and the trade union concerned nominate the alternate member to serve in such position, it shall at the same time nominate an alternate member.

TITLE OF REGULATIONS

7. Regulations 1 to 7 as provided herein shall be known as the "Disciplinary Appeal Board Nomination Regulations".

Spaar 'n druppel — en vul die dam

Indien almal van ons besparingsbewus optree, besnoei ons nie slegs uitgawes nie maar wen ook ten opsigte van ons kosbare water- en elektrisiteitsvoorraad



Save a drop — and save a million

Water conservation is very important to the community and industry to ensure their survival. So save water!

BELANGRIK!!

Plasing van tale:

Staatskoerante

1. Hiermee word bekendgemaak dat die omruil van tale in die *Staatskoerant* jaarliks sal geskied, beginnende vanaf 1 Oktober tot 30 September, elke jaar.
2. Vir die tydperk 1 Oktober 1985 tot 30 September 1986 word Afrikaans EERSTE geplaas.
3. Hierdie reëling word in ooreenstemming gebring met dié van die Parlement waarby koerante met Wette ens. die taalvolgorde deurgaans behou vir die duur van die sitting.
4. ***Dit word dus van u, as adverteerder, verwag om u kopie met bogenoemde reëling te laat strook om onnodige omskakeling en stylredigering in ooreenstemming te bring.***

—oOo—

IMPORTANT!!

Placing of languages:

Government Gazettes

1. Notice is hereby given that the interchange of languages in the *Government Gazette* will be done annually, starting on 1 October until 30 September, every year.
2. For the period 1 October 1985 to 30 September 1986, Afrikaans is to be placed FIRST, changing annually hereafter.
3. This arrangement is to bring the *Government Gazettes* in conformity with Gazettes containing Acts of Parliament etc. where the language sequence remains constant throughout the sitting of Parliament.
4. ***It is therefore expected of you, the advertiser, to see that your copy is in accordance with the above-mentioned arrangement in order to avoid unnecessary style changes and editing to correspond with the correct style.***

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