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GOVERNMENT NOTICES

DEPARTMENT OF AGRICULTURAL ECONOMICS AND MARKETING

No. R. 2155 17 October 1986

MARKETING ACT, 1968 (ACT 59 OF 1968)

CITRUS SCHEME—PROHIBITION OF THE SALE OF LEMONS—REVOCATION

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 revoked the prohibition published by Government Notice R. 329 of 21 February 1986;
- (b) the said revocation was approved by me and shall come into operation on 20 October 1986; and
- (c) Government Notice R. 329 of 21 February 1986 is repealed with effect from the said date of commencement.

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

GOEWERMENSKENNISGEWINGS

DEPARTEMENT VAN LANDBOU- EKONOMIE EN -BEMARKING

No. R. 2155 17 Oktober 1986

BEMARKINGSWET, 1968 (WET 59 VAN 1968)

SITRUSSKEMA—VERBOD OP DIE VERKOOP VAN SUURLEMOENE—OPHEFFING

Ek, Jacob Johannes Greyling Wentzel, Minister van Landbou-ekonomie, maak hiermee ingevolge artikel 79 (b) van die Bemakingswet, 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 gepubliseer by Goewermenskennisgewing R. 329 van 21 Februarie 1986; opgehef het;
- (b) bedoelde opheffing deur my goedgekeur is en op 20 Oktober 1986 in werking tree; en
- (c) Goewermenskennisgewing R. 329 van 21 Februarie 1986 met ingang van genoemde datum van inwerkingtreding herroep word.

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

No. R. 2156 17 October 1986

MARKETING ACT, 1968 (ACT 59 OF 1968)

CITRUS SCHEME.—PROHIBITION OF THE SALE OF ORANGES—REVOCATION

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 revoked the prohibition published by Government Notice R. 664 of 11 April 1986;

No. R. 2156 17 Oktober 1986

BEMARKINGSWET, 1968 (WET 59 VAN 1968)

SITRUSSKEMA.—VERBOD OP VERKOOP VAN LEMOENE—OPHEFFING

Ek, Jacob Johannes Greyling Wentzel, Minister van Landbou-ekonomie, maak hiermee ingevolge artikel 79 (b) van die Bemakingswet, 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 gepubliseer by Goewermenskennisgewing R. 664 van 11 April 1986 opgehef het;

- (b) the said revocation was approved by me and shall come into operation on 20 October 1986; and
 (c) Government Notice R. 664 of 11 April 1986 is repealed with effect from the said date of commencement.

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

DEPARTMENT OF FINANCE

No. R. 2132

17 October 1986

CUSTOMS AND EXCISE ACT, 1964

DETERMINATIONS OF TARIFF CLASSIFICATION AND FURNISHING THEREOF ON BILLS OF ENTRY (LIST TAR/163)

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.

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/162 was published in Government Notice R. 1842 of 5 September 1986.

- (b) bedoelde opheffing deur my goedgekeur is en op 20 Oktober 1986 in werking tree; en
 (c) Goewermentskennisgewing R. 664 van 11 April 1986 met ingang van genoemde datum van inwerkingtreding herroep word.

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

DEPARTEMENT VAN FINANSIES

No. R. 2132

17 Oktober 1986

DOEANE- EN AKSYNSWET, 1964

BEPALINGS VAN TARIEFINDELING EN VERSTREK-KING DAARVAN OP KLARINGSBRIEWE (LYS TAR/163)

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 bepalingsnommer deur invoerders ten tyde van klaring van sodanige goedere op klaringsbriewe verstrekk word.

J. C. J. VISSER,
 namens Kommissaris van Doeane en Aksyns.

Opmerkings:

1. Die beskrywing van die goedere word slegs vir bepalingsdoeleindes verstrekk 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 kleihandelverkoop 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/162 is in Goewermentskennisgewing R. 1842 van 5 September 1986 gepubliseer.

PART A: DETERMINATIONS

<i>Description of goods</i>	<i>Tariff heading/ subheading</i>	<i>Determination No.</i>
Swepeco Flex-Shield roof coating—bituminous emulsion	27.16.10	23
Swepeco Flex-Shield patching compound—bituminous mastic	27.16.20	24
Swepeco heavy-duty roof coating—bituminous mixture, other	27.16.90	25
Synovex S implants containing oestradiol and progesterone for steers—oestradiol, other steroid used primarily as hormones (with effect from 20 October 1983)	29.39.40	2
Synovex H implants containing oestradiol and testosterone for heifers—oestradiol, other steroid used primarily as hormones (with effect from 20 October 1983)	29.39.40	3
Swepeco aluminium roof shield—paint, other	32.09.40.90	88
Swepeco white roof shield—paint, other	32.09.40.90	89
Swepeco aluminium roof coating—paint, other	32.09.40.90	90
Tegostab BF 2370 silicone—organic surface active agent, other	34.02.90	129
L2325 single optical fibre termination kit—preparation of the chemical industry, packed for retail sale	38.19.90	463
L2853 hexagon crimp pliers—pliers, other	82.03.40.90	21
L2855 multi-indent crimp tool—other hand tool, other	82.04.55.90	103
L2851 electric optical fibre cleaving tool—other industrial machine and appliance, portable or mobile	84.59.80.10	688
Somfy Appollo 32/12 operator mechanism with an electric motor fitted with gears and a brake, used with canvas awnings—mechanical appliance, other	84.59.90	689
Aquamat 2000 no-touch washbasin control unit with outlet—washbasin tap for offtake pipes with an inside diameter not exceeding 25 mm	84.61.50	92

<i>Description of goods</i>	<i>Tariff heading/ subheading</i>	<i>Determination No.</i>
Aquatron micro-wave (radar) controlled urinal flush unit—flush valve of a kind commonly used with urinals	84.61.13	93
L2336 power source—static convertor, other	85.01.75.90	108
Huestis Styro-Former foam block cutting machine—electric cutting machine with a mass not exceeding 500 kg	85.11.50.10	38
L2840 plug-in receiver, L2320/HS, L2320/HP intercom systems, L2839 and L2838 distribution units, 16 and 32 channel multiplexer/demultiplexer units, L2838 modems, L2243/S-03, and L2243/TS-03 data links, L2243/03, L2243/T-03, L2243/A-03 and L2243/TA-03 data links, L2261A and L2261 demodulator units, L2260 and L2260A modulator units—electrical line telephonic apparatus, other	85.13.90	86
L2850 SMA style connectors, L2806 SMA style bulkhead connectors, L2813/01 and L2823/01 SMA style diode high speed receivers, L2812/05, L2822/05, L2812/15 and L2822/15 high radiance sender units, L2800 index fibre lightguide assembly—electrical line telephonic apparatus, parts	85.13.30	87
Dennard series 290 furnace viewing camera housing for closed circuit television cameras—television camera part, other	85.15.99.90	131
L2330/AIC, L2331/AIC, L2245/BIC and L2246/BIC transmission and reception modules—electronic microcircuits	85.21.50	40
Hendrickson lorry suspension beam and end bush of rubber and metal, not used with revolving shafts or axles—part of motor vehicle, other	87.06.90.90	38
Tagaki model MT 356 W automatic ophthalmic chart projector—image projector	90.09.10	46
L2326/M or SMA inspection microscope—compound optical microscope	90.12	9
Lasertek model 135 PV-YAG ophthalmic instrument—medical instrument, other	90.17.90	201
L2335 power meter—electrical measuring instrument, other	90.28.90	656
Bailey Controls Network 90 distributed control system for the automatic controlling of temperature—automatically controlling instrument, other	90.28.90	657
Siemens Telperm M process control system—automatically controlling instruments, other	90.28.90	658
Roller-Bike half-frame with a chain drive, pneumatic rear tyre, saddle on top of half-frame, pedals, pedal brake and two roller-skate front wheels mounted to a base attached to bottom of half-frame—wheeled toy, other	97.01.90	7

PART B: AMENDMENTS TO PUBLISHED DETERMINATIONS

1. Amendments to determinations resulting from amendments to Part 1 of Schedule No. 1 to the Customs and Excise Act (Act 91 of 1964):

The following is substituted for the existing determination with effect from 19 September 1986:

Microfilm jackets of artificial plastic material—jackets of artificial plastic material, incorporating five or more partitions	39.07.40.20	302
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2. Amendments to determinations in terms of section 47 (9) (d) of the Customs and Excise Act (Act 91 of 1964):

The following determination is substituted for the existing determination with effect from 20 October 1983:

Compudose 200 implants containing oestradiol with oestrogen hormonal function, for cattle—oestradiol, other steroid used primarily as hormones	29.39.40	1
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Determination No. 1 under tariff heading 29.39 is withdrawn and replaced by the following determination with effect from 17 January 1986:

Compudose 200 implants containing oestradiol with oestrogen hormonal function, for cattle—growth stimulants for animals	38.19.88	464
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Determination No. 2 under tariff heading 29.39 is withdrawn and replaced by the following determination with effect from 17 January 1986:

Synovex S implants containing oestradiol and progesterone for steers—growth stimulants for cattle	38.19.88	465
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Determination No. 3 under tariff heading 29.39 is withdrawn and replaced by the following determination with effect from 17 January 1986:

Synovex H implants containing oestradiol and testosterone for heifers—growth stimulants for cattle	38.19.88	466
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The following determination is substituted for the existing determination with effect from 16 May 1986:

Athletic Aerobic Rebounder—other apparatus for sports, other	97.06.90.90	81
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The following determination is substituted for the existing determination with effect from 18 August 1986:

Dobanol 25—3—other polyether in liquid form	39.01.75.15	263
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DEEL A: BEPALINGS

<i>Beskrywing van goedere</i>	<i>Tariefpos/ -subpos</i>	<i>Bepaling No.</i>
Swepeco Flex-Shield dakbedekking—bitumineuse emulsie	27.16.10	23
Swepeco Flex-Shield lapwerksamestelling—bitumineuse mastiek	27.16.20	24
Swepeco swaardiensdakbedekking—bitumineuse mengsel, ander	27.16.90	25
Synovex S inplantings wat estradiol en progesteron bevat, vir tollies—estradiol, ander steroïd hoofsaaklik as hormone gebruik (met ingang van 20 Oktober 1983)	29.39.40	2
Synovex H inplantings wat estradiol en testosteroon bevat, vir verse—estradiol, ander steroïd hoofsaaklik as hormone gebruik (met ingang van 20 Oktober 1983)	29.39.40	3
Swepeco aluminium dakskerm—verf, ander	32.09.40.90	88
Swepeco wit dakskerm—verf, ander	32.09.40.90	89
Swepeco aluminium dakbestraking—verf, ander	32.09.40.90	90
Tegostab BF 2370 silikoon—organiese oppervlakspanning-aktiewe middel, ander	34.02.90	129
L2325 optiese enkelveselafhegtingstel—preparaat van die chemiese nywerheid, vir kleinhandelverkoop verpak	38.19.90	463
L2853 heksagoonkrimpang—tang, ander	82.03.40.90	21
L2855 multi-inkeepkrimpwerktoeg—ander handgereedskap, ander	82.04.55.90	103
L2851 elektriese optiese vesel skeiwerktoeg—ander industriële masjien en toestel, verplaasbaar of mobiel	84.59.80.10	688
Somfy Apollo 32/12 bedieningmeganisme met 'n elektriese motor toegerus met ratte en 'n rem, gebruik met seilonskerms—meganiese toestel, ander	84.59.90	689
Aquamat 2000 nie-aanraak wasbak beheereenheid met uitlaat—wasbakkraan vir aftappype met 'n binnedeursnee van hoogstens 25 mm	84.61.50	92
Aquatron mikrogolf (radar) beheerde urinale spoeleenheid—spoeleklep van 'n soort gewoonlik gebruik met urinale	84.61.13	93

Beskrywing van goedere	Tariefpos/ -subpos	Bepaling No.
L2336 kragbron—statiese konvertor, ander	85.01.75.90	108
Huestis Styro-Former skuimblok snymasjien—elektriese snymasjien met 'n massa van hoogstens 500 kg	85.11.50.10	38
L2840 inprop ontvanger, L2320/HS, L2320/HP interkomstelsel, L2839 en L2838 verspreidingseenhede, 16 en 32 kanaal multiplekser/demultiplekserseenhede, L2838 modems, L2243/S-03 en L2243/TS-03 dataskakels, L2243/03, L2243/T-03, L2243/A-03 en L2243/TA-03 dataskakels, L2261 A en L2261 demodulatorseenhede, L2260 en L2260A modulatorseenhede—elektriese lyntelefoniese apparaat, ander	85.13.90	86
L2850 SMA stylkoppelaars, L2806 SMA stylskotkoppelaars, L2813/01 en L2823/01 SMA styldiode hoëspoedontvangers L2812/05, L2822/05, L2812/15 en L2822/15 hoëstralingsendeenhede, L2800 indeksveselligidssamestelling—elektriese lyntelefoniese apparaat, onderdele	85.13.30	87
Dennard reeks 290 fornuis-besigtigingkamera hulsel vir geslote baan televisiekameras—televisiekameraonderdeel, ander	85.15.99.90	131
L2330/AIC, L2331/AIC, L2245/BIC en L2246/BIC transmissie- en ontvangsmodule—elektroniese mikrokringe	85.21.50	40
Hendrickson lorrie veerbalk en kopbus van rubber en metaal, nie met draaiende dryfas of as gebruik nie—onderdeel van motorvoertuig, ander	87.06.90.90	38
Tagaki model MT 356 W outomatiese oftalmiese kaartprojektor—beeldprojektor	90.09.10	46
L2326/M of SMA inspeksiemikroskoop—saamgestelde optiese mikroskoop	90.12	9
Lasertek model 135 PV-YAG ooginstrument—mediese instrument, ander	90.17.90	201
L2335 kragmeter—elektriese meetinstrument, ander	90.28.90	656
Bailey Controls Network 90 verspreide beheerstelsel vir die outomatiese beheer van temperatuur—outomatiese beheerinstrument, ander	90.28.90	657
Siemens Teleperm M prosesbeheerstelsel—outomatiese beheerinstrumente, ander	90.28.90	658
Roller-Bike, halwe-raam met 'n kettingaangedrewe agterlugband, saal op halwe raam, trappe, traprem en twee rollerskaatsvoorwiele gemonteer op 'n basis wat aan onderkant van halwe-raam geheg is—speelgoed met wiele, ander	97.01.90	7

DEEL B: WYSIGINGS VAN GEPUBLISEERDE BEPALINGS

- Wysiging van bepalinge as gevolg van wysigings van Deel 1 van Bylae No. 1 by die Doeane- en Aksynswet (Wet 91 van 1964):
Die volgende vervang die bestaande bepaling met ingang van 19 September 1986:
Mikrofilmomslae van kunsplastiekstof—hulsels van kunsplastiekstof, wat vyf of meer afskortings inkorporeer 39.07.40.20 302
- Wysigings van bepalinge kragtens artikel 47 (9) (d) van die Doeane- en Aksynswet (Wet 91 van 1964):
Die volgende bepaling vervang die bestaande bepaling met ingang van 20 Oktober 1983:
Compudose 200 inplantings wat estradiol met estrogene-hormonefunksie bevat, vir beeste—estradiol, ander 29.39.40 1
steroid hoofsaaklik as hormone gebruik
Bepaling No. 1 onder tariefpos 29.39 word ingetrek en vervang deur die volgende bepaling met ingang van 17 Januarie 1986:
Compudose 200 inplantings wat estradiol met estrogene-hormonefunksie bevat, vir beeste—groeistimulante vir diere 38.19.88 464
Bepaling No. 2 onder tariefpos 29.30 word ingetrek en vervang deur die volgende bepaling met ingang van 17 Januarie 1986:
Synovex S inplantings wat estradiol en progesteron bevat, vir tollies—groeistimulante vir diere 38.19.88 465
Bepaling No. 3 onder tariefpos 29.39 word ingetrek en vervang deur die volgende bepaling met ingang van 17 Januarie 1986:
Synovex H inplantings wat estradiol en testosteron bevat, vir verse—groeistimulante vir diere 38.19.88 466
Die volgende bepaling vervang die bestaande bepaling met ingang van 16 Mei 1986:
Atletiese Aëroob Terugspringer—ander apparaat vir sport, ander 97.06.90.90 81
Die volgende bepaling vervang die bestaande bepaling met ingang van 18 Augustus 1986:
Dobanol 25-3—ander poliëster in vloeistof vorm 39.01.75.15 263

No. R. 2148

17 October 1986

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/1255)

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.

No. R. 2148

17 Oktober 1986

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (1/1/1255)

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.

SCHEDULE

I Tariff heading	II Statistical Unit	III Rate of Duty		IV
		General	M.F.N.	
84.23 By the substitution for subheading No. 84.23.30 of the following:				
"84.23.30 Graders and levellers:				
.30 Self-propelled	no.	15%		
.90 Other	no.	free"		

Note.—Subheading No. 84.23.30 is restated.

BYLAE

I Tariefpos	II Statistiese Eenheid	III Skaal van Reg	
		Algemeen	M.B.N.
84.23 Deur subpos No. 84.23.30 deur die volgende te vervang: "84.23.30 Skrapers en gelykmakers: .30 Selfaangedrewe .90 Ander	getal getal	15% vry"	

Opmerking.—Subpos No. 84.23.30 word herskryf.

No. R. 2149

17 October 1986

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/1256)

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.

No. R. 2149

17 Oktober 1986

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/1256)

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.

SCHEDULE

I Tariff Heading	II Statistical Unit	III Rate of Duty	
		General	M.F.N.
84.23 By the substitution for subheading No. 84.23.35.20 of the following: ".30 Not tracked, driven by internal combustion piston engines, of a mass of 6 000 kg or more but not exceeding 30 000 kg .90 Other	no. no.	12,5% free"	

Note.—Specific provision is made for front-end loaders, driven by internal combustion piston engines, not tracked, of a mass of 6 000 kg or more but not exceeding 30 000 kg, and the rate of duty thereon is increased from free to 12,5%.

BYLAE

I Tariefpos	II Statistiese Eenheid	III Skaal van Reg	
		Algemeen	M.B.N.
84.23 Deur subpos No. 84.23.35.20 deur die volgende te vervang: ".30 Sonder rusperbande, aangedryf deur binnebrandontstekingsuierejins, met 'n massa van minstens 6 000 kg maar hoogstens 30 000 kg .90 Ander	getal getal	12,5% vry"	

Opmerking.—Spesifieke voorsiening word gemaak vir voorlaaiers, aangedryf deur binnebrandontstekingsuierejins, sonder rusperbande, met 'n massa van minstens 6 000 kg maar hoogstens 30 000 kg, en die skaal van reg daarop word van vry na 12,5% verhoog.

No. R. 2150

17 October 1986

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 3 (No. 3/884)

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.

No. R. 2150

17 Oktober 1986

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 3 (No. 3/884)

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.

SCHEDULE

I Rebate Item	II			III Extent of Rebate
	Tariff Heading	Rebate Code	Description	
316.01	48.01	01.00	45	Full duty
	70.20	01.00	41	Full duty"

Note.—Provision is made for a rebate of the full duty on kraft paper with a basis mass exceeding 100 g/m² and non-woven glass fibre sheets, for the manufacture of industrial air filters.

BYLAE

I Korting- item	II			III Mate van Korting
	Tarief- pos	Korting- kode	Beskrywing	
316.01	48.01	01.00	45	Volle reg
	70.20	01.00	41	Volle reg"

Opmerking.—Voorsiening word gemaak vir 'n korting van die volle reg op kraftpapier met 'n basismassa van meer as 110 g/m² en veselvliesstowwe van glasvesel, vir die vervaardiging van industriële lugfilters.

DEPARTMENT OF MANPOWER

No. R. 2140

17 October 1986

WAGE ACT, 1957

AMENDMENT OF WAGE DETERMINATION 400.—
GOODS TRANSPORTATION AND STORAGE TRADE,
CERTAIN AREAS

I, Pieter Theunis Christiaan du Plessis, Minister of Manpower, hereby, in terms of section 15 (6) of the Wage Act, 1957, amend Wage Determination 400, Goods Transportation and Storage Trade, Certain Areas, published under Government Notice R. 1563 of 1 August 1980, as amended by Government Notices R. 2293 of 7 November 1980, R. 1395 of 9 July 1982 and R. 1291 of 24 June 1983, in accordance with the Schedule hereto and fix the third Monday after the date of publication of this notice as the date from which the said amendment shall be binding.

P. T. C. DU PLESSIS,
Minister of Manpower.

SCHEDULE

"1. AREA AND SCOPE OF THE DETERMINATION

(1) This determination shall apply to every employer, other than a small employer as defined in subclause (3), after he has been engaged for longer than 12 months in the aggregate in the Goods Transportation and Storage Trade as defined in subclause (2), and to all his employees, other than managers as defined in subclause (4), in the following areas:

(a) Cape Province

- (i) The Magisterial Districts of Bellville, East London, Goodwood, Kimberley, Kuils River, Paarl, Port Elizabeth, Simon's Town, Somerset West, Stellenbosch, Strand, The Cape, Uitenhage, Wellington and Wynberg.
- (ii) The Magisterial Districts of Albany, George, Gordonia, King William's Town, Knysna, Malmesbury, Moorreesburg, Mossel Bay, Oudtshoorn, Vredenburg, Vryburg and Worcester.
- (iii) The Magisterial Districts of Barkly West, Beaufort West, Caledon, Ceres, Cradock, Graaff-Reinet, Hermanus, Kuruman, Montagu, Postmasburg, Riversdale, Robertson, Swellendam and Tulbagh.

(b) Natal

- (i) The Magisterial Districts of Chatsworth, Durban, Inanda, Pietermaritzburg and Pinetown.

DEPARTEMENT VAN MANNEKRAG

No. R. 2140

17 Oktober 1986

LOONWET, 1957

WYSIGING VAN LOONVASSTELLING 400.—GOEDE-
REVERVOER- EN OPPERINGSBEDRYF, SEKERE
GEBIEDE

Ek, Pieter Theunis Christiaan du Plessis, Minister van Mannekrag, wysig hierby kragtens artikel 15 (6) van die Loonwet, 1957, Loonvasstelling 400, Goederevervoer- en Opperingsbedryf, Sekere Gebiede, gepubliseer by Goewermentskennisgewing R. 1563 van 1 Augustus 1980, soos gewysig by Goewermentskennisgewings R. 2293 van 7 November 1980, R. 1395 van 9 Julie 1982 en R. 1291 van 24 Junie 1983, ooreenkomstig die Bylae hiervan en bepaal die derde Maandag na die datum van publikasie van hierdie kennisgewing as die datum waarop genoemde wysiging bindend word.

P. T. C. DU PLESSIS,
Minister van Mannekrag.

BYLAE

"1. GEBIED EN OMVANG VAN DIE VASSTELLING

(1) Hierdie vasstelling is van toepassing op elke werkgever, uitgesonderd 'n klein werkgever soos in subklousule (3) omskryf, nadat hy altesaam 12 maande lank by die Goederevervoer- en Opperingsbedryf, soos in subklousule (2) omskryf, betrokke was, en op al sy werknemers, uitgesonderd bestuurders soos in subklousule (4) omskryf, in die volgende gebiede:

(a) Kaapprovinsie

- (i) Die landdrosdistrikte Bellville, Die Kaap, Goodwood, Kimberley, Kuilsrivier, Oos-Londen, Paarl, Port Elizabeth, Simonstad, Somerset-Wes, Stellenbosch, Strand, Uitenhage, Wellington en Wynberg.
- (ii) Die landdrosdistrikte Albanie, George, Gordonia, King William's Town, Knysna, Malmesbury, Moorreesburg, Mosselbaai, Oudtshoorn, Vredenburg, Vryburg en Worcester.
- (iii) Die landdrosdistrikte Barkly-Wes, Beaufort-Wes, Caledon, Ceres, Cradock, Graaff-Reinet, Hermanus, Kuruman, Montagu, Postmasburg, Riversdale, Robertson, Swellendam en Tulbagh.

(b) Natal

- (i) Die landdrosdistrikte Chatsworth, Durban, Inanda, Pietermaritzburg en Pinetown.

- (ii) The Magisterial Districts of Camperdown, Dannhauser, Dundee, Eshowe, Estcourt, Glencoe, Klip River, Lions River, Lower Tugela, Lower Umfolozi, Newcastle, Port Shepstone, Umzinto and Vryheid.

- (iii) The Magisterial Districts of Mooi River and Paulpietersburg.

(c) *Orange Free State*

- (i) The Magisterial Districts of Bloemfontein, Sasolburg, Virginia (excluding that portion which, prior to the publication of Government Notice 396 of 13 March 1959, fell within the Magisterial District of Ventersburg) and that portion of the Magisterial District of Welkom which, prior to the publication of Government Notice 2 of 5 January 1973, fell within the Magisterial District of Virginia.
- (ii) The Magisterial Districts of Bethlehem, Harrismith and Kroonstad.
- (iii) The Magisterial Districts of Bothaville, Brandfort, Frankfort, Heilbron, Hennenman (excluding that portion which, prior to the publication of Government Notice 790 of 30 May 1963, fell within the Magisterial District of Ventersburg), Lindley, Parys, Reitz, Senekal, Theunissen, Viljoenskroon, Vrede, Vredefort, Wesselsbron (excluding that portion which, prior to the publication of Government Notice 509 of 19 March 1954, fell within the Magisterial District of Odendaalsrus) and Winburg.

(d) *Transvaal*

- (i) That portion of the Magisterial District of Boksburg which, prior to the publication of Government Notice 1779 of 6 November 1964, fell within the Magisterial District of Heidelberg, that portion of the Magisterial District of Brakpan which, prior to the publication of Government Notice 1779 of 6 November 1964, fell within the Magisterial District of Heidelberg as well as that portion which, prior to 1 July 1972 (Government Notices 498 and 871 of 1 April 1966 and 26 May 1972, respectively) fell within the Magisterial District of Nigel, the Magisterial District of Heidelberg, that portion of the Magisterial District of Kempton Park which, prior to 1 November 1970 (Government Notices 556 and 1618 of 29 March 1956 and 2 October 1970, respectively) fell within the Magisterial District of Pretoria, the Magisterial District of Klerksdorp and Nigel, that portion of the Magisterial District of Oberholzer which, prior to the publication of Government Notice 1745 of 1 September 1978, fell within the Magisterial District of Potchefstroom, the Magisterial Districts of Potchefstroom and Pretoria, that portion of the Magisterial District of Randburg which, prior to the publication of Government Notice 2152 of 22 November 1974, fell within the Magisterial District of Pretoria, and the Magisterial Districts of Witbank and Wonderboom.
- (ii) The Magisterial Districts of Brits (excluding that portion which, prior to 1 July 1972—Government Notice 872 of 26 May 1972—fell within the Magisterial District of Krugersdorp), Ermelo, Highveld Ridge, Letaba, Lichtenburg, Middelburg and Nelspruit, that portion of the Magisterial District of Phalaborwa which, prior to 1 January 1983 (Government Notice 2644 of 10 December 1982) fell within the Magisterial District of Letaba, and the Magisterial Districts of Pietersburg, Potgietersrus, Rustenburg and White River.
- (iii) The Magisterial Districts of Amersfoort, Balfour, Barberton, Belfast, Bethal, Bronkhorstspuit, Carolina, Cullinan, Groblersdal, Koster (excluding that portion which, prior to the publication of Government Notice 1105 of 26 July 1963, fell within the Magisterial Districts of Krugersdorp and Randfontein, but not the farms Moadowns 1, Holfontein 17, Leeuwpans 18, Ireton 19, Pahtiki 20, Bospan 21 and Rietfontein 48 in the Magisterial Districts of Randfontein), Lydenburg, Piet Retief, Soutpansberg, Standerton, Ventersdorp, Volksrust, Warmbaths, Waterberg and Waterval-Boven.

(2) (a) 'Goods Transportation and Storage' or 'Trade' means the trade in which employers and employees are associated for the purpose of carrying out one or more of the following activities for hire or reward:

- (i) The transportation of goods by means of motor transport, whether or not such goods are intended for sale;
- (ii) the storage of goods, including the receiving, opening, packing, unpacking, despatching and clearing or accounting for of goods; and
- (iii) the delivery or transport of new motor vehicles where not undertaken by the manufacturer himself or a motor dealer;

and includes all operations incidental to, or consequent on, any of the aforesaid activities;

(b) 'Goods' means any article, commodity or substance and includes sand, soil, gravel, stone, coal, water or other liquid matter, gaseous or solid matter, containers or containerised goods and any other movable property.

- (ii) Die landdrosdistrikte Camperdown, Dannhauser, Dundee, Eshowe, Estcourt, Glencoe, Kliprivier, Lionsrivier, Lower Tugela, Lower Umfolozi, Newcastle, Port Shepstone, Umzinto en Vryheid.

- (iii) Die landdrosdistrikte Mooirivier en Paulpietersburg.

(c) *Oranje-Vrystaat*

- (i) Die landdrosdistrikte Bloemfontein, Sasolburg, Virginia (uitgesonderd daardie gedeelte wat voor die publikasie van Goewermenskennisgewing 396 van 13 Maart 1959 binne die landdrosdistrik Ventersburg geval het) en daardie gedeelte van die landdrosdistrik Welkom wat voor die publikasie van Goewermenskennisgewing 2 van 5 Januarie 1973 binne die landdrosdistrik Virginia geval het.
- (ii) Die landdrosdistrikte Bethlehem, Harrismith en Kroonstad.
- (iii) Die landdrosdistrikte Bothaville, Brandfort, Frankfort, Heilbron, Hennenman (uitgesonderd daardie gedeelte wat, voor die publikasie van Goewermenskennisgewing 790 van 30 Mei 1963 binne die landdrosdistrik Ventersburg geval het), Lindley, Parys, Reitz, Senekal, Theunissen, Viljoenskroon, Vrede, Vredefort, Wesselsbron (uitgesonderd daardie gedeelte wat, voor die publikasie van Goewermenskennisgewing 509 van 19 Maart 1984 binne die landdrosdistrik Odendaalsrus geval het) en Winburg.

(d) *Transvaal*

- (i) Daardie gedeelte van die landdrosdistrik Boksburg wat voor die publikasie van Goewermenskennisgewing 1779 van 6 November 1964 binne die landdrosdistrik Heidelberg geval het, daardie gedeelte van die landdrosdistrik Brakpan wat voor die publikasie van Goewermenskennisgewing 1779 van 6 November 1964 binne die landdrosdistrik Heidelberg geval het asook daardie gedeelte wat voor 1 Julie 1972 (Goewermenskennisgewing 498 en 871 van onderskeidelik 1 April 1966 en 26 Mei 1972) binne die landdrosdistrik Nigel geval het, die landdrosdistrik Heidelberg, daardie gedeelte van die landdrosdistrik Kempton Park wat voor 1 November 1970 (Goewermenskennisgewings 556 en 1618 van onderskeidelik 29 Maart 1956 en 2 Oktober 1970) binne die landdrosdistrik Pretoria geval het, die landdrosdistrikte Klerksdorp en Nigel, daardie gedeelte van die landdrosdistrik Oberholzer wat voor die publikasie van Goewermenskennisgewing 1745 van 1 September 1978 binne die landdrosdistrik Potchefstroom geval het, die landdrosdistrikte Potchefstroom en Pretoria, daardie gedeelte van die landdrosdistrik Randburg wat voor die publikasie van Goewermenskennisgewing 2152 van 22 November 1974 binne die landdrosdistrik Pretoria geval het, en die landdrosdistrikte Witbank en Wonderboom.
- (ii) Die landdrosdistrikte Brits (uitgesonderd daardie gedeelte wat voor 1 Julie 1972—Goewermenskennisgewing 872 van 26 Mei 1972—binne die landdrosdistrik Krugersdorp geval het), Ermelo, Hoëveldrif, Letaba, Lichtenburg, Middelburg en Nelspruit, daardie gedeelte van die landdrosdistrik Phalaborwa wat voor 1 Januarie 1983 (Goewermenskennisgewing 2644 van 10 Desember 1982) binne die landdrosdistrik Letaba geval het en die landdrosdistrikte Pietersburg, Potgietersrus, Rustenburg en Witrivier.
- (iii) Die landdrosdistrikte Amersfoort, Balfour, Barberton, Belfast, Bethal, Bronkhorstspuit, Carolina, Cullinan, Groblersdal, Koster (uitgesonderd daardie gedeelte wat, voor die publikasie van Goewermenskennisgewing 1105 van 26 Julie 1963 in die landdrosdistrikte Krugersdorp en Randfontein geval het maar nie die plase Moadowns 1, Holfontein 17, Leeuwpans 18, Ireton 19, Pahtiki 20, Bospan 21 en Rietfontein 48 in die landdrosdistrik Randfontein nie), Lydenburg, Piet Retief, Soutpansberg, Standerton, Ventersdorp, Volksrust, Warmbad, Waterberg en Waterval-Boven.

(2) (a) 'Goederevervoer- en Opbergingsbedryf' of 'Bedryf' beteken die bedryf waarin werkgewers en werknemers met mekaar geassosieer is met die doel om een of meer van die volgende werksaamhede teen vergoeding of huur te verrig:

- (i) Die vervoer van goedere deur motorvervoer hetsy sodanige goedere vir verkoop bedoel is, al dan nie;
- (ii) die opberging van goedere en sluit in die ontvangs, oopmaak, uitpak, inpak, versending, inklering, uitklering van of verantwoording doen vir goedere; en
- (iii) die aflewering of vervoer van nuwe voertuie, waar dit nie deur die vervaardiger self of 'n motorhandelaar onderneem word nie;

en dit omvat alle werksaamhede wat met enigeen van voornoemde bedryfswigehede in verband staan of daaruit voortspruit.

(b) 'Goedere' beteken enige artikel, kommoditeit of stof en omvat ook sand, grond, gruis, klip, steenkool, water of ander vloeistof, gasagtige of soliede stof, houters en houergoedere en enige ander roerende eiendom.

(3) 'Small employer' means—

- (a) an employer who on the date of publication of this notice was conducting not more than one business in the Trade, which was located in any of the areas in which this determination is binding, and who was employing less than three drivers, and less than six employees altogether, in or in connection with such business, for so long as he continues thus to employ less than three drivers, and less than six employees altogether, at all times; or
- (b) an employer who enters the Trade after the date of publication of this notice, who conducts not more than one business in the Trade, which is located in any of the areas in which this determination is binding, and who at all times employs less than three drivers, and less than six employees altogether, in or in connection with such business.

(4) 'Manager' means an employee who is charged by his employer with the overall supervision over, responsibility for and direction of the activities of an establishment or part of an establishment and the employees engaged therein, but does not include an employee in the same establishment who relieves or acts for a manager during the latter's absence.

2. DEFINITIONS

Unless the context otherwise indicates, any expression which is used in this Determination and which is defined in the Wage Act, 1957, has the same meaning as in that act, and for the purposes of this determination an employee shall be deemed to be in that class in which he is wholly or mainly engaged; further, unless inconsistent with the context—

- (1) 'artisan' means an employee who has completed or is deemed to have completed a contract of apprenticeship in a trade designated or deemed to have been designated in terms of the Manpower Training Act, 1981, or who holds a certificate issued or deemed to have been issued to him by the Registrar of Manpower Training and conferring artisan status on him in terms of that act, and any other employee engaged in work normally performed by an artisan except where specifically otherwise provided in this determination; (2)
- (2) 'assistant foreman' means an employee who assists a foreman and who in so doing may perform any of the duties of a foreman and who may act for him during his absence; (3)
- (3) 'casual employee' means an employee who is employed by the same employer on not more than three days in any week; (27)
- (4) 'chargehand' means an employee who under general supervision is in charge of a group of general workers and who may keep records of the work they do; (40)
- (5) 'chauffeur' means an employee, other than a driver, who is engaged in driving a motor vehicle which is intended for the conveyance of his employer, clients or visitors and which may be used for the conveyance of documents or parcels; (10)
- (6) 'checker' means an employee who, under the supervision of a clerk, supervises the assembling, mass-measuring, stacking, loading, unloading, marking or addressing of goods and who checks, enters or records particulars of such goods according to a written statement and who may supervise the packing and unpacking of such goods and the work of a general worker; (37)
- (7) 'clerical assistant' means an employee who, under the supervision of a clerk with at least two years' experience, is engaged in one or more of the following duties:
 - (a) Making out consignment or delivery notes or packing slips, but not invoices;
 - (b) copying particulars of documents by hand;
 - (c) recording particulars of annual and sick leave;
 - (d) checking attendance registers or recording particulars in connection with employees who are at work or absent from work, or the time spent by employees on various tasks;
 - (e) recording the engagement, discharge or resignation of employees, including the making of any necessary entries in the employees' personal files or documents, or preparing certificates of service;
 - (f) counting or recording the hours of work of employees;
 - (g) stamping or making out tickets or labels;
 - (h) filing, sorting or otherwise attending to wage or time cards, invoices, requisitions, delivery notes, consignment notes or other documents;
 - (i) preparing wage or time cards;
 - (j) compiling lists of goods, figures or numbers;
 - (k) interpreting or translating languages spoken by Blacks or Asians;
 - (l) adding and subtracting figures, also with the aid of a machine;
 - (m) counting or mass-measuring goods;
 - (n) recording reference numbers, batch numbers or contents of goods; (22)

(3) 'Klein werkgewer' beteken—

- (a) 'n werkgewer wat op die datum van publikasie van hierdie kennisgewing hoogstens een besigheid in die Bedryf het, wat geleë was in enige van die gebiede waarin hierdie vasstelling van toepassing is en wat minder as drie drywers en minder as ses werknemers altesaam in of in verband met sodanige besigheid in diens gehad het, vir solank as wat hy voortgaan om te alle tye minder as drie drywers en minder as ses werknemers altesaam aldus in diens te hê;
- (b) 'n werkgewer wat na die datum van publikasie van hierdie kennisgewing tot die Bedryf toetree, wat hoogstens een besigheid in die Bedryf bedryf, wat geleë is in enige van die gebiede waarin hierdie vasstelling van toepassing is en wat te alle tye minder as drie drywers en minder as ses werknemers altesaam in of in verband met sodanige besigheid in diens het.
- (4) 'Bestuurder' 'n werknemer wat deur sy werkgewer belas is met die algehele toesig oor, verantwoordelikheid vir en bestuur van die werksaamhede van 'n bedryfsinrigting of gedeelte daarvan en die werknemers wat daarin werk, maar sluit nie 'n werknemer in wat in dieselfde bedryfsinrigting 'n bestuurder aflos of tydens sy afwesigheid namens hom optree nie.

2. WOORDOMSKRYWING

Tensy die sinsverband anders aandui, het elke uitdrukking wat in hierdie vasstelling geësig en in die Loonwet, 1957, omskryf word, dieselfde betekenis as in daardie Wet en, by die toepassing van hierdie vasstelling, word 'n werknemer geag in dié klas te wees waarin hy uitsluitlik of hoofsaaklik werksaam is; voorts tensy onbestaanbaar met die sinsverband, beteken—

- (1) 'algemene werker' 'n werknemer wat een of meer van die volgende werksaamhede verrig:
 - (a) Bale, vate, pakkiste, kaste, blikke, kartonne, konkas, sakke, bale of houers oopmaak, toemaak, toespyker, toewerk, merk, vasbind, volmaak of leegmaak;
 - (b) behulpsaam wees met die laai of aflaai van houers;
 - (c) boksele of plastiekbedekking oorgooi of afhaal;
 - (d) boodskappe, pakkette, briewe of goedere toemaak of oopmaak of dit te voet, per trapfiets, driewieler of handvoertuig aflewer of vervoer;
 - (e) dra, oplig, trek, stoot, sleep, inpak, verpak, opstapel, rol, oprol, verskuif, laai, aflaai, uitpak van enige goedere, houers, pakkette of voertuie, kruiwaens, trollies, waentjies of ander handvoertuie behalwe deur die gebruik van kraguitrusting;
 - (f) etikette op goedere plak of dit merk, brandmerk, stempel of sjabloneer of etikette perforeer;
 - (g) goedere in pakkies opmaak, toedraai of vasbind;
 - (h) goedere met 'n skropborsel of draadborsel skoonmaak;
 - (i) handdoeke, seep of toiletpapier vervang;
 - (j) klaargemaakte karton- of veselbordde of soortgelyke houers met die hand opstel of uitmekaar haal;
 - (k) klip, gruis, grond, klei, sand of ander grondstowwe met 'n skopgraaf skep of strooi;
 - (l) met die hand boor, afskraap of skuur;
 - (m) motorvoertuie, goedere of die wag op motorvoertuie, oppas;
 - (n) 'n handkraan, -hyser, -pomp, -afrolmasjien, domkrag of wind-as bedien;
 - (o) 'n ambagsman behulpsaam wees op 'n ander wyse as deur die gereedskap van sy vak selfstandig te gebruik;
 - (p) oorpakke, uniforms, beskermende klere, verpakkingsmateriaal of komberse was;
 - (q) op 'n motorvoertuig, sleepwa of leunwa werk of dit op sy ritte vergesel;
 - (r) pakkiste, kaste, kratte of pallette met die hand herstel;
 - (s) persele, goedere, pallette, voertuie of masjinerie skoonmaak;
 - (t) rantsoene gaarmaak of tee of soortgelyke drankie vir werknemers maak of aan hulle bedien of tee of ander verserings vir die werkgewer of sy gaste maak of aan hulle bedien;
 - (u) rubber- of ander stempels gebruik waar seleksie of diskresie nie nodig is nie;
 - (v) spoorwegwaens of houers oop- of toemaak;
 - (w) verf of roesweermiddels op goedere, sleepwaens of leunwaens met die hand aanbring;
 - (x) wiele, of buite- of binnebande van motorvoertuie, laaigrawe, mobiele hystoestelle, sleepwaens, leunwaens, fietse, kruiwaens, trollies of ander handvoertuie afhaal, terugsit, omruil of oppomp, of binnebande herstel; (19)
- (2) "ambagsman" 'n werknemer wat 'n kontrak van vakleerlingskap voltooi het of geag word te voltooi het in 'n ambag wat aangewys is of geag word aangewys te wees ingevolge die Wet op Mannekragopleiding, 1981 of wat die houer is van 'n sertifikaat aan hom uitgereik of geag word uitgereik te wees deur die Registrateur van Mannekragopleiding wat ambagsmanstatus aan hom verleen ingevolge daardie wet en alle ander werknemers wat werk doen wat gewoonlik deur 'n ambagsman verrig word, behalwe waar spesifiek anders in hierdie vasstelling bepaal word; (1)

- (8) 'clerk' means an employee who is engaged in writing, typing, filing or in any other form of clerical work and includes a cashier and a telephone switchboard operator or any office machine operator, but does not include any other class of employee elsewhere defined in this clause notwithstanding the fact that clerical work may form a portion of such employee's duties; (21)
- (9) 'despatch clerk' means an employee who is responsible for the receipt, packing or despatch of goods from a store, warehouse or storage place, and who may supervise the work of a checker or a general worker; (54)
- (10) 'dolly' means a trailer on which a semi-trailer rests and which converts the latter into a trailer; (11)
- (11) 'driver' means an employee, other than a chauffeur, who is engaged in driving a motor vehicle, and for the purposes of this definition the expression "driving a motor vehicle" includes all periods of driving, any time spent by the driver on work connected with the vehicle or the load and all periods during which he is obliged to remain at his post in readiness to drive; (12)
- (12) 'emergency work' means—
- any work which, owing to unforeseen circumstances such as fire, storm, accident, epidemic, act of violence, sabotage, industrial unrest, theft or a breakdown of plant or machinery, or threatened breakdown of buildings, must be done without delay;
 - any work in connection with the overhauling or repairing of a motor vehicle, plant or machinery which cannot be performed during ordinary working hours;
 - any work in connection with the loading or unloading of—
 - ships;
 - trucks or vehicles of the South African Transport Services;
 - vehicles used by a cartage contractor in the fulfilment of his contract as such with the South African Transport Services;
 - perishable products from vehicles for the purpose of storing them to prevent spoilage; (38)
- (13) 'experience' means, in relation to a clerk, clerical assistant or repair shop assistant, the total period or periods of employment during which an employee has been employed as a clerk, clerical assistant or a repair-shop assistant, respectively, in any trade or industry or in the service of a local authority or the State; (41)
- (14) 'extra heavy motor vehicle (articulated)' means a motor vehicle (articulated) the gross combination mass of which exceeds 16 000 kg but not 25 000 kg; (13)
- (15) 'extra heavy motor vehicle (rigid)' means a motor vehicle (rigid) the gross vehicle mass of which exceeds 16 000 kg but not 25 000 kg; (14)
- (16) 'foreman' means an employee who is in charge of the employees in an establishment or part of an establishment, who exercises control over such employees and who is responsible to the manager for the efficient performance by them of their duties; (55)
- (17) 'front-end loader operator' means an employee who operates a power driven front-end loader used in the loading, shifting or unloading of soil, sand, stones, gravel or any other raw materials or goods; (4)
- (18) 'gantry crane operator' means an employee engaged in driving a gantry crane or operating or controlling it from the floor of an establishment; (7)
- (19) 'general worker' means an employee who is engaged in one or more of the following duties:
- Opening, closing, nailing up, sewing up, marking, tying, filling or emptying bales, vats, packing cases, boxes, tins, cartons, drums, bags or containers;
 - aiding in the loading or unloading of containers;
 - throwing over or removing tarpaulins or plastic coverings;
 - sealing or opening messages, packages, letters or goods and delivering or transporting them on foot, on a pedal cycle or tricycle or by a hand-operated vehicle;
 - carrying, lifting, pulling, pushing, dragging, packing, repacking, stacking, rolling, rolling up, shifting, loading, unloading, unpacking any goods, containers, packages or vehicles, wheelbarrows, trolleys or other hand-operated vehicles, other than by using power-driven equipment;
 - pasting labels on goods or marking, branding, stamping or stencilling them, or perforating labels;
- (3) "assistent-voorman" 'n werknemer wat 'n voorman behulpsaam is en wat sodoende enige van die pligte van 'n voorman kan verrig en wat gedurende sy afwesigheid namens hom kan waarneem; (2)
- (4) "bediener van 'n laaigraaf" 'n werknemer wat 'n kragaangedrewe laaigraaf bedien wat by die laai, verskuiwing of aflaai van grond, sand, klippe, gruis of enige ander grondstowwe of goedere gebruik word; (17)
- (5) "bediener van 'n mobiele hystoestel, graad I" 'n werknemer wat 'n kragaangedrewe mobiele hystoestel of vrkhyiswa met 'n hysvermoë van meer as 6 000 kg bedien wat by die laai, aflaai, versit of opstapel van goedere of houters gebruik word en omvat dit nie 'n interne motorvoertuig nie; (33)
- (6) "bediener van 'n mobiele hystoestel, graad II" 'n werknemer wat 'n kragaangedrewe mobiele hystoestel of vrkhyiswa met 'n hysvermoë van hoogstens 6 000 kg bedien wat by die laai, aflaai, versit of opstapel van goedere of houters gebruik word en omvat dit nie 'n interne motorvoertuig nie; (34)
- (7) "bediener van 'n oorhoofse hyskraan" 'n werknemer wat 'n oorhoofse hyskraan dryf of vanaf die vloer van 'n bedryfsinrigting bedien of beheer; (18)
- (8) "bruto kombinasie-massa" met betrekking tot 'n motorvoertuig (gelede) wat gebruik word om enige ander motorvoertuig te trek, die maksimum massa van enige kombinasie van voertuie, met inbegrip van die trekvoertuig en vrag soos deur die vervaardiger daarvan gespesifiseer of in die afwesigheid van sodanige spesifikasie, soos deur die registrasie-oewerheid bepaal; (20)
- (9) "bruto voertuig-massa" met betrekking tot 'n motorvoertuig (nie-gelede), die maksimum massa van sodanige voertuig en sy vrag soos deur die vervaardiger gespesifiseer of in die afwesigheid van sodanige spesifikasie, soos deur die registrasie-oewerheid bepaal; (21)
- (10) "chauffeur" 'n werknemer, uitgesonderd 'n drywer, wat 'n motorvoertuig dryf wat vir die vervoer van sy werkgewer, klante of besoekers bedoel is en waarmee ook dokumente of pakkette vervoer kan word; (5)
- (11) "drastel" 'n sleepwa waarop 'n leunwa rus en wat dit in 'n sleepwa kan omskep; (10)
- (12) "drywer" 'n werknemer, uitgesonderd 'n chauffeur, wat 'n motorvoertuig dryf, en by die toepassing van hierdie omskrywing omvat die uitdrukking " 'n motorvoertuig dryf" alle tydperke wat hy dryf, alle tyd wat hy bestee aan werk in verband met die voertuig of die vrag en alle tydperke wat hy verplig is om op sy pos te bly gereed om te dryf; (11)
- (13) "ekstra swaar motorvoertuig (gelede)" 'n motorvoertuig (gelede) waarvan die bruto kombinasie-massa meer as 16 000 kg maar hoogstens 25 000 kg is; (14)
- (14) "ekstra swaar motorvoertuig (nie-gelede)" 'n motorvoertuig (nie-gelede) waarvan die bruto voertuig-massa meer as 16 000 kg maar hoogstens 25 000 kg is; (15)
- (15) "faktotum" 'n werknemer wat kleinere herstelwerk of verstellings doen aan houters, goedere wat tydens die vervoer daarvan beskadig is, masjinerie of uitrusting, en wat ook kleiner herstelwerk of opknappings aan geboue kan doen, maar wat geen werk verrig wat gewoonlik deur 'n ambagsman gedoen word nie; (22)
- (16) "gekwalifiseerd" met betrekking tot 'n werknemer, dat die onder-vinding van 'n werknemer in sy klas hom geregtig maak op die hoogste loontarief wat vir daardie klas voorgeskryf is; omgekeerd beteken "ongekwalifiseerd" dat sy ondervinding in sy klas hom nie op sodanige hoogste loontarief geregtig maak nie; (45)
- (17) "geskoolde werk" werk wat die opleiding en geskooldheid van 'n ambagsman vereis; (50)
- (18) "gewone werk" die werkure soos voorgeskryf in klousule 5 (1) of indien volgens ooreenkoms tussen 'n werkgewer en sy werknemer laasgenoemde korter ure werk, daardie korter ure; (40)
- (19) "herstelwinklassistent" 'n werknemer wat onder toesig van 'n ambagsman een of meer van die volgende werksaamhede in verband met motorvoertuie verrig: Met dien verstande dat die verrigting van engeen van die werksaamhede in hierdie omskrywing vermeld, nie so uitgelê mag word dat dit die verrigting van vakmanswerk wat met sodanige werksaamhede in verband staan, toelaat nie:
- Beskermilae aanbring op enjins, samestellende dele, bybehore, vloermatte, sitplekoppervlakke, bagasiebakke of kantskopplate;
 - wiele balanseer met enige masjien wat bedoel is om wiele los van die voertuig af te balanseer;
 - die volgende nagaan en, indien moontlik regstel: Smoorklep, enjinkap, aansitter, handversneller, verwarmers, ventileerkabels, of verkoelingsstelselkabels; horlosies, rigting-aanwysers; deur- en vensterhandvatsels; deure, deurrubbers, slotte en sleutels; elektriese verbindings vir stewigheid; generator- en alternatorbande vir korrekte spanning; slangverbindings vir stewigheid; ruitveërs en -wassers;

- (g) parcelling, wrapping or tying goods;
- (h) cleaning goods with a scrubbing brush or wire-bristle brush;
- (i) replacing towels, soap or toilet paper;
- (j) setting up or taking apart ready-made cardboard or fibreboard boxes or similar containers by hand;
- (k) shovelling or scattering stone, gravel, soil, clay, sand or other raw materials with a shovel;
- (l) boring, scraping down or sandpapering by hand;
- (m) guarding motor vehicles, goods or the load on motor vehicles;
- (n) operating a hand-operated crane, hoist, pump duplicating machine, jack or winch;
- (o) assisting an artisan in other ways than by using the tools of his trade independently;
- (p) washing overalls, uniforms, protective clothing, packing material or blankets;
- (q) working on a motor vehicle, trailer or semi-trailer or accompanying it on trips;
- (r) repairing packing cases, cases, crates or pallets by hand;
- (s) cleaning premises, goods, pallets, vehicles or machinery;
- (t) preparing rations, or making or serving tea or similar beverages for employees, or making or serving tea or other refreshments for the employer or his guests;
- (u) using rubber or other stamps where selection or discretion is not needed;
- (v) opening or shutting railway trucks or containers;
- (w) applying paint or anti-rust agents to goods, trailers or semi-trailers by hand;
- (x) removing, replacing, changing or pumping wheels, tyres or tubes of motor vehicles, front-end loaders, mobile hoists, trailers, semi-trailers, cycles, wheelbarrows, trolleys or other hand-driven vehicles, or repairing tubes; (1)
- (20) 'gross combination mass' in relation to a motor vehicle (articulated) means the maximum mass of the combination of vehicles, including that of the drawing motor vehicle and the load, as specified by the manufacturer or, in the absence of such specification, as determined by the registering authority concerned; (8).
- (21) 'gross vehicle mass' in relation to a motor vehicle (rigid) means the maximum mass of such vehicle and its load as specified by the manufacturer or, in the absence of such specification, as determined by the registering authority concerned; (9)
- (22) 'handyman' means an employee who is engaged in making minor repairs or adjustments to containers, goods damaged in transit, machinery or equipment, and who may effect minor repairs or renovations to buildings, but who does not do work normally done by an artisan; (15)
- (23) 'heavy motor vehicle (articulated)' means a motor vehicle (articulated) the gross combination mass of which exceeds 9 000 kg but not 16 000 kg; (49)
- (24) 'heavy motor vehicle (rigid)' means a motor vehicle (rigid) the gross vehicle mass of which exceeds 9 000 kg but not 16 000 kg; (50)
- (25) 'hours of work' means and includes all periods during which a driver of a motor vehicle is engaged in driving, and all the time that the driver of a motor vehicle or any other class of employee accompanying him spends on other work connected with the vehicle or the load and all periods during which he is obliged to remain at his post in readiness to work, but does not include any meal interval prescribed in clause 5 (2) or any period in respect of which any subsistence allowance is payable to an employee in terms of clause 3 (5) if during such interval or period the employee does no work other than remaining in charge of the vehicle and its load, if any, or guarding the vehicle and its load, if any; (59)
- (26) 'internal motor vehicle' means a motor vehicle used on the premises of or inside an establishment; (20)
- (27) 'law' includes the common law; (60)
- (28) 'light motor vehicle' means a motor vehicle the gross vehicle mass or gross combination mass of which does not exceed 3 500 kg; (25)
- (29) 'local authority' means any borough council, city council, municipal council, village management board, divisional council or any similar institution or body contemplated in section 84 (1) (f) of the Provincial Government Act, 1961, or in any other legislation; (45)
- (30) 'medium motor vehicle (articulated)' means a motor vehicle (articulated) the gross combination mass of which exceeds 3 500 kg but not 9 000 kg; (30)
- (31) 'medium motor vehicle (rigid)' means a motor vehicle (rigid) the gross vehicle mass of which exceeds 3 500 kg but not 9 000 kg; (31)
- (d) nagaan en oor defekte by 'n ambagsman verslag doen van—horlosies; rigtingaanwysers; deur- en vensterhandvatsels; deure, slotte en sleutels; elektriese verbruikspunte; verstellers van voorste sitplekke; ruitveërs en -wassers;
- (e) gate volgens patrone boor;
- (f) waaiërbande aanbring en stel waar geen meettoestelle of -instrumente nodig is nie;
- (g) los sitplekoortreksels aanbring waar geen verandering daaraan nodig is nie;
- (h) veiligheids gordels aanbring waar daar ankerpunte is;
- (i) enige deel of eenheid verwyder;
- (j) lekke in bakke met vulsel herstel en lekke in enjin, ewenaar en ratkas deur vas te draai;
- (k) die volgende vervang of installeer sonder om die finale elektriese verbindings aan te bring:
- Alternators; bakke; baklyswerk; enjinkappe; remtrommels, uitgesonderd waar die trommel en naaf 'n volledige eenheid is; gloeilampies; stampers; kables, uitgesonderd elektriese verbindings; kabelhefbome; kabelskakelings; vergassers; kajuite; koppelaar- en drukplate; kronkelvere; verkoelingstelsels, uitgesonderd lugversorging; silinderkoppe, sonder om hulle te wring; deure; deurhandvatsels; dryfasse, uitgesonderd voorwiel aandrywing; enjinsamestelle; enjinmonterings; enjinmodderpanne, uitlaatstelsels; buikplanke; vloerbedekkings; vlieg-wieldeksels; verwyderbare brandstoftype; brandstoftpompe, uitgesonderd inspuitspompe; brandstoftienks; ratkassamestelle; ratkasmonterings; generators; glas; gruispanne; roosters; hand-relingklampe; verwarmers; lampe; spruitstukke; modderskerms; oliefilters of -siwwe en die skoonmaak daarvan; panele (buite of binne) of los toebehore, uitgesonderd waar gesweis; dryfasse; verkoelers; verkoelerproppe; radio's en bandopnemers, maar nie die finale elektriese verbinding daarvan nie; treeplanke; agterbakligte; sitplekke; voorste en agterste blad-vere; aanslagplate; oliebakmoere en -boute; skerm; klepdeksels; waterslange; vensterrame; handruitslingers;
- (l) agterassamstelsamestelle (sonder die gebruik van handgereedskap) weer in posisie plaas en met die hand vasdraai;
- (m) horlosies volgens korrekte tyd stel; (46)
- (20) "interne motorvoertuig" 'n motorvoertuig wat op die perseel van of binne 'n bedryfsinrigting gebruik word; (26)
- (21) "klerk" 'n werknemer wat skryf-, tik-, lisseer- of enige ander soort klerklike werk verrig en omvat dit ook 'n kassier en 'n telefoonskakelbordoperateur, of enige kantoormasjienoperateur, maar geen ander klas werknemer wat elders in hierdie klousule omskryf word nie, al maak klerklike werk ook deel uit van so 'n werknemer se werk; (8)
- (22) "klerklike assistent" 'n werknemer wat onder toesig van 'n klerk met minstens twee jaar ondervinding een of meer van die volgende werksaamhede verrig:
- (a) Vrag- of aflewingsbriewe of verpakkingsnotas uitmaak, maar nie fakture nie;
- (b) besonderhede van dokumente met die hand kopieer;
- (c) besonderhede van jaarlikse of siekteverlof aanteken;
- (d) bywoningsregisters kontroleer of besonderhede in verband met werknemers wat aanwesig of afwesig is, of die tyd deur werknemers aan ander take bestee, aanteken;
- (e) die indiensneming, ontslag of bedanking van werknemers aanteken, insluitende enige nodige inskrywings in die werknemers se persoonlike lêer of dokumente maak of dienssertifikate voorberei;
- (f) die werkyd van werknemers tel, of aanteken;
- (g) kaartjies of etikette stempel of uitskryf;
- (h) loon- of tydkaarte, fakture, rekwisisies, aflewingsbriewe, vragbriewe of ander dokumente lisseer, sorteer of andersins aandag daaraan skenk;
- (i) loon- of tydkaarte voorberei;
- (j) lyste opstel van goedere, syfers of nommers;
- (k) Swarttale of Asiërtale tolk of vertaal;
- (l) syfers optel en aftrek insluitende met 'n masjien;
- (m) tel van goedere of die bepaling van die massa daarvan;
- (n) verwysingsnommers, bondelnommers of inhoud van goedere of houers aanteken; (7)
- (23) "korttyd" 'n tydelike vermindering van die getal gewone werkure weens wisselvalligheid van die weer, 'n slapte in die bedryf, 'n tekort aan goedere wat vervoer moet word, 'n onklaarraking van masjinerie of installasie, of weens die feit dat die geboue onbruikbaar is of dreig om dit te word; (49)
- (24) "leunwa" 'n sleepwa wat geen vooras het nie en so ontwerp of ingerig is om op 'n voorspanmotor te rus en deur hom getrek word; (48)

- (32) 'military service' means any service or training in terms of the Defence Act, 1957 (Act 44 of 1957); (32)
- (33) 'mobile hoist operator, Grade I,' means an employee who is engaged in operating a power-driven mobile hoist or fork-lift truck with a lifting capacity exceeding 6 000 kg used in the loading, unloading, moving or stacking of goods or containers, but does not include an internal motor vehicle; (5)
- (34) 'mobile hoist operator, Grade II,' means an employee who is engaged in operating a power-driven mobile hoist or fork-lift truck with a lifting capacity not exceeding 6 000 kg used in the loading, unloading, moving or stacking of goods or containers, but does not include an internal motor vehicle; (6)
- (35) 'motor dealer' means any person who is engaged in the business of buying, selling, exchanging or repairing motor vehicles which are required to be registered and licensed in terms of a road traffic ordinance, or of building permanent structures onto such motor vehicles; (33)
- (36) 'motor vehicle' means a self-propelled vehicle with an engine capacity exceeding 100 cm³, used for conveying goods or containers and includes a trucktractor, tractor, a motor cycle or a motor tricycle but does not include a mobile hoist; (34)
- (37) 'motor vehicle (articulated)' means a combination of vehicles consisting of a motor vehicle and a semi-trailer or trailer; (35)
- (38) 'motor vehicle (rigid)' means a motor vehicle other than a motor vehicle (articulated); (36)
- (39) 'new motor vehicle' means a newly manufactured motor vehicle owned by a motor manufacturer, importer or dealer and driven on a public road for the purpose of the sale and delivery of such vehicle; (39)
- (40) 'ordinary hours of work' means the hours of work prescribed in clause 5 (1) or if by agreement between an employer and his employee the latter works a lesser number of ordinary hours, such shorter hours; (18)
- (41) 'overtime' means that portion of any period worked by an employee during any week or on any day which is longer than his weekly or daily ordinary hours of work, as the case may be, but does not include any period during which an employee works for his employer on a Sunday or a public holiday as defined; (42)
- (42) 'packer or loader' means an employee responsible for packing or loading furniture or other goods into any container or into a vehicle and unloading or unpacking furniture or other goods, and who may supervise the activities of a general worker; (44)
- (43) 'piece-work' means any system under which an employee's remuneration is based on the quantity of work done; (48)
- (44) 'public holiday' means New Year's Day (or the succeeding Monday whenever New Year's Day falls on a Sunday), Good Friday, Ascension Day, Republic Day, Day of the Vow or Christmas Day; (43)
- (45) 'qualified' in relation to an employee, means that the experience of an employee of his class entitles him to the highest wage rate, prescribed for that class, and, conversely, 'unqualified' means that his experience in his class does not entitle him to such highest rate; (16)
- (46) 'repair-shop assistant' means an employee who, under the supervision of an artisan, is engaged in any one or more of the following operations in connection with motor vehicles: Provided that the performance of any of the operations referred to in this definition may not be so interpreted as to allow for the performance of skilled work in connection with such operations:
- (a) Applying protective coatings to engines, components, accessories, floor mats, seat covers, boots or side kickplates;
 - (b) balancing wheels with any machine intended to balance wheels separately from the vehicle;
 - (c) checking and, if possible, repairing the following: Choke, bonnet, starter, throttle, heater, ventilation cables, or cooling system cables; clocks, flickers; door handles and window handles; doors, doorseals, locks and keys; electrical connections for tightness; generators and alternator belts for correct tension; hose connections for tightness; windscreen wipers and washers;
 - (d) checking and reporting to an artisan on defects in clocks; flickers; door and window handles; doors, locks and keys; electrical consumer points; front seat adjusters; windscreen wipers and washers;
 - (e) drilling holes according to patterns;
 - (f) fittings and setting fan-belts where no measuring equipment or instruments are needed;
 - (g) fitting loose seat covers where no alterations to them are necessary;
 - (h) fitting safety belts where there are points of attachment;
 - (i) removing any part or unit;
 - (j) repairing leaks in bodies with filler and leaks in engines, differentials or gear-boxes by tightening;
- (25) "ligte motorvoertuig" 'n motorvoertuig waarvan die bruto voertuig-massa of bruto kombinasie-massa hoogstens 3 500 kg is; (28)
- (26) "loon" die bedrag wat ingevolge klousule 3 (1) aan 'n werknemer betaalbaar is ten opsigte van sy gewone werkure: Met dien verstande dat as 'n werkgewer 'n werknemer ten opsigte van sodanige gewone werkure gereeld 'n hoër bedrag betaal as dié by klousule 3 (1) voorgeskryf, dit sodanige hoër bedrag beteken, maar mag dit nie so uitgelê word dat dit besoldiging bedoel of omvat wat 'n werknemer wat in diens is op enige grondslag waarvoor daar in klousule 9 voorsiening gemaak word, ontvang bo en behalwe die bedrag wat hy sou ontvang het as hy nie op sodanige grondslag in diens was nie; en "gewone loon" of "weekloon" het ooreenstemmende betekenis; (58)
- (27) "los werknemer" 'n werknemer wat hoogstens drie dae in 'n week by dieselfde werkgewer in diens is; (3)
- (28) "magasynman, pakhuis" 'n werknemer wat beheer het oor voorrade, inkomende goedere en wat daarvoor verantwoordelik is om goedere in 'n magasyn, pakhuis of opslaggebied te ontvang, aan te teken, op te berg, te verpak of uit te pak of om goedere uit 'n magasyn, pakhuis of opslaggebied vir versending te lewer; (51)
- (29) "magasynman, werkwinkel" 'n werknemer belas met die ontvangs, rekordhouding, opberging, verpakking en uitreiking van onderdele en materiaal wat by die herstel en instandhouding van motorvoertuie, sleepwaens, leunwaens, installasies of masjinerie gebruik word; (52)
- (30) "medium motorvoertuig (gelede)" 'n motorvoertuig (gelede) waarvan die bruto kombinasie-massa meer as 3 500 kg maar hoogstens 9 000 kg is; (30)
- (31) "medium motorvoertuig (nie-gelede)" 'n motorvoertuig (nie-gelede) waarvan die bruto voertuig-massa meer as 3 500 kg maar hoogstens 9 000 kg is; (31)
- (32) "militêre diens" 'n tydperk van diens of opleiding kragtens die Verdedigingswet, 1957 (Wet 44 van 1957); (32)
- (33) "motorhandelaar" enige persoon wat betrokke is by die koop, verkoop, ruil of herstel van motorvoertuie wat ingevolge 'n padvervoer-ordnansie geregistreer en gelisensieer moet word, of wat permanente strukture op sodanige motorvoertuie aanbring; (35)
- (34) "motorvoertuig" 'n selfaangedrewe voertuig met 'n enjinkapasiteit van meer as 100 cm³ wat gebruik word vir die vervoer van goedere of houers en omvat dit ook 'n voorspanmotor, trekker, 'n motorfiets of 'n motordriewiel, maar nie ook 'n mobiele hystoel nie; (36)
- (35) "motorvoertuig (gelede)" 'n kombinasie van voertuie bestaande uit 'n motorvoertuig en 'n leunwa of 'n sleepwa; (37)
- (36) "motorvoertuig (nie-gelede)" 'n motorvoertuig uitgesonderd 'n motorvoertuig (gelede); (38)
- (37) "nasiener" 'n werknemer wat onder die toesig van 'n klerk toesig hou oor die byeenbring, massameet, stapel, laai, aflaai, merk of adresseer van goedere en wat besonderhede van sodanige goedere nagaan, opskryf of aanteken volgens 'n geskrewe opgawe en wat toesig mag hou oor die verpakking en uitpak van sodanige goedere en die werksaamhede van 'n algemene werker; (6)
- (38) "noodwerk"—
- (a) enige werk wat weens onvoorsiene omstandighede soos 'n brand, storm, ongeluk, epidemie, gewelddaad, sabotasie, nywerheidsnors, diefstal, of 'n onklaarmaking van installasie of masjinerie sonder versuim gedoen moet word;
 - (b) enige werk in verband met die opknapping of herstel van 'n motorvoertuig, installasie of masjinerie wat nie gedurende gewone werkure verrig kan word nie;
 - (c) enige werk in verband met die laai of aflaai van—
 - (i) skepe;
 - (ii) spoorwaens of voertuie van die Suid-Afrikaanse Vervoerdienste;
 - (iii) voertuie wat deur 'n vervoerkontraakteur gebruik word in die nakoming van sy kontrak as sodanig met die Suid-Afrikaanse Vervoerdienste;
 - (iv) bederfbare produkte van voertuie met die doel om dit op te berg om bederf te voorkom; (12)
- (39) "nuwe motorvoertuig" 'n nuut vervaardigde motorvoertuig in die besit van 'n motorvervaardiger, invoerder of handelaar en wat vir doeleindes van die verkoop en aflewering daarvan op 'n openbare pad gedryf word; (39)
- (40) "onderbaas" 'n werknemer wat onder algemene toesig aan die hoof staan van 'n groep algemene werkers en wat aantekeninge kan hou van die werk wat hulle verrig; (4)
- (41) "ondervinding" met betrekking tot 'n klerk, klerklike assistent, of herstelwinkelassistent die totale tydperk of tydperke wat 'n werknemer onderskeidelik as klerk, klerklike assistent, herstelwinkelassistent in enige bedryf of nywerheid of in die diens van 'n plaaslike owerheid of die Staat werksaam was; (13)

- (k) replacing or installing the following without doing the final electrical connections:
 Alternators; bodies, body moulding; bonnets; brake drums, except where the drum and the hub are a complete unit; light bulbs; bumpers; cables, except electrical connections; cable levers; cable hook-ups; carburettors; cabs; clutch and pressure plates; coil springs; cooling systems, except air-conditioning; cylinder heads, without twisting them; doors, door handles; driving shafts, except frontwheel drive; engine assemblies; engine mountings; engine mud pans; exhaust systems; bottom-planks; floor coverings; fly-wheel covers; removable fuel pipes; fuel pumps, excluding injection pumps; fuel tanks; gear-box assemblies; gear-box mountings; generators; glass; gravel pans; grids; handrail clamps; heaters; lamps; manifolds; mudguards; oil filters or sieves and the cleaning thereof; panels (inside and outside) or loose accessories, except when welded; driving shafts; radiators; radiator plugs; radios and recorders, but not the final wiring thereof; running boards; rear body lights; seats; front and rear leaf springs; striker plates; oil-pan nuts and bolts; shields; tappet covers; water-hoses; window frames; hand window winders;
- (l) placing rear-axle housing assemblies in position (without use of hand tools) and tightening them by hand;
- (m) setting clocks to the right time; (19)
- (47) 'security guard' means an employee who is engaged in any one or more of the following duties:
 (a) Seaching goods, vehicles or persons;
 (b) supervising or controlling watchmen;
 (c) controlling or reporting on the movement of persons or vehicles through check-points or gates;
 and who may also be required to perform any one or all of the duties prescribed for a watchman; (46)
- (48) 'semi-trailer' means a trailer without a front axle and designed or adapted to rest on and be drawn by a truck-tractor; (24)
- (49) 'short-time' means a temporary reduction in the number of ordinary hours of work owing to the vagaries of the whether, a slackness of trade, shortage of goods to be transported, a breakdown of plant or machinery or a breakdown or threatened breakdown of buildings; (23)
- (50) 'skilled work' means work requiring the training and skill of an artisan; (17)
- (51) 'storeman, warehouse' means an employee who is in charge of stocks of incoming goods and who is responsible for receiving, recording, storing, packing or unpacking goods in a store or warehouse or storage place or the delivery of goods from a store, warehouse or storage place for despatch; (28)
- (52) 'storeman, workshop' means an employee who is charged with the receiving, recording, storing, unpacking and issuing of spare parts and materials used in the repair and maintenance of motor vehicles, trailers, semi-trailers, plant or machinery; (29)
- (53) 'tare', in relation to a motor vehicle, means the mass of such vehicle ready to travel on a road and includes the mass of—
 (a) any spare wheel and of all other accessories and equipment supplied by the manufacturer as standard for the particular model of motor vehicle concerned;
 (b) anything which is a permanent part of the structure of such vehicle; and
 (c) anything affixed to such vehicle so as to form a structural alteration of a permanent nature,
 but does not include the mass of—
 (i) fuel; or
 (ii) anything affixed to such vehicle which is not of the nature referred to in (b) or (c). (51)
- (54) 'tractor' means a motor vehicle designed or adapted to draw other vehicles and not to carry any load; (52)
- (55) 'trailer' means a vehicle which is not self-propelled but designed or adapted to be drawn by a motor vehicle and includes a dolly; (47)
- (56) 'truck-tractor' means a motor vehicle designed or adapted to draw other vehicles and not to carry any load other than that imposed by a semi-trailer or ballast; (56)
- (57) 'ultra heavy motor vehicle' means a motor vehicle the gross vehicle mass or gross combination mass of which exceeds 25 000 kg; (53)
- (58) 'wage' means the amount of money payable to an employee in terms of clause 3 (1) in respect of his ordinary hours of work: Provided that if an employer regularly pays an employee in respect of such ordinary hours of work an amount higher than that prescribed in clause 3 (1), it means such higher amount, but this proviso shall not be so construed as to refer to or include any remuneration which an employee who is employed on any basis provided for in clause 9 receives over and above the amount which he would have received had he not been employed on such a basis; and 'ordinary wage' or 'weekly wage' has a corresponding meaning; (26)
- (42) "oortyd" die gedeelte van enige tydperk wat 'n werknemer 'n week of op 'n dag, werk, wat langer is as sy weeklikse of daaglikse gewone werke na gelang van die geval, maar dit omvat nie 'n tydperk waarin 'n werknemer op 'n Sondag of 'n openbare vakansiedag soos omskryf, werk nie; (41)
- (43) "openbare vakansiedag" Nuwerjaarsdag (of die Maandag na Nuwerjaarsdag waar laasgenoemde op 'n Sondag val), Goeie Vrydag, Hemelvaartdag, Republiekdag, Geloftedag en Kersdag; (44)
- (44) "pakker of laaier" 'n werknemer wat verantwoordelik is vir inpak of laai van meubels of ander goedere in enige houer of op 'n voertuig en die aflaai of uitpak van meubels of ander goedere, en wat toesig mag hou oor die werksaamhede van 'n algemene werker; (42)
- (45) "plaaslike owerheid" 'n munisipale raad, stadsraad, afdelingsraad, dorpsbestuur of 'n soortelyke instelling of liggaam beoog in artikel 84 (1) (f) van die Wet op Provinsiale Bestuur, 1961, of in enige ander wetgewing; (29)
- (46) "sekuriteitswag" 'n werknemer wat een of meer van die volgende werksaamhede verrig:
 (a) Goedere, voertuie of persone deursoek;
 (b) toesig hou oor wagte of beheer oor hulle uitoefen;
 (c) die beweging van persone of voertuie deur kontrolepunte of hekke kontroleer of verslag daaroor doen,
 en van wie ook vereis kan word om enige of al die pligte van 'n wag uit te voer;
- (47) "sleepwa" 'n voertuig wat nie selfgedrewe is nie en wat ontwerp of ingerig is om deur 'n motorvoertuig getrek te word en omvat dit 'n drastel; (55)
- (48) "stukwerk" 'n stelsel waarvolgens 'n werknemer se besoldiging gegrond word op die hoeveelheid werk wat verrig is; (43)
- (49) "swaar motorvoertuig (gelede)" 'n motorvoertuig (gelede) waarvan die bruto kombinasie-massa meer as 9 000 kg maar hoogstens 16 000 kg is; (23)
- (50) "swaar motorvoertuig (nie-gelede)" 'n motorvoertuig (nie-gelede) waarvan die bruto voertuigmassa meer as 9 000 kg maar hoogstens 16 000 kg is; (23)
- (51) "tarra", met betrekking tot 'n motorvoertuig, die massa van sodanige voertuig wanneer dit gereed is om op 'n pad te gaan en ook die massa van—
 (a) enige noodwiel en van alle ander toebehore en uitrusting wat deur die vervaardiger as standaardtoebehore vir die besondere model van die betrokke motorvoertuig verskaf word;
 (b) enigiets wat 'n permanente deel van die bou van sodanige voertuig is; en
 (c) enigiets wat aan sodanige voertuig aangeheg is sodat dit 'n bouverandering van 'n permanente aard uitmaak,
 maar ook nie die massa van—
 (i) brandstof; en of
 (ii) enigiets wat aan sodanige voertuig aangeheg is en nie van die aard is wat in paragraaf (b) of (c) genoem word nie; (53)
- (52) "trekker" 'n motorvoertuig wat ontwerp of ingerig is hoofsaaklik om ander voertuie te trek en nie om enige vrag op hom te dra nie; (54)
- (53) "ultraswaar motorvoertuig" 'n motorvoertuig waarvan die bruto voertuigmassa of die bruto kombinasie-massa 25 000 kg oorskry; (57)
- (54) "versendingsklerk" 'n werknemer wat verantwoordelik is vir die ontvangs, verpakking of versending van goedere of houters vanaf 'n magazyn, pakhuis of opslagplek en wat toesig mag hou oor en die werksaamhede mag nagaan van 'n nasiener of 'n algemene werker; (9)
- (55) "voorman" 'n werknemer wat aan die hoof staan van die werknemers in 'n bedryfsinrigting of 'n afdeling van 'n bedryfsinrigting, wat beheer oor sodanige werknemers uitoefen en wat daarvoor verantwoordelik is dat hulle hul pligte doeltreffend verrig; (16)
- (56) "voerspanmotor" 'n motorvoertuig ontwerp of ingerig om ander voertuie mee te trek en om nie 'n ander vrag as dié wat in die vorm van 'n leunwa of ballas daarop rus, te dra nie; (56)
- (57) "wag" 'n werknemer wat een of meer van die volgende pligte uitvoer:
 (a) Persele, geboue, strukture of ander vaste of roerende eiendom bewaak, beskerm of patroleer;
 (b) honde hanteer of beheer in die uitvoering van een of meer van die pligte in (a) bedoel; (59)
- (58) "week" met betrekking tot 'n werknemer, die tydperk van sewe dae waarbinne die werkweek van sodanige werknemer gewoonlik val; (60)

(59) 'watchman' means an employee other than a security guard, who is engaged in any one or more of the following duties:

- (a) Guarding, protecting or patrolling premises, buildings, structures or fixed or movable property;
 - (b) handling or controlling dogs in the performance of any or all of the duties referred to in (a); (57)
- (60) 'week', in relation to an employee, means the period of seven days within which the working week of that employee ordinarily falls. (58)

3. REMUNERATION

(1) The minimum wage which an employer shall pay to each member of the undermentioned classes of his employees shall be as set out hereunder: Provided that if the employer has been engaged in this trade in an area covered by this determination for a period of more than 12 months but less than 24 months in the aggregate, such wage may be reduced by not more than 10 per cent until he has been thus engaged for a period of 24 months in the aggregate, whereupon the minimum wage specified hereunder shall become payable and be paid:

(a) *Employees, other than casual employees:*

(59) "werkure" sluit in, alle tydperke wat 'n drywer van 'n motorvoertuig, motorvoertuig dryf en alle tyd wat die drywer van 'n motorvoertuig of 'n werknemer van 'n ander klas wat hom vergesel, bestee aan ander werk in verband met die voertuig of die vrag en alle tydperke wat hy verplig is om op sy pos gereed te bly om te werk, maar dit sluit nie in enige etenspouse in klousule 5 (2) voorgeskryf of enige tydperk ten opsigte waarvan enige onderhoudstoelae ingevolge klousule 3 (5) aan 'n werknemer betaalbaar is nie, indien die werknemer gedurende sodanige pouse of tydperk geen ander werk doen nie, behalwe om in beheer te wees van die voertuig en sy vrag, indien daar is, of om die voertuig en sy vrag, indien daar is, op te pas; (25)

(60) "wet" ook die gemene reg. (27)

3. BESOLDIGING

(1) Die minimumloon wat 'n werkgever aan elke lid van ondergenoemde klasse werknemers in sy diens moet betaal, is dié hieronder uiteengesit: Met dien verstande dat die werkgever in die Bedryf in 'n gebied waarin hierdie vasstelling van toepassing is, vir 'n tydperk van langer as 12 maande maar minder as 24 maande altesaam betrokke is, sodanige loon met hoogstens 10 persent verminder mag word totdat hy aldus vir 'n tydperk van 24 maande altesaam betrokke is, waarna die minimum loon wat hieronder bepaal word, betaalbaar word en betaal moet word:

(a) *Werknemers, uitgesonderd los werknemers:*

	In the Magisterial Districts of Bellville, Boksburg*, Brakpan*, Chatsworth, Durban, Goodwood, Inanda, Kempton Park*, Kuils River, Nigel, Oberholzer*, Paarl, Pinetown, Port Elizabeth, Pretoria, Randburg*, Sasolburg, Simon's Town, Somerset West, Stellenbosch, Strand, The Cape, Uitenhage, Wellington, Wonderboom and Wynberg		In the Magisterial Districts of Bloemfontein, Brits*, Bronkhorstspuit, Camperdown, Cullinan, East London, Heidelberg (Tvl), Hennenman*, Kimberley, Klerksdorp, Middelburg (Tvl), Pietermaritzburg, Potchefstroom, Virginia*, Welkom*, Wesselsbron* and Witbank		In the Magisterial Districts of Albany, Balfour, Bethal, Bethlehem, Ermelo, George, Gordonia, Harrismith, Highveld Ridge, Klip River, Knysna, Kroonstad, Lichtenburg, Lower Umfolozi, Malmesbury, Moorreesburg, Mossel Bay, Nelspruit, Newcastle, Oudtshoorn, Parys, Pietersburg, Port Shepstone, Potgietersrus, Rustenburg, Umzinto, Vryburg, White River and Worcester	
	During the first year after this amendment becomes binding	Thereafter	During the first year after this amendment becomes binding	Thereafter	During the first year after this amendment becomes binding	Thereafter
	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R
Artisan.....	145,62	151,85	125,31	130,62	113,77	118,62
Assistant foreman.....	127,62	113,85	110,31	115,62	100,85	105,69
Chargehand.....	64,15	70,38	54,92	60,23	49,85	54,69
Chauffeur.....	69,23	75,46	59,31	64,62	53,77	58,62
Checker.....	66,69	72,92	56,77	62,08	51,69	56,54
Clerical assistant—						
during the first year of experience.....	65,08	71,31	55,85	61,15	50,77	55,62
during the second year of experience.....	69,69	75,92	59,77	65,08	54,23	59,08
thereafter.....	74,08	80,31	63,92	69,23	57,69	62,54
Clerk—						
during the first year of experience.....	73,15	79,38	62,31	67,62	56,77	61,62
during the second year of experience.....	88,62	94,85	75,46	80,77	68,77	73,62
during the third year of experience.....	103,62	109,85	88,38	93,69	80,77	85,62
thereafter.....	119,08	125,31	102,46	107,77	92,77	97,62
Despatch clerk.....	119,08	125,31	102,46	107,77	92,77	97,62
Driver of—						
a light motor vehicle.....	69,23	75,62	59,31	64,62	53,77	58,62
a medium motor vehicle (articulated).....	93,00	99,23	83,31	88,62	72,23	77,08
a medium motor vehicle (rigid).....	88,62	94,85	79,38	84,69	68,77	73,62
a heavy motor vehicle (articulated).....	104,54	110,77	90,69	96,00	82,85	87,70
a heavy motor vehicle (rigid).....	99,69	105,92	86,31	91,62	78,92	83,77
an extra heavy motor vehicle (articulated).....	118,15	124,38	102,23	107,54	93,23	98,08
an extra heavy motor vehicle (rigid).....	112,62	118,85	97,38	102,69	88,85	93,70
an ultra heavy motor vehicle.....	124,15	130,38	107,31	112,62	97,85	102,70
Driver of an internal motor vehicle.....	88,62	94,85	76,38	81,69	68,77	73,62
Driver of a new motor vehicle the tare of which—						
(a) does not exceed 3 500 kg.....	69,23	75,46	59,31	64,62	53,77	58,62
(b) exceeds 3 500 kg.....	88,62	94,85	79,38	84,69	68,77	73,62
Foreman.....	153,69	159,92	132,46	137,77	120,69	125,54
Front-end loader operator.....	99,69	105,92	86,31	91,62	78,69	83,54
Gantry crane operator.....	88,62	94,85	75,92	81,23	68,77	73,62
General worker—						
during the first six months of his employment with the same employer.....	51,92	57,46	44,54	49,15	40,38	44,77
thereafter.....	57,69	63,92	49,38	54,69	44,77	49,62
Handyman.....	79,62	85,85	68,31	73,62	61,85	66,69

	In the Magisterial Districts of Bellville, Boksburg*, Brakpan*, Chatsworth, Durban, Goodwood, Inanda, Kempton Park*, Kuils River, Nigel, Oberholzer*, Paarl, Pinetown, Port Elizabeth, Pretoria, Randburg*, Sasolburg, Simon's Town, Somerset West, Stellenbosch, Strand, The Cape, Uitenhage, Wellington, Wonderboom and Wynberg		In the Magisterial Districts of Bloemfontein, Brits*, Bronkhorstspuit, Camperdown, Cullinan, East London, Heidelberg (Tvl), Hennenman*, Kimberley, Klerksdorp, Middelburg (Tvl), Pietermaritzburg, Potchefstroom, Virginia*, Welkom*, Wesselsbron* and Witbank		In the Magisterial Districts of Albany, Balfour, Bethal, Bethlehem, Ermelo, George, Gordonia, Harrismith, Highveld Ridge, Klip River, Knysna, Kroonstad, Lichtenburg, Lower Umfolozi, Malmesbury, Moorreesburg, Mossel Bay, Nelspruit, Newcastle, Oudtshoorn, Parys, Pietersburg, Port Shepstone, Potgietersrus, Rustenburg, Umzinto, Vryburg, White River and Worcester	
	During the first year after this amendment becomes binding	Thereafter	During the first year after this amendment becomes binding	Thereafter	During the first year after this amendment becomes binding	Thereafter
	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R
Mobile hoist operator—						
Grade I.....	82,15	88,38	70,38	75,69	63,69	68,54
Grade II.....	67,15	73,38	57,92	63,23	52,38	57,23
Packer or loader.....	66,69	72,92	56,77	62,08	51,69	56,54
Repair-shop assistant—						
during the first year of experience.....	70,62	76,85	60,92	66,23	54,69	59,54
during the second year of experience.....	79,62	85,85	68,31	73,62	61,85	66,69
thereafter.....	88,62	94,85	75,92	81,23	68,77	73,62
Security guard.....	73,15	79,38	62,77	68,08	56,77	61,62
Storeman, warehouse.....	119,08	125,31	102,46	107,77	92,77	97,62
Storeman, workshop.....	88,62	94,85	75,46	80,77	68,77	73,62
Watchman.....	64,15	70,38	54,92	60,23	49,85	54,69
Employee not specifically mentioned elsewhere in this subclause.....	64,15	70,38	54,92	60,23	49,85	54,69

* In so far as this Determination applies to the Magisterial District on the strength of clause 1

	In the Magisterial Districts of Amersfoort, Barberton, Barkly West, Beaufort West, Belfast, Bothaville, Brandfort, Caledon, Carolina, Ceres, Cra-dock, Dannhauser, Dundee, Eshowe, Estcourt, Frankfort, Glencoe, Graaff-Reinet, Groblersdal, Heilbron, Hermanus, King William's Town, Koster*, Kuruman, Letaba, Lindley, Lions River, Lower Tugela, Lydenburg, Montagu, Mooi River, Paulpietersburg, Phalaborwa*, Piet Retief, Postmasburg, Reitz, Riversdale, Robertson, Senekal, Soutpansberg, Standerton, Swellendam, Theunissen, Tulbagh, Ventersdorp, Viljoenskroon, Volksrust, Vrede, Vredenburg, Vredefort, Vryheid, Warmbaths, Waterberg, Waterval-Boven and Winburg	
	During the first year after this amendment becomes binding	Thereafter
	Per week R	Per week R
Artisan.....	99,23	103,62
Assistant foreman.....	87,23	91,62
Chargehand.....	42,92	47,31
Chauffeur.....	45,69	50,08
Checker.....	44,31	48,69
Clerical assistant—		
during the first year of experience.....	43,38	47,77
during the second year of experience.....	46,38	50,77
thereafter.....	49,38	53,77
Clerk—		
during the first year of experience.....	48,23	52,62
during the second year of experience.....	58,38	62,77
during the third year of experience.....	69,23	73,62
thereafter.....	80,31	84,69
Despatch clerk.....	80,31	84,69
Driver of—		
a light motor vehicle.....	45,92	50,31
a medium motor vehicle (articulated).....	62,31	66,69
a medium motor vehicle (rigid).....	59,31	63,69
a heavy motor vehicle (articulated).....	70,38	74,77
a heavy motor vehicle (rigid).....	67,15	71,54
an extra heavy motor vehicle (articulated).....	78,92	83,31
an extra heavy motor vehicle (rigid).....	75,23	79,62
an ultra heavy motor vehicle.....	82,85	87,23
Driver of an internal motor vehicle.....	59,31	63,69

	In the Magisterial Districts of Amersfoort, Barberton, Barkly West, Beaufort West, Belfast, Bothaville, Brandfort, Caledon, Carolina, Ceres, Cra-dock, Dannhauser, Dundee, Eshowe, Estcourt, Frankfort, Glencoe, Graaff-Reinet, Groblersdal, Heilbron, Hermanus, King William's Town, Koster*, Kuruman, Letaba, Lindley, Lions River, Lower Tugela, Lydenburg, Montagu, Mooi River, Paulpietersburg, Phalaborwa*, Piet Retief, Postmasburg, Reitz, Riversdale, Robertson, Senekal, Soutpansberg, Standerton, Swellendam, Theunissen, Tulbagh, Ventersdorp, Viljoenskroon, Volksrust, Vrede, Vredenburg, Vrededorp, Vryheid, Warmbaths, Waterberg, Waterval-Boven and Winburg	
	During the first year after this amendment becomes binding	Thereafter
	Per week R	Per week R
Driver of a new motor vehicle the tare of which—		
(a) does not exceed 3 500 kg	45,92	50,31
(b) exceeds 3 500 kg	59,31	63,69
Foreman	103,38	107,77
Front-end loader operator	67,38	71,77
Gantry crane operator	58,85	63,23
General worker—		
during the first six months of his employment with the same employer	34,38	38,31
thereafter	38,31	42,69
Handyman	53,31	57,69
Mobile hoist operator—		
Grade I	54,23	58,62
Grade II	44,31	48,69
Packer or loader	44,31	48,69
Repair-shop assistant—		
during the first year of experience	47,31	51,69
during the second year of experience	53,31	57,69
thereafter	58,85	63,23
Security guard	48,46	52,85
Storeman, warehouse	80,31	84,69
Storeman, workshop	58,38	62,77
Watchman	42,92	47,31
Employee not specifically mentioned elsewhere in this subclause	42,92	47,31

* In so far as this Determination applies to the Magisterial District on the strength of clause 1

	In die landdrostdistrikte Bellville, Boksburg*, Brakpan*, Chatsworth, Die Kaap, Durban, Goodwood, Inanda, Kempton Park*, Kuilsrivier, Nigel, Oberholzer*, Paarl, Pinetown, Port Elizabeth, Pretoria, Randburg*, Sasolburg, Simonstad, Somerset-Wes, Stellenbosch, Strand, Uitenhage, Wellington, Wonderboom en Wynberg		In die landdrostdistrikte Bloemfontein, Brits*, Bronkhorstspuit, Camperdown, Cullinan, Heidelberg (Tvl.) Hennenman*, Kimberley, Klerksdorp, Middelburg (Tvl.) Oos-Londen, Pietermaritzburg, Potchefstroom, Virginia*, Welkom*, Wesselsbron en Witbank		Die landdrostdistrikte Albany, Balfour, Bethal, Bethlehem, Ermelo, George, Gordonias, Harrismith, Hoëveldrif, Kliprivier, Knysna, Kroonstad, Lichtenburg, Lower Umfolozi, Malmesbury, Moorsburg, Mosselbaai, Nelspruit, Newcastle, Oudtshoorn, Parys, Pietersburg, Port Shepstone, Potgietersrus, Rustenburg, Umzinto, Vryburg, Witrivier en Worcester	
	Gedurende die eerste jaar na die inwerking-treding van hierdie wysiging	Daarna	Gedurende die eerste jaar na die inwerking-treding van hierdie wysiging	Daarna	Gedurende die eerste jaar na die inwerking-treding van hierdie wysiging	Daarna
	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R
Algemene werker—						
gedurende die eerste ses maande diens by dieselfde werk-gewer	51,92	57,46	44,54	49,15	40,38	44,77
daarna	57,69	63,92	49,38	54,69	44,77	49,62
Ambagsman	145,62	151,85	125,31	130,62	113,77	118,62
Assistent-voorman	127,62	113,85	110,31	115,62	100,85	105,69
Bediener van 'n laaigraaf	99,69	105,92	86,31	91,62	78,69	83,54
Bediener van 'n mobiele hystoestel—						
graad I	82,15	88,38	70,38	75,69	63,69	68,54
graad II	67,15	73,38	57,92	63,23	52,38	57,23
Bediener van 'n oorhoofse hyskraan	88,62	94,85	75,92	81,23	68,77	73,62
Chauffeur	69,23	75,46	59,31	64,62	53,77	58,62
Drywer van 'n—						
ligte motorvoertuig	69,23	75,62	59,31	64,62	53,77	58,62
medium motorvoertuig (gelede)	93,00	99,23	83,31	88,62	72,23	77,08
medium motorvoertuig (nie-gelede)	88,62	94,85	79,38	84,69	68,77	73,62

	In die landdrosdistrikte Bellville, Boksburg*, Brakpan*, Chatsworth, Die Kaap, Durban, Goodwood, Inanda, Kempton Park*, Kuilsrivier, Nigel, Oberholzer*, Paarl, Pinetown, Port Elizabeth, Pretoria, Randburg*, Sasolburg, Simonstad, Somerset-Wes, Stellenbosch, Strand, Uitenhage, Wellington, Wonderboom en Wynberg		In die landdrosdistrikte Bloemfontein, Brits*, Bronkhorstspuit, Camperdown, Cullinan, Heidelberg (Tvl.) Hennenman*, Kimberley, Klerksdorp, Middelburg (Tvl.) Oos-Londen, Pietermaritzburg, Potchefstroom, Virginia*, Welkom*, Wesselsbron en Witbank		Die landdrosdistrikte Albany, Balfour, Bethal, Bethlehem, Ermelo, George, Gordonia, Harrismith, Hoëveldrif, Kliprivier, Knysna, Kroonstad, Lichtenburg, Lower Umfolozi, Malmesbury, Moorsburg, Mosselbaai, Nelspruit, Newcastle, Oudtshoorn, Parys, Pietersburg, Port Shepstone, Potgietersrus, Rustenburg, Umzinto, Vryburg, Witrivier en Worcester	
	Gedurende die eerste jaar na die inwerking-treding van hierdie wysiging	Daarna	Gedurende die eerste jaar na die inwerking-treding van hierdie wysiging	Daarna	Gedurende die eerste jaar na die inwerking-treding van hierdie wysiging	Daarna
	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R
swaar motorvoertuig (gelede)	104,54	110,77	90,69	96,00	82,85	87,70
swaar motorvoertuig (nie-gelede)	99,69	105,92	86,31	91,62	78,92	83,77
ekstra swaar motorvoertuig (gelede)	118,15	124,38	102,23	107,54	93,23	98,08
ekstra swaar motorvoertuig (nie-gelede)	112,62	118,85	97,38	102,69	88,85	93,70
ultra swaar motorvoertuig	124,15	130,38	107,31	112,62	97,85	102,70
Drywer van 'n interne motorvoertuig	88,62	94,85	76,38	81,69	68,77	73,62
Drywer van 'n nuwe motorvoertuig waarvan die tarra—						
(a) nie 3 500 kg oorskry nie	69,23	75,46	59,31	64,62	53,77	58,62
(b) 3 500 kg oorskry	88,62	94,85	79,38	84,69	68,77	73,62
Faktotum	79,62	85,85	68,31	73,62	61,85	66,69
Herstelwinkelassistent—						
gedurende die eerste jaar ondervinding	70,62	76,85	60,92	66,23	54,69	59,54
gedurende die tweede jaar ondervinding	79,62	85,85	68,31	73,62	61,85	66,69
daarna	88,62	94,85	75,92	81,23	68,77	73,62
Klerk—						
gedurende die eerste jaar ondervinding	73,15	79,38	62,31	67,62	56,77	61,62
gedurende die tweede jaar ondervinding	88,62	94,85	75,46	80,77	68,77	73,62
gedurende die derde jaar ondervinding	103,62	109,85	88,38	93,69	80,77	85,62
daarna	119,08	125,31	102,46	107,77	92,77	97,62
Klerklike assistent—						
gedurende die eerste jaar ondervinding	65,08	71,31	55,85	61,15	50,77	55,62
gedurende die tweede jaar ondervinding	69,69	75,92	59,77	65,08	54,23	59,08
daarna	74,08	80,31	63,92	69,23	57,69	62,54
Magasynman, pakhuis	119,08	125,31	102,46	107,77	92,77	97,62
Magasynman, werkswinkel	88,62	94,85	75,46	80,77	68,77	73,62
Nasiener	66,69	72,92	56,77	62,08	51,69	56,54
Onderbaas	64,15	70,38	54,92	60,23	49,85	54,69
Pakker of laaier	66,69	72,92	56,77	62,08	51,69	56,54
Sekuriteitswag	73,15	79,38	62,77	68,08	56,77	61,62
Versendingsklerk	119,08	125,31	102,46	107,77	92,77	97,62
Voorman	153,69	159,92	132,46	137,77	120,69	125,54
Wag	64,15	70,38	54,92	60,23	49,85	54,69
Werknemer nie elders in hierdie subklousule uitdruklik vermeld nie	64,15	70,38	54,92	60,23	49,85	54,69

* Vir sover hierdie Vastelling uit hoofde van klousule 1 op hierdie landdrosdistrik van toepassing is

	Die landdrosdistrikte Amersfoort, Barberton, Barkly-Wes, Beaufort-Wes, Belfast, Bothaville, Brandfort, Caledon, Carolina, Ceres, Cradock, Dannhauser, Dundee, Eshowe, Estcourt, Frankfort, Glencoe, Graaff-Reinet, Groblersdal, Heilbron, Hermanus, King William's Town, Koster*, Kuruman, Letaba, Lindley, Lionsrivier, Lower Tugela, Lydenburg, Montagu, Mooirivier, Paulpietersburg, Phalaborwa*, Piet Retief, Postmasburg, Reitz, Riversdale, Robertson, Senekal, Soutpansberg, Standerton, Swellendam, Theunissen, Tulbagh, Ventersdorp, Viljoenskroon, Volksrust, Vrede, Vredenburg, Vrededorp, Vryheid, Warmbad, Waterberg, Waterval-Boven en Winburg	
	Gedurende die eerste jaar na die inwerking-treding van hierdie wysiging	Daarna
	Per week R	Per week R
Algemene werker—		
gedurende die eerste ses maande diens by dieselfde werkgewer	34,38	38,31
daarna	38,31	42,69
Ambagsman	99,23	103,62

	Die landdrosdistrikte Amersfoort, Barberton, Barkly-Wes, Beaufort-Wes, Belfast, Bothaville, Brandfort, Caledon, Carolina, Ceres, Cradock, Dannhauser, Dundee, Eshowe, Estcourt, Frankfort, Glencoe, Graaff-Reinet, Groblersdal, Heilbron, Hermanus, King William's Town, Koster*, Kuruman, Letaba, Lindley, Lionsrivier, Lower Tugela, Lydenburg, Montagu, Mooirivier, Paulpietersburg, Phalaborwa*, Piet Retief, Postmasburg, Reitz, Riversdale, Robertson, Senekal, Soutpansberg, Standerton, Swellendam, Theunissen, Tulbagh, Ventersdorp, Viljoenskroon, Volksrust, Vrede, Vredenburg, Vrededorp, Vryheid, Warmbad, Waterberg, Waterval-Boven en Winburg	
	Gedurende die eerste jaar na die inwerkingtreding van hierdie wysiging	Daarna
	Per week R	Per week R
Assistent-voorman	87,23	91,62
Bediener van 'n laaigraaf	67,38	71,77
Bediener van 'n mobiele hystoestel—		
graad I	54,23	58,62
graad II	44,31	48,69
Bediener van 'n oorhoofse hyskraan	58,85	63,23
Chauffeur	45,69	50,08
Drywer van 'n—		
ligte motorvoertuig	45,92	50,31
medium motorvoertuig (gelede)	62,31	66,69
medium motorvoertuig (nie-gelede)	59,31	63,69
swaar motorvoertuig (gelede)	70,38	74,77
swaar motorvoertuig (nie-gelede)	67,15	71,54
ekstra swaar motorvoertuig (gelede)	78,92	83,31
ekstra swaar motorvoertuig (nie-gelede)	75,23	79,62
ultra swaar motorvoertuig	82,85	87,23
Drywer van 'n interne motorvoertuig	59,31	63,69
Drywer van 'n nuwe motorvoertuig waarvan die tarra—		
(a) nie 3 500 kg oorskry nie	45,92	50,31
(b) 3 500 kg oorskry	59,31	63,69
Faktotum	53,31	57,69
Herstelwinkelassistent—		
gedurende die eerste jaar ondervinding	47,31	51,69
gedurende die tweede jaar ondervinding	53,31	57,69
daarna	58,85	63,23
Klerk—		
gedurende die eerste jaar ondervinding	48,23	52,62
gedurende die tweede jaar ondervinding	58,38	62,77
gedurende die derde jaar ondervinding	69,23	73,62
daarna	80,31	84,69
Klerklike assistent—		
gedurende die eerste jaar ondervinding	43,38	47,77
gedurende die tweede jaar ondervinding	46,38	50,77
daarna	49,38	53,77
Magasynman, pakhuys	80,31	84,69
Magasynman, Werkswinkel	58,38	62,77
Nasiener	44,31	48,69
Onderbaas	42,92	47,31
Pakker of laaier	44,31	48,69
Sekuriteitswag	48,46	52,85
Versendingsklerk	80,31	84,69
Voorman	103,38	107,77
Wag	42,92	47,31
Werknemer nie elders in hierdie subklousule uitdruklik vermeld nie	42,92	47,31

* Vir sover hierdie Vastelling uit hoofde van klousule 1 op hierdie landdrosdistrik van toepassing is

(b) *Casual employees.*—For each day or part of a day of employment, other than employment on a public holiday as defined or on a Sunday, not less than the daily wage prescribed under paragraph (a) read with subclause (4) (c) for an employee in the same area who performs the same class of work as the casual employee is required to do, plus 10 per cent: Provided that where the employer requires the casual employee—

- to perform the work of a class of employee for whom wages on a rising scale are prescribed, the expression 'daily wage' shall mean the daily wage for a qualified employee of that class;
- to work for a period of not more than four consecutive hours on any day, his wage as referred to in this paragraph may be reduced by not more than 50 per cent in respect of that day.

(2) *Basis of contract.*—For the purposes of this clause the contract of employment of an employee, other than a casual employee, shall be on a weekly basis, and, save as provided in clause 4 (6), he shall be paid in respect of a week not less than the full weekly wage prescribed in subclause (1), read with the definition of 'wage' in clause 2 and with subclause (3), for an employee of his class in the area in which he works, whether he has in that week worked the maximum number of ordinary hours of work applicable to him or less.

(b) *Los werknemers.*—Vir elke dag of gedeelte van 'n dag diens, uitgesonderd diens op 'n openbare vakansiedag soos omskryf of op 'n Sondag, minstens die dagloon voorgeskryf kragtens paragraaf (a) gelees met subklousule (4) (c) vir 'n werknemer in dieselfde gebied wat vir die werkgever dieselfde klas werk verrig as dié wat van die los werknemer vereis word, plus 10 persent: Met dien verstande dat waar die werkgever van die werknemer vereis om—

- die werk te verrig van 'n klas werknemer vir wie 'n loon teen 'n stygende skaal voorgeskryf word, die uitdrukking "dagloon" beteken die loon van 'n gekwalifiseerde werknemer van daardie klas.
- vir 'n tydperk van hoogstens vier agtereenvolgende ure op enige dag te werk, sy loon waarna in hierdie paragraaf verwys word, met hoogstens 50 persent ten opsigte van sodanige dag verminder kan word.

(2) *Kontrakgrondslag.*—By die toepassing van hierdie klousule moet die dienskontrak van 'n werknemer, uitgesonderd 'n los werknemer, op 'n weeklikse grondslag berus en, behoudens klousule 4 (6), moet hy ten opsigte van 'n week minstens die volle weekloon betaal word wat by subklousule (1), gelees met die omskrywing van "loon" in klousule 2 en met subklousule (3), vir 'n werknemer van sy klas in die gebied waarin hy werk, voorgeskryf word, afgesien daarvan of hy in so 'n week die maksimum getal gewone werkure of minder, gewerk het.

(3) *Differential wage.*—An employer who requires or permits a member of one class of his employees to perform for longer than one hour in the aggregate on any day, either in addition to his own work or in substitution therefor, work of another class for which—

- (a) a wage higher than that of his own class is prescribed in subclause (1), shall pay to such employee in respect of that day not less than the daily wage calculated at the higher rate; or
- (b) a rising scale of wages terminating in a wage higher than that of his own class is prescribed in subclause (1), shall pay to such employee in respect of that day not less than the daily wage calculated on the notch in the rising scale immediately above the wage which the employee was receiving for his ordinary work:

Provided that—

- (i) this subclause shall not apply where the difference between the classes in terms of subclause (1) is based on experience;
- (ii) unless expressly otherwise provided in a written contract between an employer and his employee, nothing in this determination shall be so construed as to preclude an employer from requiring his employee to perform work of another class for which class the same or a lower wage is prescribed than that prescribed for such employee.

(4) *Calculation of wages.*—(a) The hourly wage of an employee, other than a casual employee, shall be his weekly wage divided by the number of ordinary hours of work normally worked by such employee in any week, which shall not be in excess of his ordinary hours of work.

(b) Subject to subclause (1) (b) (ii), the hourly wage of a casual employee shall be the wage payable to him for that day divided by the number of ordinary hours worked by him on such day.

(c) The daily wage of an employee, other than a casual employee, shall be his weekly wage divided by the number of days normally worked by him in a week.

(d) The monthly wage of an employee shall be four and a third times his weekly wage.

(5) *Subsistence allowance.*—(a) Employer shall, in addition to any other remuneration due, pay his employee who, on any journey undertaken in the performance of his duties, is absent from his place of residence and his employer's establishment for any period extending over one or more nights, a subsistence allowance of not less than—

- (i) in the case of a driver—
 - (aa) R5 for each night of such absence: Provided that where the employer provides a bed this allowance may be reduced by not more than R1 per night; and
 - (bb) R2 per meal-time, not exceeding three per day, occurring during such absence;
- (ii) in the case of a general worker, a packer or a loader or a charge-hand—
 - (aa) R2,50 for each night of such absence; and
 - (bb) R2 per meal-time, not exceeding three per day, occurring during such absence.

(b) An employer shall pay all allowances due to an employee in terms of paragraph (a) within seven days of the completion of any trip.

(c) For the purposes of this subclause the expression 'night' means the period between 23h00 and 04h00.

4. PAYMENT OF REMUNERATION

(1) *Employees, other than casual employees.*—Save as provided in clauses 3 (5) and 6 (4), any amount due to an employee, other than a casual employee, shall be paid weekly, fortnightly or monthly in cash or, with the consent of the employee by cheque during the ordinary hours of work, or within 15 minutes thereafter on the usual pay-day of the establishment for such employee or on termination of employment if this takes place before the usual pay-day, and such amount shall be contained in a sealed envelope or container on which shall be recorded, or which shall be accompanied by a statement showing—

- (a) the employer's name;
- (b) the employee's name or his number on the pay-roll and his class;
- (c) the period in respect of which payment is made;
- (d) the number of ordinary hours of work worked by the employee in that period;
- (e) the number of overtime hours worked by the employee in that period;
- (f) the number of hours worked by the employee on a Sunday or a public holiday as defined;
- (g) the employee's wage;
- (h) details of any other remuneration arising out of the employee's employment;
- (i) details of any deductions made; and
- (j) the actual amount paid to the employee;

(3) *Differensiële loon.*—'n Werkgewer wat van 'n lid van een klas van sy werknemers vereis of hom toelaat om langer as altesaam een uur op 'n dag of benewens sy eie werk of in die plek daarvan, werk van 'n ander klas te verrig waarvoor of—

- (a) 'n hoër loon as dié van sy eie klas soos by subklousule (1) voorgeskryf word, moet ten opsigte van daardie dag aan sodanige werknemer minstens die dagloon bereken teen die hoër tarief, betaal;
- (b) 'n stygende loonskaal wat uitloop op 'n hoër loon as dié van sy eie klas, soos by subklousule (1) voorgeskryf word, moet ten opsigte van daardie dag aan sodanige werknemer minstens die dagloon bereken op die kerf in die stygende skaal onmiddellik bokant die loon wat die werknemer vir sy gewone werk ontvang het, betaal:

Met dien verstande dat—

- (i) hierdie subklousule nie geld nie wanneer die verskil tussen die klasse ingevolge subklousule (1) op ondervinding berus;
- (ii) tensy daar in 'n skriftelike kontrak tussen 'n werkgewer en sy werknemer uitdruklik anders bepaal word, niks in hierdie vasstelling só uitgelê mag word nie dat dit 'n werkgewer belet om van sy werknemer te vereis om 'n ander klas werk te verrig waarvoor die voorgeskrewe loon dieselfde of laer is as dié wat vir so 'n werknemer voorgeskryf word.

(4) *Loonberekening.*—(a) Die uurloon van 'n werknemer, uitgesonderd 'n los werknemer, is sy weekloon gedeel deur die getal gewone ure wat normaalweg deur die betrokke werknemer in 'n week gewerk word, en wat nie sy gewone werkure oorskry nie.

(b) Behoudens subklousule (1) (b) (ii), is die uurloon van 'n los werknemer die loon wat aan hom vir daardie dag betaalbaar is, gedeel deur die getal gewone werkure deur hom op daardie dag gewerk.

(c) Die dagloon van 'n werknemer, uitgesonderd 'n los werknemer, is sy weekloon gedeel deur die getal dae wat hy gewoonlik in 'n week werk.

(d) Die maandloon van 'n werknemer is vier en 'n derde maal sy weekloon.

(5) *Onderhoudstoelae.*—(a) Benewens die betaling van enige ander besoldiging verskuldig, moet 'n werkgewer aan 'n werknemer wat op enige reis wat hy in die uitvoering van sy pligte onderneem, vir 'n tydperk van een of meer nagte van sy woonplek en sy werkgewer se bedryfsinrigting afwesig is, 'n onderhoudstoelae betaal van minstens—

- (i) in die geval van 'n drywer—
 - (aa) R1,50 vir elke nag van sodanige afwesigheid; Met dien verstande dat hierdie toelae minstens R1 per nag verminder mag word indien die werkgewer vir die werknemer 'n oordag verskaf; en
 - (bb) R2 per maaltyd wat gedurende sodanige afwesigheid nie drie maaltye per dag oorskry nie;
- (ii) in die geval van 'n algemene werker, 'n pakker of laaier of 'n onderbaas—
 - (aa) R2,50 vir elke nag van sodanige afwesigheid; en
 - (bb) R2 per maaltyd wat gedurende sodanige afwesigheid nie drie maaltye per dag oorskry nie;

(b) 'n Werkgewer moet alle toelae wat ingevolge paragraaf (a) aan 'n werknemer betaalbaar is, binne sewe dae na afloop van enige reis aan hom betaal.

(c) By die toepassing van hierdie subklousule beteken die uitdrukking "nag" die tydperk tussen 23h00 en 04h00.

4. BETALING VAN BESOLDIGING

(1) *Werknemers, uitgesonderd los werknemers.*—Behoudens klousules 3 (5) en 6 (4) moet enige bedrag verskuldig aan 'n werknemer, uitgesonderd 'n los werknemer, weekliks, tweeweekliks of maandeliks in kontant betaal word en met die toestemming van die werknemer per tjek gedurende sy gewone werkure, of binne 15 minute daarna op die gewone betaaldag van die bedryfsinrigting vir sodanige werknemer of by diensbeëindiging, as dit voor die gewone betaaldag geskied, en sodanige bedrag moet in 'n verseëlde kovert of hour wees waarop, of wat vergesel gaan van 'n staat waarop, gemeld word—

- (a) die werkgewer se naam;
- (b) die werknemer se naam of sy nommer op die betaalstaat en sy klas;
- (c) die tydperk waarvoor die betaling geskied;
- (d) die getal gewone werkure wat die werknemer gedurende daardie tydperk gewerk het;
- (e) die getal ure wat die werknemer gedurende daardie tyd oortyd gewerk het;
- (f) die getal ure wat die werknemer op 'n Sondag of 'n openbare feesdag soos omskryf, gewerk het;
- (g) die werknemer se loon;
- (h) besonderhede van enige ander besoldiging wat uit die werknemer se diens voortspruit;
- (i) besonderhede van enige bedrag wat afgetrek is; en
- (j) die netto bedrag wat aan die werknemer betaal word;

and such envelope or container on which these particulars are recorded or such statement shall become the property of the employee: Provided that if an employee is absent on the usual pay-day of the establishment, he shall be paid within 24 hours of his return to the establishment: Provided further that—

- (i) the particulars prescribed above may be recorded on such envelope or container or in such statement in code which code shall be fully set out and explained in an accompanying notice or a notice kept posted in some conspicuous place in the establishment, accessible to all employees affected thereby;
- (ii) at the employee's written request the amount due to him may be paid into his building society or bank account by his employer who shall hand to him the relevant receipt together with the aforementioned statement;
- (iii) the information relating to subparagraphs (d), (e) and (f) need not be furnished in respect of an employee who is excluded from the hours of work provisions by virtue of clause 5 (7) (a).

(2) *Casual employee.*—An employer shall pay the remuneration due to a casual employee in cash on termination of his employment, but at least once a week.

(3) *Premiums.*—Subject to the provisions of any other law no payment by or on behalf of an employee shall be accepted by an employer, either directly or indirectly, in respect of the employment or training of that employee.

(4) *Purchase of goods.*—An employer shall not require his employee to purchase anything from him or from any shop, place or person nominated by him.

(5) *Accommodation, meals and rations.*—Subject to the provisions of any other law, an employer shall not require his employee to accept accommodation, meals or rations from him or from any person or at any place nominated by him.

(6) *Deductions.*—An employer shall not levy any fines against his employee nor shall he make any deductions from his employee's remuneration other than the following:

- (a) With the written consent of his employee, a deduction for a holiday, sick, medical, insurance, savings, provident or pension fund or subscriptions to a trade union;
- (b) except where otherwise provided in this determination, whenever an employee is absent from work, other than at the instance of his employer, a deduction proportionate to the period of his absence and calculated on the basis of the wage which such employee was receiving in respect of his ordinary hours of work at the time of such absence;
- (c) a deduction of any amount which an employer by law or order of any competent court is required or permitted to make;
- (d) whenever an employee is required by law or agrees to accept accommodation, meals or rations from his employer, a deduction not exceeding the following amounts:

	Per week	Per month
	R	R
(i) Accommodation.....	1,50	6,50
(ii) Meals and/or rations.....	3,00	13,00
(iii) Accommodation and meals and/or rations	4,50	19,50;

- (e) whenever the ordinary hours of work are reduced on account of short-time, a deduction not exceeding the amount of the employee's (other than a casual employee's) hourly wage in respect of each hour of such reduction: Provided that—

- (i) such deduction shall not exceed one third of the employee's weekly wage, irrespective of the number of hours by which the ordinary hours of work are thus reduced;
- (ii) no deduction shall be made in the case of short-time arising out of slackness of trade unless the employer has given his employee notice on the previous work-day of his intention to reduce the ordinary hours of work;
- (iii) no deduction shall be made in the case of short-time owing to the vagaries of the weather, a breakdown of vehicles, plant or machinery or a breakdown or threatened breakdown of buildings, in respect of the first hour not worked, unless the employer has given his employee notice on the previous day that no work will be available;

- (f) with the written consent of an employee, a deduction of any amount which the employer has paid or has undertaken to pay to—

- (i) any banking institution, building society, insurance business, local authority, registered financial institution or the State in respect of a payment on a loan granted to such employee to acquire a dwelling;
- (ii) any organisation or body in respect of the rent of a dwelling or accommodation in a hostel occupied by such employee if such dwelling or hostel is provided through the instrumentality of such organisation or body wholly or partly from funds advanced for that purpose by the State or a body referred to in subparagraph (i);

en sodanige koeverf of houer waarop hierdie inligting aangeteken is of sodanige staat word die eiendom van die werknemer: Met dien verstande dat as 'n werknemer op die gewone betaaldag van die bedryfsinrigting afwesig is, hy betaal moet word binne 24 uur nadat hy na die bedryfsinrigting terugkeer: Voorts met dien verstande dat—

- (i) die besonderhede hierbo voorgeskryf, in kodevorm op die koeverf of houer of staat opgeteken kan word en dat sodanige kode volledig uiteengesit en verduidelik moet word in 'n bygaande kennisgewing of 'n kennisgewing wat opgeplak gehou moet word op 'n opvallende plek in die bedryfsinrigting wat toeganklik is vir alle werknemers wat by die saak betrokke is;
- (ii) met die toestemming van 'n werknemer, die bedrag aan hom verskuldig op sy skriftelike versoek, gestort kan word in sy bouvereniging- of bankrekening deur die werkgewer wat die betrokke kwitansie, tesame met voornoemde staat aan hom moet oorhandig;
- (iii) die inligting met betrekking tot paragrawe (d), (e) en (f) nie verstrek hoef te word nie aan 'n werknemer wat ingevolge klousule 5 (7) (a) van die werkerebepalings uitgesluit is.

(2) *Los werknemer.*—'n Werkgewer moet die besoldiging wat aan 'n los werknemer verskuldig is, by die beëindiging van sy diens in kontant aan hom betaal, maar minstens een maal per week.

(3) *Premies.*—Behoudens die bepaling van enige ander wet mag geen bedrag regstreeks of onregstreeks deur 'n werkgewer van of ten behoeve van 'n werknemer aangeneem word vir die indiensneming of opleiding van daardie werknemer nie.

(4) *Koop van goedere.*—'n Werkgewer mag nie van sy werknemer vereis om inligting van hom of van enige winkel, plek of persoon deur hom aangewys, te koop nie.

(5) *Huisvesting, etes of rantsoene.*—Behoudens die bepaling van enige ander wet mag 'n werkgewer nie van sy werknemer vereis om huisvesting, etes of rantsoene van enigiemand anders of op enige plek deur hom aangewys, aan te neem nie.

(6) *Aftrekkings.*—'n Werkgewer mag sy werknemer geen boetes ople of enige bedrae van sy werknemer se besoldiging aftrek nie, uitgesonderd die volgende:

- (a) Met die skriftelike toestemming van die werknemer, 'n bedrag vir 'n vakansie-, siektebystands-, mediese hulp-, versekerings-, spaar-, voorsorg- of pensioenfonds of vir ledegeld van 'n vakvereniging;
- (b) behoudens andersluidende bepalinge in hierdie vasstelling, telkens wanneer 'n werknemer om 'n ander rede as deur die toedoen van sy werkgewer van sy werk afwesig is, 'n bedrag eweredig aan die tydperk van sy afwesigheid en bereken op die grondslag van die loon wat sodanige werknemer ten tyde van sodanige afwesigheid ten opsigte van sy gewone werkure ontvang het;
- (c) enige bedrag wat 'n werkgewer regtens of kragtens of ingevolge 'n bevel van 'n bevoegde hof moet of kan aftrek;
- (d) wanneer daar regtens van 'n werknemer vereis word of wanneer hy daartoe instem om huisvesting, etes of rantsoene van sy werkgewer aan te neem, 'n bedrag van hoogstens:

	Per week	Per maand
	R	R
(i) Huisvesting	1,50	6,50
(ii) Etes en/of rantsoene	3,00	13,00
(iii) Huisvesting, etes en/of rantsoene	4,50	19,50;

- (e) wanneer die gewone werkure weens korttyd verminder word, 'n bedrag van hoogstens die werknemer (uitgesonder 'n los werknemer) se uurloon vir elke uur van sodanige vermindering: Met dien verstande dat—

- (i) sodanige aftrekking hoogstens een derde van die werknemer se weekloon is, ongeag die getal ure waarmee die gewone werkure aldus verminder word;
- (ii) geen aftrekking ten opsigte van korttyd wat deur 'n slapte in die Bedryf of 'n tekort aan grondstowwe of spoorwegtrokke ontstaan, geskied nie tensy die werkgewer sy werknemer op die vorige werkdag kennis gegee het van sy voorneme om die gewone werkure te verminder;
- (iii) geen aftrekking ten opsigte van korttyd geskied nie vir die eerste uur waarin daar nie gewerk word nie weens gure weer, 'n onklaarraking van die installasie of masjienerie of weens die feit dat die geboue onbruikbaar is of dreig om dit te word, tensy die werkgewer sy werknemer op die vorige dag kennis gegee het dat daar geen werk sal wees nie;

- (f) met die skriftelike toestemming van 'n werknemer, enige bedrag wat 'n werkgewer betaal het of onderneem het om te betaal aan—

- (i) enige bankinstelling, bouvereniging, versekeringsonderneming, plaaslike owerheid, geregistreerde finansiële instelling of die Staat ten opsigte van 'n lening aan sodanige werknemer toegestaan om 'n woning te bekom;
- (ii) enige organisasie of liggaam ten opsigte van die huur van 'n woning of akkommodasie in 'n hostel deur sodanige werknemer geokkupeer as sodanige woning of hostel voorsien is deur bedeling van sodanige organisasie of liggaam geheel of gedeeltelik uit fondse voorgeskiet vir daardie doel deur die Staat of 'n liggaam bedoel in subparagraaf (i);

- (g) with the written consent of the employee, a deduction of any amount loaned or advanced to him by the employer: Provided that any deduction for the repayment of any such loan or advance shall not exceed one third of the total remuneration due to the employee on the pay-day concerned and provided further that no such deduction shall be made in respect of any period during which the employee's wage is reduced in terms of paragraph (e).

5. ORDINARY HOURS OF WORK, OVERTIME, AND PAYMENT FOR OVERTIME

(1) *Ordinary hours of work.*—An employer shall not require or permit an employee to work more ordinary hours of work than, in the case of—

- (a) a casual employee in an establishment in which employees normally work on—
- (i) not more than five days in a week, nine and a quarter on any day;
 - (ii) more than five days in a week, eight and a half on any day;
- (b) a security guard and a watchman—
- (i) 60 in any week from Monday to Saturday, inclusive; and
 - (ii) subject to subparagraph (i), in the case of an employee who normally works on—
 - (aa) not more than five days in a week, 12 on any day;
 - (ab) more than five days in a week, 10 on any day;
- (c) any other employee—
- (i) 46 in any week from Monday to Saturday, inclusive; and
 - (ii) subject to subparagraph (i), in the case of an employee who normally works on—
 - (aa) not more than five days in a week, nine and a quarter on any day;
 - (ab) more than five days in a week, eight on any day, unless the hours on one day do not exceed five, in which case the hours on any of the other days may be extended to eight and a half.

(2) *Meal intervals.*—An employer shall not require or permit an employee to work for more than five hours continuously without a meal interval of not less than one hour during which interval such employee shall be required or permitted to perform any work, and such interval shall not form part of the ordinary hours of work or overtime: Provided that the period of five hours may be extended to not more than six hours for the purpose of loading or unloading a vehicle: Provided further that—

- (a) an employer may agree with his employee to reduce the period of such interval to not less than half an hour, and in that event, and after the employer has informed the Divisional Inspector, Department of Manpower, for his area, in writing of such agreement, the interval may be so reduced;
- (b) periods of work interrupted by intervals of less than one hour, except when proviso (a) or (e) applies, shall be deemed to be continuous;
- (c) if such interval is longer than one hour any period in excess of one and a quarter hours shall be deemed to be time worked;
- (d) only one such interval during the ordinary hours of work of an employee on any day shall not form part of the ordinary hours of work;
- (e) when on any day because of overtime worked an employer is required to give an employee a second meal interval, such interval may be reduced to not less than 15 minutes;
- (f) a driver of a motor vehicle who during such interval does not work other than being or remaining in charge of the vehicle and its load shall be deemed for the purposes of this subclause not to have worked during such interval.

(3) *Rest intervals.*—An employer shall grant to his employees a rest interval of not less than 10 minutes as nearly as practicable in the middle of each first work period and a second work period of the day, and during such interval such employee shall not be required or permitted to perform any work, and such interval shall be deemed to be part of the ordinary hours of work of such employee.

(4) *Hours of work to be consecutive.*—Save as provided in subclause (2), all hours of work of an employee on any day shall be consecutive.

(5) *Limitation of overtime.*—An employer shall not require or permit an employee to work overtime other than in accordance with an agreement concluded with the employee: Provided that the overtime—

- (a) together with the number of ordinary hours of work, shall not exceed 14 hours on any day;
- (b) shall not exceed 12 hours in any week in the case of a security guard or a watchman;
- (c) shall not exceed 15 hours in any week in the case of any other employee: Provided further than this shall not apply where an employee is performing work in connection with the cartage of goods or containers over a distance exceeding 480 km in one direction from the point of departure to the destination.

- (g) met die skriftelike toestemming van 'n werknemer, 'n aftrekking, in een of meer paaiemente, van enige bedrag wat die werkgewer aan hom geleen of voorgesket het: Met dien verstande dat sodanige aftrekking hoogstens een derde van die totale besoldiging is wat op die betrokke betaaldag aan die werknemer verskuldig is en met dien verstande voorts dat geen sodanige aftrekking gemaak mag word vir enige tydperk waartydens die werknemer se loon ingevolge subparagraaf (e) verminder is nie.

5. GEWONE WERKURE EN OORTYD EN BETALING VIR OORTYDWERK

(1) *Gewone werkure.*—'n Werkgewer mag nie van 'n werknemer vereis of hom toelaat om meer gewone werkure te werk nie, in die geval van—

- (a) 'n los werknemer in 'n bedryfsinrigting waarin die werknemers gewoonlik werk op—
 - (i) nie meer as vyf dae per week nie, nege en 'n kwart op enige dag;
 - (ii) meer as vyf dae per week, agt en 'n half dag op enige dag;
- (b) 'n sekuriteitswag of 'n wag—
 - (i) 60 per week van Maandag tot en met Saterdag; en
 - (ii) behoudens subparagraaf (i), in die geval van 'n werknemer wat normaalweg op—
 - (aa) nie meer as vyf dae per week werk nie, 12 op enige dag;
 - (ab) meer as vyf dae per week werk, 10 op enige dag;
- (c) enige ander werknemer—
 - (i) 46 per week vanaf Maandag tot en met Saterdag; en
 - (ii) behoudens subparagraaf (i), in die geval van 'n werknemer wat normaalweg op—
 - (aa) nie meer as vyf dae per week werk nie, nege en 'n kwart op 'n dag;
 - (ab) meer as vyf dae per week werk, agt op enige dag, tensy die ure op een dag hoogstens vyf is, in welke geval die ure op enigiene van die ander dae tot agt en 'n half verleng kan word.

(2) *Etenspouse.*—'n Werkgewer mag nie van 'n werknemer vereis of hom toelaat om meer as vyf uur aaneen sonder 'n etenspouse van minstens een uur te werk nie, en gedurende sodanige pouse mag daar nie van sodanige werknemer vereis word of mag hy nie toegelaat word om enige werk te verrig nie, en sodanige pouse maak nie deel van die gewone werkure of oortyd uit nie: Met dien verstande dat die tydperk van vyf uur tot hoogstens ses uur verleng mag word vir die doel om die laai of aflaai van 'n voertuig te voltooi, en met dien verstande voorts dat—

- (a) 'n werkgewer met sy werknemer ooreen kan kom om die duur van sodanige pouse tot minstens 'n halfuur te verkort, en in so 'n geval en nadat die werkgewer die Afdelingsinspekteur, Departement van Mannekrag, vir sy gebied skriftelik in kennis gestel het van sodanige ooreenkomste, kan die pouse aldus verkort word;
- (b) werktidperke wat onderbreek word deur pouses van minder as een uur, uitgesonderd waar voorbehoudbepaling (a) en (e) van toepassing is, geag word aaneenlopend te wees;
- (c) as sodanige pouse langer as een uur duur enige tyd wat een en 'n kwart uur te bowe gaan, geag word werktid te wees;
- (d) slegs een sodanige pouse gedurende 'n werknemer se gewone werkure op 'n dag nie deel van die gewone werkure mag uitmaak nie;
- (e) wanneer daar, vanweë oortyd wat gewerk is, van 'n werkgewer vereis word om op 'n dag 'n tweede etenspouse aan 'n werknemer toe te staan, sodanige pouse tot minstens 15 minute verkort mag word;
- (f) 'n drywer wat gedurende sodanige pouse geen ander werk verrig as om in beheer van die voertuig te wees of te bly nie, by die toepassing van hierdie subklousule geag word nie gedurende sodanige pouse te gewerk het nie.

(3) *Ruspouse.*—'n Werkgewer moet, so na as doenlik aan die middel van elke eerste en tweede werktidperk van die dag, aan elkeen van sy werknemers 'n ruspouse van minstens 10 minute toestaan waarin daar nie van sodanige werknemer vereis of hy nie toegelaat mag word om werk te verrig nie, en daar word geag dat so 'n pouse deel van die gewone werkure van so 'n werknemer uitmaak.

(4) *Werkure moet agtereenvolgend wees.*—Behoudens subklousule (2) moet alle werkure van 'n werknemer op elke dag agtereenvolgend wees.

(5) *Beperking van oortydwerk.*—'n Werkgewer mag nie van 'n werknemer vereis of hom toelaat om oortyd te werk nie behalwe ingevolge 'n ooreenkoms wat hy met die werknemer aangegaan het en met dien verstande dat die oortyd—

- (a) tesame met die getal gewone werkure nie meer as 14 uur op enige dag is nie;
- (b) nie meer as 12 uur in enige week in die geval van 'n sekuriteitswag of 'n wag oorskry nie;
- (c) nie meer as 15 uur in enige week in die geval van enige ander werknemer oorskry nie: Met dien verstande verder dat dit nie van toepassing is terwyl 'n werknemer diens verrig met betrekking tot die karwei van goedere of houe oor 'n afstand van meer as 480 km in een rigting van die wegtrekplek tot by die plek van bestemming.

(6) *Payment for overtime.*—An employer shall pay an employee who works overtime at a rate of not less than one and a third times his hourly wage in respect of the total period so worked by such employee—

- (a) on any day in the case of a casual employee;
- (b) in any week, fortnight or month, in the case of any other employee, depending on whether his wage is paid weekly, fortnightly or monthly, respectively.

(7) *Savings.*—(a) This clause shall not apply to an employee if and for so long as he is in receipt of a regular wage of not less than—

- (i) R1 550 per month in the areas mentioned in clause 1 (1) (a) (i), (b) (i), (c) (i) and (d) (i);
- (ii) R1 430 per month in the areas mentioned in clause 1 (1) (a) (ii), (b) (ii), (c) (ii) and (d) (ii); and
- (iii) R1 320 per month in the area mentioned in clause 1 (1) (a) (iii), (b) (iii), (c) (iii) and (d) (iii).

(b) Subclauses (2), (3), (4) and (5) shall not apply to an employee while he is engaged on emergency work.

(c) Subclause (3) shall not apply to a driver or an employee providing assistance on or accompanying a motor vehicle while such vehicle is not at the employer's establishment.

(d) Subclauses (2) and (3) shall not apply to a security guard or a watchman: Provided that if such employee is allowed a meal interval, the time taken up by such interval shall, for the purposes of subclause (1), be regarded as time worked by him.

6. ANNUAL LEAVE

(1) (a) Subject to subclause (2), an employer shall grant to his employee, other than a casual employee, and the employee shall take in respect of each completed period 12 months, of employment with the employer, leave as follows:

- (i) In the case of a security guard or a watchman whose ordinary hours of work exceed 48 in a week and who normally works on—
 - (aa) not more than five days in a week, 20 consecutive work-days;
 - (ab) more than five days in a week, 24 consecutive work-days;
- (ii) in the case of a security guard or a watchman whose ordinary hours of work do not exceed 48 in a week and who normally works on—
 - (aa) not more than five days in a week, 15 consecutive work-days;
 - (ab) more than five days in a week, 18 consecutive work-days;
- (iii) subject to the proviso to paragraph (b), in the case of any other employee who normally works on—
 - (aa) not more than five days in a week, 15 consecutive work-days;
 - (ab) more than five days in a week, 18 consecutive work-days.

(b) The employer shall pay the employee in respect of such leave, in the case of an employee referred to in paragraph (a) (i) an amount of not less than four times and, in the case of an employee referred to in paragraph (a) (ii) or (iii), an amount of not less than three times the weekly wage which the employee was receiving immediately prior to the date on which the leave commenced: Provided that an employee referred to in paragraph (a) (ii) who before paragraph (a) (i) became binding had become entitled to at least 20 consecutive work-days' leave or 24 consecutive work-days' leave, depending on whether he worked on five days per week or more, respectively, shall retain such leave entitlement while employed by the same employer.

(2) The leave prescribed in subclause (1) shall be granted and be taken, as the case may be, at a time to be fixed by the employer: Provided that—

- (a) if such leave has not been granted earlier, it shall, save as provided in subclause (3), be granted and be taken so as to commence within four months after the completion of the 12 months of employment to which it relates or, if the employer and employee have agreed thereto in writing before the expiration of the said period of four months, the employer shall grant such leave to the employee and the employee shall take such leave as from a date not later than two months after the expiration of the said period of four months;
- (b) the period of leave shall not be concurrent with—
 - (i) sick leave in terms of clause 7 or with absence from work owing to incapacity in the circumstances set out in clause 7 (4) (a) or
 - (b) amounting in the aggregate in any period of 12 months to not more than 15 weeks;
 - (ii) any period during which the employee is under notice of termination of employment in terms of clause 12; or
 - (iii) any period during which the employee is doing military service;
- (c) an employer may set off against such period of leave any days of occasional leave granted on full pay to his employee at such employee's written request during the period of employment to which the period of leave relates.

(6) *Betaling vir oortydwerk.*—'n Werkgever moet 'n werknemer wat oortyd werk, minstens een en 'n derde maal sy uurloon betaal ten opsigte van die totale tydperk aldus gewerk—

- (a) op enig dag in die geval van 'n los werknemer;
- (b) op enige week, 14 dae of maand, in die geval van enige ander werknemer, afhange van daarvan of sy loon onderskeidelik weekliks, tweewekliks of maandeliks betaal word.

(7) *Voorbehoudsbepalings.*—(a) Hierdie klousule is nie van toepassing nie op 'n werknemer wat gereeld 'n loon ontvang van minstens—

- (i) R1 550 per maand in die gebiede genoem in klousule 1 (1) (a) (i), (b) (i), (c) (i) en (d) (i);
- (ii) R1 430 per maand in die gebiede genoem in klousule 1 (1) (a) (ii), (b) (ii), (c) (ii) en (d) (ii); en
- (iii) R1 320 per maand in die gebiede genoem in klousule 1 (1) (a) (iii), (b) (iii), (c) (iii) en (d) (iii).

(b) Subklousules (2), (3), (4) en (5) is nie op 'n werknemer van toepassing nie terwyl hy noodwerk verrig.

(c) Subklousule (3) is nie van toepassing nie op 'n drywer of op 'n werknemer wat op 'n motorvoertuig behulpsaam is of dit vergesel terwyl sodanige voertuig nie by die bedryfsinrigting van die werkgever is nie.

(d) Subklousules (2) en (3) is nie van toepassing op 'n sekuriteitswag of 'n wag nie: Met dien verstande dat indien so 'n werknemer 'n etenspouse toegestaan is, die tyd in beslag geneem deur sodanige pouse vir die toepassing van subklousule (1) beskou word as tyd wat hy gewerk het.

6. JAARLIKSE VERLOF

(1) (a) Behoudens subklousule (2) moet 'n werkgever aan sy werknemer, uitgesonderd 'n los werknemer, ten opsigte van elke voltooië tydperk van 12 maande diens by die werkgever, verlof verleen en die werknemer moet die verlof soos volg neem:

- (i) in die geval van 'n sekuriteitswag of 'n wag wie se gewone werkure 48 in 'n week oorskry en wat gewoonlik op—
 - (aa) nie meer as vyf dae per week werk nie, 20 agtereenvolgende werkdae;
 - (ab) meer as vyf dae in 'n week werk, 24 agtereenvolgende werkdae;
- (ii) in die geval van 'n sekuriteitswag of 'n wag wie se gewone werkure nie 48 in 'n week oorskry nie en wat gewoonlik op—
 - (aa) nie meer as vyf dae per week werk nie, 15 agtereenvolgende werkdae;
 - (ab) meer as vyf dae in 'n week werk, 18 agtereenvolgende werkdae;
- (iii) behoudens voorbehoudsbepaling (ii) in paragraaf (b) in die geval van alle ander werknemers wat gewoonlik op—
 - (aa) nie meer as vyf dae per week werk nie, 15 agtereenvolgende werkdae;
 - (ab) meer as vyf dae in 'n week werk, 18 agtereenvolgende werkdae.

(b) Die werkgever moet die werknemer ten opsigte van sodanige verlof betaal, in die geval van 'n werknemer in paragraaf (a) (i) bedoel, 'n bedrag van minstens vier maal die weekloon en, in die geval van 'n werknemer in paragraaf (a) (ii) of (iii) bedoel, 'n bedrag van minstens drie maal die weekloon wat die werknemer onmiddellik voor die aanvangsdatum van die verlof ontvang het: Met dien verstande dat 'n werknemer in paragraaf (a) (ii) bedoel wat voordat paragraaf (a) (i) in werking getree het, geregtig geword het op ten minste 20 agtereenvolgende werkdae verlof of 24 agtereenvolgende werkdae verlof, afhange van daarvan of hy onderskeidelik vyf of meer dae in 'n week gewerk het, sodanige verlof behou terwyl hy by dieselfde werkgever in diens is.

(2) Die verlof by subklousule (1) voorgeskryf, moet toegestaan en geneem word, na gelang van die geval, op 'n tyd wat die werkgever bepaal: Met dien verstande dat—

- (a) as sodanige verlof nie eerder toegestaan is nie, dit, behoudens subklousule (3), so toegestaan en geneem moet word dat dit binne vier maande begin na voltooiing van die 12 maande diens waarop dit betrekking het of, as die werkgever en sy werknemer voor die verstryking van genoemde tydperk van vier maande skriftelik daartoe ooreengekom het, die werkgever sodanige verlof aan die werknemer moet toestaan en die werknemer die verlof moet neem met ingang van 'n datum uiterlik twee maande na die verstryking van genoemde tydperk van vier maande;
- (b) die tydperk van verlof nie mag saamval nie met enige tydperk—
 - (i) wat 'n werknemer afwesig is met siekteverlof ingevolge klousule 7 of weens ongeskiktheid in die omstandighede uiteengesit in klousule 7 (4) (a) of (b), en wat altesaam hoogstens 15 weke in 'n tydperk van 12 maande beloop;
 - (ii) waartydens die werknemer onder kennisgewing van diensbeëindiging ingevolge klousule 12 is; of
 - (iii) wat 'n werknemer vir militêre diens afwesig is;
- (c) 'n werkgever al die dae geleentheidsverlof wat op die skriftelik versoek van sy werknemer met volle besoldiging aan hom toegestaan is gedurende die tydperk van diens waarop die jaarlikse verlof betrekking het, van sodanige verloftydperk kan aftrek.

(3) (a) At the written request of his employee, an employer may permit the leave to accumulate over a period of not more than 24 months of employment: Provided that—

- (i) the request is made by such employee not later than four months after the expiration of the first period of 12 months of employment to which the leave relates, and
- (ii) the date of the receipt of the request is endorsed on the request over his signature by the employer who shall retain the request at least until after the expiration of the period of leave.

(b) Subclause (2) shall *mutatis mutandis* apply to the leave referred to in this subclause.

(4) The remuneration in respect of the leave prescribed in subclause (1), read with subclause (3), and with subclause (8), shall be paid not later than the last work-day before the date of commencement of the leave or, at the written request of the employee, not later than the first pay-day after the expiration of the leave.

(5) An employee whose employment terminates during any period of 12 months of employment before the period of leave prescribed in subclause (1) in respect of that period has accrued and been taken shall, upon such termination and in addition to any other remuneration which may be due to him, be paid in respect of each completed month of such period of employment an amount of not less than, in the case of an employee referred to in—

- (a) subclause (1) (a) (i), one third, and
- (b) subclause (1) (a) (ii) or (iii), one fourth,

of the weekly wage he was receiving immediately before the date of such termination: Provided that an employer may make a proportionate deduction in respect of any period of occasional leave granted to an employee on full pay at his written request: Provided further that, subject to clause 12 (4), an employee shall not be entitled to any payment by virtue of this subclause if he leaves his employment without having given and served the period of notice prescribed in clause 12, unless—

- (i) the employer has waived such notice or the employee has paid the employer upon termination or prior to termination of service in lieu of notice; or
- (ii) in failing to give and serve such notice he was acting within his legal rights.

(6) An employee who has become entitled to a period of leave prescribed in subclause (1), read with subclause (3), and whose employment terminates before such leave has been granted and been taken, shall upon such termination be paid the amount he would have received, in respect of the leave, had the leave been granted to him and taken by him as at the date of the termination.

(7) For the purposes of this clause—

- (a) the weekly wage at any date of an employee who is engaged on piece-work is his average weekly remuneration for the preceding 13 weeks or, if a lesser period has been worked, for the number of completed weeks so worked;
- (b) the expressions 'employment' and 'period of employment' shall be deemed to include—
 - (a) any period in respect of which an employer pays an employee or an employee pays an employer in lieu of notice in terms of clause 12;
 - (b) any period amounting in the aggregate in any period of 12 months, to not more than 15 weeks, during which an employee is absent—
 - (i) on leave in terms of this clause;
 - (ii) on sick leave in terms of clause 7 or owing to incapacity in the circumstances set out in clause 7 (4) (a) or (b); or
 - (iii) at the instance of his employer; and
- (c) any period during which an employee is absent from work while on military service: Provided that an employee shall not be entitled to claim as employment, in any one period of 12 months' employment, more than four months of such service:

and employment shall be deemed to commence in the case of—

 - (i) an employee who, before these amendments became binding, had become entitled to a period of annual leave in terms of any law, on the date on which such employee last became entitled to such leave under such law;
 - (ii) an employee who was in employment before these amendments became binding and to whom any law providing for annual leave applied but who had not become entitled to a period of leave in terms thereof, on the date on which such employment commenced;
 - (iii) any other employee, on the date on which such employee entered his employer's service or on the date on which these amendments became binding, whichever is the later.

(3) (a) Op die skriftelike versoek van sy werknemer kan 'n werkgever toelaat dat die verlof oor 'n tydperk van hoogstens 24 maande diens oploop: Met dien verstande dat—

- (i) sodanige werknemer so 'n versoek rig binne vier maande na verstryking van die eerste tydperk van 12 maande diens waarop die verlof betrekking het; en
- (ii) die werkgever die datum van ontvangs van sodanige versoek daarop aanbring en dit onderteken en die versoek tot minstens na verstryking van die verloftydperk bewaar.

(b) Subklausule (2) is *mutatis mutandis* van toepassing op die verlof in hierdie subklausule bedoel.

(4) Die besoldiging ten opsigte van die verlof voorgeskryf by subklausule (1), gelees met subklausule (3) en met subklausule (8), moet uiterlik op die laaste werkdag voor die aanvangsdatum van die verlof of, op die skriftelike versoek van die werknemer, uiterlik op die eerste betaaldag na verstryking van die verlof, betaal word.

(5) Aan 'n werknemer wie se diens gedurende enige dienstermyn van 12 maande eindig voordat die verloftydperk voorgeskryf by subklausule (1) ten opsigte van so 'n termyn opgeloopt het en geneem is, moet daar by sodanige diensbeëindiging, benewens enige ander besoldiging wat aan hom verskuldig is, vir elke voltooide maand van sodanige dienstermyn 'n bedrag betaal word van minstens, in die geval van, 'n werknemer in—

- (a) subklausule (1) (a) (i) bedoel, een derde, en
- (b) subklausule (1) (a) (ii) en (iii) bedoel, een kwart,

van die weekloon wat hy onmiddellik voor die datum van sodanige diensbeëindiging ontvang het: Met dien verstande dat 'n werkgever ten opsigte van al die dae geleentheidsverlof wat op die skriftelike versoek van sy werknemer met volle besoldiging aan hom toegestaan is, 'n eweredige bedrag kan aftrek: Met dien verstande voorts dat, behoudens klausule 12 (4), 'n werknemer op geen besoldiging uit hoofde van hierdie klausule geregtig is nie indien hy sy diens verlaat sonder om die kennis te gee en die kennisgewingstermyn uit te dien wat by klausule (12) voorgeskryf word, tensy—

- (i) die werkgever van sodanige kennisgewing afgesien het of tensy die werknemer sy werkgever betaal het in plaas daarvan om aldus kennis te gee; of
- (ii) hy versuim het om sodanige kennis te gee of gedurende die tydperk te werk, hy binne sy wetlike regte gehandel het.

(6) 'n Werknemer wat geregtig geword het op 'n tydperk van verlof voorgeskryf by subklausule (1), gelees met subklausule (3), en wie se diens eindig voordat sodanige verlof toegestaan en geneem is, moet by sodanige diensbeëindiging die bedrag betaal word wat hy ten opsigte van die verlof sou ontvang het as die verlof op die datum van diensbeëindiging aan hom toegestaan en deur hom geneem is.

(7) By die toepassing hierdie klausule word—

- (a) die weekloon op enige datum van 'n werknemer wat stukwerk verrig, geag sy gemiddelde besoldiging vir die voorafgaande 13 weke te wees of, indien 'n korter tydperk gewerk is, die getal voltooide weke wat aldus gewerk is;
- (b) die uitdrukkings "diens" en "dienstermyn" geag te omvat—
 - (a) enige tydperk ten opsigte waarvan 'n werkgever 'n werknemer betaal of 'n werknemer 'n werkgever betaal in plaas van kennis gee ingevolge klausule 12;
 - (b) enige tydperk van altesaam hoogstens 15 weke in enige tydperk van 12 maande wat 'n werknemer afwesig is—
 - (i) met verlof ingevolge hierdie klausule;
 - (ii) met siekteverlof ingevolge klausule 7 of weens ongeskiktheid in die omstandighede uiteengesit in klausule 7 (4) (a) of (b);
 - (iii) deur die toedoen van sy werkgever; en
- (c) enige tydperk wat 'n werknemer afwesig is vir militêre diens: Met dien verstande dat 'n werknemer nie daarop geregtig is om in enige tydperk van 12 maande diens meer as vier maande van sodanige afwesigheid as diens te eis nie;

en word diens geag te begin, in die geval van—

 - (i) 'n werknemer wat, voordat hierdie vasstelling van krag geword het, kragtens enige wet op 'n tydperk van jaarlikse verlof geregtig geword het, op die datum waarop hy laas kragtens daardie wet op verlof geregtig geword het;
 - (ii) 'n werknemer wat, voordat hierdie vasstelling van krag geword het, in diens was en op wie enige wet wat vir jaarlikse verlof voorsiening maak, van toepassing was maar wat nog nie daarkragtens op 'n tydperk van verlof geregtig geword het nie, op die aanvangsdatum van sodanige diens;
 - (iii) enige ander werknemer, op die datum waarop sodanige werknemer by sy werkgever in diens getree het of op die datum waarop hierdie vasstelling van krag geword het, en wel op die jongste van die twee datums.

(8) (a) Notwithstanding anything to the contrary contained in this clause, an employer may for the purposes of annual leave, at any time, but not more than once in any period of 12 months, close his establishment or suspend an activity for 21 consecutive days and in that case shall remunerate his employee in terms of subclause (1) or paragraph (c) hereof, as the case may be.

(b) Whenever a public holiday as defined falls on a day which would otherwise be a work-day for an employee and such public holiday falls within the closed or suspension period referred to in paragraph (a), another work-day shall be added to the said closed or suspension period as a further period of leave and the employee shall be paid an amount of not less than his daily wage in respect of each such day added.

(c) An employee who, at the date on which an establishment or activity in which he is employed is closed or suspended, is not entitled to the full period of annual leave prescribed in subclause (1) shall, in respect of any leave due to him, be paid his employer on the basis set out in subclause (5), and for the purposes of annual leave thereafter his employment shall be deemed to commence on the date of such closing of the establishment or suspension of the activity.

7. SICK LEAVE

(1) Subject to subclause (2), an employer shall grant to his employee, other than a casual employee, who is absent from work through incapacity, in the case of—

(a) an employee who normally works on not more than five days per week, not less than 30 work-days; and

(b) any other employee, not less than 36 work-days

sick leave in the aggregate during each cycle of 36 consecutive months of employment with him, and shall pay the employee in respect of any period of absence in terms of this subclause not less than the wage he would have received had he worked during such period: Provided that—

(i) in the first cycle of 36 months of employment, an employee shall not be entitled to sick leave on full pay at a rate of more than, in the case of an employee who works on not more than five days in any week, one work-day in respect of each completed period of five weeks of employment and, in the case of any other employee, one work-day in respect of each completed month of employment;

(ii) where, in such first cycle of employment with the same employer, an employee is absent owing to incapacity for a period in excess of any sick leave accrued at the time of such incapacity, he shall be entitled to be paid in respect of only such leave as has so accrued; but his employer shall, if he has not previously done so, at the expiration of the said cycle of employment or on termination of employment before such expiration, pay him in respect of such excess period of absence owing to incapacity at the wage rate to which he was entitled at the commencement of such incapacity to the extent to which sick leave due to him at the time of such expiration or termination, has not been taken;

(iii) where an employer is by any law required to pay fees for hospital or medical treatment in respect of an employee, and pays such fees, the amount so paid may be set off against the payment due in respect of absence owing to incapacity in terms of this clause;

(iv) payment for any period of absence on sick leave in terms of this clause to an employee who is employed on piece-work shall be at the rate of the employee's average remuneration for the 13 weeks preceding the commencement of the sick leave or, if a lesser period has been worked, for the number of completed weeks so worked.

(2) An employer may, as a condition precedent to the payment by him of any amount claimed in terms of this clause by an employee in respect of any absence from work—

(a) for more than two consecutive work-days; or

(b) on the work-day immediately preceding or the work-day immediately succeeding a Sunday or a public holiday as defined;

require the employee to produce a certificate signed by a registered medical practitioner stating the nature and duration of the employee's incapacity: Provided that, when an employee has, during an period of up to eight weeks, received payment in terms of this clause on two or more occasions without producing such a certificate, his employer may during the period of eight weeks immediately succeeding the last such occasion require him to produce such a certificate in respect of any absence from work.

(3) For the purposes of this clause the expression—

(a) 'employment' shall be deemed to include—

(i) any period amounting in the aggregate, in any cycle of 36 months, to not more than 30 weeks, during which an employee is absent—

(aa) on leave in terms of clause 6;

(ab) at the instance of his employer;

(ac) on sick leave in terms of subclause (1) or owing to incapacity in the circumstances set out in subclause (4);

(8) (a) Ondanks andersluidende bepalinge in hierdie klousule, kan 'n werkgewer vir die doel van jaarlikse verlof te eniger tyd maar hoogstens een maal in 'n tydperk van 12 maande, sy bedryfsinrigting vir 21 agtereenvolgende dae sluit, of 'n aktiwiteit vir 21 agtereenvolgende dae staak en in daardie geval moet hy sy werknemer kragtens subklousule (1) of kragtens paragraaf (c) hiervan na gelang van die geval, besoldig.

(b) Wanneer 'n openbare feesdag, soos omskryf, op 'n dag val wat andersins vir die werknemer 'n werkdag sou gewees het en wat binne die geslote tydperk bedoel in paragraaf (a) val, moet nog 'n werkdag by die genoemde geslote of stakingstydperk gevoeg word as 'n verdere verloftyd en die werknemer moet 'n bedrag van minstens sy dagloon betaal word ten opsigte van elke sodanige dag bygevoeg.

(c) 'n Werknemer wat op die datum waarop 'n bedryfsinrigting sluit of 'n aktiwiteit waarin hy werksaam is, gestaak word, nie op die volle tydperk van die jaarlikse verlof voorgeskryf by subklousule (1) geregtig is nie, moet, ten opsigte van enige verlof wat aan hom verskuldig is, deur sy werkgewer betaal word op die grondslag in subklousule (5) vermeld, en vir die doel van jaarlikse verlof daarna word sy diens geag te begin op die datum waarop die bedryfsinrigting of aktiwiteit aldus sluit of gestaak word.

7. SIEKTEVERLOF

(1) Behoudens subklousule (2), moet 'n werkgewer aan sy werknemer, uitgesonderd 'n los werknemer, wat weens ongeskiktheid van die werk afwesig is, siekteverlof toestaan van, in die geval van—

(a) 'n werknemer wat normaalweg hoogstens vyf dae per week werk, minstens 30 werkdade, en

(b) enige ander werknemer, minstens 36 werkdade,

gedurende elke tydkring van 36 agtereenvolgende maande diens by hom, en moet hy die werknemer ten opsigte van enige tydperk van afwesigheid ingevolge hierdie subklousule minstens die loon betaal wat hy sou ontvang het as hy gedurende sodanige tydperk gewerk het: Met dien verstande dat—

(i) 'n werknemer gedurende die eerste tydkring van 36 agtereenvolgende maande diens nie op meer siekteverlof met volle besoldiging geregtig is nie, as, in die geval van 'n werknemer wat nie meer as vyf dae per week werk nie, een werkdag ten opsigte van elke voltooide tydperk van vyf weke diens en, in die geval van enige ander werknemer, een werkdag ten opsigte van elke voltooide maand diens;

(ii) wanneer 'n werknemer gedurende die eerste sodanige diens tydkring by dieselfde werkgewer weens ongeskiktheid vir 'n langer tydperk afwesig is as die siekteverlof wat hom ten tyde van sodanige ongeskiktheid toekom, hy geregtig is op besoldiging vir slegs die siekteverlof wat hom dan toekom, maar sy werkgewer moet, as hy dit nie reeds gedoen het nie, by verstryking van gemelde diens tydkring of by diensbeëindiging voor sodanige verstryking, hom ten opsigte van sodanige langer tydperk van afwesigheid weens ongeskiktheid uitbetaal teen die loon waarop die werknemer by die aanvang van die ongeskiktheid geregtig was, vir sover die siekteverlof wat hom ten tyde van sodanige verstryking of beëindiging toekom, nog nie geneem is nie;

(iii) wanneer 'n werkgewer ingevolge enige wet gelde vir mediese of hospitaalbehandeling ten opsigte van 'n werknemer moet betaal en sodanige gelde wel betaal, die bedrag wat aldus betaal is, afgetrek kan word van die bedrag wat ingevolge hierdie klousule ten opsigte van afwesigheid weens ongeskiktheid verskuldig is;

(iv) die loon wat aan 'n werknemer wat op stukwerk of kommissiewerk in diens is, vir 'n tydperk van afwesigheid met siekteverlof ingevolge hierdie klousule betaal moet word, bereken moet word op die grondslag van minstens sy gemiddelde besoldiging vir die 13 weke wat die aanvang van sy siekteverlof voorafgaan of indien 'n korter tydperk gewerk is, vir die aantal voltooide weke wat gewerk is.

(2) 'n Werkgewer kan, as 'n opskortende voorwaarde vir die betaling deur hom van 'n bedrag wat 'n werknemer kragtens hierdie klousule eis ten opsigte van enige afwesigheid van sy werk—

(a) vir langer as twee agtereenvolgende werkdade, of

(b) op die werkdag onmiddellik voor of die werkdag onmiddellik na 'n Sondag of 'n openbare vakansiedag, soos omskryf,

van die werknemer vereis om 'n sertifikaat voor te lê wat deur 'n geregi-streerde mediese praktisyn onderteken is en waarin die aard en duur van die werknemer se ongeskiktheid vermeld word: Met dien verstande dat, wanneer 'n werknemer gedurende enige tydperk van hoogstens agt weke by twee of meer geleenthede besoldiging ingevolge hierdie klousule ontvang het sonder om so 'n sertifikaat voor te lê, sy werkgewer gedurende die tydperk van agt weke onmiddellik na die laaste sodanige geleentheid nie gebind hoef te wees om bedoelde bedrag ten opsigte van enige afwesigheid van werk aan die werknemer te betaal nie tensy hy so 'n sertifikaat voorlê.

(3) By die toepassing van hierdie klousule—

(a) word uitdrukking "diens" geag te omvat—

(i) enige tydperk van altesaam hoogstens 30 weke in enige tyd-kring van 36 maande wat 'n werknemer afwesig is—

(aa) met verlof ingevolge klousule 6;

(ab) deur die toedoen van sy werkgewer;

(ac) met siekteverlof ingevolge subklousule (1) of weens ongeskiktheid weens omstandighede uiteengesit in subklousule (4);

- (ii) any period during which an employee is absent on military service: Provided that an employee shall not be entitled to claim as employment, in any one period of 12 months employment, more than four months of such service; and
- (iii) any period of employment which an employee has had with the same employer immediately before the date on which these amendments became binding and any sick leave on full pay granted to such an employee during such period shall be deemed to have been granted under this determination;
- (b) 'incapacity' means inability to work owing to any sickness or injury, other than sickness or injury caused by an employee's own misconduct: Provided that any such inability to work, caused by an accident or a scheduled disease as defined in section 2 of the Workmen's Compensation Act, 1941 (Act 30 of 1941), shall only be regarded as incapacity during any period in respect of which not disablement payment is payable in terms of that act.
- (4) *Savings.*—This clause shall not apply—
 - (a) to an employee at whose written request an employer makes contributions, at least equal to those made by the employee, to any fund or organisation nominated by the employee, which fund or organisation guarantees to the employee, in the event of his incapacity in the circumstances set out in this clause, the payment to him of an amount not less than the wage payable in terms of subclause (1);
 - (b) in respect of any period of incapacity of an employee in respect of which the employer is required by any other law to pay the employee not less than his full wage.

8. PUBLIC HOLIDAYS AND SUNDAYS

(1) *Compensation for work on public holiday.*—(a) Whenever an employee, other than a casual employee, does not work on a public holiday as defined and such day falls on a day which otherwise is an ordinary work-day for the employee, his employer shall pay him in respect of that day an amount which shall not be less than the wage payable to him in respect of the time (excluding overtime) ordinarily worked by him on the day of the week.

(b) Whenever an employee, other than a casual employee, works on a public holiday as defined and such day falls on a day which otherwise is an ordinary work-day for the employee, his employer shall pay him in respect of that day an amount equal to at least the amount which he would have had to pay him in terms of paragraph (a) had the employee not worked on that day, plus—

- (i) an amount calculated at a rate of not less than his wage rate in respect of the whole time worked by him on that day or an amount equal to at least the wage payable to him in respect of the time (excluding overtime) ordinarily worked by him on that day of the week, whichever amount is the greater; or
- (ii) an amount calculated at a rate of not less than one-third of his wage rate in respect of the whole time worked by him on that day and grant to him, within seven days of such day, one day's leave and pay him in respect of such leave an amount of not less than the wage payable to him in respect of the time (excluding overtime) ordinarily worked by him on that day of the week.

(c) Whenever an employee, other than a casual employee, works on a public holiday as defined and such day falls on a day which otherwise is not an ordinary work-day for the employee, his employer shall pay him in respect of that day an amount which shall not be less than the wage payable to him in respect of the time (excluding overtime) ordinarily worked by him on a work-day, plus—

- (i) an amount calculated at a rate of not less than his wage rate in respect of the whole time worked by him on such day or on amount equal at least to the wage payable to him in respect of the time (excluding overtime) ordinarily worked by him on a work-day, whichever amount is the greater; or
- (ii) an amount calculated at a rate of not less than one-third of his wage rate in respect of the whole time worked by him on such day, and grant to him, within seven days of such day, one day's leave and pay to him in respect of such leave an amount of not less than the wage payable to him in respect of the time (excluding overtime) ordinarily worked by him on a work-day.

(d) Whenever an employee, other than a casual employee, works on a public holiday as defined and such day falls on a Sunday, he shall be remunerated for such work on the basis set out in paragraph (c).

(2) *Compensation for work on a Sunday.*—Subject to subclause (1) (d), whenever an employee, other than a casual employee, works on a Sunday, his employer shall pay him—

- (a) if he so works for not more than four hours, an amount of not less than the wage payable in respect of the time (excluding overtime) ordinarily worked by him on a week-day; or

(ii) enige tydperk wat 'n werknemer afwesig is vir militêre diens: Met dien verstande dat 'n werknemer nie geregtig is om in enige tydperk van 12 maande diens meer as vier maande van sodanige afwesigheid as diens te eis nie;

(iii) enige tydperk van diens by dieselfde werkgever onmiddellik voor die datum waarop hierdie vasstelling van krag geword het en alle siekteverlof wat met volle besoldiging aan so 'n werknemer gedurende sodanige tydperk toegestaan is, word geag ingevolge hierdie vasstelling toegestaan te gewees het;

(b) beteken "ongeskiktheid", onvermoë om te werk weens siekte of besering, behalwe siekte of besering wat deur 'n werknemer se eie wangedrag veroorsaak is: Met dien verstande dat sodanige onvermoë om te werk wat veroorsaak is deur 'n ongeval of vergoedingspligtige siekte soos omskryf in artikel 2 van die Ongevalwet, 1941 (Wet 30 van 1941), as ongeskiktheid beskou word slegs gedurende enige tydperk ten opsigte waarvan geen betaling vir arbeidsongeskiktheid ingevolge daardie wet betaalbaar is nie.

(4) *Voorbehoudsbepalings.*—Hierdie klousule is nie van toepassing nie—

- (a) op 'n werknemer op wie se skriftelike versoek 'n werkgever bydraes wat minstens gelyk is aan dié van die werknemer, betaal aan 'n fonds of organisasie wat deur die werknemer aangewys is, welke fonds of organisasie in die geval van ongeskiktheid in die omstandighede in hierdie klousule uiteengesit, aan die werknemer die betaling waarborg van 'n bedrag wat nie minder is nie as die loon betaalbaar ingevolge subklousule (1);
- (b) ten opsigte van 'n tydperk van ongeskiktheid van 'n werknemer ten opsigte waarvan daar by 'n ander wet van die werkgever vereis word om die werknemer sy volle loon te betaal.

8. OPENBARE FEESDAE EN SONDAE

(1) *Vergoeding vir werk op 'n openbare feesdag.*—(a) Wanneer 'n werknemer, uitgesonderd 'n los werknemer, nie op 'n openbare feesdag soos omskryf werk nie en sodanige dag op 'n dag val wat vir hom andersins 'n gewone werkdag is, moet sy werkgever hom ten opsigte van daardie dag 'n bedrag betaal wat nie minder is nie as die loon aan hom betaalbaar ten opsigte van die tyd (uitgesonderd oortyd) wat hy gewoonlik op daardie dag van die week werk.

(b) Wanneer 'n werknemer, uitgesonderd 'n los werknemer, op 'n openbare feesdag soos omskryf werk en sodanige dag op 'n dag val wat vir hom andersins 'n gewone werkdag is, moet sy werkgever hom ten opsigte van daardie dag 'n bedrag betaal minstens gelyk aan die bedrag wat hy ingevolge paragraaf (a) aan die werknemer sou moes betaal het as die werknemer nie op daardie dag gewerk het nie, plus—

- (i) 'n bedrag bereken teen minstens sy loonskaal ten opsigte van die volle tyd wat hy op daardie dag werk of 'n bedrag minstens gelyk aan die loon aan hom betaalbaar ten opsigte van die tyd (uitgesonderd oortyd) wat hy gewoonlik op daardie dag van die week werk, watter bedrag ook al die grootste is; of
- (ii) 'n bedrag bereken teen 'n skaal van minstens een derde van sy loonskaal ten opsigte van die volle tyd wat hy op daardie dag werk en aan hom, binne sewe dae na daardie dag, een dag verlof toestaan en ten opsigte van sodanige verlof 'n bedrag aan hom betaal wat nie minder is nie as die loon aan hom betaalbaar ten opsigte van die tyd (uitgesonderd oortyd) wat hy gewoonlik op daardie dag van die week werk.

(c) Wanneer 'n werknemer, uitgesonderd 'n los werknemer, op 'n openbare feesdag soos omskryf werk en sodanige dag op 'n dag val wat nie vir hom andersins 'n gewone werkdag is nie, moet die werkgever hom ten opsigte van daardie dag 'n bedrag betaal wat nie minder is nie as die loon aan hom betaalbaar ten opsigte van die tyd (uitgesonderd oortyd) wat hy gewoonlik op 'n werkdag werk, plus—

- (i) 'n bedrag bereken teen 'n skaal van minstens sy loon ten opsigte van die volle tyd wat hy op daardie dag werk of 'n bedrag gelyk aan minstens die loon aan hom betaalbaar ten opsigte van die tyd (uitgesonderd oortyd) wat hy gewoonlik op 'n werkdag werk, watter bedrag ook al die grootste is; of
- (ii) 'n bedrag bereken teen 'n skaal van minstens een derde van sy loon ten opsigte van die volle tyd wat hy op daardie dag werk, en aan hom, binne sewe dae na daardie dag, een dag verlof toestaan en ten opsigte van sodanige verlof 'n bedrag aan hom betaal wat nie minder is nie as die loon aan hom betaalbaar ten opsigte van die tyd (uitgesonderd oortyd) wat hy gewoonlik op 'n werkdag werk.

(d) Wanneer 'n werknemer, uitgesonderd 'n los werknemer, op 'n openbare feesdag soos omskryf werk en dié dag op 'n Sondag val, moet hy vir sodanige werk vergoed word op die basis in paragraaf (c) uiteengesit.

(2) *Vergoeding vir werk op 'n Sondag.*—Behoudens subklousule (1) (d), wanneer 'n werknemer, uitgesonderd 'n los werknemer, op 'n Sondag werk, moet sy werkgever hom—

- (a) indien hy hoogstens vier uur gewerk het, 'n bedrag betaal wat nie minder is nie as die loon betaalbaar ten opsigte van die tyd (uitgesonderd oortyd) wat hy gewoonlik op 'n werkdag werk; of

- (b) if he so works for longer than four hours, an amount which shall not be less than either an amount calculated at a rate of double his wage rate in respect of the whole time worked by him on such Sunday, or an amount equal to at least double the wage payable to him in respect of the time (excluding overtime) ordinarily worked by him on a week-day, whichever amount is the greater; or
- (c) an amount calculated at a rate of not less than one and a third times his wage rate in respect of the whole time worked by him on such Sunday and grant him, within seven days of such Sunday, one day's leave and pay him in respect of such leave an amount of not less than wage payable to him in respect of the time (excluding overtime) ordinarily worked by him on that day of the week.

(3) *Compensation to a casual employee for work on a public holiday or a Sunday.*—Whenever a casual employee works on a public holiday as defined or on a Sunday, his employer shall pay him in respect of that day an amount calculated at a rate of not less than double his hourly wage in respect of each hour or part of an hour worked by him on that day: Provided that for the purposes of this subclause a casual employee in an establishment in which the employee normally works on—

- (a) not more than five days in a week, shall be deemed to have worked at least nine and a quarter hours on that day; and
- (b) more than five days in a week, shall be deemed to have worked at least eight and a half hours on that day.

(4) *Compensation for work partly on a public holiday or a Sunday.*—Whenever an employee works for a period which falls—

- (a) partly on a public holiday as defined or a Sunday and partly on any other day; or
- (b) partly on a public holiday as defined and partly on a Sunday;

the whole period shall for the purposes of calculating the compensation payable to such employee be deemed to have been worked on the day on which the major portion of that work period falls.

(5) Remuneration payable in terms of this clause to an employee, other than a casual employee, shall be paid to him later than the pay-day next succeeding the day in respect of which such remuneration is payable. A casual employee shall be remunerated as set out in clause 4 (2).

(6) *Savings.*—Subclauses (1) (b) to (d), (2) and (4) shall not apply to an employee referred to in clause 5 (7) (a).

9. PIECE-WORK

(a) An employer may when engaging an employee or after at least one week's notice if the employee is already in his employ, introduce any piece-work system and, save as provided in clause 4 (6), such employer shall pay his employee, who is employed on such piece-work system, remuneration at the rates applicable under such system: Provided that, irrespective of the quantity of work done, the employer shall pay such employee not less than, in the case of—

- (i) an employee, other than a casual employee, in respect of each week in which piece-work is performed, the amount which the employer would have been required to pay such employee for that week had he been remunerated on the basis of time worked;
- (ii) a casual employee, in respect of each day on which piece-work is performed, the amount which the employer would have been required to pay such employee for that day had he been remunerated on the basis of time worked.

(b) An employer shall keep posted up in a conspicuous place in his establishment a schedule of the rates referred to in paragraph (a) or he may in lieu thereof supply the employee with a letter signed by himself, or on his behalf, setting out the said rates.

(c) An employer who intends to cancel or amend any piece-work system in operation or the rates applicable thereunder, shall give his employee not less than one month's notice of such intention: Provided that an employer and his employee may agree on a longer period of notice, in which case the employer shall give notice for a period not shorter than that agreed upon.

(d) Notwithstanding anything to the contrary in this clause, an employer shall not be required to give a casual employee notice of his intention to introduce any piece-work system or to cancel or amend it.

10. PROHIBITION OF EMPLOYMENT

An employer shall not—

- (a) employ any person under the age of 15 years;
- (b) require or permit any female employee to work during the period commencing four weeks prior to the expected date of her confinement and ending eight weeks after the date of her confinement.

(b) indien hy langer as vier uur gewerk het, 'n bedrag betaal wat nie minder is nie as of 'n bedrag teen 'n skaal van dubbel sy loon ten opsigte van die volle tyd wat hy daardie Sondag gewerk, of 'n bedrag gelyk aan minstens dubbel die loon aan hom betaalbaar ten opsigte van die tyd (uitgesonderd oortyd) wat hy gewoonlik op 'n weekdag gewerk, watter bedrag ook al die grootste is; of

(c) 'n bedrag betaal bereken teen 'n skaal van minstens een en een derde maal sy loon ten opsigte van die volle tyd wat hy op daardie Sondag gewerk en aan hom, binne sewe dae na daardie Sondag, een dag verlof toestaan en ten opsigte van sodanige verlof hom 'n bedrag betaal wat nie minder is nie as die loon aan hom betaalbaar ten opsigte van die tyd (uitgesonderd oortyd) wat hy gewoonlik op daardie dag van die week gewerk.

(3) *Vergoeding aan 'n los werknemer vir werk op 'n openbare feesdag of 'n Sondag.*—Wanneer 'n los werknemer op 'n openbare feesdag soos omskryf of 'n Sondag gewerk, moet sy werkgever hom ten opsigte van daardie dag 'n bedrag betaal, bereken teen 'n koers van minstens dubbel sy uurloon vir die volle tyd wat hy op daardie dag gewerk het: Met dien verstande dat vir die doeleindes van hierdie subklousule 'n los werknemer in 'n bedryfsinrigting waarin die werknemers gewoonlik—

- (a) op nie meer as vyf dae per week gewerk, geag word minstens nege en 'n kwart uur op daardie dag gewerk het; en
- (b) op nie meer as vyf dae in 'n week gewerk, geag word minstens agt en 'n half uur op daardie dag te gewerk het.

(4) *Vergoeding vir werk gedeeltelik op 'n openbare feesdag of Sondag.*—Wanneer 'n werknemer vir 'n tydperk gewerk het—

- (a) gedeeltelik op 'n openbare feesdag soos omskryf of 'n Sondag en gedeeltelik op enige ander dag val, of
- (b) gedeeltelik op 'n openbare feesdag soos omskryf en gedeeltelik op 'n Sondag val,

word daar by die berekening van sy vergoeding geag dat die hele tydperk wat hy gewerk het, op die dag val waarop die grootste gedeelte van die tydperk val.

(5) Beloning wat ingevolge hierdie klousule aan 'n werknemer, uitgesonderd 'n los werknemer, betaalbaar is, moet aan hom uitbetaal word nie later nie as die eerstvolgende betaaldag na die dag ten opsigte waarvan die beloning betaalbaar is. 'n Los werknemer moet uitbetaal word soos in klousule 4 (2) bepaal.

(6) *Voorbehoudsbepaling.*—Subklousules (1) (b) tot (d), (2) en (4) is nie van toepassing nie op 'n werknemer in klousule 5 (7) (a) vermeld.

9. STUKWERK

(a) 'n Werkgever kan wanneer hy 'n werknemer in diens neem of indien die werknemer reeds in sy diens is, nadat hy minstens een week vooraf aan sy werknemer kennis gegee het, enige stukwerkstelsel invoer, en sodanige werkgever moet, behoudens klousule 4 (6), sy werknemer wat vervolgens sodanige stukwerkstelsel werk, besoldig teen die tariewe wat ooreenkomstig sodanige stelsel van toepassing is: Met dien verstande dat die werkgever, ongeag die hoeveelheid werk wat verrig is, sodanige werknemer moet betaal, in die geval van—

- (i) 'n werknemer, uitgesonderd 'n los werknemer, vir elke week waarin stukwerk verrig word, minstens die bedrag wat die werkgever die werknemer vir daardie week sou moes betaal het as hy hom 'n tydloon betaal het;
- (ii) 'n los werknemer, vir elke dag waarop stukwerk verrig word; minstens die bedrag wat die werkgever sodanige werknemer vir daardie dag sou moes betaal het as hy hom 'n tydloon betaal het.

(b) 'n Werkgever moet 'n lys van die tariewe in paragraaf (a) bedoel, op 'n opvallende plek in sy bedryfsinrigting opgeplak hou of hy kan in plaas daarvan elke werknemer voorsien van 'n brief wat deur of namens hom onderteken is, waarin genoemde tariewe uiteengesit is.

(c) 'n Werkgever wat voornemens is om 'n bestaande stukwerkstelsel of die besoldiging wat daarvolgens van toepassing is, af te skaf of te wysig, moet aan sy werknemer minstens een maand kennis van sodanige voorneme gee: Met dien verstande dat 'n werkgever en sy werknemers oor 'n langer kennisgewingstermyn ooreen kan kom, en is so 'n geval mag die werkgever nie vir 'n korter termyn as dié waaroor daar ooreengekom is, kennis gee nie.

(d) Ondanks andersluidende bepalings in hierdie klousule, is 'n werkgever nie verplig om 'n los werknemer kennis te gee van sy voorneme om 'n stukwerkstelsel in te voer of af te skaf of te wysig nie.

10. VERBOD OP INDIENSNEMING

'n Werkgever mag nie—

- (a) iemand onder die leeftyd van 15 jaar in diens neem nie;
- (b) van 'n swanger werknemer vereis of haar toelaat om te werk gedurende die tydperk wat vier weke voor die verwagte datum van haar bevalling begin en agt weke na die bevallingsdatum eindig nie.

11. UNIFORMS, OVERALLS AND PROTECTIVE CLOTHING

An employer shall supply and maintain in serviceable and clean condition, free of charge, any gumboots, cap, uniform, overall or other protective clothing which he requires his employee to wear or which by any law he is required to provide for his employee, and any such article shall remain the property of the employer.

12. TERMINATION OF CONTRACT OF EMPLOYMENT

(1) An employer or his employee, other than a casual employee, who desires to terminate the contract of employment, shall give in the case of—

- (a) a driver, not less than one work-day's notice;
- (b) any other employee—

- (i) during the first four weeks of employment, not less than one work-day's notice;
- (ii) after the first four weeks of employment, not less than one week's notice;

of termination of contract, which shall be in writing except when given by and employee who is unable to write, or an employer or employee may terminate the contract without notice by paying the employee or paying the employer, as the case may be, in lieu of such notice not less than in the case of—

- (aa) one work-day's notice, the daily wage;
- (ab) one week's notice, the weekly wage, the employee is receiving at the time of such termination: Provided that this shall not affect—
- (i) the right of an employer or his employee to terminate the contract without notice for any cause recognised by law as sufficient;
- (ii) any written agreement between an employer and his employee which provides for a period of notice of equal duration on both sides and longer than that prescribed in this clause;
- (iii) the operation of any forfeitures or penalties which by law may be applicable to an employee who deserts:

Provided further that where the wage of an employee at the date of termination has been reduced by deductions in respect of short-time, the expression "is receiving at the time of such termination" shall, when an employer pays an employee in lieu of notice, be deemed to mean "would have received at the time of such termination had no deduction been made in respect of short-time".

(2) Where there is an agreement in terms of proviso (ii) to subclause (1), the payment in lieu of notice shall be commensurate with the period of notice agreed upon.

(3) The notice prescribed in subclause (1) shall be given on any work-day: Provided that the period of notice shall not run concurrently with nor shall payment in lieu of notice be made in respect of a period running concurrently with an employee's absence—

- (a) on leave granted in terms of clause 6 or on sick leave granted in terms of clause 7 or owing to incapacity in the circumstances set out in clause 7 (4) (a) or (b) where such absences amount in the aggregate to not more than 15 weeks in any period of 12 consecutive months' employment with the same employer; and
- (b) on military service, except where an employee otherwise requests and his employer agrees thereto in writing.

(4) Notwithstanding anything to the contrary in this determination, where an employee terminates his contract of employment by leaving his employment without having given and served the required period of notice or without paying his employer in lieu of notice, his employer may appropriate to himself, from any moneys which he owes to such employee by virtue of any provisions of this determination, an amount of not more than that which such employee would have had to pay him in lieu of notice: Provided that where an employer has so appropriated an amount in lieu of notice, the employee shall, for the purposes of clause 6 (5), be deemed to have paid the employer in lieu of notice.

13. CERTIFICATE OF SERVICE

Except where an employee deserts or where the employee is a casual employee, the employer shall, upon termination of any contract of employment, furnish the employee with a certificate of service substantially in the following form, showing the full names of the employer and of the employee, the class of the employee, the date of commencement and the date of termination of the contract, and the wage of the employee on the date of such termination:

11. UNIFORMS, OORPAKKE EN BESKERMENDE KLERE

'n Werkgewer moet enige rubberstewels, pet, uniform, oorpak of ander beskermende klere wat hy van sy werknemer vereis om te dra of wat hy ingevolge enige wet verplig is om aan sy werknemers te verskaf, gratis te verskaf en in 'n bruikbare en sindelike toestand hou; en enige sodanige rubberstewels, pet, uniform, oorpak of ander beskermende klere bly die eiendom van die werkgewer.

12. BEÏNDIGING VAN DIENSKONTRAK

(1) 'n Werkgewer of sy werknemer, uitgesonderd 'n los werknemer, wat die dienskontrak wil beëindig, moet—

- (a) in die geval van 'n drywer, minstens een werkdag kennis,
- (b) in die geval van enige ander werknemer—

- (i) gedurende die eerste vier weke diens, minstens een werkdag kennis,
- (ii) na die eerste vier weke diens, minstens een week kennis,

van die beëindiging van die kontrak gee, wat skriftelik gedoen moet word uitgesonderd in die geval van 'n werknemer wat nie kan skryf nie, of 'n werkgewer of 'n werknemer kan die kontrak sonder kennisgewing beëindig deur, in plaas van sodanige kennisgewing, aan die werknemer of die werkgewer, na gelangste vier weke diens, minstens een week kennis,

van die beëindiging van die kontrak gee, wat skriftelik gedoen moet word uitgesonderd in die geval van 'n werknemer wat nie kan skryf nie, of 'n werkgewer of 'n werknemer kan die kontrak sonder kennisgewing beëindig deur, in plaas van sodanige kennisgewing, aan die werknemer of die werkgewer, na gelang van die geval, te betaal, in die geval van—

- (aa) een werkdag kennisgewing, minstens die dagloon, en
 - (ab) een week kennisgewing, minstens die weekloon
- wat die werknemer ten tyde van sodanige beëindiging ontvang: Met dien verstande dat—

- (i) die reg van die werkgewer of sy werknemer om die kontrak op 'n regseldige grond sonder kennisgewing te beëindig;
- (ii) 'n skriftelike ooreenkoms tussen die werkgewer en sy werknemer waarin voorsiening gemaak word vir 'n kennisgewingstermyn wat vir beide partye ewe lank is en langer is as dié wat in hierdie klousule voorgeskrif word;
- (iii) die werking van 'n verbeuring of boete wat regtens van toepassing is op 'n werknemer wat dros;

nie hierdeur geraak word nie: Met dien verstande voorts dat, indien die loon van sy werknemer op die datum van die beëindiging verminder is deur aftrekkings ten opsigte van korttyd en die werkgewer hom betaal in plaas van kennis te gee, die uitdrukking "ten tyde van sodanige beëindiging ontvang" geag word te beteken "ten tyde van sodanige beëindiging sou ontvang het as geen bedrag weens korttyd afgetrek was nie".

(2) Indien daar 'n ooreenkoms ingevolge voorbehoudsbepaling (ii) van subklousule (1) bestaan, moet die betaling in plaas van kennisgewing eweredig wees aan die kennisgewingstermyn waarvoor daar ooreengekom is.

(3) Die kennisgewing by subklousule (1) voorgeskrif, moet op 'n werkdag geskied: Met dien verstande dat—

- (a) die kennisgewingstermyn nie mag saamval nie met, en die kennisgewing nie mag geskied nie gedurende 'n werknemer se afwesigheid met verlof ingevolge klousule 7 of siekteverlof ooreenkomstig klousule 7 of afwesigheid weens ongesiktheid in die omstandighede uiteengesit in klousule 7 (4) (a) of (b), waar sodanige afwesighede altesaam hoogstens 15 weke in enige tydperk van 12 agtereenvolgende maande diens by dieselfde werkgewer behoort; en
- (b) 'n kennisgewingstermyn nie mag saamval nie met, en die kennisgewing nie mag geskied nie gedurende 'n werknemer se afwesigheid vir militêre diens, behalwe waar die werknemer anders versoek en die werkgewer skriftelik daartoe instem.

(4) Ondanks andersluidende bepalinge in hierdie vasstelling kan 'n werkgewer, in die geval van 'n werknemer wat sy dienskontrak beëindig deur sy diens te verlaat sonder om kennis te gee en sonder om die kennisgewingstermyn uit te dien of sonder om sy werkgewer te betaal in plaas van kennis te gee, uit enige gelde wat hy sodanige werknemer uit hoofde van enige bepaling van hierdie vasstelling skuld, hom 'n bedrag toeëien van hoogstens dié wat die werknemer hom sou moes betaal het in plaas van kennis te gee: Met dien verstande dat wanneer die werkgewer hom aldus 'n bedrag toeëien het in plaas van kennisgewing, daar by die toepassing van klousule 6 (5) geag word dat die werknemer die werkgewer betaal het in plaas van kennis te gee.

13. DIENSSERTIFIKAAT

Behalwe, waar 'n werknemer dros of waar die werknemer 'n loswerknemer is, moet die werkgewer by beëindiging van enige dienskontrak die werknemer van 'n dienssertifikaat voorsien wat wesenlik onderstaande vorm het en waarin die volle name van die werkgewer en die werknemer, die klas van die werknemer, die aanvangsdatum en die datum van beëindiging van die kontrak en die loon van die werknemer op die datum van sodanige beëindiging vermeld word.

CERTIFICATE OF SERVICE

I/We.....
 carrying on trade in Goods Transportation and Storage Trade, at.....
 hereby certify that.....
 Identity No.....
 was employed by me/us from the.....
 day of.....
 19..... to the.....
 day of.....
 19..... as (*).....
 At the termination of employment his/her wage was R.....

Signature of employer or authorised
 representative.....

Date.....

*State class in which employee was wholly or mainly engaged, eg clerk,
 driver, general worker.

14. LOG-BOOK

(1) An employee shall provide his driver with a log-book as nearly as
 practicable in working in the following form:

DAILY LOG

Name of employer.....
 Name of driver.....
 Date.....
 Time of starting work.....
 Time of finishing work.....
 Number of hours worked.....
 Meal intervals from.....
 to.....
 Particulars of any accident or delay.....
 Names of other employees who accompanied the driver.....

Signature of driver.....

Date.....

(2) Every driver shall, in the log-book referred to in subclause (1), keep
 a daily log in duplicate in respect of each day's work and shall, within 24
 hours of the completion of the day's work to which it relates, deliver a
 copy thereof to his employer.

(3) Every employer shall retain the copy of the log which, in terms of
 subclause (2), has been delivered to him, for a period of at least three years
 subsequently to such delivery.

15. ATTENDANCE REGISTER

(1) An employer shall provide in his establishment an attendance register
 substantially in the following form, in which he shall record in ink or
 indelible pencil the name and class of each of his employees and if an
 employee is unable to write, his employer shall on his behalf for each day
 worked and on that day make the necessary entries in respect of items (i) to
 (vi) inclusive of subclause (3) (a) and sign such entries.

DIENSSERTIFIKAAT

Ek/Ons.....
 wat die Goederevervoer- en Opbergingsbedryf beoefen te.....
 verklaar hierby dat.....
 Identiteitsnommer.....
 in my diens was vanaf die.....
 dag van.....
 19..... tot die.....
 dag van.....
 19..... as (*).....
 By diensbeëindiging was hierdie werknemer se loon R.....

Handtekening van werkgewer of
 gemagtigde verteenwoordiger.....

Datum.....

* Meld die klas waarin die werknemer uitsluitlik of hoofsaaklik in diens
 was, bv. klerk, drywer, algemene werker.

14. LOGBOEK

(1) 'n Werkgewer moet sy drywer voorsien van 'n logboek wat so na as
 moontlik die volgende vorm het:

DAAGLIKSE LOG

Naam van werkgewer.....
 Naam van drywer.....
 Datum.....
 Tyd waarop werk begin word.....
 Tyd waarop werk beëindig word.....
 Aantal ure gewerk.....
 Etenspouse van.....
 tot.....
 Besonderhede van 'n ongeluk of vertraging.....
 Name van ander werknemers wat drywer vergesel.....

Handtekening van drywer.....

Datum.....

(2) Elke drywer moet in die logboek bedoel in subklousule (1), 'n daag-
 likse log in tweevoud hou ten opsigte van elke dag se werk en moet binne
 24 uur na voltooiing van die werk waarop dit betrekking het, 'n kopie
 daarvan aan sy werkgewer lewer.

(3) Die werkgewer moet die kopie van die daaglikse log wat kragtens
 subklousule (2) aan hom gelewer is, vir 'n tydperk van minstens drie jaar
 na sodanige lewering bewaar.

15. PRESENSIEREGISTER

(1) 'n Werkgewer moet in sy bedryfsinrigting 'n presensieregister wat
 wesenlik die onderstaande vorm het, voorsien, waarin hy in ink of inktol-
 lood die naam en klas van elk van sy werknemers moet aanteken, en indien
 sodanige werknemer nie in staat is om te skryf nie, moet sy werkgewer
 namens hom vir elke dag gewerk en op daardie dag die vereiste inskry-
 wings ten opsigte van punte (i) tot en met (vi) van subklousule (3) (a)
 maak, en sodanige inskrywings onderteken.

ATTENDANCE REGISTER

(Name of employee)

(Class of employee)

Date and day of week		Entries to be made by employee											Remarks (if any)				
Year.....	Month.....	Time of commencing work	Intervals off work						Time of finishing work	Overtime worked		Total number of hours		Signature	By employee	By employer, if employee was absent. Reasons for his absence (to be signed by employer)	By inspector
Date	Day of week		Off	On	Off	On	Off	On		On	Off	Each day	Each week				
1																	
2																	
3																	
4																	
5																	
6																	
7																	
8																	
9																	
10																	
11																	
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23																	
24																	
25																	
26																	
27																	
28																	
29																	
30																	
31																	

Note.—Under heading "Off" and "On" in column referring to "intervals off work" insert time when interval commences and time when work is resumed. An employee is deemed to be at work for any interval in his work if the employee is not free to leave the establishment for the whole of the interval.

(Naam van werknemer)

PRESENSIEREGISTER

(Klas van werknemer)

Datum en dag van week		Inskrywings moet deur werknemer gemaak word												Opmerkings (as daar is)			
Jaar	Maand	Tyd waarop werk begin word	Pouses van diens af						Tyd waarop werk beëindig word	Oortyd gewerk		Totale getal ure gewerk		Handtekening	Deur werk- nemer	Deur werkgever as werknemer af- wesig is; rede daarvoor (Moet deur werkgever onderteken word)	Deur inspekteur
Datum	Dag van week		Af	Aan	Af	Aan	Af	Aan		Aan	Af	Elke dag	Elke week				
1																	
2																	
3																	
4																	
5																	
6																	
7																	
8																	
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31																	

Nota.—Onder opskrif "Aan" en "Af" in kolom "Pouses van diens af", voeg in tyd wanneer pouse begin en tyd wanneer werk hervat word. 'n Werknemer word geag by die werk te wees vir enige pouse in sy werk indien dit die werknemer nie vrystaan om die bedryfsinrigting vir die hele pouse te verlaat nie.

(2) An employer may, instead of an attendance register, provide a semi-automatic time recorder together with the necessary cards, which shall be as nearly as practicable in the following form, and supply to each employee such a card indicating the name or number of the employee and the date of termination of the week in respect of which it is to be used:

No. Name and class of employee
Week ended

Day	In	Out	In	Out	Total
Sunday.....	..h..	..h..	..h..	..h..	..h..
Monday.....	..h..	..h..	..h..	..h..	..h..
Tuesday.....	..h..	..h..	..h..	..h..	..h..
Wednesday.....	..h..	..h..	..h..	..h..	..h..
Thursday.....	..h..	..h..	..h..	..h..	..h..
Friday.....	..h..	..h..	..h..	..h..	..h..
Saturday.....	..h..	..h..	..h..	..h..	..h..

(3) Unless prevented from doing so by unavoidable cause, every employee shall in respect of each day worked by him and on that day—

(a) record in ink or indelible pencil in such attendance register referred to in subclause (1):

- the day of the week;
- the time he commenced work;
- the time of commencement and termination of all meal or other intervals which are not reckonable as ordinary hours of work;
- the time of finishing work for the day;
- the time of commencement and termination of overtime worked for the day;
- the total number of hours worked for the day; and
- his signature;

(b) in an establishment where a semi-automatic time recorder is provided, make an entry by means of such recorder on a card supplied in terms of subclause (2) to show the following:

- the time he commenced work;
- the time of commencement and termination of all meal or other intervals which are not reckonable as ordinary hours of work; and
- the time of finishing work for the day.

(4) An employer shall retain such attendance register referred to in subclause (1) or the cards referred to in subclause (2), as the case may be, for a period of not less than three years after the date of the last entry therein or thereon.

(5) This clause shall not apply to—

- an employee who is excluded from the hours of work provisions by virtue of clause 5 (7) (a), and
- a driver and an employee accompanying such driver."

(2) 'n Werkgewer kan, in plaas van 'n presensieregister, 'n halfoutomatiese tydregistreerder met die nodige kaarte wat sover doenlik onderstaande vorm moet hê, beskikbaar stel en elkeen van sy werknemers van so 'n kaart met die naam en nommer van die werknemer asook die datum van diensbeëindiging van die week waarvoor die kaart gebruik moet word, voorsien.

No. Naam en klas van werknemer
Week geëindig.....

Dag	In	Uit	In	Uit	Totaal
Sondag.....	..h..	..h..	..h..	..h..	..h..
Maandag.....	..h..	..h..	..h..	..h..	..h..
Dinsdag.....	..h..	..h..	..h..	..h..	..h..
Woensdag.....	..h..	..h..	..h..	..h..	..h..
Donderdag.....	..h..	..h..	..h..	..h..	..h..
Vrydag.....	..h..	..h..	..h..	..h..	..h..
Saterdag.....	..h..	..h..	..h..	..h..	..h..

(3) Tensy hy deur onvermydelike oorsaak verhinder word om dit te doen, moet elke werknemer ten opsigte van elke dag wat hy gewerk het en wel op dié dag—

(a) in ink of inktlood in sodanige bywoningsregister bedoel in subklousule (1) aanteken:

- Die dag van die week;
- die tyd waarop hy begin werk het;
- die tyd waarop alle etens- en ander pouses wat nie as gewone werkure gereken word nie, begin en geëindig het;
- die tyd waarop werk vir die dag beëindig is;
- die tyd waarop oortyd gewerk vir die dag, begin en beëindig is;
- die totale aantal ure gewerk vir die dag; en
- sy handtekening;

(b) in 'n bedryfsinrigting waar 'n halfoutomatiese tydregistreerder voorsien word, 'n inskrywing maak deur middel van die registreerder op 'n kaart wat ingevolge subklousule (2) voorsien is en wat die volgende moet toon:

- Die tyd waarop hy begin werk het;
- die tyd waarop alle etens- of ander pouses wat nie as gewone werkure gereken word nie, begin en geëindig het; en
- die tyd waarop werk vir die dag beëindig is.

(4) 'n Werkgewer moet die presensieregister in subklousule (1) bedoel, of die kaarte in subklousule (2) bedoel, na gelang van die geval, vir 'n tydperk van minstens drie jaar na die datum van die laaste inskrywing daarin of daarop bewaar.

(5) Hierdie klousule is nie van toepassing nie op—

- 'n werknemer wat uit hoofde van klousule 5 (7) (a) van die werkurebepalings uitgesluit word, en
- 'n drywer en 'n werknemer wat sodanige drywer vergesel."

No. R. 2161

17 October 1986

LABOUR RELATIONS ACT, 1956

BUILDING AND MONUMENTAL MASONRY INDUSTRIES (TRANSVAAL).—EXTENSION OF MAIN AGREEMENT

I, Pieter Theunis Christiaan du Plessis, Minister of Manpower, hereby, in terms of section 48 (4) (a) (i) of the Labour Relations Act, 1956, extend the periods fixed in Government Notices R. 4 of 7 January 1983, R. 2315 and R. 2316 of 21 October 1983, R. 2214 and R. 2215 of 5 October 1984, R. 954 and R. 955 of 26 April 1985 and R. 2374 of 18 October 1985, by a further period ending 30 April 1987.

P. T. C. DU PLESSIS,
Minister of Manpower.

No. R. 2161

17 Oktober 1986

WET OP ARBEIDSVERHOUDINGE, 1956

BOU- EN MONUMENTKLIPMESSSELNYWERHEID (TRANSVAAL).—VERLENGING VAN HOOFOOREENKOMS

Ek, Pieter Theunis Christiaan du Plessis, Minister van Mannekrag, verleng hierby, kragtens artikel 48 (4) (a) (i) van die Wet op Arbeidsverhoudinge, 1956, die tydperke vasgestel in Goewermentskennisgewings R. 4 van 7 Januarie 1983, R. 2315 en R. 2316 van 21 Oktober 1983, R. 2214 en R. 2215 van 5 Oktober 1984, R. 954 en R. 955 van 26 April 1985 en R. 2374 van 18 Oktober 1985, met 'n verdere tydperk wat op 30 April 1987 eindig.

P. T. C. DU PLESSIS,
Minister van Mannekrag.

No. R. 2174

17 October 1986

LABOUR RELATIONS ACT, 1956

CLOTHING INDUSTRY, NATAL.—EXTENSION OF PROVIDENT FUND AGREEMENT

I, Mattheus Willem Johannes le Roux, Director: Manpower, duly authorised thereto by the Minister of Manpower, hereby, in terms of section 48 (4) (a) (i) of the Labour Relations Act, 1956, extend the periods fixed in Government Notices R. 49 of 11 January 1980, R. 2775 and R. 2776 of 24 December 1982, R. 1609 of 3 August 1984, R. 2723 and R. 2724 of 14 December 1984, by a further period ending 31 December 1988.

M. W. J. LE ROUX,
Director: Manpower.

No. R. 2175

17 October 1986

LABOUR RELATIONS ACT, 1956

CLOTHING INDUSTRY, NATAL.—RENEWAL OF MAIN AGREEMENT

I, Mattheus Willem Johannes le Roux, Director: Manpower, duly authorised thereto by the Minister of Manpower, hereby, in terms of section 48 (4) (a) (ii) of the Labour Relations Act, 1956, declare the provisions of Government Notices R. 46 of 11 January 1980, R. 2774 of 24 December 1982 and R. 919 of 26 April 1985, to be effective from the date of publication of this notice and for the period ending 31 December 1988.

M. W. J. LE ROUX,
Director: Manpower.

No. R. 2176

17 October 1986

LABOUR RELATIONS ACT, 1956

CLOTHING INDUSTRY, NATAL.—EXTENSION OF TRAINING FUND AGREEMENT

I, Mattheus Willem Johannes le Roux, Director: Manpower, duly authorised thereto by the Minister of Manpower, hereby, in terms of section 48 (4) (a) (i) of the Labour Relations Act, 1956, extend the periods fixed in Government Notices R. 1022 of 19 May 1978, R. 2631 of 23 November 1979, R. 912 of 7 May 1982, R. 2777 of 24 December 1982, R. 2725 of 14 December 1984 and R. 2726 of 14 December 1984, by a further period ending 31 December 1988.

M. W. J. LE ROUX,
Director: Manpower.

DEPARTMENT OF NATIONAL HEALTH AND POPULATION DEVELOPMENT

No. R. 2142

17 October 1986

REGULATIONS UNDER THE CIVIL DEFENCE ACT,
1977 (ACT 67 OF 1977)

AMENDMENT

The State President has, in terms of section 9 of the Civil Defence Act, 1977 (Act 67 of 1977), made the regulations set out in the Schedule hereto.

No. R. 2174

17 Oktober 1986

WET OP ARBEIDSVERHOUDINGE, 1956

KLERASIENYWERHEID, NATAL.—VERLENGING
VAN VOORSORGFONDSOOREENKOMS

Ek, Mattheus Willem Johannes le Roux, Direkteur: Mannekrag, behoorlik daartoe gemagtig deur die Minister van Mannekrag, verleng hierby, kragtens artikel 48 (4) (a) (i) van die Wet op Arbeidsverhoudinge, 1956, die tydperke vasgestel in Goewermentskennisgewings R. 49 van 11 Januarie 1980, R. 2775 en R. 2776 van 24 Desember 1982, R. 1609 van 3 Augustus 1984, R. 2723 en R. 724 van 14 Desember 1984, met 'n verdere tydperk wat op 31 Desember 1988 eindig.

M. W. J. LE ROUX,
Direkteur: Mannekrag.

No. R. 2175

17 Oktober 1986

WET OP ARBEIDSVERHOUDINGE, 1956

KLERASIENYWERHEID, NATAL.—HERNUWING
VAN HOOFOOREENKOMS

Ek, Mattheus Willem Johannes le Roux, Direkteur: Mannekrag, behoorlik daartoe gemagtig deur die Minister van Mannekrag, verklaar hierby, kragtens artikel 48 (4) (a) (ii) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalinge van Goewermentskennisgewings R. 46 van 11 Januarie 1980, R. 2774 van 24 Desember 1982 en R. 919 van 26 April 1985, van krag is vanaf die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Desember 1988 eindig.

M. W. J. LE ROUX,
Direkteur: Mannekrag.

No. R. 2176

17 Oktober 1986

WET OP ARBEIDSVERHOUDINGE, 1956

KLERASIENYWERHEID, NATAL.—VERLENGING
VAN OPLEIDINGSFONDSOOREENKOMS

Ek, Mattheus Willem Johannes le Roux, Direkteur: Mannekrag, behoorlik daartoe gemagtig deur die Minister van Mannekrag, verleng hierby, kragtens artikel 48 (4) (a) (i) van die Wet op Arbeidsverhoudinge, 1956, die tydperke vasgestel in Goewermentskennisgewings R. 1022 van 19 Mei 1978, R. 2631 van 23 November 1979, R. 912 van 7 Mei 1982, R. 2777 van 24 Desember 1982, R. 2725 van 14 Desember 1984 en R. 2726 van 14 Desember 1984, met 'n verdere tydperk wat op 31 Desember 1988 eindig.

M. W. J. LE ROUX,
Direkteur: Mannekrag.

DEPARTEMENT VAN NASIONALE GESONDHEID EN BEVOLKINGS- ONTWIKKELING

No. R. 2142

17 Oktober 1986

REGULASIES Kragtens die Wet op Burgerlike
Beskerming, 1977 (Wet 67 van 1977)

WYSIGING

Die Staatspresident het kragtens artikel 9 van die Wet op Burgerlike Beskerming, 1977 (Wet 67 van 1977), die regulasies in die Bylae hiervan uiteengesit, uitgevaardig.

SCHEDULE

1. In this Schedule "the Regulations" shall mean the regulations promulgated by Government Notice R. 2461 of 15 December 1978.

Amendment of regulation 1 of the Regulations

2. Regulation 1 of the Regulations is hereby amended—

- (a) by the substitution for paragraph (a) of the definition of "formula I" in subregulation (1) of the following paragraph:

"(a) A—represents the income of the member on the date of the event which, in the case of a member whose actual income—

(i) exceeds R10 754 per annum, shall be deemed to be R10 037 per annum;

(ii) does not exceed the amount of R10 754 per annum, shall be deemed not to exceed R8 603 per annum;" and

- (b) by the substitution in paragraph (a) of the definition of "formula IV" in subregulation (1) for the expression "R4 080" of the expression "R6 800".

Amendment of regulation 2 of the Regulations

3. Regulation 2 of the Regulations is hereby amended by the substitution in paragraph (e) for the expression "R250" of the expression "R650".

Date of coming into effect

4. Regulations 2 (a) and 3 shall be deemed to have come into operation on 1 October 1985 and regulation 2 (b) shall be deemed to have come into operation on 1 April 1983.

No. R. 2162

17 October 1986

THE SOUTH AFRICAN MEDICAL AND
DENTAL COUNCIL

REGULATIONS RELATING TO THE QUALIFICATIONS WHICH ENTITLE PSYCHOLOGISTS TO REGISTRATION.—AMENDMENT

In terms of section 61 (1) (s), read with section 24 (1) of the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act 56 of 1974), the Minister of National Health and Population Development has, on the recommendation of the South African Medical and Dental Council, made the regulations set out in the Schedule hereto.

SCHEDULE

1. In this Schedule, unless the context otherwise indicates, "the regulations" means the regulations published under Government Notice R. 612 of 15 April 1977, as amended by Government Notices R. 2578 of 23 December 1977, R. 1040 of 26 May 1978, R. 2612 of 29 December 1978, R. 670 of 27 March 1981, R. 1020 of 28 May 1982, R. 1386 of 9 July 1982, R. 2262 of 10 December 1982, R. 1098 of 30 May 1984, R. 1101 of 30 May 1984 and R. 1728 of 9 August 1985.

2. Regulation 2 of the regulations is hereby amended by the insertion of the following qualifications:

University or examining authority
and qualification

Abbreviation for
registration

Bayerisch Julius Maximilians University,
Würzburg

Diploma in Psychology

Dip Psychology Baye-
risch Julius Maximi-
lians, Würzburg

University of Bucharest

Master of Arts in Psychology

MA (Psychology) Bucha-
rest

BYLAE

1. In hierdie Bylae beteken "die Regulasies" die regulasies afgekondig by Goewermentskennisgewing R. 2461 van 15 Desember 1978.

Wysiging van regulasie 1 van die Regulasies

2. Regulasie 1 van die Regulasies word hierby gewysig—

- (a) deur paragraaf (a) van die omskrywing van "formule I" in subregulasie (1) deur die volgende paragraaf te vervang:

"(a) A—die verdienste van die lid op die datum van die gebeurtenis voorstel, wat in die geval van 'n lid wie se werklike verdienste—

(i) R10 754 per jaar oorskry, geag word R10 037 per jaar te wees;

(ii) nie die bedrag van R10 754 per jaar oorskry nie, geag word hoogstens R8 603 per jaar te wees;" en

- (b) deur in paragraaf (a) van die omskrywing van "formule IV" in subregulasie (1) die uitdrukking "R4 080" deur die uitdrukking "R6 800" te vervang.

Wysiging van regulasie 2 van die Regulasies

3. Regulasie 2 van die Regulasies word hierby gewysig deur in paragraaf (e) die uitdrukking "R250" deur die uitdrukking "R650" te vervang.

Inwerkingtreding

4. Regulasies 2 (a) en 3 word geag op 1 Oktober 1985 en regulasie 2 (b) op 1 April 1983, in werking te getree het.

No. R. 2162

17 Oktober 1986

DIE SUID-AFRIKAANSE GENEESKUNDIGE EN
TANDHEELKUNDIGE RAAD

REGULASIES BETREFFENDE DIE KWALIFIKASIES
WAT DIE REG OP REGISTRASIE AS SIELKUNDIGES
VERLEEN.—WYSIGING

Die Minister van Nasionale Gesondheid en Bevolkingsontwikkeling het, kragtens artikel 61 (1) (s) gelees met artikel 24 (1) van die Wet op Geneeshere, Tandartse en Aanvullende Gesondheidsdiensberoep, 1974 (Wet 56 van 1974), op aanbeveling van die Suid-Afrikaanse Geneeskundige en Tandheelkundige Raad, die regulasies in die Bylae hiervan uiteengesit, uitgevaardig.

BYLAE

1. In hierdie Bylae, tensy uit die samehang anders blyk, beteken "die regulasies" die regulasies afgekondig by Goewermentskennisgewing R. 612 van 15 April 1977, soos gewysig by Goewermentskennisgewings R. 2578 van 23 Desember 1977, R. 1040 van 26 Mei 1978, R. 2612 van 29 Desember 1978, R. 670 van 27 Maart 1981, R. 1020 van 28 Mei 1982, R. 1386 van 9 Julie 1982, R. 2262 van 10 Desember 1982, R. 1098 van 30 Mei 1984, R. 1101 van 30 Mei 1984 en R. 1728 van 9 Augustus 1985.

2. Regulasie 2 van die regulasies word hierby gewysig deur die toevoeging van die volgende kwalifikasies:

Universiteit of eksaminerende
liggaam en kwalifikasie

Afkorting vir
registrasie

Bayerisch Julius Maximilians-Universi-
teit, Würzburg

Diploma in Sielkunde

Dip Sielkunde Bayerisch
Julius Maximilians,
Würzburg

Universiteit van Bucharest

Magister in Lettere en Wysbegeerte in
Sielkunde

MA (Sielkunde) Bucha-
rest

University or examining authority and qualification	Abbreviation for registration
University of the North	
Master of Commerce	M Com North
Rand Afrikaans University	
Master of Arts in Industrial Psychology ...	MA (Industrial Psychology) RAU
Master of Education in Educational Psychology	M Ed (Educ. Psychology) RAU
University of Stellenbosch	
Master of Science in Psychology	MSc (Psychology) Stell.
United States International University	
Doctor of Philosophy in Psychology	PhD (Psychology) United States International
University of the Witwatersrand	
Doctor of Philosophy	PhD Witwatersrand

Universiteit of eksaminerende liggaam en kwalifikasie	Afkorting vir registrasie
Universiteit van die Noorde	
Magister in Handelswetenskappe	M Com Noorde
Randse Afrikaanse Universiteit	
Magister in Lettere en Wysbegeerte in Bedryfsielkunde	MA (Bedryfsielkunde) RAU
Magister in Opvoedkunde in Opvoedkundige Sielkunde	M Ed (Opvoed Sielkunde) RAU
Universiteit van Stellenbosch	
Magister in Natuurwetenskappe in Sielkunde	MSc (Sielkunde) Stell
United States International-Universiteit	
Doktor in Wysbegeerte in Sielkunde	PhD (Sielkunde) United States International
Universiteit van die Witwatersrand	
Doktor in Wysbegeerte	PhD Witwatersrand

No. R. 2163

17 October 1986

THE SOUTH AFRICAN MEDICAL AND DENTAL COUNCIL**REGULATIONS RELATING TO THE REGISTRATION OF CERTAIN CATEGORIES OF MEDICAL PRACTITIONERS, INTERNS AND DENTISTS.—AMENDMENT**

In terms of section 61 (1) (s) read with section 26 of the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act 56 of 1974), the Minister of National Health and Population Development, acting on the recommendation of the South African Medical and Dental Council, has made the regulations set out in the Schedule hereto.

SCHEDULE

1. In this Schedule, unless the context otherwise indicates, "the regulations" means the regulations published under Government Notice R. 2274 of 3 December 1976, as amended by Government Notice R. 1828 of 16 September 1977.

2. Regulation 1 of the regulations is hereby amended by the insertion of the following subregulation after subregulation (10):

"(11) medical practitioners or dentists employed by an institution subsidised or financed by a central, regional or local government body."

No. R. 2164

17 October 1986

THE SOUTH AFRICAN MEDICAL AND DENTAL COUNCIL**REGULATIONS RELATING TO THE CONDUCT OF THE BUSINESS OF PROFESSIONAL BOARDS.—AMENDMENT**

In terms of section 15 (5) of the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act 56 of 1974), read with section 61 (1) (a) of the said Act, the Minister of National Health and Population Development, acting on the recommendation of the South African Medical and Dental Council, has made the regulations set out in the Schedule hereto.

SCHEDULE

1. In this Schedule, unless the context otherwise indicates, "the regulations" means the regulations published under Government Notice R. 2285 of 3 December 1976, as amended by Government Notices R. 1182 of 8 June 1979, R. 2280 of 12 October 1979 and R. 1099 of 30 May 1984.

No. R. 2163

17 Oktober 1986

DIE SUID-AFRIKAANSE GENEESKUNDIGE EN TANDHEELKUNDIGE RAAD**REGULASIES BETREFFENDE DIE REGISTRASIE VAN SEKERE KATEGORIEË GENEESHERE, INTERNS EN TANDARTSE.—WYSIGING**

Die Minister van Nasionale Gesondheid en Bevolkingsontwikkeling het, kragtens artikel 61 (1) (s) gelees met artikel 26 van die Wet op Geneeshere, Tandartse en Aanvullende Gesondheidsdiensberoep, 1974 (Wet 56 van 1974), op aanbeveling van die Suid-Afrikaanse Geneeskundige en Tandheelkundige Raad, die regulasies in die Bylae hiervan uiteengesit, uitgevaardig.

BYLAE

1. In hierdie Bylae, tensy uit die samehang anders blyk, beteken "die regulasies" die regulasies afgekondig by Goewermentskennisgewing R. 2274 van 3 Desember 1976, soos gewysig by Goewermentskennisgewing R. 1828 van 16 September 1977.

2. Regulasie 1 van die regulasies word hierby gewysig deur die volgende subregulasie na subregulasie (10) in te voeg:

"(11) geneeshere of tandartse wat in diens geneem is deur 'n inrigting wat gesubsidieer of gefinansier word deur 'n sentrale, streek- of plaaslike regeringsliggaam."

No. R. 2164

17 Oktober 1986

DIE SUID-AFRIKAANSE GENEESKUNDIGE EN TANDHEELKUNDIGE RAAD**REGULASIES BETREFFENDE DIE VERRIGTING VAN DIE WERKSAAMHEDE VAN BEROEPSRADE.—WYSIGING**

Die Minister van Nasionale Gesondheid en Bevolkingsontwikkeling het, kragtens artikel 15 (5) gelees met artikel 61 (1) (a) van die Wet op Geneeshere, Tandartse en Aanvullende Gesondheidsdiensberoep, 1974 (Wet 56 van 1974), op aanbeveling van die Suid-Afrikaanse Geneeskundige en Tandheelkundige Raad, die regulasies in die Bylae hiervan uiteengesit, uitgevaardig.

BYLAE

1. In hierdie Bylae, tensy uit die samehang anders blyk, beteken "die regulasies" die regulasies afgekondig by Goewermentskennisgewing R. 2285 van 3 Desember 1976, soos gewysig by Goewermentskennisgewings R. 1182 van 8 Junie 1979, R. 2280 van 12 Oktober 1979 en R. 1099 van 30 Mei 1984.

2. Regulation 23 of the regulations is hereby amended by—

- (a) the insertion in paragraph (a) of the words “and the Professional Board for Psychology” between the word “Optometry” and the word “and”; and
- (b) the insertion in paragraph (b) of the words “and the Professional Board for Psychology” between the word “Optometry” and the word “shall”.

2. Regulasie 23 van die regulasies word hierby gewysig—

- (a) deur in paragraaf (a) die woorde “en die Beroepsraad vir Sielkunde” tussen die woord “Optometrie” en die woord “bestaan” in te voeg; en
- (b) deur in paragraaf (b) die woorde “en die Beroepsraad vir Sielkunde” tussen die woord “Optometrie” en die woord “bestaan” in te voeg.

Save a drop — and save a million

Water conservation is very important to the community and industry to ensure their survival. So save water!



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

PHYTOPHYLACTICA

This publication deals with plant pathology, mycology, microbiology, entomology, nematology, and other zoological plant pests. Four parts of the journal are published annually.

Contributions of scientific merit on agricultural research are invited for publication in this journal. Directions for the preparation of such contributions are obtainable from the Director, Agricultural Information, Private Bag X144, Pretoria, to whom all communications in connection with the journal should be addressed.

The journal is obtainable from the above-mentioned address at R5 plus GST per copy or R20 per annum, post free (Other countries R6,25 per copy or R25 per annum).

PHYTOPHYLACTICA

Hierdie publikasie bevat artikels oor plantpatologie, mikologie, mikrobiologie, entomologie, nematologie en ander dierkundige plantplae. Vier dele van die tydskrif word per jaar gepubliseer.

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THE FLOWERING PLANTS OF AFRICA

This publication is issued as an illustrated serial, much on the same lines as Curtis's Botanical Magazine, and for imitating which no apology need be tendered.

The desire and object of the promoters of the publication will be achieved if it stimulates further interest in the study and cultivation of our indigenous plants.

The illustrations are prepared mainly by the artists at the Botanical Research Institute, but the Editor welcomes contributions of suitable artistic and scientific merit from kindred institutions.

Each part contains 10 plates. Two parts are published in one cover and costs R15 per issue of two parts (other countries R16 per issue). Two, three or four parts may be published annually, depending on the availability of illustrations. A volume consists of four parts. From Volume 27, the price per volume is: Rexine binding, R40; de luxe binding R45 (other countries, rexine binding R45; de luxe binding R50).

Obtainable from the Director, Division of Agricultural Information, Private Bag X144, Pretoria.

Sales tax must accompany inland orders.

DIE BLOMPLANTE VAN AFRIKA

Hierdie publikasie word uitgegee as 'n geïllustreerde reeks, baie na die aard van Curtis se "Botanical Magazine". Die doel van die werk is om die skoonheid en variasie van vorm van die flora van Afrika aan die leser bekend te stel, om belangstelling in die studie en kweek van die inheemse plante op te wek, en om plantkunde in die algemeen te bevorder.

Die meeste van die illustrasies word deur kunstenaars van die Navorsingsinstituut vir Plantkunde gemaak, dog die Redakteur verwelkom geskikte bydraes van 'n wetenskaplike en kunsstandaard afkomstig van verwante inrigtings.

Onder huidige omstandighede word twee dele van die werk in een omslag gepubliseer, maar met onreëlmatige tussenpose; elke deel bevat 10 kleurplate. Intekengeld bedra R15 per uitgawe van twee dele (buitelands R16 per uitgawe): Vier dele per band. Vanaf band 27 is die prys per band in rexine gebind R40; in luukse rexine gebind R45. (Buitelands, rexine gebind R45; luukse band R50).

Verkrygbaar van die Direkteur, Afdeling Landbou-inligting, Privaatsak X144, Pretoria.

Verkoopbelasting moet by binnelandse bestellings ingesluit word.

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