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PROCLAMATIONS

by the

State President of the Republic of South Africa

No. R. 216, 1986

EXCISION OF CERTAIN LAND FROM RELEASED AREA IN THE DISTRICTS OF ZOUTPANSBERG AND LETABA, PROVINCE OF THE TRANSVAAL

By virtue of the powers vested in me by section 2 (2), read with section 2 (2A) (a) of the Development Trust and Land Act, 1936 (Act 18 of 1936), I hereby excise the land defined in the Schedule hereto from released area.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this twenty-fourth day of October, One thousand Nine hundred and Eighty-six.

P. W. BOTHA,

State President.

By order of the State President-in-Cabinet:

G. VAN N. VILJOEN,

Minister of the Cabinet.

SCHEDULE

PROVINCE OF THE TRANSVAAL

District of Zoutpansberg

The farm Dassieshoek 339 LT.

The farm Tygerkloof 180 LT.

The farm Bronkhorstfontein 181 LT.

District of Letaba

The farm Kogelfontein 183 LT.

Remaining extent of portion A, measuring 58,1246ha, and Portion 8 (a portion of Portion A) of the farm Paarde-dood 186 LT.

PROKLAMASIES

van die

Staatspresident van die Republiek van Suid-Afrika

No. R. 216, 1986

WEGNEEM VAN SEKERE GROND UIT OOPGESTELDE GEBIED IN DIE DISTRIKTE ZOUTPANSBERG EN LETABA, PROVINSIE TRANSVAAL

Kragtens die bevoegdheid my verleen by artikel 2 (2), gelees met artikel 2 (2A) (a), van die Ontwikkelingstrust en Grond Wet, 1936 (Wet 18 van 1936), neem ek hierby die grond omskryf in die Bylae hiervan, weg uit oopgestelde gebied.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Vier-en-twintigste dag van Oktober Eenduisend Negehonderd Ses-en-tigtyg.

P. W. BOTHA,

Staatspresident.

Op las van die Staatspresident-in-Kabinet:

G. VAN N. VILJOEN,

Minister van die Kabinet.

BYLAE

PROVINSIE TRANSVAAL

Distrik Zoutpansberg

Die plaas Dassieshoek 339 LT.

Die plaas Tygerkloof 180 LT.

Die plaas Bronkhorstfontein 181 LT.

Distrik Letaba

Die plaas Kogelfontein 183 LT.

Restant gedeelte van Gedeelte A, groot 58,1246ha, en Gedeelte 8 (gedeelte van Gedeelte A) van die plaas Paarde-dood 186 LT.

No. R. 217, 1986**AMENDMENT OF THE KWANDEBELE CONSTITUTION PROCLAMATION, 1979 (PROCLAMATION R. 205 OF 1979)**

Under and by virtue of the powers vested in me by section 1 (2) of the National States Constitution Act, 1971 (Act 21 of 1971), I hereby amend Schedule I of the KwaNdebele Constitution Proclamation, 1979 (Proclamation R. 205 of 1979), as amended, by adding the following sentence in paragraph (d) after the words "Rietfontein 470 JR (entire farm)":

"excluding those portions of Portion 8 and 10, situated west of the consolidation line.)"

Given under my Hand and the Seal of the Republic of South Africa at Pretoria, this third day of November, One Thousand Nine Hundred and Eighty-six.

P. W. BOTHA,

State President.

By Order of the State President-in-Cabinet:

J. C. HEUNIS,

Minister of the Cabinet.

GOVERNMENT NOTICES**DEPARTMENT OF AGRICULTURAL ECONOMICS AND MARKETING****No. R. 2419**

21 November 1986

MARKETING ACT, 1968 (ACT 59 OF 1968)**LUCERNE SEED SCHEME.—AMENDMENT**

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

- (a) publish the amendment set out in the Schedule hereto, of the Lucerne Seed Scheme published by Proclamation R. 30 of 1963, as amended; and
- (b) declare that the said amendment shall come into operation on the date of publication hereof.

J. J. G. WENTZEL,

Minister of Agricultural Economics.

SCHEDULE

Section 14 of the Lucerne Seed Scheme published by Proclamation R. 30 of 1963, as amended, is hereby amended by the insertion in subsection (1) after paragraph (i) of the following paragraph:

"(iA) with the approval of the Minister, by grant or loan or in any other manner, assist—

- (i) a committee or organization established or instituted by the South African Agricultural Union to promote any branch of the agricultural industry; and
- (ii) any organization instituted to promote any branch of the agricultural industry and affiliated with the said Union or a provincial agricultural union;".

No. R. 217, 1986**WYSIGING VAN DIE KWANDEBELE- GRONDWET-PROKLAMASIE, 1979 (PROKLAMASIE R. 205 VAN 1979)**

Kragtens die bevoegdheid my verleen by artikel 1 (2) van die Grondwet van die Nasionale State, 1971 (Wet 21 van 1971), wysig ek hierby Bylae I van die KwaNdebele-grondwetproklamasie, 1979 (Proklamasie R. 205 van 1979), soos gewysig, deur die byvoeging van die volgende sin in paragraaf (d) na die woorde "Rietfontein 470 JR (die plaas in sy geheel)":

"met die uitsluiting van daardie gedeeltes van Gedeelte 8 en 10, geleë wes van die konsolidasielyn.)"

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die derde dag van November, Eenduisend Negehonderd Ses-en-tachtig.

P. W. BOTHA,

Staatspresident.

Op las van die Staatspresident-in-Kabinet:

J. C. HEUNIS,

Minister van die Kabinet.

GOEWERMENTSKENNISGEWINGS**DEPARTEMENT VAN LANDBOU-EKONOMIE EN -BEMARKING****No. R. 2419**

21 November 1986

BEMARKINGSWET, 1968 (WET 59 VAN 1968)**LUSERNSAADSKEMA.—WYSIGING**

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

- (a) publiseer hierby die wysiging in die Bylae uiteengesit, van die Lusernsaadskema gepubliseer by Proklamasie R. 30 van 1963, soos gewysig; en
- (b) verklaar hierby dat genoemde wysiging op die datum van publikasie hiervan in werking tree.

J. J. G. WENTZEL,

Minister van Landbou-ekonomie.

BYLAE

Artikel 14 van die Lusernsaadskema gepubliseer by Proklamasie R. 30 van 1963, soos gewysig, word hierby gewysig deur in subartikel (1) die volgende paragraaf na paragraaf (i) in te voeg:

- "(iA) met die Minister se goedkeuring, deur middel van toekenning of lening of op 'n ander wyse, bystand te verleen aan—
 - (i) 'n komitee of organisasie wat deur die Suid-Afrikaanse Landbou-unie ingestel of in die lewe geroep is om die een of ander vertakking van die landboubedryf te bevorder; en
 - (ii) 'n organisasie wat in die lewe geroep is om die een of ander vertakking van die landboubedryf te bevorder en by genoemde Unie of 'n provinsiale landbou-unie geaffilieer is;".

DEPARTMENT OF ENVIRONMENT AFFAIRS

No. R. 2407

21 November 1986

NOTICE OF INTENTION IN TERMS OF SECTION 12 (6) OF THE ENVIRONMENT CONSERVATION ACT, 1982 (ACT 100 OF 1982), TO MAKE REGULATIONS IN TERMS OF SECTION 12 (2) (b) OF THE SAID ACT

1. The Minister of Environment Affairs and Tourism intends to make the regulations in the Schedule to this notice in terms of the powers vested in him by section 12 (2) (b) of the Environment Conservation Act, 1982 (Act 100 of 1982). Interested parties are called upon to submit to the Director-General: Environment Affairs, Private Bag X447, Pretoria, 0001, within 72 days from the date of publication of this notice in the *Gazette*, such comments and representations in connection with the proposed regulations as they may wish to submit or make and to quote reference A1/4/35/2.

2. Interested parties' attention is drawn thereto that—

- (a) regulations, under section 12 (3), of the Act, may assign functions to any provincial administration or local authority; and
- (b) the Minister of Environment Affairs and Tourism, in terms of section 12 (4) of the Act, may declare the regulations, with or without amendment, to be applicable in the area of jurisdiction of any local authority or in any defined part of such area of jurisdiction or in any defined area that does not fall within such area of jurisdiction.

J. F. OTTO,
Director-General: Environment Affairs.

SCHEDULE

1. DEFINITIONS

In these regulations, unless the context otherwise indicates, an expression to which a meaning has been assigned by the Environment Conservation Act, 1982 (Act 100 of 1982) has the same meaning and—

“ambient sound level” means the reading on an integrating impulse sound level meter, taken at the end of a total period of at least ten (10) minutes after such integrating impulse sound level meter had been put into operation at the measuring point, during which time a noise, which is alleged to be a disturbing noise, is absent;

“controlled area” means a piece of land, defined by a council resolution where, in the case of—

- (a) road transport noise, the reading on an integrating impulse sound level meter, taken while such meter is in operation, at the end of a period from 06h00 to 24h00, exceeds 65dB (A), or an equivalent sound level as calculated in accordance with CSIR manual K65* and projected for a period of fifteen (15) years following the date of the council resolution, exceeds 65dB (A); or
- (b) aircraft noise, the calculated noisiness index exceeds 65dB (A); or
- (c) industrial noise, the reading on an integrating impulse sound level meter, taken while such meter is in operation and such reading at the end of a 24 hour period exceeds 61dB (A), or the calculated equivalent sound level for a period of 24 hours, calculated by means of recognised acoustic methods, exceeds 61dB (A).

* Interim procedure for calculating road traffic noise:

T. B. Davinroy and G. W. Reeves: National Institute for Transport and Road Research. This manual will be replaced by an SABS code of practice when the appropriate code has been approved.

DEPARTEMENT VAN OMGEWINGSAKE

No. R. 2407

21 November 1986

KENNISGEWING VAN VOORNEME KRAGTENS ARTIKEL 12 (6) VAN DIE WET OP OMGEWINGSBEWARING, 1982 (WET 100 VAN 1982), OM REGULASIES KRAGTENS ARTIKEL 12 (2) (b) VAN DIE GEENOEMDE WET UIT TE VAARDIG

1. Die Minister van Omgewingsake en Toerisme is van voorneme om die regulasies in die Bylae tot hierdie kennisgewing, kragtens die bevoegdheid hom verleen by artikel 12 (2) (b) van die Wet op Omgewingsbewaring, 1982 (Wet 100 van 1982), uit te vaardig. Belanghebbendes word gevra om kommentaar en vertoë wat hulle in verband met die voorgenome regulasies wil lewer of rig, binne 'n tydperk van 72 dae vanaf die datum van die publikasie van hierdie kennisgewing in die *Staatskoerant*, aan die Direkteur-generaal: Omgewingsake, Privaatsak X447, Pretoria, 0001, met vermelding van verwysing A1/4/35/2, voor te lê.

2. Belangstellendes se aandag word daarop gevestig dat—

- (a) regulasies, kragtens artikel 12 (3) van die Wet, aan 'n provinsiale administrasie of plaaslike owerheid werkzaamhede kan opdra; en
- (b) die Minister van Omgewingsake en Toerisme, kragtens artikel 12 (4) van die Wet, by kennisgewing in die *Staatskoerant*, die regulasies, met of sonder wysisings, van toepassing kan verklaar in die regsgebied van enige plaaslike owerheid of in enige omskrewe gedeelte van sodanige regsgebied of in 'n omskrewe gebied wat nie binne sodanige regsgebied val nie.

J. F. OTTO,
Direkteur-generaal: Omgewingsake.

BYLAE

1. WOORDOMSKRYWING

In hierdie regulasies, tensy uit die samehang anders blyk, het 'n uitdrukking waaraan daar in die Wet op Omgewingsbewaring, 1982 (Wet 100 van 1982) 'n betekenis geheg is, dieselfde betekenis en beteken—

“beheerde gebied” 'n stuk grond, deur 'n raadsbesluit omskryf waar, in die geval van—

- (a) padvervoergeraas, die aflesing op 'n integrerende impulsblankpeilmeter, geneem terwyl sodanige meter in werking is, aan die einde van 'n periode wat strek vanaf 06h00 tot 24h00, 65dB (A) oorskry, of 'n ekwivalente klankpeil, soos bereken volgens die WNNR handleiding K65*, en geprojekteer vir 'n tydperk van vyftien (15) jaar wat volg op die datum waarop die raadsbesluit geneem is, 65dB (A) oorskry; of
- (b) vliegtuigeraas, die berekende steurindeks 65dB (A) oorskry; of
- (c) nywerheidsgeraas, die aflesing op 'n integrerende impulsblankpeilmeter geneem terwyl sodanige meter in werking is, en sodanige aflesing aan die einde van 'n periode wat strek oor 24 uur, 61dB (A) oorskry of die berekende ekwivalente klankpeil vir 'n periode van 24 uur, bereken met erkende akoestiese metodes, 61dB (A) oorskry.

* Interim procedure for calculating road traffic noise:

T. B. Davinroy and G. W. Reeves: National Institute for Transport and Road Research. Hierdie handleiding word vervang deur 'n SABS procedure kode wanneer die betrokke kode goedgekeur is.

“council” means a “local government” as defined in the Act;	“dataplaat” ’n metaalplaat met minimum afmetings 20 mm × 30 mm waarop die volgende inligting aangebring is:
“data plate” means a metal plate with minimum dimensions of 20mm × 30mm with the following information indicated thereon:	(a) Die maksimum geraaspeil indien gemeet volgens SABS 0181 by voltooiing van die bou van die betrokke voertuig;
(a) The maximum sound level measured in accordance with SABS 0181 at the completion of the construction of the relevant vehicle. (b) The revolutions at which the maximum engine power is developed.	(b) die toere waarteen die maksimum drywing van die enjin ontwikkel word;
“disturbing noise” means—	“die Wet” die Wet op Omgewingsbewaring, 1982 (Wet 100 van 1982);
(a) a noise level which exceeds the zone level, or if no zone sound level has been declared, a noise level which exceeds the ambient sound level 7dB (A) or more; or (b) musical sounds which are reproduced on non-residential premises and are audible beyond the property projection plane;	“eiendomsprojeksievlek” ’n vertikale vlak op en met inbegrip van die grenslyn van ’n stuk grond wat die grense in die ruimte van sodanige stuk grond bepaal;
“inspector” means a person in possession of the National Certificate Noise Control and appointed by the council as noise control inspector and to whom duties and authority in terms of regulation 2 (8) have been delegated;	“gebiedsklankpeil” ’n dB (A)-waarde deur ’n raad bepaal vir ’n stuk grond soos in ’n raadsbesluit omskryf;
“integrating impulse sound level meter” means a device which integrates a function of the root mean square value of sound pressure over a period of time while it is set on “I” reaction and indicates the result in dB(A);	“geraasbeheerbeampte” ’n persoon wat na die oordeel van die raad bevoeg is om oor geraas ingevolge hierdie regulasies beheer uit te oefen op grond van tersiere opleiding in die ingenieurswese of natuurwetenskappe en as sodanig deur die raad aangestel is;
“measuring point” in respect of—	“geraasoortlas” klank wat die gemak, gerief, rus of stilte van ’n lid van die publiek onredelik versteur of belemmer;
(a) a piece of land from which a disturbing noise emanates, means a point outside the property projection plane where a disturbing noise in the opinion of the noise control officer, should be measured in terms of regulation 4; (b) a multi-occupancy building means a point in the building where a disturbing noise in the opinion of the noise control officer, should be measured in terms of regulation 4; (c) a stationary vehicle, means a point where a measuring microphone is placed, as described in SABS 0181; (d) a vessel, means a point 15 m from the vessel or the nearest shore line, whichever distance is the shortest;	“geraaspeil” die aflesing op ’n integrerende impuls-klankpeilmeter, aan die einde van ’n redelike tydperk, nadat sodanige meter in werking gestel is, by die meetpunt geneem, gedurende welke tydperk die geraas wat na bewering ’n steurende geraas is, teenwoordig is, by welke aflesing 5dB (A) gevoeg word indien die steurende geraas ’n suiwertoonkomponent bevat;
“noise control officer” means a person who, in the opinion of the council, is competent to control noise in terms of these regulations on the strength of tertiary education in engineering or natural sciences and appointed as such by the council;	“inspekteur” ’n persoon wat in besit is van die Nasionale Sertifikaat in Geraasbeheer en deur die raad as geraasbeheerinspekteur aangestel is en aan wie funksies en bevoegdhede ingevolge regulasie 2 (8) gedeleer is;
“noise level” means the reading on an integrating impulse sound level meter taken at the measuring point at the end of a reasonable period after such meter had been put into operation, during which period the noise alleged to be a disturbing noise is present, to which reading 5dB (A) is added if the disturbing noise contains a pure tone component;	“integrerende impuls-klankpeilmeter” ’n toestel wat ’n funksie van die wortel-gemiddelde-kwadraatwaarde van klankdruk oor ’n periode van tyd integreer terwyl dit op “I”-reaksie geskakel is en die resultaat in dB (A) aandui;
“noise nuisance” means sound which unreasonably disturbs or obstructs the comfort, convenience, peace or quiet of a member of the public;	“klankpeil” die aflesing op ’n klankpeilmeter by die meetpunt geneem;
“noisiness index” means a number expressed in dB (A) in accordance with SABS 0117 which combines the maximum “A” weighted sound pressure level with the total effective period during which the observer is subjected to aircraft noise in such a manner that the degree of disturbance caused by aircraft over a period can be assessed;	“klankpeilmeter” ’n toestel wat klankdruk meet terwyl dit op “F”-reaksie ingeskakel is en die resultaat in die dB (A) aandui;
“property projection plane” means a vertical plane on and including the boundary of a piece of land, defining the boundaries of such land in space;	“meetpunt” met betrekking tot—
	(a) ’n stuk grond waarvandaan ’n steurende geraas afkomstig is, ’n punt buite die eiendomsprojeksievlek waar ’n steurende geraas, na die oordeel van die geraasbeheerbeampte, ingevolge die bepalings van regulasie 4, gemeet moet word;
	(b) ’n gebou met meer as een okkupant, ’n punt in die gebou waar ’n steurende geraas, na die mening van die geraasbeheerbeampte, ingevolge die bepalings van regulasie 4, gemeet moet word;
	(c) ’n stilstaande voertuig, ’n punt waar ’n meetmikrofoon geplaas word soos beskryf in SABS 0181;
	(d) ’n vaartuig, ’n punt 15 m vanaf die vaartuig of die naaste oewerlyn, welke afstand ook al die kortste is;
	“omgewingsklankpeil” die aflesing op ’n integrerende impuls-klankpeilmeter wat aan die einde van ’n totale tydperk van minstens tien (10) minute nadat sodanige integrerende impuls-klankpeilmeter in werking gestel is, by die meetpunt geneem is gedurende welke tydperk ’n geraas wat na bewering ’n steurende geraas is, afwesig is;

"recreational vehicle" means also an off-road cycle, scrambler, dune buggy, micro-light aircraft, model aircraft, model boat, model vehicle, or a similar vehicle determined by a council;

"sound level" means the reading on a sound level meter taken at the measuring point;

"sound level meter" means a device measuring sound pressure whilst set at "F" reaction and indicating the result in dB (A);

"the Act" means the Environment Conservation Act, 1982 (Act 100 of 1982);

"zone sound level" means a dB (A) value declared by a council for a piece of land as defined by a council resolution;

2. A NOISE CONTROL OFFICER MAY—

- (1) without previous notification, enter any premises, conduct such enquiry and inspection which he may deem necessary, and he or any person instructed by him, may take such steps as may be necessary to stop the noise but only as far as it is necessary for the purpose of assessing the ambient sound level;
- (2) stop any vehicle which presumably causes a noise disturbance, or instruct somebody to stop it, to conduct any examination or test thereon or to issue a notice requiring the owner or person in control of the vehicle to make it available at a special place and time for the necessary examination;
- (3) if he is satisfied that a noise emanating from a building, premises or street, is a disturbing noise or a noise nuisance, instruct in writing the person causing such noise or responsible therefor, or the owner of such building or premises from which or wherefrom such noise emanates, or both, to cease such noise or cause it to be ceased or to take steps to lower the level of the noise to a level conforming with the provisions of these regulations, within the period stipulated in the instruction;
- (4) where amendment to existing uses of land or buildings is planned, require that a noise impact assessment or tests be conducted and that reports or certificates on this be made available to him on demand;
- (5) require that a person presumably causing a disturbing noise or responsible therefor, or the owner of such premises or building from which or wherefrom such noise emanates, or both, cause the noise level of any source to be measured in accordance with the procedure in SABS 0103 at places and times determined by the noise control officer and report the results of such measurements to the noise control officer and that the measurements be taken in his presence;
- (6) if on the strength of a written affidavit by a member of the public he suspects that a noise disturbance exists, require that excavations, earthmoving work, pumping, drilling, construction work, demolition work, power generation or the playing of music, be proceeded with only after conditions laid down by the noise control officer had been complied with;
- (7) if he suspects the contravention of these regulations, institute prosecution;

"ontspanningsvoertuig" ook 'n veldfiets, klouterfiets, duinebesie, ultra-ligte vliegtuig, modelvliegtuig, modelvaartuig, modelvoertuig, of 'n soortgelyke voertuig deur 'n raad bepaal;

"raad"—'n "plaaslike owerheid" soos omskryf in die Wet;

"steurende geraas"—

(a) 'n geraaspeil wat die gebiedklankpeil oorskry, of indien geen gebiedsklankpeil bepaal is nie, 'n geraaspeil wat die omgewingsklankpeil met 7dB (A) of meer oorskry; of

(b) musiekgeluide wat op 'n nie-residensiële perseel voortgebring word en buite die eiendomsprojek-sievlek hoorbaar is;

"steurindeks" 'n syfer uitgedruk in dB (A)-ooréenkomsdig SABS 0117 wat die maksimum "A"-beswaarde klankdrukpeil op so 'n wyse kombineer met die totale effektiewe tydperk waartydens die waarnemer aan vliegtuiggeraas onderwerp word, dat die mate van steurnis wat vliegtuie oor 'n tydperk veroorzaak, bepaal kan word.

2. 'N GERAASBEHEERBEAMPTE KAN—

- (1) sonder vooraf kennisgewing, 'n eiendom betree en enige ondersoek, navraag en inspeksie daarop uitvoer wat hy dienstig ag, en hy of 'n persoon aan wie hy opdrag gee, kan sodanige stappe doen as wat nodig is om die geraas stil te maak maar slegs vir sover dit nodig is vir die doel om die omgewingsklankpeil te bepaal;
- (2) enige voertuig, wat vermoedelik 'n geraasoorlas veroorsaak stop, of iemand aansê om dit te stop, om enige ondersoek of toets daarop uit te voer of om 'n kennisgewing uit te reik wat vereis dat die eienaar of persoon in beheer van die voertuig, dit op 'n aangeviese plek en tyd vir die nodige ondersoek besorg;
- (3) indien hy daarvan oortuig is dat 'n geraas wat van 'n gebou of 'n perseel of van 'n straat afkomstig is, 'n steurende geraas of 'n geraasoorlas is, die persoon wat sodanig geraas veroorsaak of daarvoor verantwoordelik is, of die eienaar van sodanige gebou of perseel waaruit of waarvandaan sodanige geraas afkomstig is, of beide, skriftelik gelas om binne die tydperk in die lasgewing vermeld, sodanige geraas te staak of te laat staak of stappe te doen om die peil van die geraas te verlaag tot 'n peil wat aan die bepalings van hierdie regulasies voldoen;
- (4) waar wysigings van bestaande gebruikte van grond of geboue beplan word, vereis dat 'n geraasinvloedbepaling of toets gedoen moet word en dat verslae of sertifikate hieroor op aanvraag aan hom beskikbaar gestel word;
- (5) vereis dat 'n persoon wat vermoedelik 'n steurende geraas veroorsaak of daarvoor verantwoordelik is, of die eienaar van sodanige perseel of gebou waaruit of waarvandaan sodanige geraas afkomstig is, of beide, die geraaspeil van enige bron ooreenkomsdig die procedure in SABS 0103 laat meet by plekke en op tye wat die geraasbeheerbeampete bepaal en verslag aan die geraasbeheerbeampete lewer en dat die metings in sy teenwoordigheid geskied;
- (6) indien hy op grond van 'n skriftelike beëdigde verklaring van 'n lid van die publiek, vermoed dat 'n geraasoorlas bestaan, vereis dat uitgravings-, grondverskuiwings-, pomp-, boor-, konstruksie-, slopingswerk, kragontwikkeling of die speel van musiek slegs voortgesit word nadat daar voldoen is aan die voorwaardes deur die geraasbeheerbeampete neergelê;
- (7) indien hy vermoed dat enige bepaling van hierdie regulasies oortree word, vervolging instel;

- (8) delegate functions assigned to him and authority conferred on him with the approval of the council, to an inspector or other person;
- (9) if the owner of an animal is not available or fails to comply with a notice issued in terms of sub-regulation (3) impound such an animal in terms of the relevant licensing or pound legislation or have it impounded provided—
 - (a) affidavits by at least two members of the public stating that the animal causes a noise nuisance have been handed to him; or
 - (b) an affidavit by a member of the public stating that the animal causes a noise nuisance has been handed to him and the noise control officer himself is convinced that the animal causes a noise nuisance. Provided that the noise control officer or the council do not accrue civil responsibility for losses suffered or that may be suffered as a result of the impounding of such animal;
- (10) temporarily attach a vehicle if the sound level of such vehicle exceeds the sound level as prescribed in regulation 3 (16) (a) with more than 5dB (A);
- (11) by means of a written notice require of a person envisaged in regulation 3 (19) to prove to the satisfaction of the noise control officer that the noise caused by an installation mentioned in regulation 3 (19) will not be a disturbing noise and to take the steps specified in such notice to reduce the noise level caused by such installation within a specified period;
- (12) lay down conditions at the granting of permission intended by regulation 3 (20);

3. OFFENCES.

Nobody shall—

- (1) make, produce, cause or permit to be made by any person, machine, animal, device or apparatus or any combination of these, a noise which is a disturbing noise;
- (2) cause a noise disturbance by playing or operating any radio, television set, drum, musical instrument, sound amplifier, loudspeaker system or similar device which generates, reproduces or amplifies sound;
- (3) offer an article for sale by shouting or ringing a bell or allow shouting or the ringing of a bell, thus causing a noise disturbance;
- (4) own or allow an animal to be owned which makes noises constituting a noise disturbance;
- (5) build, repair, rebuild, modify, operate or test a vehicle, vessel or aircraft on residential premises or allow such vehicle, vessel or aircraft to be built, repaired, rebuilt, modified, operated or tested, thereby causing a noise disturbance;
- (6) operate or play a radio, television set, gramophone, recorder, drum, musical instrument, sound amplifier or similar device producing, reproducing or amplifying sound or allow such device to be operated or played on public premises if the noise level measured by an integrating impulse sound level meter at any point normally occupied by a member of the public exceeds 95dB (A), unless a conspicuous and legible sign reading as follows in both official languages is displayed at each entrance to such a place:

“Warning: Sound levels inside may cause permanent hearing damage.”

“Waarskuwing: Klankpeile binne kan permanente gehoorskade veroorsaak”.

- (8) funksies aan hom opgedra en bevoegdhede aan hom verleen met die instemming van die raad aan 'n inspekteur of ander persoon deleer;
- (9) indien die eienaar van 'n dier nie beskikbaar is nie of versuim om aan 'n kennisgewing uitgereik ingevolge subregulasie (3) te voldoen, so 'n dier ingevolge die toepaslike lisensie of skutwetgewing te skut of te laat skut mits—
 - (a) beëdigde verklarings van minstens 2 lede van die publiek wat aantoon dat die dier 'n geraasoorlas veroorsaak aan hom oorhandig; of
 - (b) 'n beëdigde verklaring van 'n lid van die publiek wat aantoon dat die dier 'n geraasoorlas veroorsaak aan hom oorhandig is en die geraasbeheerbeampte self oortuig is dat die dier 'n geraasoorlas veroorsaak: Met dien verstande dat die geraasbeheerbeampte of die raad nie enige siviele aanspreeklikheid oploop vir verliese wat gely is of gely mag word as gevolg van die skut van sodanige dier nie;
- (10) tydelik beslag lê op 'n voertuig indien die klankpeil van sodanige voertuig die klankpeil soos beskryf in regulasie 3 (16) (a) met meer as 5 dB (A) oorskry;
- (11) deur middel van 'n skriftelike kennisgewing van 'n persoon wat in regulasie 3 (19) beoog word, vereis om tot die bevrediging van die geraasbeheerbeampte bewys te lever dat die geraas wat deur 'n aanleg in regulasie 3 (19) veroorsaak word, nie 'n steurende geraas sal wees nie en om die stappe wat in sodanige kennisgewing vermeld word, te doen om die geraaspeil wat deur sodanige aanleg veroorsaak word binne 'n vermelde tydperk te verminder;
- (12) voorwaardes neerlê by die verlenging van toestemming soos bedoel in regulasie 3 (20).

3. MISDRYWE.

Niemand mag—

- (1) 'n steurende geraas maak, voortbring, veroorsaak of toelaat dat dit gemaak, voortgebring of veroorsaak word deur 'n persoon, masjien, dier, toestel of apparaat of enige kombinasie hiervan nie;
- (2) 'n geraasoorlas veroorsaak deur enige radio, televisiestel, tamboer, musiekinstrument, klankversterker, luidsprekerstelsel of soortgelyke toestel wat klank opwek, reproduceer of versterk nie deur dit te bedryf of te bespeel nie;
- (3) 'n artikel te koop aanbied deur te skreeu of 'n klok te lui of toe te laat dat geskreeu of 'n klok gelui word, sodat 'n geraasoorlas veroorsaak word nie;
- (4) 'n dier wat geluide maak wat 'n geraasoorlas is, besit of toelaat dat dit besit word nie;
- (5) 'n voertuig, vaartuig of vliegtuig op 'n woonperseel bou, herstel, herbou, modifiseer, bedryf of toets of toelaat dat dit gebou, herstel, herbou, modifiseer, bedryf of getoets word dat 'n geraasoorlas onstaan nie;
- (6) 'n radio, televisiestel, grammofoon, opnametoestel, tamboer, musiekinstrument, klankversterker of soortgelyke toestel wat klank produseer, reproduceer of versterk, bedryf of bespeel nie of toelaat dat dit in 'n openbare plek bedryf of bespeel word indien die geraaspeil, wanneer met 'n integrerende impulsklankpeilmeter gemeet by enige punt wat normaalweg deur 'n lid van die publiek geokkypeer word, 95 dB (A) oorskry, tensy 'n opvallende en leesbare teken wat soos volg lui in beide amptelike tale by elke ingang tot sodanige plek vertoon word:

“Waarskuwing: Klankpeile binne kan permanente gehoorskade veroorsaak.”

“Warning: Sound levels inside may cause permanent hearing damage”.

- (7) use or detonate explosives, fire-arms or similar devices emitting impulsive sounds or allow such devices to be used or detonated and causing a noise disturbance, except with the previous permission of the noise control officer and subject to the conditions he may deem necessary;
- (8) move about in or upon a recreational vehicle on a piece of land in or in the air space above an area demarcated by means of a notice on such land or have control over such movement therein or thereon or exercising control of the vehicle so that a noise disturbance is created;
- (9) emit a sound by means of a bell, carillon, siren, hooter, static alarm, whistle or similar device, causing a noise nuisance, except in case of emergency;
- (10) allow on purpose that a sound by a fire alarm, burglar alarm, siren, whistle or similar emergency alarm be emitted except in case of emergency or testing: Provided that no sound emission during testing shall exceed a period of ninety (90) seconds;
- (11) operate a power driven vessel on a lake, river, stream, dam or other water surface or allow it to be operated in such a manner that a sound level of 85dB(A) at the measuring point be exceeded;
- (12) operate any machinery, saw, sander, drill, grinder, lawnmower or garden implement or similar device or allow such device to be operated, causing a noise disturbance;
- (13) tamper with, remove, put out of commission, damage or impair the functioning of a noise monitoring system, noise limiter, noise measuring instrument or acoustic device, placed in position by a noise control officer;
- (14) load, unload, open, shut or handle a crate, box, container, building material, rubbish container or similar article in such a manner or allow such article to be handled in such a manner as to cause a noise disturbance;
- (15) in a residential area use any tools or equipment for construction, drilling or demolition work or allow such tools or equipment to be used during the following periods of time—
- before 06h00 or after 18h00 from Monday to Friday;
 - before 06h00 or after 17h00 on any Saturday;
 - at any time on Sunday, Good Friday, Ascension Day, Day of the Covenant, Christmas Day and New Year's Day;
- (16) drive a vehicle on a public road if:
- the sound level at the measuring point measured in accordance with the procedure in SABS 0181 exceeds the sound level indicated by the manufacturer on the vehicle, or exceeds the following limits:

Type of vehicle	Sound level dB (A)
(i) Two- and three- wheelers	95
(ii) Vehicles with four or more wheels with spark ignition, used for the transport of passengers or goods	99
(iii) Vehicles with diesel engines.....	109

Tipe voertuig	Klank-peil dB (A)
(i) Twee- en driewielvoertuie	95
(ii) Voertuie met vier of meer wiele en met vonkontsteking, wat vir die vervoer van passasiers of goedere gebruik word	99
(iii) Voertuie met dieselenjins	109

- (b) such vehicle is manufactured after 1 January 1989 and a data plate intended in subregulation (17) is not affixed to the vehicle;
- (17) alienate or hire out a vehicle unless a data plate is affixed in a conspicuous place under the hood in such a manner that no component needs to be removed or shifted to make it legible;
- (18) utilise the exhaust braking system of a vehicle in an area indicated by the council by means of a road sign with the words "*Use no exhaust brake/Gebruik geen uitlaatrem*", except in emergencies;
- (19) on any premises, except premises with one dwelling house and outbuildings, install, replace or modify any refrigeration or airconditioning plant, equipment for the propulsion of air by means of a fan, compressor which is or will become a fixture on the premises, or emergency electricity generating plant (called "plant" hereinafter) unless the council is notified in writing at least fourteen (14) days before the installation, replacement or modification of the number and street address of the relevant premises, the date of commencement of the proposed installation, replacement or modification, particulars of the plant and a boundary description of the premises on which the building containing the plant will be situated;
- (20) stage an organised open-air music festival or similar gathering without the prior permission of the noise control officer, subject to the conditions stipulated by him;
- (21) neglect or refuse to give access to an official of the council duly authorised by the council to enter and inspect premises or hinder or obstructs such official in the execution of his duties in terms of these regulations, or omit or refuse to divulge information which may lawfully be required of him or supply false and misleading information to such official in the knowledge that it is false and misleading;
- (22) erect educational, residential, flat, hospital, church or office buildings in a controlled area, unless in the building structure provision is made for such acoustic screening measures required to limit the reading on an integrating impulse sound level meter taken inside the building after completion to 40dB(A);
- (23) erect a building, the acoustic properties of which are such that the reading on an integrating impulse sound level meter caused by the activities inside the building, measured at the observation point outside the building in the type of area indicated shall not exceed the following limits:

Observation point in the type of area	During the day (06h00–18h00)	Evening (18h00–24h00)	Night (00h00–06h00)	Weekends (Saturday 13h00 to Sunday 24h00)
	db (A)	db (A)	db (A)	
(a) Rural residential areas, hospital zones, recreation areas	45	40	35	
(b) Suburban residential areas with little road traffic	50	45	40	

- (b) sodanige voertuig na 1 Januarie 1989 vervaardig is en 'n dataplaat van die vervaardiger bedoel in subregulasie (17) nie aan die voertuig vasgeheg is nie;
- (17) 'n voertuig na 1 Januarie 1989 vervaardig is en 'n dataplaat op 'n opsigtelike plek onder die masjienkap vasgeheg is op so 'n wyse dat geen onderdeel verwyder of verskuif hoef te word om dit leefbaar te maak;
- (18) 'n voertuig se uitlaatremstelsel, behalwe in noodgevalle, in 'n gebied wat deur die raad by wyse van 'n padteken met die woorde "*Gebruik geen uitlaatrem/Use no exhaust brake*" aangedui is, in werking stel nie;
- (19) op enige perseel, behalwe 'n perseel met een woonhuis en buitegebou, enige verkoel- of lugversorgingsaanleg, aanleg waarmee lug voortgestu word met behulp van 'n waaier, kompressor wat 'n vaste aanleg op die perseel is of gaan word, of nood-elektrisiteitsgeneratieraanleg (hierna "aanleg" genoem) installeer, vervang of modifiseer nie, tensy die raad minstens veertien (14) dae voor die installering, vervanging of modifisering daarvan skriftelik verwittig is en van die nommer en straatadres van die betrokke perseel, die datum waarop daar met die beoogde installering, vervanging of modifisering begin sal word, besonderhede van die aanleg en 'n grensomskrywing van die perseel waarop die gebou waarin die aanleg geleë gaan wees, verstrek is;
- (20) 'n georganiseerde opelug-musiekfees of soortgelyke byeenkoms hou sonder die geraasbeheerbeampte se voorafverkreeë toestemming op die voorwaardes deur hom neergelê nie;
- (21) versuum of weier nie om toegang te verleen aan 'n beampte van die raad wat behoorlik deur die raad gemagtig is om 'n eiendom te betree en te inspekteer of sodanige beampte dwarsboom of verhinder in die uitvoering van sy pligte kragtens hierdie regulasies, of in gebreke bly of weier om inligting wat regtens van hom vereis kan word, te verstrek of valse of misleidende inligting aan sodanige beampte verstrek met die wete dat dit vals of misleidend is;
- (22) in 'n beheerde gebied 'n opvoedkundige, woon-, woonstel-, hospitaal-, kerk- of kantoorgebou oprig nie, tensy in die konstruksie van die struktuur vir sodanige akoestiese afskermingsmaatreëls voorsiening gemaak is wat nodig is om die aflesing op 'n integrerende impulsklankpeilmeter, geneem in die gebou na voltooiing, tot 40dB(A) te beperk;
- (23) 'n gebou oprig waarvan die akoestiese eienskappe sodanig is dat die aflesing op 'n integrerende impulsklankpeilmeter, veroorsaak deur die aktiwiteit binne die gebou, geneem by die waarnemingspunt buite die gebou in die aangeduide tipe gebied, die volgende perke oorskry:

Waarnemingspunt in die tipe gebied	Bedags (06h00–18h00)	Saans (18h00–24h00)	Snags (00h00–06h00)
	db (A)	db (A)	db (A)
(a) Landelike woongebiede, hospitaalsones, ontspanningsgebiede	45	40	35
(b) Voorstedelike woongebiede met min padverkeer	50	45	40

Observation point in the type of area	During the day (06h00–18h00)	Evening (18h00–24h00)	Night (00h00–06h00)	Weekends (Saturday 13h00 to Sunday 24h00)	Bedags (06h00– 18h00)	Saans (18h00– 24h00)	Snags (00h00– 06h00)
	db (A)	db (A)	db (A)		db (A)	db (A)	db (A)
(c) Urban residential areas	55	50	45				
(d) Urban residential areas with a few workshops; with business premises and with main roads	60	55	50				
(e) City (business, trade, administration)	65	60	55				
(f) Predominantly industrial area	70	65	60				

- (24) build a road in or near a residential area, office, church, hospital or educational buildings, unless all reasonable noise control measures have been taken to ensure that land adjacent to such road not be defined as a controlled area;
- (25) develop a new township unless the existing and future sources of noise with concomitant dB(A) values expected in such township for the fifteen (15) years following the commencement of erection of buildings in and around such area are shown on the relevant development plan;
- (26) situate a residential erf, school, hospital or church stands in a new township within a controlled area;
- (27) ignore a directive, order, instruction or notice issued by the noise control officer in terms of these regulations.

4. USE OF MEASURING INSTRUMENTS.

- (1) The measurement of the ambient sound level or noise level in terms of these regulations shall take place as follows:
- (a) outdoor measurements on a piece of land by placing the microphone of an integrating impulse sound level meter at least 1,2 m but not more than 1,4 above the ground and at least 3,5 m from walls, buildings or other sound reflecting surfaces;
- (b) indoor measurements in a room or enclosed space by placing the microphone of an integrating impulse sound level meter at least 1,2 m but not more than 1,4 m above the floor and at least 1,2 m from the wall, with all the windows and outer doors of the room or enclosed space entirely open;
- (2) A person taking readings shall ensure that—
- (a) the microphone of an integrating impulse sound level meter at all times be protected by a windshield;
- (b) the measuring instruments be operated strictly in accordance with the manufacturer's instructions;
- (c) sound measuring instruments be annually inspected by the SABS to comply with the relevant specifications for accuracy.

5. EXEMPTIONS.

- (1) The provisions of these regulations are not applicable if—
- (a) sound emission is required to warn people of an emergency situation; and

Waarnemingspunt in die tipe gebied	Bedags (06h00– 18h00)	Saans (18h00– 24h00)	Snags (00h00– 06h00)
(c) Stedelike woongebiede	55	50	45
(d) Stedelike woongebiede met enkele werkswinkels, met besigheidspersonele en met hoofpaaie	60	55	50
(e) Middestad (besigheid, handel, administrasie)	65	50	55
(f) Oorwegend nywerheidsgebied	70	65	60

- (24) 'n pad in of nabij 'n woongebied, 'n kantoor-, kerk-, hospitaal- of opvoedkundige gebou bou nie, tensy alle redelike geraasbeheermaatreëls geneem is om te verseker dat die grond langs sodanige pad nie as 'n beheerde gebied aangewys word nie;
- (25) 'n nuwe dorpsgebied ontwikkel nie tensy die betrokke ontwikkelingsplan die bestaande en toekomstige geraasbronne met gepaardgaande dB(A)-waardes wat in sodanige dorpsgebied voorsien word vir die vyftien (15) jaar wat volg op die begin van oprigting van gehoue in en om sodanige gebied aantoon;
- (26) in 'n nuwe dorpsgebied 'n woonerf, 'n skool-, 'n hospitaal- of 'n kerkperceel binne 'n beheerde gebied plaas nie;
- (27) 'n voorskrif, opdrag, instruksie of kennisgewing deur die geraasbeheerbeampte ingevolge hierdie regulasies uitgereik, verontgaat nie.

4. GEBRUIK VAN MEETINSTRUMENTE.

- (1) Die meting van die omgewingsklankpeil of geraaspeil ooreenkomsdig hierdie regulasies, moet soos volg geskied:
- (a) buitenshuise metings op 'n stuk grond deur 'n mikrofoon van 'n integrerende impulsklankpeilmeter minstens 1,2 m maar hoogstens 1,4 m bokant die grond en minstens 3,5 m weg van mure, geboue of ander klankweerraakende oppervlakte af, te plaas;
- (b) binnenshuise metings in 'n vertrek of ingeslotte ruimte, deur 'n mikrofoon van 'n integrerende impulsklankpeilmeter minstens 1,2 m maar hoogstens 1,4 m bokant die vloer en minstens 1,2 m weg van die muur af, met al die venster en buitedeure van die vertrek of ingeslotte ruimte heeltemal oop, te plaas;
- (2) Iemand wat metings doen, moet verseker dat—
- (a) die mikrofoon van 'n integrerende impulsklankpeilmeter te alle tye van 'n windskeerm voorsien is;
- (b) die meetinstrumente streng volgens die vervaardiger se instruksies bedien word; en
- (c) klankmeetinstrumente jaarliks deur die SABS nagegaan word ten einde te voldoen aan die toepaslike akkuraatheid vereistes.

5. VRYSTELLINGS.

- (1) Die bepalings van hierdie regulasies is nie van toepassing nie indien—
- (a) klankuitstralung nodig is vir doeleindes om mense teen 'n noedsituasie te waarsku; of

- (b) the emission of sound takes place in the execution of work during emergencies.
- (2) A person may apply to the council in writing, with a statement of reasons, for exemption from the provisions of these regulations.
- (3) Exemption shall, if granted, be in writing with an explanation of the conditions under which and period for which it is granted.
- (4) No exemption shall take effect before the applicant has accepted in writing all conditions imposed in terms of sub-regulation 3: Provided that if activities and work are commenced with before such acceptance has been submitted to the noise control officer, the exemption shall lapse.
- (5) If any condition of exemption is not complied with, the exemption shall lapse forthwith.

6. TEMPORARY ATTACHMENT.

A vehicle attached in terms of regulation 2 (10), shall be kept in safe custody by the council until such time as the driver or owner of such vehicle had made arrangements to the satisfaction of the noise control officer for the repair of the vehicle, after which the vehicle shall be handed over to the owner or driver by the noise control officer: Provided that the vehicle may be required to be made available for further tests within a time prescribed by the noise control officer. Should the sound level of the vehicle be within the limits prescribed in regulation 3 (16) (a), the attachment must be lifted.

7. PENALTIES.

A person contravening any provision of these regulations shall be guilty of an offence and liable on conviction to a fine not exceeding R1 000 or to imprisonment for a period not exceeding two (2) years or to both such fine and such imprisonment or, in the event of a continuing contraventions to a fine not exceeding R10 or to imprisonment for a period not exceeding five (5) days or to both such fine and such imprisonment for each day on which such contravention continues.

- (b) die uitstraling van klank geskied in die uitvoering van werksaamhede in tye van nood.
- (2) 'n Persoon kan skriftelik, met opgaaf van redes, by die raad aansoek doen om vrystelling van enige bepaling van hierdie regulasies.
- (3) Vrystelling moet, indien toegestaan, skriftelik verleen word met 'n uiteensetting van die voorwaardes waaronder en tydperk waarvoor sodanige vrystelling geld.
- (4) Geen vrystelling word van krag nie alvorens die applikant skriftelik ingestem het om alle voorwaardes wat in subregulasié 3 gestel is, na te kom: Met dien verstande dat indien werksaamhede of bedrywigheide 'n aanvang neem voordat sodanige skriftelike instemming by die geraasbeheerbeampte ingehandig is, die vrystelling verval.
- (5) Indien enige vrystellingsvoorwaarde nie nagekom word nie, veral die vrystelling onmiddellik.

6. TYDELIKE BESLAGLEGGING.

'n Voertuig waarop daar ingevolge regulasie 2 (10) beslag gelê is, moet deur die raad in veilige bewaring gehou word totdat die bestuurder of eienaar van sodanige voertuig tot bevrediging van die geraasbeheerbeampte reëlings getref het vir die herstel van die voertuig waarna die geraasbeampte die voertuig aan die eienaar of bestuurder moet oorhandig: Met dien verstande dat vereis kan word dat die voertuig binne 'n voorgeskrewe tydperk deur die geraasbeampte bepaal vir verdere toetse beskikbaar gestel moet word. Indien die voertuig se klankpeil binne die perke beskryf in regulasie 3 (16) (a) is, moet die beslaglegging opgehef word.

7. STRAFBEPALING.

Iemand wat enige bepaling van hierdie regulasies oortree is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R1 000 of met gevangenisstraf vir 'n tydperk van hoogstens twee (2) jaar of met sodanige gevangenisstraf of, in die geval van 'n voortdurende oortreding, met 'n boete van hoogstens R10 of met gevangenisstraf vir 'n tydperk van hoogstens vyf (5) dae of met sodanige boete sowel as sodanige gevangenisstraf vir elke dag waarop sodanige oortreding voortduur.

DEPARTMENT OF JUSTICE

No. R. 2415

21 November 1986

RULES REGULATING THE CONDUCT OF THE ADMIRALTY PROCEEDINGS OF THE SEVERAL PROVINCIAL AND LOCAL DIVISIONS OF THE SUPREME COURT OF SOUTH AFRICA

The Chief Justice of South Africa, after consultation with the judges president of the several divisions of the Supreme Court of South Africa has, in terms of section 43 (2) (a) of the Supreme Court Act, 1959 (Act 59 of 1959), read with section 4 of the Admiralty Jurisdiction Regulation Act, 1983 (Act 105 of 1983), and with the approval of the Minister of Justice, made the rules contained in the Annexure hereto regulating the conduct of the admiralty proceedings of the provincial and local divisions of the Supreme Court of South Africa, with effect from 1 December 1986.

DEPARTEMENT VAN JUSTISIE

No. R. 2415

21 November 1986

REËLS WAARBY DIE ADMIRALITEITSVERRIGTINGE VAN DIE VERSKILLENDÉ PROVINSIALE EN PLAASLIKE AFDELINGS VAN DIE HOOGGEREGSHOF VAN SUID-AFRIKA GEREËL WORD

Die Hoofregter van Suid-Afrika het, na oorlegpleging met die regters-president van die onderskeie afdelings van die Hooggereghof van Suid-Afrika, kragtens artikel 43 (2) (a) van die Wet op die Hooggereghof, 1959 (Wet 59 van 1959), gelees met artikel 4 van die Wet op die Reëling van Admiralteitsjurisdiksie, 1983 (Wet 105 van 1983), en met die goedkeuring van die Minister van Justisie, die reëls vervat in die Bylae hiervan, waarby die admiralteitsverrigtinge van die provinsiale en plaaslike afdelings van die Hooggereghof van Suid-Afrika gereël word, met ingang van 1 Desember 1986 uitgevaardig.

**ANNEXURE
INDEX**

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- 3—Arrest in action *in rem*
- 4—Attachment to found or confirm jurisdiction
- 5—Service
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- 8—Claim in reconvention
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- 15—Trial
- 16—Applications
- 17—Variation of periods of time and non-compliance
- 18—Vexatious or irregular proceedings
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- 20—Filing, delivery and preparation of papers
- 21—Representative actions and limitations of liability
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- 24—Repeal of rules

FIRST SCHEDULE — FORMS

- 1—Summons
- 2—Warrant of arrest

RULE 1**DEFINITIONS**

1. (1) In these rules, unless the context otherwise indicates—
 - “Act” means the Admiralty Jurisdiction Regulation Act, 1983 (Act 105 of 1983);
 - “admiralty proceedings” means proceedings before the court;
 - “court” means a court exercising admiralty jurisdiction under the Act;
 - “summons” includes edictal citation;
 - “Uniform Rules” means the rules made under section 43 of the Supreme Court Act, 1959 (Act 59 of 1959), regulating the conduct of the proceedings of the several provincial and local divisions of the Supreme Court of South Africa;
 - “pleading” includes particulars of claim, plea, claim in reconvention, third party notice and pleadings consequent upon the foregoing, but excludes a request for particulars or answer thereto;
 - “warrant” means a warrant of arrest.
- (2) In the computation of any period of time expressed in days, whether prescribed by these rules, fixed by any order of court or otherwise determined, only court days shall be included.
- (3) The definitions in rule 1 of the Uniform Rules shall apply to any word or expression not defined in this rule.

RULE 2**SUMMONS**

2. (1) A summons shall be in a form corresponding to Form 1 of the First Schedule and shall contain a statement of the nature of the claim and of the relief or remedy required and of the amount claimed, if any.

**BYLAE
INHOUDSOPGawe**

Reël

- 1—Woorbepaling
- 2—Dagvaarding
- 3—Inbesagneming in 'n aksie *in rem*
- 4—Beslaglegging om jurisdiksie te vestig of te bevestig
- 5—Betekening
- 6—Kennisgewing van voorneme om te verdedig
- 7—Algemene reëls betreffende pleitstukke
- 8—Teeneis
- 9—Derde partye
- 10—Sluiting van pleitstukke
- 11—Versoek om verdere besonderhede
- 12—Voorlopige procedures
- 13—Blootlegging van stukke
- 14—Voorverhoorprosedure
- 15—Verhoor
- 16—Aansoeke
- 17—Wysiging van tydperke en nie-nakoming
- 18—Kwelsugtige of onreëlmataig verrigtinge
- 19—Goed in beslag geneem of op beslag gelê
- 20—Liassering, aflewering en voorbereiding van stukke
- 21—Verteenwoordigende aksies en die beperking van aanspreeklikheid
- 22—Uitsluiting van sekere van die Eenvormige Hofreëls
- 23—Lasgewings deur die Hof
- 24—Herroeping van reëls

EERSTE BYLAE — VORMS

- 1—Dagvaarding
- 2—Lasbrief tot inbesagneming

REËL 1**WOORDOMSKRYWING**

1. (1) In hierdie reëls, tensy uit die samehang anders blyk, beteken—
 - “admiraliteitsverrigtinge” verrigtinge voor die hof;
 - “dagvaarding” ook ediktale sitasie;
 - “Eenvormige Hofreëls” die reëls uitgevaardig kragtens artikel 43 van die Wet op die Hooggeregshof, 1959 (Wet 59 van 1959), waarby die verrigtinge van die verskillende provinsiale en plaaslike afdelings van die Hooggeregshof van Suid-Afrika gereël word;
 - “hof” 'n hof wat admiraliteitsjurisdiksie uitoefen kragtens die Wet;
 - “lasbrief” 'n lasbrief vir inbesagneming;
 - “pleitstuk” ook besonderhede van vordering, verweerskrif, teeneis, derdepartykennisgewing en daaropvolgende pleitstukke, maar uitgesondert 'n versoek om besonderhede of antwoord daarop;
 - “Wet” die Wet op die Reëling van Admiraliteitsjurisdiksie, 1983 (Wet 105 van 1983).
- (2) By die berekening van 'n tydperk van dae by hierdie reëls voorgeskryf, deur 'n hofbevel vasgestel of andersins bepaal, word slegs hofdae ingesluit.

- (3) Die woordbepalings in reël 1 van die Eenvormige Hofreëls is op enige woord of uitdrukking wat nie in hierdie reël omskryf word nie, van toepassing.

REËL 2**DAGVAARDING**

2. (1) 'n Dagvaarding moet in 'n vorm wees wat ooreenstem met Vorm 1 in die Eerste Bylae, en moet 'n uiteensetting bevat van die aard van die eis en van die regshulp of remedie wat aangevra word en van die bedrag wat geëis word, as daar is.

(2) Subject to the provisions of subrule (3), the summons shall set forth the matters referred to in rule 17 (4) of the Uniform Rules.

(3) (a) The owner of a ship, cargo or other property in respect of which a maritime claim is made may sue or be sued as such.

(b) Parties may sue or be sued jointly and may, in that event, be described as the owners of a named ship or of the cargo in or formerly in a named ship, or as the owners, master and crew of a ship, or otherwise in like manner, and in any such case the parties need not be further named or described in the pleadings.

(4) In the case of an action *in rem* the property in respect of which the claim lies, as set forth in section 3 (5) of the Act, shall be described as the defendant.

(5) Where proceedings are taken in respect of a maritime claim referred to in paragraph (u) of the definition of "maritime claim" in section 1 (1) of the Act for the distribution of any fund, or where property is deemed to have been arrested or attached in terms of section 3 (10) of the Act, the fund or the security or the property in respect of which an undertaking is given may be described as the defendant.

RULE 3

ARREST IN ACTION *IN REM*

3. (1) An arrest in an action *in rem* shall be effected by the service of a warrant in accordance with these rules.

(2) (a) A warrant shall be issued by the registrar and shall be in a form corresponding to Form 2 of the First Schedule.

(b) The registrar may refer to a judge the question of whether a warrant should be issued.

(c) Any such question shall be so referred if it appears from a certificate contemplated in rule 3 (3), or if the registrar otherwise has knowledge, that security or an undertaking has been given in terms of section 3 (10) (a) of the Act to prevent arrest or attachment of the property in question.

(d) If a question has been so referred to a judge, the judge may authorise the registrar to issue a warrant, or may give such directions as he thinks fit to cause the question of whether a warrant should be issued to be argued.

(e) If a question has been so referred to a judge, no warrant shall be issued unless the judge has authorised the registrar to issue the warrant.

(3) Save where the court has ordered the arrest of property, the registrar shall issue a warrant only if summons in the action has been issued and a certificate signed by the party causing the warrant to be issued is submitted to him stating—

(a) that the claim is a maritime claim and that the claim is, or that on the effecting of the arrest the claim will be, one in respect of which the court has or will have jurisdiction;

(b) that the property sought to be arrested is property in respect of which the claim lies or, where the arrest is sought in terms of section 3 (6) of the Act, that the ship is an associated ship which may be arrested in terms of the said section;

(2) Die dagvaarding moet, behoudens die bepalings van subreël (3), die aangeleenthede vermeld in reël 17 (4) van die Eenvormige Hofreëls, uiteensit.

(3) (a) Die eienaar van die skip, vrag of enige ander goed ten opsigte waarvan 'n maritieme eis ingestel word, kan as sodanig dagvaar of gedagvaar word.

(b) Partye kan gesamentlik dagvaar of gedagvaar word en kan, in so 'n geval, beskryf word as die eienaars van 'n genoemde skip of van die vrag aan boord of voorheen aan boort van 'n genoemde skip, of as die eienaars, gesagvoerder en bemanning van 'n skip of andersins op soortgelyke wyse, en in enige sodanige geval is dit nie nodig dat die partye verder in die pleitstukke benoem of beskryf word nie.

(4) In die geval van 'n aksie *in rem* word die goed ten opsigte waarvan geëis word, soos in artikel 3 (5) van die Wet uiteengesit, beskryf as die verweerde.

(5) Waar geregtelike stappe gedoen word ten opsigte van 'n maritieme eis bedoel in paragraaf (u) van die omskrywing van "maritieme eis" in artikel 1 (1) van die Wet, vir die verdeling van enige fonds, of waar goed ingevolge artikel 3 (10) van die Wet geag word in beslag geneem of op beslag gelê te wees, kan die fonds of die sekuriteit of die goed ten opsigte waarvan 'n onderneming gegee word, as die verweerde beskryf word.

REËL 3

INBESLAGNEMING IN 'N AKSIE *IN REM*

3. (1) 'n Inbeslagneming in 'n aksie *in rem* word deur die betekening van 'n lasbrief ooreenkomsdig hierdie reëls uitgevoer.

(2) (a) 'n Lasbrief word deur die griffier uitgereik en moet in 'n vorm wees wat ooreenstem met Vorm 2 in die Eerste Bylae.

(b) Die griffier kan die vraag of 'n lasbrief uitgereik moet word, na 'n regter verwys.

(c) Enige sodanige vraag moet aldus verwys word indien dit uit 'n sertifikaat beoog in reël 3 (3) blyk, of indien die griffier andersins kennis dra, dat sekuriteit of 'n onderneming kragtens artikel 3 (10) (a) van die Wet gegee is om inbeslagneming van of beslaglegging op die betrokke goed te voorkom.

(d) Indien 'n vraag aldus na 'n regter verwys is, kan die regter die griffier magtig om 'n lasbrief uit te reik of die lasgewings gee wat hy goeddink vir die beredenering van die vraag of 'n lasbrief uitgereik moet word.

(e) Indien 'n vraag aldus na 'n regter verwys is, word geen lasbrief uitgereik tensy die regter die griffier daartoe magtig nie.

(3) Behalwe waar die hof 'n beslaglegging beveel het, reik die griffier 'n lasbrief uit slegs indien dagvaarding in die aksie uitgereik is en 'n sertifikaat aan hom voorgelê word wat onderteken is deur die persoon wat die dagvaarding laat uitrek het, en waarin verklaar word—

(a) dat die eis 'n maritieme eis is en dat die eis 'n eis is of, by die uitvoering van inbeslagneming, 'n eis sal wees ten opsigte waarvan die hof jurisdiksie het of sal hê;

(b) dat die goed ten opsigte waarvan inbeslagneming beoog word, goed is ten opsigte waarvan die eis ingestel kan word of, waar inbeslagneming ooreenkomsdig artikel 3 (6) van die Wet verlang word, dat die skip 'n geassosieerde skip is waarop kragtens genoemde artikel beslag gelê kan word;

- (c) whether any security or undertaking has been given in respect of the claim of the party concerned, or to procure the release, or prevent the arrest or attachment of the property sought to be arrested and, if so, what security or undertaking has been given and the grounds for seeking arrest notwithstanding that any such security or undertaking has been given; and
- (d) that the contents of the certificate are true and correct to the best of the knowledge, information and belief of the signatory and what the source of any such knowledge and information is.

(4) Before any ship, other than a South African ship, is arrested in respect of any maritime claim referred to in paragraph (n) of the definition of "maritime claim" in section 1 (1) of the Act, notice of the intention so to arrest the ship shall be given to the consular representative, if any, of the country where the ship is registered at the port where the ship is to be arrested or, if there is no such representative at the port in question, to the chief representative of that country in the Republic and in the certificate contemplated in subrule (3) it shall be stated that the said notice has been given and when and to what person such notice was given.

(5) (a) Subject to the provisions of this rule, any person desiring to obtain the release of any property from arrest may obtain such release with the consent of the person who caused the said arrest to be effected, or on giving security in a sum representing the amount of the value of the relevant property or the amount of the plaintiff's claim, whichever amount is the lower, which amount shall be deposited as security with the registrar and be dealt with in terms of rule 19.

(b) Any person who intends to institute an action *in rem* against any property which has been arrested or attached may file with the registrar and serve, in accordance with the provisions of rule 5 (2), a notice of the said intention.

(c) When any such notice has been filed, the property shall not be released from arrest or attachment unless the person desiring to obtain the release of the property has given notice to the person who has filed any such notice that he so desires to obtain the said release.

(d) Where any notice under paragraph (b) has been given and the person concerned has not consented to the release of the property or, in any other case, if the person who has procured the arrest of the property has not consented to the release of the property, the property shall not be released unless the court so orders.

(e) Where a dispute arises as to the value of any property or as to its release, the court shall give such directions as may be appropriate for the resolution of the dispute.

(6) Any person giving security or an undertaking in terms of section 3 (10) of the Act to prevent the arrest or attachment of property, shall give an address contemplated in rule 19 (3) of the Uniform Rules at which any summons or warrant in an action *in rem* against the property may be served.

RULE 4

ATTACHMENT TO FOUND OR CONFIRM JURISDICTION

4. (1) An application for the attachment of property to found or confirm jurisdiction may be made *ex parte*, unless the court otherwise orders.

(c) of enige sekuriteit gestel of onderneming gegee is ten opsigte van die eis van die betrokke party, of om die vrystelling te verkry of om inbeslagnameing of beslaglegging te voorkom van die goed wat beoog word in beslag geneem te word, en, indien wel, welke sekuriteit of onderneming gegee is en wat die gronde is waarop inbeslagnameing verlang word nie teenstaande dat sodanige sekuriteit of onderneming gegee is; en

(d) dat die inhoud van die sertifikaat na die beste kennis, inligting en wete van die ondertekenaar waar en juis is, en wat die bron van sodanige kennis en inligting is.

(4) Alvorens 'n skip, uitgesonderd 'n Suid-Afrikaanse skip, ten opsigte van 'n maritieme eis bedoel in paragraaf (n) van die omskrywing van "maritieme eis" in artikel 1 (1) van die Wet, in beslag geneem word, moet kennis van voorneme om die skip aldus in beslag te neem aan die konsulêre verteenwoordiger, as daar is, van die land waar die skip geregistreer is, gegee word by die hawe waar die skip in beslag geneem staan te word, of, indien daar geen sodanige verteenwoordiger by die betrokke hawe is nie, aan die hoofverteenwoordiger van daardie land in die Republiek, en in die subrêl (3) beoogde sertifikaat moet vermeld word dat bedoelde kennis gegee is, asook wanneer en aan wie sodanige kennis gegee is.

(5) (a) 'n Persoon wat die vrystelling wil verkry, van enige goed wat in beslag geneem is, kan behoudens die bepalings van hierdie reël sodanige vrystelling verkry met die toestemming van die persoon wat die inbeslagnameing laat doen het, of deur sekuriteit te stel in 'n bedrag gelykstaande met die bedrag van die waarde van die betrokke goed of die bedrag van die eiser se eis, wat ook al die laagste is, welke bedrag as sekuriteit by die griffier inbetaal en ooreenkomsdig reël 19 mee gehandel moet word.

(b) 'n Persoon wat van voorneme is om 'n aksie *in rem* in te stel teen enige goed wat in beslag geneem of waarop beslag gelê is, kan 'n kennisgewing van genoemde voorname by die griffier indien en ooreenkomsdig die bepalings van reël 5 (2) beteken.

(c) Wanneer sodanige kennisgewing ingedien is, word die goed nie van inbeslagnameing of beslaglegging vrygestel nie, tensy die persoon wat die vrystelling van die goed verlang, aan die persoon wat sodanige kennisgewing ingedien het, kennis gegee het dat hy aldus sodanige vrystelling verlang.

(d) Waar kennis kragtens paragraaf (b) gegee is en die betrokke persoon nie tot die vrystelling van die goed instem nie of, in enige ander geval, indien die persoon wat die goed in beslag laat neem het, nie tot die vrystelling van die goed ingestem het nie, word die goed, tensy die hof anders beveel, nie vrygestel nie.

(e) Indien 'n geskil oor die waarde van enige goed of oor die vrystelling daarvan ontstaan, moet die hof gepaste lasgewings vir die besleeting van die geskil gee.

(6) 'n Persoon wat kragtens artikel 3 (10) van die Wet sekuriteit stel of 'n onderneming gee om die inbeslagnameing van of beslaglegging op die goed te voorkom, moet 'n adres bedoel in reël 19 (3) van die Eenvormige Hofreëls verskaf waar 'n dagvaarding of lasbrief in 'n aksie *in rem* teen die goed beteken kan word.

REËL 4

BESLAGLEGGING OM JURISDIKSIE TE VESTIG OF TE BEVESTIG

4. (1) 'n Aansoek om beslaglegging op goed om jurisdiksie te vestig of te bevestig, kan *ex parte* gedoen word, tensy die hof anders beveel.

(2) The applicant shall, in addition to any other requirement for such an application, satisfy the court with regard *mutatis mutandis* to the facts and matters referred to in paragraphs (a) and (c) of rule 3 (3).

(3) The order of a court on an application contemplated in subrule (1), which shall be served in the manner set forth in the order, shall order the attachment of the property in question and shall further call upon all interested persons to show cause on a date stated in the order why the order for attachment should not be confirmed.

(4) (a) A person desiring to obtain the release of property which has been attached to found or confirm jurisdiction may, subject to rule 3 (5) (c) and any order made in terms of section 5 (2) of the Act, obtain such release on giving security for the claim of the person causing the said property to be attached.

(b) The provisions of rule 19 shall *mutatis mutandis* apply in respect of security given in terms of paragraph (a).

RULE 5

SERVICE

5. (1) Save with the leave of the court, no summons or warrant shall be served if more than one year has expired since the date when it was issued.

(2) A summons in an action *in rem* shall be served on the property in respect of which the action is brought in the same manner in which a warrant is served in accordance with this rule.

(3) A summons in an action *in personam* shall be served in the manner provided for the service of a summons in the Uniform Rules, or as may be ordered by the court.

(4) A warrant in an action *in rem* shall be served—

- (a) in the case of such an action against a ship, her equipment, furniture, stores or bunkers, by affixing a copy of the warrant to any mast, or on the outside, or to any suitable part of the superstructure, of the ship and by handing a further copy to the master or other person in charge of the ship;
- (b) in the case of such an action against cargo, by handing a copy of the warrant to the person in charge of the cargo and, unless the said person will not permit access to the cargo, or the cargo has not been landed, or it is not practicable so to do, by affixing a further copy to the cargo;
- (c) in the case of such an action against freight, by handing a copy of the warrant to the person by whom the freight is payable;
- (d) in the case of such an action against property deemed to have been arrested in terms of section 3 (10) (a) of the Act, by serving the warrant upon the address for the service given in terms of rule 3 (6); or
- (e) in any other manner ordered by the court.

(5) If property has been sold, service shall be effected on the person having custody of the proceeds.

(6) The deputy sheriff shall forthwith notify a port captain of any arrest or attachment of any property within the port of which he is port captain and the registrar shall forthwith notify the port captain of any release of any such property from arrest or attachment.

(2) Die applikant moet, benewens enige ander vereiste vir sodanige aansoek, die hof *mutatis mutandis* ten opsigte van die feite en aangeleenthede bedoel in paragrawe (a) en (c) van reël 3 (3) tevrede stel.

(3) Die bevel van 'n hof by 'n aansoek beoog in subreël (1), wat op die wyse in die bevel voorgeskryf, beteken moet word, moet die beslaglegging op die betrokke goed beveel en moet verder alle belanghebbende persone aansê om op 'n dag in die bevel vermeld, redes aan te voer waarom die bevel tot beslaglegging nie bekragtig moet word nie.

(4) (a) 'n Persoon wat vrystelling verlang van goed waarop beslag gelê is om jurisdiksie te vestig of te bevestig, kan, behoudens reël 3 (5) (c) en enige bevel kragtens artikel 5 (2) van die Wet gegee, sodanige vrystelling verkry by die stel van sekuriteit aan die persoon wat op die goed beslag laat lê het.

(b) Die bepalings van reël 19 is *mutatis mutandis* van toepassing ten opsigte van sekuriteit wat ingevolge paraagraaf (a) gestel is.

REËL 5

BETEKENING

5. (1) Geen dagvaarding of lasbrief word, behalwe met die verlof van die hof, beteken nie indien meer as een jaar verloop het sedert die datum van uitreiking daarvan.

(2) 'n Dagvaarding in 'n aksie *in rem* word op dieselfde wyse as 'n lasbrief kragtens hierdie reël aan die goed ten opsigte waarvan die aksie ingestel word beteken.

(3) 'n Dagvaarding in 'n aksie *in personam* word beteken op die wyse wat vir die betekening van 'n dagvaarding in die Eenvormige Hofreëls voorgeskryf is, of soos die hof beveel.

(4) 'n Lasbrief in 'n aksie *in rem*—

- (a) word, in die geval van 'n sodanige aksie teen 'n skip, sy toerusting, meubels, voorrade of bunkers, beteken deur 'n afskrif van die lasbrief aan enige mas of aan die buitekant of enige geskikte deel van die bobou van die skip aan te bring, en deur 'n verdere afskrif aan die gesagvoerder of enige persoon in beheer van die skip te oorhandig;
- (b) word, in die geval van 'n sodanige aksie teen vrag, beteken deur 'n afskrif van die lasbrief aan die persoon in beheer van die vrag te oorhandig en, tensy bedoelde persoon nie toegang tot die vrag wil verleen nie of die vrag nog nie afgelaai is nie of dit onprakties is, 'n verdere afskrif aan die vrag te heg;
- (c) word, in die geval van so 'n aksie teen vraggeld, beteken deur 'n afskrif van die lasbrief aan die persoon deur wie die vraggeld betaalbaar is, te oorhandig;
- (d) word, in die geval van so 'n aksie teen goed wat kragtens artikel 3 (10) (a) van die Wet geag word in beslag geneem te gewees het, beteken deur die lasbrief by die adres wat kragtens reël 3 (6) vir betekening aangegee is, te beteken; of
- (e) word beteken op die ander wyse deur die hof beveel.

(5) Indien goed reeds verkoop is, geskied betekening van die lasbrief op die persoon wat in beheer van die opbrengs daarvan is.

(6) Die adjunk-balju moet 'n hawekaptein onverwyld van enige inbeslagneming van of beslaglegging op enige goed binne die hawe waarvan hy die kaptein is, in kennis stel, en die griffier moet die hawekaptein onverwyld van die vrystelling van enige sodanige goed van inbeslagneming of beslaglegging in kennis stel.

RULE 6**NOTICE OF INTENTION TO DEFEND**

6. (1) The provisions of rule 19 of the Uniform Rules, other than the proviso to rule 19 (1) of the Uniform Rules, shall, subject to rule 20, *mutatis mutandis* apply to a notice of intention to defend an action in admiralty proceedings.

(2) Where summons has been issued in an action *in rem*, any person having an interest in the property concerned may, at any time before the expiry of 10 days from the service of the summons, give notice of intention to defend and may defend the said action.

(3) A person giving notice of intention to defend an action *in rem* shall not merely by reason thereof incur any liability and shall, in particular, not become liable *in personam*, save as to costs, merely by reason of having given such notice and having defended the action *in rem*.

(4) Notice of intention to defend may be given when a summons has been issued, notwithstanding that the summons has not been served upon the person giving notice of intention to defend, or any other person.

RULE 7**GENERAL RULES AS TO PLEADINGS**

7. (1) No pleading shall be required in an action unless notice of intention to defend is delivered therein.

(2) (a) In every action in which notice of intention to defend has been delivered, the plaintiff shall within 10 days thereafter deliver particulars of claim.

(b) The defendant shall within 10 days after delivery of the particulars of claim deliver a plea.

(c) A party may, consequent upon a pleading filed by another party to the action, deliver any further pleading within 10 days after the delivery of the preceding pleading: Provided that no replication or subsequent pleading which would be a mere joinder of issue or bare denial of allegations in the previous pleading shall be necessary.

(3) (a) Every pleading shall contain a clear and concise statement of the material facts upon which the party relies for his claim, defence or answer as therein set forth, with sufficient particularity to enable the opposite party to reply thereto.

(b) Every plea and subsequent pleading shall either admit, or deny, or confess and avoid all the material facts alleged in the pleading preceding it, or state which facts are not admitted and to what extent.

(c) It shall not be an objection to any further pleading after a plea, that it raises new matter, or that it constitutes a departure from a previous allegation made by the same party and any such departure shall be deemed to be in the alternative to any such previous allegation.

(4) Where damages are claimed, it shall not be necessary to state particulars of damage: Provided that—

(a) the amount and nature of the damages claimed shall be stated; and

(b) the amount of any consequential loss claimed and the alleged basis therefor shall be stated.

REËL 6**KENNISGEWING VAN VOORNEME OM TE VERDEDIG**

6. (1) Die bepalings van reël 19 van die Eenvormige Hofreëls, uitgesonderd die voorbehoudsbepaling by reël 19 (1) van die Eenvormige Hofreëls is, behoudens reël 20, *mutatis mutandis* van toepassing met betrekking tot 'n kennisgewing van voorneme om 'n aksie in admiralteitsverrigting te verdedig.

(2) Waar 'n dagvaarding in 'n aksie *in rem* uitgereik is, kan 'n persoon wat 'n belang by die betrokke goed het, te eniger tyd voor die verstryking van 10 dae vanaf die betekening van die dagvaarding kennis gee van sy voorneme om die aksie te verdedig en kan hy sodanige aksie verdedig.

(3) 'n Persoon wat in 'n aksie *in rem* kennis gee van voorneme om te verdedig, loop nie bloot op grond daarvan enige aanspreeklikheid op nie, en, uitgesonderd ten opsigte van koste, loop in die besonder nie aanspreeklikheid *in personam* op bloot op grond van sodanige kennisgewing en omdat hy die aksie *in rem* verdedig het nie.

(4) Kennis van voorneme om te verdedig kan gegee word waar 'n dagvaarding uitgereik is, nieteenstaande dat die dagvaarding nie op die persoon wat kennis gee van voorneme om te verdedig, of enige ander persoon, beteken is nie.

REËL 7**ALGEMENE REËLS BETREFFENDE PLEITSTUKKE**

7. (1) Geen pleitstuk word in 'n aksie vereis tensy kennisgewing van voorneme om te verdedig daarin afgelewer is nie.

(2) (a) Die eiser moet in 'n aksie waar kennisgewing van voorneme om te verdedig afgelewer is, binne 10 dae daarna besonderhede van eis aflewer.

(b) Die verweerde moet binne 10 dae na die verstrekking van die besonderhede van eis 'n pleit aflewer.

(c) 'n Party kan, nadat 'n ander party in die aksie 'n pleitstuk afgelewer het, enige daaropvolgende pleitstuk binne 10 dae na die aflewing van die vorige pleitstuk aflewer: Met dien verstande dat geen replikasie of daaropvolgende pleitstuk wat 'n blote ingedingtreding of blote ontkenning van die bewerings in die vorige pleitstuk is, nodig is nie.

(3) (a) Elke pleitstuk moet 'n duidelike en bondige stelling bevat van die wesenlike feite waarop die party sy eis, verweer of antwoord soos daarin uiteengesit, grond, met voldoende besonderhede om die teenparty in staat te stel om daarop te antwoord.

(b) Elke pleit en daaropvolgende pleitstuk moet al die wesenlike feite wat in die voorafgaande pleitstuk beweer word, erken, ontken of met teenwerping erken, of meld welke feite nie erken word nie en in watter mate.

(c) 'n Verdere pleitstuk na 'n verweerskrif is nie vatbaar vir beswaar op grond daarvan dat dit 'n nuwe bewering bevat of dat dit 'n afwyking behels van 'n vorige bewering deur dieselfde party gemaak nie, en so 'n afwyking word geag 'n alternatief vir enige sodanige vorige bewering te wees.

(4) Waar skadevergoeding geëis word, is dit nie nodig om besonderhede van die skade uiteen te sit nie: Met dien verstande dat—

(a) die bedrag en aard van die skadevergoeding wat geëis word, gemeld word; en

(b) die bedrag wat weens enige gevolgskade geëis word en die beweerde grond daarvan gemeld word.

(5) (a) No further particulars may be requested for the purposes of pleading and no exception may be taken to any pleading on the ground that it is vague and embarrassing.

(b) (i) Where any pleading lacks averments which are necessary to sustain an action or defence, the opposing party may within 10 days after receipt of the pleading deliver an exception thereto and may cause it to be set down for hearing.

(ii) The notice of exception shall clearly and concisely specify the grounds upon which the exception is founded.

(6) A party who, despite due enquiry and endeavour, is unable to provide the requisite particularity in a pleading shall be entitled to state that fact in the pleading: Provided that—

- (a) the party shall in the pleading specify the respect in which he is unable to furnish such particularity;
- (b) the party shall by way of an addendum to the pleading provide such particularity as soon as it comes to his knowledge, but in any case not later than six weeks before the date of the trial; and
- (c) a party who improperly claims in a pleading that he is unable to furnish such particularity shall be liable for costs to the extent which the court may order.

(7) The provisions of this rule shall not affect the powers of a court in terms of rule 18.

(8) A court may in its discretion order, or the parties concerned may agree, that any action be tried without pleadings: Provided that the issues shall be defined in any such order or agreement.

RULE 8

CLAIM IN RECONVENTION

8. A defendant may claim in reconvention against the plaintiff, either alone or with any other person.

RULE 9

THIRD PARTIES

9. (1) If a party alleges that he is entitled to claim a contribution or indemnification against any other person not a party (hereinafter called a "third party") or that any issue or question in the proceedings to which he is a party has arisen or will arise between him and the third party and should be determined in the proceedings, he may cause a third party notice to be issued and served upon the third party.

(2) In any third party notice the said question or issue and, if any relief is claimed against the third party, the grounds upon which such relief is claimed shall be stated in the same manner as such grounds would be stated in particulars of claim.

(3) A third party notice may, after the close of pleadings, or where the claim against or the issue or question with regard to the third party is not a maritime claim, or the third party is not otherwise amenable to the jurisdiction of the court, be issued only with the leave of the court.

(4) A third party notice shall be accompanied by copies of all the pleadings issued to date, but the pleadings shall not be annexed to the third party notice.

(5) (a) A third party shall be deemed to be a defendant to any claim in the third party notice and may deliver any pleadings accordingly.

(b) A third party may in any such pleadings raise any plea with regard to the claim of the plaintiff in the action.

(5) (a) Geen verdere besonderhede kan vir die doeleindes van pleit gevra word nie, en geen eksepsie kan teen 'n pleitstuk opgewerpt word op grond daarvan dat dit vaag en verwarrend is nie.

(b) (i) Waar 'n pleitstuk bewerings kortkom wat nodig is om die aksie of verweer te staaf, kan die teenparty binne 10 dae na ontvangs van die pleitstuk 'n eksepsie daarteen aflewer en dit vir verhoor ter rolle laat plaas.

(ii) Die kennisgewing van eksepsie moet duidelik en bondig die gronde waarop die eksepsie berus, aangee.

(6) 'n Party wat, ten spyte van behoorlike ondersoek en bewering, nie die vereiste besonderhede in 'n pleitstuk kan verskaf nie, kan so 'n bewering in sy pleitstuk maak: Met dien verstande dat—

- (a) die party in die pleitstuk moet aandui in welke oopsig hy nie sodanige besonderhede kan gee nie;
- (b) die party in 'n bylae by die pleitstuk sodanige besonderhede moet gee sodra dit tot sy kennis kom maar in elk geval nie later as ses weke voor die verhoordatum nie; en
- (c) 'n party wat onbehoorlik in 'n pleitstuk beweer dat hy nie sodanige besonderhede kan verskaf nie, vir koste in die mate wat die hof bepaal, aanspreeklik is.

(7) Die bepalings van hierdie reël raak nie 'n hof se bevoegdhede ingevolge reël 18 nie.

(8) 'n Hof kan volgens sy diskresie beveel, of die betrokke party kan ooreenkoms, dat 'n aksie sonder pleitstukke verhoor word: Met dien verstande dat die geskilpunte in die bevel van ooreenkoms omskryf word.

REËL 8

TEENEIS

8. 'n Verweerde kan afsonderlik of saam met 'n ander persoon 'n eis in rekonsensie teen die eiser instel.

REËL 9

DERDE PARTYE

9. (1) Indien 'n party beweer dat hy teenoor iemand anders wat nie 'n party is nie (hieronder 'n "derde party" genoem), op 'n bydrae of vrywaring geregtig is, of dat enige vraag of geskilpunt in die verrigtinge waarin hy 'n party is, tussen hom en die derde party ontstaan het of sal ontstaan en in die verrigtinge beslis behoort te word, kan hy 'n derdepartykennisgewing laat uitreik en aan die derde party laat beteken.

(2) In 'n derdepartykennisgewing word bedoelde vraag of geskilpunt en, indien enige regshulp van die derde party geëis word, die gronde waarop sodanige regshulp geëis word, op dieselfde wyse as die gronde in die besonderhede van eis uiteengesit.

(3) 'n Derdepartykennisgewing kan, na sluiting van die pleitstukke, of waar die eis teen of die geskilpunt of vraag met betrekking tot die derde party nie 'n maritieme eis is nie, of waar die derde party nie andersins aan die jurisdiksie van die hof onderworpe is nie, slegs met die toestemming van die hof uitgereik word.

(4) 'n Derdepartykennisgewing moet vergesel gaan van afskrifte van al die pleitstukke tot op datum uitgereik, maar die pleitstukke word nie by die derdepartykennisgewing aangeheg nie.

(5) (a) 'n Derde party word by enige eis in die derdepartykennisgewing geag 'n verweerde te wees en kan as sodanig pleitstukke aflewer.

(b) 'n Derde party kan in enige sodanige pleitstukke enige pleit ten opsigte van die eis van die eiser in die aksie aangebied.

(c) Unless a third party in his pleadings expressly states the contrary, he shall be deemed to have agreed to be bound by any admission, agreement or compromise made by the defendant with regard to the claim of the plaintiff against the defendant.

(6) A third party or a defendant in reconvention may in like manner bring in further parties to be appropriately described as, for instance, a fourth party or third party in reconvention and for the purposes of the proceedings any such further party shall be deemed to be a third party.

RULE 10

CLOSE OF PLEADINGS

10. Pleadings shall be closed when the time has expired for the delivery of any further pleading and no such pleading has been delivered, or when a pleading has been filed joining issue without the addition of any further pleading.

RULE 11

REQUEST FOR FURTHER PARTICULARS

11. (1) At any time after the close of pleadings a party may deliver a request for further particulars with regard to the pleading of any other party to the action for the purpose of enabling the party delivering the request to prepare for trial.

(2) (a) Particulars may be requested of a denial or with regard to any matter deemed to have been put in issue.

(b) It shall not be an objection to any such request that the purpose of the request is to obtain an admission of a matter placed in issue.

(3) Any answer to a request for further particulars shall bind the party giving the answer as against all parties to the action and not only as against the party requesting the particulars.

RULE 12

PRELIMINARY PROCEDURES

12. (1) A court may at any time, whether before or after the issue of summons—

- (a) make an order under section 5 (5) of the Act;
- (b) make an order for the taking of the evidence of any person named or otherwise identified (whether by description or otherwise) in the order, with regard to any matter which may be relevant in any action contemplated or pending and may in the said order define the issues on which such evidence may be given and prescribe the procedure for the giving of such evidence.

(2) (a) (i) A plaintiff or a defendant, whether in convention or reconvention, or any third party may, after being served with a summons or giving or receiving notice of intention to defend, or receiving a claim in reconvention or a third party notice, request the party issuing or delivering such document and any other opposite party to attend a conference in terms of this rule.

(ii) For the purposes of this rule, any plaintiff, any defendant who has given notice of intention to defend or any third party who has delivered any pleading shall be deemed to be an opposite party.

(b) At the said conference—

- (i) the party requiring the conference may require any opposite party to disclose and make available all documents and give such particulars as the opposite party is then able to make available or give as to the claim or defence upon which the opposite party relies;

(c) 'n Derde party word geag in te gestem het om gebonde te wees deur enige erkenning, ooreenkoms of skikking deur die verweerde gemaak of aangegaan ten opsigte van die eis van die eiser teen die verweerde, tensy hy in sy pleitstuk uitdruklik 'n bewering tot die teendeel maak.

(6) 'n Derde party of 'n verweerde in rekonsensie kan op soortgelyke wyse verdere partye bybring wat gepas as voorbeeld 'n vierde party of derde party in rekonsensie beskryf kan word, en vir die doeleindes van die verrygtige word elke sodanige verdere party geag 'n derde party te wees.

REËL 10

SLUITING VAN PLEITSTUKKE

10. Pleitstukke word gesluit wanneer die tyd toegelaat vir die aflewering van 'n verdere pleitstuk verstryk het sonder dat sodanige pleitstuk aangelever is, of waar 'n pleitstuk waardeur in geding getree is sonder dat 'n verdere pleitstuk toegevoeg is, aangelever is.

REËL 11

VERSOEK OM VERDERE BESONDERHEDE

11. (1) 'n Party kan te eniger tyd na die sluiting van pleitstukke 'n versoek om verdere besonderhede ten opsigte van die pleitstuk van enige ander party in die aksie afluwer, ten einde die party wat die versoek afluwer, in staat te stel om hom vir die verhoor voor te berei.

(2) (a) Besonderhede kan met betrekking tot 'n ontkenning of 'n aangeleentheid wat geag word in geskil geplaas te wees, gevra word.

(b) Daar word nie teen enige sodanige versoek beswaar gemaak op grond daarvan dat die doel van die versoek is om 'n erkenning van 'n geskipunt te verkry nie.

(3) 'n Antwoord op 'n versoek om verdere besonderhede bind die party wat die antwoord verskaf, teenoor alle partye in die aksie en nie slegs teenoor die party wat die besonderhede versoek het nie.

REËL 12

VOORLOPIGE PROSEDURES

12. (1) 'n Hof kan te eniger tyd, hetsy voor of na die uitreiking van 'n dagvaarding—

- (a) 'n bevel kragtens artikel 5 (5) van die Wet gee;
- (b) 'n bevel gee vir die afneem van getuenis van enige persoon in die bevel genoem of andersins geïdentifiseer (by wyse van beskrywing of andersins), met betrekking tot enige aangeleentheid wat relevant kan wees in enige beoogde of hangende aksie, en kan in genoemde bevel die geskilpunte bepaal waaroor getuenis gegee kan word, en ook die prosedure vir die afneem van sodanige getuenis voorskryf.

(2) (a) (i) 'n Eiser, of verweerde in konvensie of rekonsensie, of 'n derde party kan, nadat 'n dagvaarding aan hom beteken is of kennis van voorname om te verdedig gegee of ontvang is of 'n teeneis of derdepartykennisgewing ontvang is, die party wat sodanige stuk uitgereik of aangelever het en enige ander teenparty versoek om 'n samesprekking ingevolge hierdie reël by te woon.

(ii) By die toepassing van hierdie reël word 'n eiser, 'n verweerde wat kennis van voorname om te verdedig gegee het, of 'n derde party wat 'n pleitstuk aangelever het, geag 'n teenparty te wees.

(b) By bedoelde samesprekking—

- (i) kan die party wat die samesprekking versoek het, enige teenparty versoek om alle dokumente bloot te lê en beskikbaar te stel en om sodanige besonderhede te verskaf as wat die teenparty dan beskikbaar kan stel of kan verskaf aangaande die eis of die verweerde waarop die teenparty steun;

(ii) any opposite party may in like manner require the party requiring the conference and any other opposite party present at the conference to disclose and make available all documents and give such particulars as he is then able to make available or give concerning his claim or defence;

(iii) any party may require any other party to disclose and make available any documents and give any information available which might be relevant to a submission of the matter in dispute to arbitration.

(3) If any party fails to attend a conference pursuant to a notice given in terms of subrule (2), any other party may apply to court for an order that the said party attend such conference.

(4) At the said conference the parties shall disclose and make available all the said documents and give the said information.

RULE 13

DISCOVERY OF DOCUMENTS

13. (1) A party shall make discovery of documents—

- (a) if any other party in an action so requires it after the close of pleadings; or
- (b) if so ordered by a court in an application or an action, whether before or after the close of pleadings in the action.

(2) Any such notice or order—

- (a) may specify the document or category or type of document to be disclosed;
- (b) may limit the disclosure required thereby to documents of a class stated therein or relating to issues stated therein.

(3) Discovery of documents shall be made by the service on the parties of an affidavit describing with such particularity as may be necessary to identify the documents which are relevant to the matters in issue then or which previously were in the possession of the party making discovery or his agent.

(4) Documents may be described as being contained in a bundle referred to therein, in which case the pages of the bundle shall be numbered consecutively and the number of pages stated as part of the description.

(5) After receiving a discovery affidavit, a party may likewise require further and better discovery to be made in accordance with this rule.

(6) Any document discovered may be inspected and copied by any party to the action.

RULE 14

PRE-TRIAL PROCEDURE

14. (1) A court may from time to time on the application of any party make an order or orders with regard to any one or more of the following matters and may give directions for the more effectual carrying out of its order:

(a) Requiring any person to answer any question on oath either before a person to be nominated in the order, or on affidavit, or otherwise as the court may order—

(i) arising from the failure to answer, the inadequacy of any answer to any request for further particulars, or the failure to make any admission requested in such a request, or for the purpose of amplifying any such answer;

(ii) kan 'n teenparty insgelyks die party wat die same sprekings versoek het en enige ander teenparty wat by die samesprekings teenwoordig is, versoek om alle dokumente bloot te lê en beskikbaar te stel en om sodanige besonderhede te versaf as wat hy dan beskikbaar kan stel om kan versaf aangaande sy eis of verweer;

(iii) kan enige party enige ander party versoek om enige dokumente bloot te lê of beskikbaar te stel en om enige beskikbare inligting te versaf wat by die verwysing van die aangeleentheid in geskil na arbitrasie relevant kan wees.

(3) Indien 'n party versuim om 'n samespreking uit hoofde van 'n kennisgewing ingevolge subreël (2) by te woon, kan enige ander party by 'n hof aansoek doen om 'n bevel dat die genoemde party die samespreking bywoon.

(4) Die partye moet by die bedoelde samespreking al die bedoelde dokumente blootlê en beskikbaar stel en die bedoelde inligting gee.

REËL 13

BLOOTLEGGING VAN STUKKE

13. (1) 'n Party moet stukke blootlê—

- (a) indien 'n ander party in 'n aksie dit na die sluiting van die pleitstukke verlang; of
- (b) indien 'n hof in 'n aansoek of 'n aksie hetsy voor of na die sluiting van die pleitstukke aldus gelas.

(2) Enige sodanige kennisgewing of bevel—

- (a) kan die dokument, klas of soort dokument wat blootgelê moet word, spesifiseer;
- (b) kan die verlangde blootlegging beperk tot dokumente in 'n klas daarin vermeld of tot geskilpunte daarin vermeld.

(3) Blootlegging van dokumente geskied deur aan die partye 'n beëdigde verklaring te beteken wat 'n beskrywing met die nodige besonderhede bevat om die dokumente te kan identifiseer wat relevant by die geskilpunte is en wat dan of voorheen in die besit van die party wat die blootlegging doen, of sy agent is of was.

(4) Dokumente kan beskryf word as 'n deel van 'n pak dokumente waarvan daarin melding gemaak word, in welke geval die bladsye van die pak agtereenvolgens genommer moet word en die aantal bladsye as deel van die beschrywing vermeld moet word.

(5) 'n Party kan, nadat 'n blootleggingsverklaring ontvang is, op soortgelyke wyse verlang dat verdere en beter blootlegging kragtens hierdie reël gedoen word.

(6) 'n Dokument wat blootgelê is, kan deur enige party in die aksie ingesien en gekopieer word.

REËL 14

VOORVERHOORPROSEDURE

14. (1) 'n Hof kan van tyd tot tyd op aansoek van enige van die partye 'n bevel of bevele met betrekking tot een of meer van die volgende aangeleenthede gee, en kan lasgewings aangaande die doeltreffender uitvoering van sy bevele gee:

(a) Die beantwoording van enige vraag deur 'n persoon onder eed of voor 'n persoon in die bevel aangewys, of by wyse van beëdigde verklaring, of op 'n wyse deur die hof bepaal, wat ontstaan—

(i) uit 'n versuim om te antwoord of die ontoereikendheid van 'n antwoord op 'n versoek om verdere besonderhede of die versuim om 'n erkenning te doen wat in so 'n versoek versoek word, of vir die doeleindes van aanvulling van sodanige antwoord;

- (ii) arising from any dispute as to the adequacy of any discovery of documents;
- (b) ordering any person who is not a party to the action to produce any document relating to any question which may arise in the action which may be in his possession and to permit the same to be copied;
- (c) the admission of evidence in terms of section 6 (3) of the Act;
- (d) the taking of evidence on commission;
- (e) the reference of any matter to arbitration or to a referee in terms of section 5 (2) (e) of the Act;
- (f) the holding of any conference in accordance, subject to any modifications set out in the order or agreement, with rule 37 of the Uniform Rules, in connection with any matters set out in the said rule or in the order or the agreement of the parties;
- (g) the restating or clarification of the issues; and
- (h) the papers to be placed before the court for the purpose of the hearing.
- (2) The parties may without any order agree on any matter referred to in paragraph (a), (c), (f), (g) or (h) of subrule (1).
- (3) Any answer in terms of subrule (1) (a) (i) shall be admissible against, but not in favour of the party giving it, unless the court at any time orders otherwise.
- (4) An order with regard to any matter referred to in paragraph (a), (d) or (f) of subrule (1) shall be made only after the close of pleadings, unless the court in its discretion is of the opinion that an order should be made before the close of pleadings.
- (5) Any agreement in terms of this rule and the proceedings of any conference held in terms of rule 12 shall be recorded in writing and signed by the parties.
- RULE 15**
- TRIAL**
15. The procedure in respect of setting down and hearing of any trial shall be in accordance with the procedure regulated in the Uniform Rules and any rules regulating the conduct of proceedings in the division in respect of which the court is constituted, or as ordered by the court, save that the registrar, if he thinks fit, or with the authority of a judge in chambers, may assign fixed dates for any trial.
- RULE 16**
- APPLICATIONS**
16. (1) Subject to the provisions of this rule, the provisions of rule 6 of the Uniform Rules shall apply to applications.
- (2) A notice of motion in an application on notice shall state—
- (a) the time within which the respondent shall deliver any affidavits;
- (b) the date for the hearing of the application.
- (3) Unless otherwise stated in any rule *nisi*, the affidavit of any respondent or person called on to show cause shall be filed at least 10 days before the return date and any affidavit of the applicant shall be filed at least five days before the return date.
- (ii) uit 'n geskil oor die toereikendheid van enige blooplegging van dokumente;
- (b) 'n bevel dat 'n persoon wat nie 'n party in die aksie is nie, 'n dokument voorlê betreffende 'n vraag wat in die aksie ter sprake kan kom wat in sy besit kan wees, en toelaat dat afskrifte van sodanige dokument gemaak word;
- (c) die aanvaarding van getuienis kragtens artikel 6 (3) van die Wet;
- (d) die afneem van getuienis op kommissie;
- (e) die verwysing van enige aangeleentheid na arbitrasie of na 'n skeidsregter kragtens artikel 5 (2) (e) van die Wet;
- (f) die voer van 'n samespreking, ooreenkomsdig reël 37 van die Eenvormige Hofreëls maar behoudens veranderings uiteengesit in die bevel of ooreenkom, in verband met enige aangeleentheid in genoemde reël of die bevel of ooreenkom tussen die partye uiteengesit;
- (g) die herformulering of opheldering van die geskil punte; en
- (h) die stukke wat vir verhoordoeleindes voor die hof geplaas moet word.
- (2) Die partye kan sonder enige bevel oor enige aangeleentheid bedoel in paragrawe (a), (c), (f), (g) of (h) van subreël (1) ooreenkom.
- (3) 'n Antwoord ingevolge subreël (1) (a) (i) is, tensy die hof te eniger tyd anders beveel, as getuienis teen maar nie ten gunste van die party wat dit gee nie, toelaatbaar.
- (4) 'n Bevel ten opsigte van 'n aangeleentheid in paragrawe (a), (d) of (f) van subreël (1) word, tensy die hof volgens sy diskresie van oordeel is dat 'n bevel voor die sluiting van die pleitstukke gegee moet word, slegs ná die sluiting van die pleitstukke gegee.
- (5) 'n Ooreenkom kragtens hierdie reël aangegaan en die verrigtinge van enige samespreking kragtens reël 12 gehou, moet skriftelik genotuleer en deur die partye onderteken word.
- REËL 15**
- VERHOOR**
15. Die prosedure ten opsigte van terolleplasing en die hou van verhoor word gereël ooreenkomsdig die prosedure ten opsigte daarvan in die Eenvormige Hofreëls en enige reëls waarby die verrigtinge in die afdeling waarvoor die hof ingestel is, voorgeskryf word, of soos deur die hof bepaal, behalwe dat die griffier, indien hy dit goeddink of met die magtiging van 'n regter-in-kamers, spesifieke datums vir enige verhoor kan vasstel.
- REËL 16**
- AANSOEK**
16. (1) Die bepalings van reël 6 van die Eenvormige Hofreëls is, behoudens die bepalings van hierdie reël, op aansoek van toepassing.
- (2) 'n Kennisgewing van mosie in 'n aansoek met kennisgewing moet—
- (a) die tydperk waarbinne die respondent beëdigde verklarings moet aflewer; en
- (b) die datum waarop die aansoek aangehoor word, vermeld.
- (3) Die beëdigde verklaring van 'n respondent of persoon aangesê om gronde aan te voer, moet minstens 10 dae voor die keerdatum en 'n beëdigde verklaring van die applikant minstens vyf dae voor die keerdatum gelasieer word, tensy in 'n voorlopige bevel anders beveel is.

RULE 17 VARIATION OF PERIODS OF TIME AND NON-COMPLIANCE

17. (1) On the application of any person the court may abridge or extend any period of time and may advance or postpone any date in respect of any matter for which a time or date is laid down in these rules, the Uniform Rules as applicable to admiralty proceedings, any notice, order of court or otherwise.

(2) If any person has not complied with a notice given in terms of these rules or the Uniform Rules, any interested party may apply for an order that there be compliance with the notice.

(3) (a) If any party has not complied with an order of court, any interested party may apply for an order that the claim or defence or participation in the action of any person not so complying be set aside and struck out and that the said person be dealt with as being in default.

(b) On any such application the court may so order, or make such other order as to the court seems meet.

RULE 18

VEXATIOUS OR IRREGULAR PROCEEDINGS

18. (1) The court may strike out any proceedings which are vexatious or an abuse of the process of the court.

(2) If it appears to the court on application that there have been any irregular proceedings by any party or a non-compliance with the rules or any order of court, the court may make such order as appears to it to be just with regard to the said proceedings or non-compliance, including an order that any such party be deemed to be in default, or that judgment be given against any such party.

RULE 19

PROPERTY ARRESTED OR ATTACHED

19. (1) Any property arrested or attached shall be kept in the custody of the sheriff or his deputy, who may take all such steps as the court may order or as appear to him to be appropriate for the custody and preservation of the property, including the removal and storage of any cargo and the removal, disposal and storage of perishable goods which have been arrested or attached, or which are on board any ship which has been arrested or attached.

(2) In acting under subrule (1), the sheriff or his deputy shall consult any person or persons who have procured the arrest or attachment of the property and shall act in accordance with any relevant order of court.

(3) (a) The deputy-sheriff shall be entitled to reasonable remuneration for effecting any arrest or attachment to found or confirm jurisdiction and for any act done by him in terms of this rule.

(b) Any such remuneration may be less or greater than the corresponding remuneration in any tariff prescribed in the Uniform Rules or elsewhere.

(4) Any property sold in terms of section 9 of the Act shall be sold by such persons and on such terms and in such manner as the court may order.

(5) The proceeds of any sale and any amount paid as security or otherwise into court shall be invested in such manner as the parties may agree or as the court may order, which order may be made notwithstanding the fact that the parties have agreed otherwise.

(6) (a) Any such proceeds or amounts shall be paid out in such manner as the court may order.

(b) The court shall make such order as to it seems meet with regard to parties and procedure: Provided that any such proceeds or amounts shall be paid out in accordance with the priorities provided in the Act.

REËL 17

WYSIGING VAN TYDPERKE EN NIE-NAKOMING

17. (1) Die hof kan op aansoek van enige persoon enige tydperk verkort of verleng, en kan enige datum betreffende enige aangeleentheid waarvoor 'n tyd of datum in hierdie reëls, die Eenvormige Hofreëls, soos van toepassing op admiraleitsverrigtinge, en enige kennisgewing, hofbevel of andersins vasgestel is, vervroeg of uitstel.

(2) 'n Belanghebbende party kan, indien 'n persoon nie aan 'n kennisgewing ooreenkomsdig hierdie reëls of die Eenvormige Hofreëls voldoen nie, aansoek doen om 'n bevel dat aan die kennisgewing voldoen word.

(3) (a) 'n Belanghebbende party kan, indien enige party nie 'n hofbevel nakom nie, aansoek doen om 'n bevel dat die eis of verweer of deelname aan die aksie van die persoon wat nie die bevel nagekom het nie, ter syde gestel en geskrap word en dat met sodanige persoon gehandel word asof hy in verstek is.

(b) Die hof kan by enige sodanige aansoek aldus beveel of die bevel gee wat hy goeddink.

REËL 18

KWELSUGTIGE OF ONREËLMATIGE VERRIGTINGE

18. (1) Die hof kan verrigtinge wat kwelsugtig is of misbruik van die hofprosedure behels, skrap.

(2) Die hof kan, indien dit by aansoek blyk dat daar onreëlmaticke verrigtinge deur 'n party was of dat die reëls of enige hofbevel nie nagekom is nie, 'n bevel wat hom billik voorkom, gee met betrekking tot die verrigtinge of nie-nakoming, met inbegrip van 'n bevel dat sodanige party geag word in verstek te wees of dat vonnis teen sodanige persoon gegee word.

REËL 19

GOED IN BESLAG GENEEM OF OP BESLAG GELÊ

19. (1) Goed wat in beslag geneem is of waarop beslag gelê is, word in die bewaring van die balju of adjunk-balju gehou, wat die stappe wat die hof beveel of wat hom paslik voorkom, kan doen vir die bewaring en behoud van die goed, met inbegrip van die verwydering en opbergung van die vrag, en die verwydering en opbergung van en beskikkig oor bederfbare goed wat in beslag geneem of waarop beslag gelê is, of wat aan boord is van 'n skip wat in beslag geneem of waarop beslag gelê is.

(2) Die balju of adjunk-balju moet, wanneer hy kragtens subreël (1) handel, met die persoon of persone wat die inbeslagname of beslaglegging bewerkstellig het, raadpleeg en moet ooreenkomsdig 'n toepaslike hofbevel optree.

(3) (a) Die adjunk-balju is geregtig op redelike vergoeding vir die uitvoering van inbeslagname of beslaglegging om jurisdiksie te vestig of te bevestig en vir enige handinge kragtens hierdie reël verrig.

(b) Sodanige vergoeding kan meer of minder wees as die ooreenstemmende vergoeding voorgeskryf in 'n tarief in die Eenvormige Hofreëls of elders.

(4) Goed wat kragtens artikel 9 van die Wet verkoop word, moet deur sodanige persone, op sodanige voorwaardes en op sodanige wyse as wat die hof beveel, verkoop word.

(5) Die opbrengs van enige verkooping en enige bedrag wat as sekuriteit of andersins by 'n hof inbetaal is, moet belê word op sodanige wyse as waarop die partye ooreenkomen of wat die hof beveel, welke bevel gegee kan word nie teenstaande dat die partye anders ooreengekom het.

(6) (a) Enige sodanige opbrengs of bedrae word op sodanige wyse as wat die hof beveel, uitbetaal.

(b) Die hof gee 'n bevel wat hom gepas voorkom met betrekking tot die partye en prosedure: Met dien verstande dat sodanige opbrengs en bedrae ooreenkomsdig die rangorde in die Wet bepaal, uitbetaal word.

(c) Any person who has filed with the registrar a notice that he desires to be heard on an application for the paying out of such proceeds shall be entitled to notice of any application relating to any such payment.

RULE 20

FILING, DELIVERY AND PREPARATION OF PAPERS

20. (1) The registrar shall cause records to be kept in a convenient form showing, separately from any records relating to any other proceedings in the division of which he is registrar:

- (a) Summons and warrants issued in and applications which are, or are made with regard to, admiralty proceedings;
- (b) orders made in admiralty proceedings;
- (c) any security or undertaking given in terms of section 3 (10) of the Act;
- (d) any notice under rule 3 (5) (c);
- (e) any notice under rule 19 (6) (c);
- (f) generally, the records of proceedings pending or proceeding before the court.

(2) (a) The attorney for a party obtaining the issue of a summons, warrant of arrest or third party notice, or giving notice of intention to defend, shall file a power of attorney only if notice is given by any party requiring that such a power be filed.

(b) The filing of any written or telex authority shall be a sufficient compliance with such notice, but a formal power of attorney shall be filed within 30 days of the filing of any such authority.

(3) Every summons, third party notice and warrant—

- (a) shall be signed by the attorney for the party causing it to be issued or, if the party is not represented by an attorney and is a natural person, by the party and thereafter be signed and issued by the registrar;
- (b) shall contain an address of the attorney or party such as is referred to in rule 17 (3) of the Uniform Rules.

(4) (a) If the parties are described as set forth in rule 2 (3) or if notice of intention to defend is given in an action *in rem*, the power of attorney may describe the parties as they are described in the action, but in that event there shall be filed with the power of attorney an undertaking by the attorney to pay any costs awarded against the party represented by him and any damages awarded against the said party under section 5 (4) of the Act, which shall be enforceable by the other parties to the action.

(b) (i) If any party is described as set forth in rule 2 (3), any other party may, by notice, require the plaintiff or any defendant or third party who has given notice of intention to defend, to give particulars of the identity of the party or parties so described.

(ii) The party receiving the said notice shall within 15 days of the receipt thereof give particulars of the parties so described by him, or of his identity if he is the party so described, but, subject to any order of the court, the action shall proceed notwithstanding the fact that the notice has not been complied with.

(c) The court may at any time order that security be given in respect of any undertaking under paragraph (4) (a).

(c) Enige persoon wat by die griffier 'n kennisgewing liasseer dat hy verlang om by 'n aansoek om die uitbetaling van sodanige opbrengs aangehoor te word, is geregtig op kennisgewing van enige aansoek met betrekking tot sodanige uitbetaling.

REËL 20

LIASSERING, AFLEWERING EN VOORBEREIDING VAN STUKKE

20. (1) Die griffier moet toesien dat rekords in 'n gerieflike vorm gehou word wat, afsonderlik van enige rekords betreffende enige ander verrigtinge in die afdeling waarvan hy griffier is, die volgende toon:

- (a) Dagvaardings en lasbriewe uitgereik in admiralteitsverrigtinge en aansoeke wat sodanige verrigtinge is of wat met betrekking tot sodanige verrigtinge gedoen word;
- (b) bevele gegee in admiralteitsverrigtinge;
- (c) enige sekuriteit of onderneming kragtens artikel 3 (10) van die Wet gegee;
- (d) enige kennisgewing kragtens reël 3 (5) (c);
- (e) enige kennisgewing kragtens reël 19 (6) (c);
- (f) in die algemeen, die rekords van die verrigtinge wat hangende of voor die hof is.

(2) (a) Die prokureur van 'n party wat die uitreiking van 'n dagvaarding, lasbrief tot beslaglegging of 'n derdeparty-kennisgewing verky of wat kennis van voorneme om te verdedig gee, moet 'n prokurasie liasseer slegs indien kennis deur enige party gegee is dat vereis word dat sodanige prokurasie geliasseer word.

(b) Die liassering van 'n geskrewe of teleksmagtiging is genoegsame voldoening aan sodanige kennisgewing, maar 'n formele prokurasie moet binne 30 dae na die liassering van sodanige prokurasie geliasseer word.

(3) Elke dagvaarding, derdepartykennisgewing en lasbrief moet—

- (a) deur die prokureur vir die party wat dit laat uitreik of, indien die party nie deur 'n prokureur verteenwoordig word nie en hy 'n natuurlike persoon is, deur die party onderteken word en daarna moet dit deur die griffier onderteken en uitgereik word;
- (b) 'n adres van die prokureur of party soos in reël 17 (3) van die Eenvormige Hofreëls bedoel, bevat.

(4) (a) Die prokurasie kan, indien die party beskryf is soos in reël 2 (3) bedoel of indien kennisgewing van voorneme om te verdedig in 'n aksie *in rem* gegee is, die partye soos hulle in die aksie beskryf is, beskryf, maar in so 'n geval moet die prokureur, tesame met die prokurasie, 'n onderneming liasseer om enige koste toegeken teen die party wat hy verteenwoordig en enige skadevergoeding wat teen die genoemde party kragtens artikel 5 (4) van die Wet toegeken is, te betaal, en sodanige onderneming is deur die ander partye in die aksie afdwingbaar.

(b) (i) Indien 'n party beskryf is soos in reël 2 (3) bedoel, kan 'n ander party by kennisgewing vereis dat die eiser of enige verweerde of derde party wat kennis van voorneme om te verdedig gegee het, besonderhede verstrek van die identiteit van die party of partye aldus beskryf.

(ii) Die party wat sodanige kennisgewing ontvang, moet binne 15 dae na ontvangst daarvan besonderhede verstrek van die partye aldus deur hom beskryf, of van sy identiteit indien hy die party is wat aldus beskryf is, maar behoudens enige bevel van die hof gaan die aksie voort nieteenstaande dat daar nie aan die kennisgewing voldoen is nie.

(c) Die hof kan te eniger tyd beveel dat sekuriteit ten opsigte van enige onderneming kragtens subreël 4 (a) gestel word.

(5) The title of the proceedings shall consist of a heading indicating the nature of the document, the name of the division of the Supreme Court of South Africa concerned, the number assigned thereto by the registrar, the name of the ship and the names of the parties and, if the proceedings are or are in connection with an action, shall state whether the action is an action *in rem* or *in personam* or *in rem* and *in personam*.

(6) All documents filed shall bear the title of the proceedings and shall be filed with a filing sheet stating the nature of the document filed.

(7) Any pleading and any request for further particulars and any reply thereto shall be signed by the party (if a natural person) or an attorney and shall, if signed by an attorney, also be signed by an advocate.

(8) (a) When any document is filed as part of the pleadings, or as a request for particulars or reply thereto, in an action or as part of the affidavits and papers in an application, it shall be accompanied by an index and the papers delivered shall be numbered in accordance with the index.

(b) When a previous index has been filed in the proceeding, the person responsible for the delivery of the documents shall continue the index as a running index in connection with the documents delivered by him, so that all papers filed and delivered shall, at all times, constitute a paged and indexed series of documents.

(9) When any amendment is deemed to have been agreed to, or has been ordered to be made by the court in terms of rule 28 of the Uniform Rules, the pleadings shall forthwith be deemed to have been so amended notwithstanding the fact that the amended page has not been delivered in terms of rule 28 (9) of the said Rules.

(10) (a) Subject to the provisions of this rule, pleadings, affidavits and a response to any notice shall be delivered or made within 10 days after the pleading, affidavit or notice to which they are an answer or response or, in the case of a plea, after the giving of notice of intention to defend.

(b) The said time may be extended or abridged by agreement or by an order of the court.

(c) Any party unreasonably refusing to agree to an extension of time shall be liable to pay the costs occasioned by any application arising out of any such refusal.

(d) A pleading or affidavit delivered out of time shall not merely on that account be refused by the registrar or any other party unless the court orders it to be struck out.

RULE 21

REPRESENTATIVE ACTIONS AND LIMITATIONS OF LIABILITY

21. (1) For the avoidance of a multiplicity of actions the court may, as to it seems meet, make an order that any action pending before it be regarded as a test action and that any other action to which one or more of the parties to the action so pending are parties and in which the same questions would arise, abide the result of the test action and may make any order as to the procedure and representation in the said action as to the court seems meet.

(2) Where any person claims to be entitled to a limitation of liability referred to in paragraph (t) of the definition of "maritime claim" in section 1 (1) of the Act, the court may

(5) Die titel van die verrytinge bestaan uit 'n opskrif wat die aard van die betrokke dokument aandui, die naam van die betrokke afdeling van die Hooggereghof van Suid-Afrika, die nommer deur die griffier daarvan toegeken, die naam van die skip en die name van die partye, en moet, indien die verrytinge 'n aksie is of met 'n aksie in verband staan, verklaar of die aksie 'n aksie *in rem* of *in personam* of *in rem* en *in personam* is.

(6) Alle dokumente wat gelasieer word, moet die titel van die verrytinge dra, en moet gelasieer word met 'n dekblad wat die aard van die dokument aldus gelasieer, aandui.

(7) Enige pleitstuk en enige versoek om verdere besonderhede en enige antwoord daarop moet deur die party (indien hy 'n natuurlike persoon is) of 'n prokureur onderteken wees en, indien deur 'n prokureur onderteken, moet dit ook deur 'n advokaat onderteken wees.

(8) (a) Enige dokument ingedien as deel van die pleitstukke of van 'n versoek om besonderhede of 'n antwoord daarop in 'n aksie, of as deel van die beëdigde verklarings en stukke in 'n aansoek, moet vergesel gaan van 'n inhoudsopgawe en die stukke wat afgelewer is, moet volgens die inhoudsopgawe genommer word.

(b) Waar 'n vorige inhoudsopgawe in die verrytinge gelasieer is, moet die persoon verantwoordelik vir die aflewing van die dokumente die inhoudsopgawe voortsit as 'n lopende inhoudsopgawe van die dokumente deur hom afgelewer, sodat al die stukke wat gelasieer en afgelewer is, te alle tye 'n gepagineerde en geïndeksseerde reeks dokumente uitmaak.

(9) Pleitstukke word, wanneer enige wysiging geag word op ooreengkom te wees of deur die hof kragtens reël 28 van die Eenvormige Hofreëls beveel is om gemaak te word, nie teenstaande dat die gewysigde bladsy nie kragtens reël 28 (9) van genoemde Reëls afgelewer is nie, onverwyld geag aldus gewysig te wees.

(10) (a) Pleitstukke, beëdigde verklarings en 'n antwoord op enige kennisgewing moet, behoudens die bepalings van hierdie reël, binne 10 dae na die pleitstuk, beëdigde verklaring of kennisgewing waarop geantwoord word of, in die geval van 'n verweerskrif, nadat kennis gegee is van voorname om te verdedig, afgelewer of verskaf word.

(b) Genoemde tydperk kan by ooreenkoms of hofbevel verleng of verkort word.

(c) 'n Party wat onredelikerwys toestemming tot verlenging van die tydperk weier, is aanspreeklik om die koste veroorsaak deur 'n aansoek voortspruitend uit sodanige weiering, te betaal.

(d) 'n Pleitstuk of beëdigde verklaring wat buite die voorgeskreve tydperk afgelewer word, kan nie bloot op grond daarvan deur die griffier of 'n ander party geweier word nie, tensy die hof beveel dat dit geskrap word.

REËL 21

VERTEENWOORDIGENDE AKSIES EN DIE BEPERKING VAN AANSPREEKLIKHEID

21. (1) Die hof kan na goeddunke, ten einde die vermeidigvuldiging van aksies te vermy, 'n bevel gee dat enige hangende aksie voor die hof beskou word as 'n toetsaksie en dat enige ander aksie waarin een of meer van die partye in die aldus hangende aksie partye is en waarin dieselfde vraesal ontstaan, die uitslag van die toetsaksie afgewag, en kan na goeddunke enige bevel betreffende die prosedure en verteenwoordiging in die aksie gee.

(2) Die hof kan, waar 'n persoon eis dat hy geregtig is op beperking van aanspreeklikheid in paragraaf (t) van die omskrywing van "maritieme eis" in artikel 1 (1) van die

give such directions as to it seems meet with regard to the procedure in any such claim, the staying of any other proceedings and the conditions for the consideration of any such claim, which may include a condition that such amount as the court may order be paid to abide the result of the consideration of the said claim, or that the claimant be required to admit liability for all or any claims made against him, or any other condition as to the court may seem meet.

RULE 22

EXCLUSION OF CERTAIN OF THE UNIFORM RULES

22. Rules 8, 9, 13, 17, 18, 20–23, 25, 26, 29, 30, 32, 35, 43–46 and 50–57 of the Uniform Rules shall, subject to the provisions of these rules, not apply to admiralty proceedings.

RULE 23

DIRECTIONS BY THE COURT

23. (1) The court may in any admiralty proceedings *mero motu* or on the application of any party or other person having a sufficient interest give any directions which to it appear proper for the disposal of any matter before it.

(2) Any such direction may deviate from or supplement any provision of these rules, or of the Uniform Rules, or of any other rule relating to the division in question.

RULE 24

REPEAL OF RULES

24. (1) The rules made in terms of the Vice-Admiralty Courts Act, 1863, and in force in terms of the Colonial Courts of Admiralty Act, 1890, read with section 4 (2) of the Act, are hereby repealed.

(2) These rules and the Uniform Rules shall apply to admiralty proceedings to the exclusion, but subject to the provisions of these rules, of any other rule of court, and to the conduct after the commencement of these rules of proceedings started before such commencement.

FIRST SCHEDULE—FORMS

FORM 1

SUMMONS

IN THE SUPREME COURT OF SOUTH AFRICA

.....DIVISION

EXERCISING ITS ADMIRALTY JURISDICTION

CASE No:

NAME OF SHIP:

IN THE MATTER BETWEEN:

PLAINTIFF

AND

DEFENDANT

Admiralty action *in rem/in personam/in rem and in personam*

To the above-named defendant:

TAKE NOTICE that the plaintiff claims against the defendant:

(Concise terms of the cause of action of the plaintiff)

Wet bedoel, na goeddunke lasgewings gee betreffende die prosedure in enige sodanige eis, die opskorting van enige ander verrigtinge en die voorwaardes vir die oorweging van so 'n eis, welke voorwaardes 'n voorwaarde kan insluit dat 'n bedrag wat die hof beveel, betaal moet word om die uitslag van die oorweging van genoemde eis af te wag, of dat van die eiser vereis word om aanspreeklikheid in alle of enige eise teen hom te erken of, na goeddunke van die hof, enige ander voorwaarde.

REËL 22

UITSLUITING VAN SEKERE VAN DIE EENVORMIGE HOFREËLS

22. Reëls 8, 9, 13, 17, 18, 20–23, 25, 26, 29, 30, 32, 35, 43–46, en 50–57 van die Eenvormige Hofreëls is, behoudens die bepalings van hierdie reëls, nie op admiralteitsverrigtinge van toepassing nie.

REËL 23

LASGEWINGS DEUR DIE HOF

23. (1) Die hof kan *mero motu* in enige admiralteitsverrigtinge of by aansoek van enige party of ander persoon met genoegsame belang enige lasgewing gee wat vir die hof paslik voorkom vir die afhandeling van so 'n aangeleentheid.

(2) Enige sodanige lasgewing kan enige bepaling van hierdie reëls, of van die Eenvormige Hofreëls of van enige ander Reël met betrekking tot die betrokke afdeling wysig of aanvul.

REËL 24

HERROEPING VAN REËLS

24. (1) Die reëls uitgevaardig kragtens die Vice-Admiralty Courts Act, 1863, en van krag kragtens die Colonial Courts of Admiralty Act, 1890, gelees met artikel 4 (2) van die Wet, word hierby herroep.

(2) Hierdie reëls en die Eenvormige Hofreëls is met uitsluiting van enige ander hofreël, maar behoudens die bepalings van hierdie reëls, op admiralteitsverrigtinge van toepassing, asook op die voortsetting ná die inwerkingtreding van hierdie reëls van verrigtinge wat voor sodanige inwerkingtreding 'n aanvang geneem het.

EERSTE BYLAE—VORMS

VORM 1

DAGVAARDING

IN DIE HOOGEREGSHOF VAN SUID-AFRIKA

.....AFDELING

IN DIE UITOEFENING VAN SY ADMIRALITEITSJURISDIKSIE

SAAK No.:

NAAM VAN SKIP:

IN DIE SAAK TUSSEN:

EISER

EN

VERWEERDER

Admiralteitsaksie *in rem/in personam/in rem en in personam*

Aan die hierbovermelde verweerde:

NEEM KENNIS dat die eiser van die verweerde eis:

(Bondige besonderhede van eiser se vordering)

If you wish to defend the action, you must within days give notice of your intention so to defend. That notice must be served on the registrar and on the plaintiff's attorney and must contain an address in accordance with rule 19 of the Uniform Rules.

If you do not give that notice within the time set out, or within any extended time which the court may allow if you make application for an extension of time, or if you do not thereafter deliver your plea or a claim in reconvention as provided by the rules regulating the conduct of the admiralty proceedings, proceedings may continue and judgment may be given against you without further reference to you.

DATED at..... this day of

[Address in terms of Rule 17 (3) of the Uniform Rules]

.....
Plaintiff's Attorney

To the sheriff or his deputy:

You are to effect service of this summons and return the original to the registrar with your return of service.

.....
Registrar

(In case of edictal citation the note to the sheriff or his deputy should be omitted and the registrar's signature should follow immediately on that of the plaintiff's attorney.)

FORM 2

WARRANT OF ARREST

IN THE SUPREME COURT OF SOUTH AFRICA

..... DIVISION

EXERCISING ITS ADMIRALTY JURISDICTION

CASE No.:

NAME OF SHIP:

IN THE MATTER BETWEEN:

PLAINTIFF
AND
DEFENDANT

Admiralty action *in rem/in personam/in rem and in personam*

To the above-named defendant:

TAKE NOTICE that summons has been issued in the above-named action, and that by the service of this warrant the

[here set out property—section 3 (5) of the Admiralty Jurisdiction Regulation Act, 1983]

is arrested and is to be kept in the custody of the sheriff or his deputy in terms of rule 19 of the rules regulating the conduct of the admiralty proceedings.

If you wish to obtain the release of the property from arrest, you may do so by giving satisfactory security for the amount of the claim or the value of the property arrested, whichever is the lesser. In the event of a dispute as to the security, you may make application to court for the resolving of that dispute. You are also entitled to ask that the court impose conditions with regard to the arrest.

.....
Plaintiff's attorney

To the sheriff or his deputy:

You are authorised by the warrant of arrest to arrest and keep under arrest the property named herein and you are hereby required duly to serve this warrant and return the original to the registrar with your return of service.

.....
Registrar

Indien u wens om die aksie te verdedig, moet u binne dae kennis gee van u voorneme om aldus te verdedig. Daardie kennisgewing moet op die griffler en die eiser se prokureur bestel word en moet 'n adres ooreenkomsdig reël 19 van die Eenvormige Hofreëls bevat.

Indien u nie aldus kennis gee binne die tydperk wat gestel word, of binne enige verlengde tydperk wat die hof toelaat indien u aansoek om verlenging van die tydperk doen, of indien u nie daarna 'n pleit of teeneis soos bepaal in die reëls waarby die admiraleitsverrigtinge gereël word, aflewer nie, kan die verrigtinge voortgaan en vonnis teen u gegee word sonder dat verder na u verwys word.

GEDATEER te....., op hede die.....dag van ...
19.....

[Adres kragtens reël 17 (3) van die Eenvormige Hofreëls]

.....
Eiser se prokureur

Aan die balju of sy adjunk:

U moet hierdie dagvaarding beteken en die oorspronklike saam met u relasie aan die griffler terugbepaal.

.....
Griffler

(In geval van ediktale sitasie moet die nota aan die balju of sy adjunk weggelaat word, en die griffler se handtekening moet onmiddellik onder dié van die eiser se prokureur verskyn.)

VORM 2

LASBRIEF TOT INBESLAGNEMING

IN DIE HOOGEREGSHOF VAN SUID-AFRIKA

..... AFDELING

IN DIE UITOEFENING VAN SY ADMIRALEITSJURISDIKSIE

SAAK No.:

NAAM VAN SKIP:

IN DIE SAAK TUSSEN:

EISER

EN

VERWEERDER

Admiraleitsaksie *in rem/in personam/in rem en in personam*

Aan die hierbovemelde verweerde:

NEEM KENNIS dat dagvaarding in die hierbovemelde aksie uitgereik is, en dat deur die betekening van hierdie lasbrief

[meld goedere—artikel 3 (5) van die Wet op Admiraleitsjurisdiksie, 1983]

in beslag geneem word en deur die balju of sy adjunk kragtens reël 19 van die reëls waarby admiraleitsjurisdiksie gereël word, in bewaring gehou sal word.

Indien u vrystelling wil verkry van die goed wat in beslag geneem is, kan u dit doen deur sekuriteit te verskaaf vir die bedrag van die eis of die waarde van die goed wat in beslag geneem is, wat ook al die minste is. U kan in geval van 'n geskil oor die sekuriteit by die hof vir die beslegting van die geskil aansoek doen. U is ook daarop geregtig om die hof te versoek om voorwaarde met betrekking tot die inbeslagname te stel.

.....
Eiser se prokureur

Aan die balju of sy adjunk:

U word deur die lasbrief tot inbeslagname gemag om die goed hierin vermeld in beslag te neem en in beslag te hou, en daar word hierby van u vereis om hierdie lasbrief behoorlik te beteken en die oorspronklike saam met u relasie aan die griffler terug te stuur.

.....
Griffler

DEPARTMENT OF MANPOWER**No. R. 2417****21 November 1986****LABOUR RELATIONS ACT, 1956****CLEANING TRADE.—ORDER**

I, Pieter Theunis Christiaan du Plessis, Minister of Manpower, hereby determine, in terms of section 51A (3) of the Labour Relations Act, 1956, that the provisions of the Order made by me in terms of section 51A (2) of that Act in respect of the Cleaning Trade, and which appears in the Schedule hereto, shall be binding, with effect from the second Monday after the date of publication of this notice, upon all employers and employees in the said Trade who are affected thereby.

P. T. C. DU PLESSIS,

Minister of Manpower.

SCHEDULE**1. Area and scope of Order**

(1) Save as provided in subclause (b), this Order shall apply to all employers and their employees, other than managers, in the Cleaning Trade in the following areas:

Cape Province.—The Magisterial Districts of Bellville, East London, George, Goodwood, Knysna, Kuils River, Mossel Bay (excluding the village area of Herbertsdale), Oudtshoorn, Paarl, Port Elizabeth, Simonstown, Somerset West, Stellenbosch, Strand, The Cape, Uitenhage, Wellington and Wynberg, and the municipal areas of Grahams town, Kimberley, Upington and Worcester;

Natal.—The Magisterial Districts of Chatsworth, Durban, Inanda, Pietermaritzburg, Pinetown and Port Shepstone, and the municipal areas of Empangeni, Ladysmith, Newcastle and Richards Bay.

Orange Free State.—The Magisterial Districts of Bloemfontein, Odendaalsrus, Virginia and Welkom, and the municipal areas of Bethlehem, Harrismith, Kroonstad and Sasolburg;

Transvaal.—The Magisterial Districts of Alberton, Benoni, Boksburg, Brakpan, Germiston, Highveld Ridge, Johannesburg, Kempton Park, Klerksdorp, Krugersdorp, Nigel, Oberholzer, Pretoria, Randburg, Randfontein, Roodepoort, Springs, Vanderbijlpark, Vereeniging, Westonaria and Wonderboom, and the municipal areas of Brits, Ermelo, Fochville, Lichtenburg, Middelburg, Nelspruit, Pietersburg, Potchefstroom, Potgietersrus, Rustenburg and Witbank.

(2) For the purposes of this Order—

“Cleaning Trade” or “Trade” means the trade in which employers and employees are associated for the purposes of cleaning, in part or in their entirety, premises or buildings, or the goods on or in them, on a regular basis and includes all operations incidental thereto or consequent thereon.

2. Remuneration

The minimum wage which an employer shall pay to each member of the undermentioned classes of employees, except casual employees shall be as set out hereunder:

DEPARTEMENT VAN MANNEKRAF**No. R. 2417****21 November 1986****WET OP ARBEIDSVERHOUDINGE, 1956****SKOONMAAKBEDRYF.—ORDER**

Ek, Pieter Theunis Christiaan du Plessis, Minister van Mannekrag, bepaal hierby, kragtens artikel 51A (3) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van die Order wat ek kragtens artikel 51A (2) van daardie Wet ten opsigte van die skoonmaakbedryf gemaak het en wat in die Bylae hiervan verskyn, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgiving, bindend is vir alle werkgewers en werknemers in die genoemde Bedryf, wat daardeur geraak word.

P. T. C. DU PLESSIS,

Minister van Mannekrag.

BYLAE**1. Gebied en Omvang van die Order**

(1) Behoudens subklousule (b) is hierdie Order van toepassing op alle werknemers, uitgesonderd bestuurders, en op die werkgewers van sodanige werknemers in die Skoonmaakbedryf in die volgende gebiede:

Kaapprovincie.—Die landdrosdistrikte Bellville, Die Kaap, George, Goodwood, Knysna, Kuilsrivier, Mosselbaai (uitgesonderd die dorpsgebied van Herbertsdale), Oos-Londen, Oudtshoorn, Paarl, Port Elizabeth, Simonstad, Somerset-Wes, Stellenbosch, Strand, Uitenhage, Wellington en Wynberg en die munisipale gebiede van Grahamstad, Kimberley, Upington en Worcester;

Natal.—Die landdrosdistrikte Chatsworth, Durban, Inanda, Pietermaritzburg, Pinetown en Port Shepstone en die munisipale gebiede van Empangeni, Ladysmith, Newcastle en Richardsbaai.

Oranje-Vrystaat.—Die landdrosdistrikte Bloemfontein, Odendaalsrus, Virginia en Welkom en die munisipale gebiede van Bethlehem, Harrismith, Kroonstad en Sasolburg;

Transvaal.—Die landdrosdistrikte Alberton, Benoni, Boksburg, Brakpan, Germiston, Hoëveldrif, Johannesburg, Kempton Park, Klerksdorp, Krugersdorp, Nigel, Oberholzer, Pretoria, Randburg, Randfontein, Roodepoort, Springs, Vanderbijlpark, Vereeniging, Westonaria en Wonderboom en die munisipale gebiede van Brits, Ermelo, Fochville, Lichtenburg, Middelburg, Nelspruit, Pietersburg, Potchefstroom, Potgietersrus, Rustenburg en Witbank.

(2) Vir die doeleindes van hierdie Order beteken—

“Skoonmaakbedryf” of “Bedryf” die bedryf waarin werkgewers en werknemers met mekaar geassosieer is om persele of geboue in hul geheel of gedeeltelik, of die goedere daarop of daarin, op ’n gerekende basis skoon te maak en omvat dit alle werksaamhede wat daar mee in verband staan of daaruit voortspruit.

2. Besoldiging

Die minimum loon wat ’n werkewer aan elke lid van die ondergenoemde klasse werknemers uitgesonderd los werknemers in sy diens moet betaal, is dié hieronder uiteengesit:

	The Magisterial Districts of Alberton, Bellville, Benoni, Boksburg, Brakpan, Durban, Germiston, Goodwood, Inanda, Johannesburg, Kempton Park, Krugersdorp, Kuils River, Nigel, Oberholzer, Paarl, Pinetown, Port Elizabeth, Pretoria, Randburg, Randfontein, Rodepoort, Simonstown, Springs, The Cape, Uitenhage, Vanderbijlpark, Vereeniging, Westonaria, Wonderboom and Wynberg, and the municipal area of Sasolburg		The Magisterial Districts of Bloemfontein, East London, Klerksdorp, Odendaalsrus, Pietermaritzburg, Virginia and Welkom, and the municipal areas of Kimberley, Potchefstroom, Somerset West, Stellenbosch, Strand and Witbank		The Magisterial Districts of George, Highveld Ridge, Oudtshoorn and Wellington; those portions of the Magisterial Districts of Somerset West, Stellenbosch and Strand falling outside the municipal areas of Somerset West, Stellenbosch and Strand, respectively; and the municipal areas of Brits, Fochville, Kroonstad, Newcastle and Worcester		The Magisterial Districts of Knysna and Mossel Bay (excluding the village area of Herbertsdale), and the municipal areas of Bethlehem, Ladysmith, Middelburg (Tvl), Nelspruit, Pietersburg, Rustenburg and Upington		The Magisterial District of Port Shepstone, and the municipal areas of Empangeni, Ermelo, Grahamstown, Harrismith, Lichtenburg, Potgietersrus and Richards Bay	
	During the first 12 months after this order becomes binding	Thereafter	During the first 12 months after this order becomes binding	Thereafter	During the first 12 months after this order becomes binding	Thereafter	During the first 12 months after this order becomes binding	Thereafter	During the first 12 months after this order becomes binding	Thereafter
	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R
(i) Watchman.....	67,87	76,01	61,82	69,24	55,78	62,47	53,76	60,21	51,07	57,20
(ii) Sanitary worker	59,58	66,73	54,21	60,72	48,94	54,81	47,15	52,81	44,80	50,18
(iii) Part-time cleaner	33,94	38,01	30,91	34,62	27,89	31,24	26,88	30,11	25,54	28,60
(iv) Employee (other than a watchman, a sanitary worker or a part-time cleaner)	56,56	63,35	51,52	57,70	46,48	52,06	44,80	50,18	42,56	47,67

* Note.—This Order merely amends the wage schedule of Wage Determination 438: Unskilled Labour, Certain Areas, in respect of the Cleaning Trade. The remaining provisions of the Determination still apply to the employers and employees in the said Trade.

	Die landdrosdistrikte Alberton, Bellville, Benoni, Boksburg, Brakpan, Chatsworth, Die Kaap, Durban, Germiston, Goodwood, Inanda, Johannesburg, Kempton Park, Krugersdorp, Kuilsrivier, Nigel, Oberholzer, Paarl, Pinetown, Port Elizabeth, Pretoria, Randburg, Randfontein, Roodepoort, Simonstad, Springs, Uitenhage, Vanderbijlpark, Vereeniging, Westonaria, en Wonderboom en Wynberg, en die munisipale gebied van Sasolburg		Die landdrosdistrikte Bloemfontein, Klerksdorp, Odendaalsrus, Oos-Londen, Pietermaritzburg, Virginia en Welkom, en die munisipale gebiede van Kimberley, Potchefstroom, Somerset-Wes, Stellenbosch, Strand en Witbank		Die landdrosdistrikte George, Hoëveldrif, Oudtshoorn en Wellington; daardie gedeeltes van die landdrosdistrikte Somerset-Wes, Stellenbosch en Strand wat buite die munisipale gebiede van Somerset-Wes, Stellenbosch en Strand onderskeidelik val; en die munisipale gebiede van Brits, Fochville, Kroonstad, Newcastle en Worcester		Die landdrosdistrikte Knysna en Mosselbaai (uitgesonderd die dorpsgebied van Herbertsdale), en die munisipale gebiede van Bethlehem, Ladysmith, Middelburg (Tvl.), Nelspruit, Pietersburg, Rustenburg en Upington		Die landdrosdistrik Port Shepstone, en die munisipale gebiede van Empangeni, Ermelo, Grahamstad, Harrismith, Lichtenburg, Potgietersrus en Richardsbaai	
	Gedurende die eerste 12 maande nadat hierdie order bindend word	Daarna	Gedurende die eerste 12 maande nadat hierdie order bindend word	Daarna	Gedurende die eerste 12 maande nadat hierdie order bindend word	Daarna	Gedurende die eerste 12 maande nadat hierdie order bindend word	Daarna	Gedurende die eerste 12 maande nadat hierdie order bindend word	Daarna
	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R
(i) Wag.....	67,87	76,01	61,82	69,24	55,78	62,47	53,76	60,21	51,07	57,20
(ii) Sanitasiewerker	59,58	66,73	54,21	60,72	48,94	54,81	47,15	52,81	44,80	50,18
(iii) Deeltydse skoonmaker	33,94	38,01	30,91	34,62	27,89	31,24	26,88	30,11	25,54	28,60
(iv) Werknemer (uitgesonder 'n wag, 'n sanitasiewerker of 'n deeltydse skoonmaker)	56,56	63,35	51,52	57,70	46,48	52,06	44,80	50,18	42,56	47,67

* Nota.—Hierdie Order wysig slegs die loonskedule van Loonvasstelling 438: Ongeskoolde Arbeid, Sekere Gebiede ten opsigte van die Skoonmaakbedryf. Die ander bepalings van die Vasstelling geld steeds ten opsigte van werkgewers en werknemers in die genoemde Bedryf.

No. R. 2427	21 November 1986	No. R. 2427	21 November 1986
UMEMPLOYMENT INSURANCE ACT, 1966 AMENDMENT OF REGULATIONS		WERKLOOSHEIDVERSEKERINGSWET, 1966 WYSIGING VAN REGULASIES	
The Minister of Manpower has under section 62 of the Unemployment Insurance Act, 1966 (Act 30 of 1966), made the regulations set out in the Schedule hereto.		Die Minister van Mannekrag het kragtens artikel 62 van die Werkloosheidversekeringswet, 1966 (Wet 30 van 1966), die regulasies in die Bylae hiervan uitgevaardig.	
SCHEDULE		BYLAE	
1. In these regulations "the Regulations" means the regulations published in Government Notice R. 849 of 29 April 1983, as amended by Government Notices R. 2613 of 2 December 1983, R. 2775 of 21 December 1984, R. 2487 of 8 November 1985, R. 901 of 16 May 1986 and R. 1114 of 6 June 1986.	1. In hierdie regulasies beteken "die Regulasies" die 00901602regulasies afgekondig by Goewermentskennisgewing R. 849 van 29 April 1983, soos gewysig by Goewermentskennisgewings R. 2613 van 2 Desember 1983, R. 2775 van 21 Desember 1984, R. 2487 van 8 November 1985, R. 901 van 16 Mei 1986 en R. 1114 van 6 Junie 1986.		
2. Annexure UF 1 to the Regulations is hereby amended by the substitution in paragraph 7 for the expression "R26 000" of the expression "R30 000".	2. Aanghangsel UF 1 by die Regulasies word hierby gewysig deur in paragraaf 7 die uitdrukking "R26 000" deur die uitdrukking "R30 000" te vervang.		
3. Annexure UF 3 to the Regulations is hereby amended by the substitution in columns D and E for the expressions "0,7" and "0,7" of the expressions "0,9" and "0,9", respectively.	3. Aanhangsel UF 3 by die Regulasies word hierby gewysig deur in kolomme D en E die uitdrukking "0,7" en "0,7" onderskeidelik deur die uitdrukking "0,9" en "0,9" te vervang.		
4. These regulations shall come into operation on 1 January 1987.	4. Hierdie regulasies tree op 1 Januarie 1987 in werking.		
<hr/> No. R. 2428	21 November 1986	<hr/> No. R. 2428	21 November 1986
LABOUR RELATIONS ACT, 1956		WET OP ARBEIDSVERHOUDINGE, 1956	
BUILDING INDUSTRY, WORCESTER AND WEST BOLAND.—EXTENSION OF MAIN AGREEMENT		BOUNYWERHEID, WORCESTER EN WES-BOLAND.—VERLENGING VAN HOOFOOREENKOMS	
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. 765 of 4 April 1985, R. 1672 and R. 1673 of 26 July 1985, R. 2663 of 29 November 1985, R. 390 of 7 March 1986, R. 1208 of 20 June 1986 and R. 1525 of 18 July 1986, by a further period ending 30 June 1987.		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. 765 van 4 April 1985, R. 1672 en R. 1673 van 26 Julie 1985, R. 2663 van 29 November 1985, R. 390 van 7 Maart 1986, R. 1208 van 20 Junie 1986 en R. 1525 van 18 Julie 1986, met 'n verdere tydperk wat op 30 Junie 1987 eindig.	
M. W. J. LE ROUX, Director: Manpower.		M. W. J. LE ROUX, Direkteur: Mannekrag.	
<hr/> No. R. 2429	21 November 1986	<hr/> No. R. 2429	21 November 1986
LABOUR RELATIONS ACT, 1956		WET OP ARBEIDSVERHOUDINGE, 1956	
BUILDING INDUSTRY, WORCESTER AND WEST BOLAND.—EXTENSION OF MEDICAL AID FUND AGREEMENT		BOUNYWERHEID, WORCESTER EN WES-BOLAND.—VERLENGING VAN MEDIESE HULPFONDSOOREENKOMS	
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. 766 of 4 April 1985, R. 1469 of 5 July 1985, R. 389 of 7 March 1986 and R. 1209 of 20 June 1986, by a further period ending 30 June 1987.		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. 766 van 4 April 1985, R. 1469 van 5 Julie 1985, R. 389 van 7 Maart 1986 en R. 1209 van 20 Junie 1986, met 'n verdere tydperk wat op 30 Junie 1987 eindig.	
M. W. J. LE ROUX, Director: Manpower.		M. W. J. LE ROUX, Direkteur: Mannekrag.	

No. R. 2430**21 November 1986****LABOUR RELATIONS ACT, 1956****DISSOLVING PULP MANUFACTURING INDUSTRY.—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. 2690 of 11 December 1981, R. 589 of 18 March 1983, R. 290 of 24 February 1984, R. 2741 of 14 December 1984 and R. 35 of 10 January 1986, to be effective from the date of publication of this notice and for the period ending 27 June 1987.

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

No. R. 2431**21 November 1986****LABOUR RELATIONS ACT, 1956****COMMERCIAL DISTRIBUTIVE TRADE, KIMBERLEY.—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 Notice R. 933 of 26 April 1985, to be effective from the date of publication of this notice and for the period ending 31 October 1987.

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

No. R. 2432**21 November 1986****LABOUR RELATIONS ACT, 1956****BUILDING INDUSTRY, KIMBERLEY.—RENEWAL OF THE AGREEMENT FOR THE ELECTRICAL INSTALLATION SECTION**

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. 2153 of 16 October 1981, R. 1384 of 9 July 1982, R. 2199 of 15 October 1982, R. 1096 of 20 May 1983, R. 1090 of 30 May 1984, R. 509 of 8 March 1985 and R. 17 of 3 January 1986, to be effective from the date of publication of this notice and for the period ending 30 April 1987.

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

DEPARTMENT OF NATIONAL HEALTH AND POPULATION DEVELOPMENT**No. R. 2394****21 November 1986****SOUTH AFRICAN ASSOCIATED HEALTH SERVICE PROFESSIONS BOARD****REGULATIONS IN TERMS OF THE ASSOCIATED HEALTH SERVICE PROFESSIONS ACT, 1982.—AMENDMENT**

In terms of section 38 of the Associated Health Service Professions Act, 1982 (Act 63 of 1982), the Minister of National Health and Population Development, acting on the

No. R. 2430**21 November 1986****WET OP ARBEIDSVERHOUDINGE, 1956****OPLOSPULPNYWERHEID.—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 bepaling van Goewermentskennisgewings R. 2690 van 11 Desember 1981, R. 589 van 18 Maart 1983, R. 290 van 24 Februarie 1984, R. 2741 van 14 Desember 1984 en R. 35 van 10 Januarie 1986, van krag is vanaf die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 27 Junie 1987 eindig.

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

No. R. 2431**21 November 1986****WET OP ARBEIDSVERHOUDINGE, 1956****KOMMERSIELLE DISTRIBUTIEBEDRYF, KIMBERLEY.—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 bepaling van Goewermentskennisgewing R. 933 van 26 April 1985, van krag is vanaf die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Oktober 1987 eindig.

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

No. R. 2432**21 November 1986****WET OP ARBEIDSVERHOUDINGE, 1956****BOUNYWERHEID, KIMBERLEY.—HERNUWING VAN DIE OOREENKOMS VIR DIE ELEKTRIESE INSTALLERINGSEKSIE**

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 bepaling van Goewermentskennisgewings R. 2153 van 16 Oktober 1981, R. 1384 van 9 Julie 1982, R. 2199 van 15 Oktober 1982, R. 1096 van 20 Mei 1983, R. 1090 van 30 Mei 1984, R. 509 van 8 Maart 1985 en R. 17 van 3 Januarie 1986, van krag is vanaf die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 30 April 1987 eindig.

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

DEPARTEMENT VAN NASIONALE GESONDHEID EN BEVOLKINGS-ONTWIKKELING**No. R. 2394****21 November 1986****SUID-AFRIKAANSE RAAD VIR GEASSOSIEERDE GESONDHEIDSIDIENSBEROEPE****REGULASIES KRAGTENS DIE WET OP GEASSOSIEERDE GESONDHEIDSIDIENSBEROEPE, 1982.—WYSIGING**

Die Minister van Nasionale Gesondheid en Bevolkingsontwikkeling het kragtens artikel 38 van die Wet op Geassosieerde Gesondheidsdiensberoep, 1982 (Wet 63 van

recommendation of the South African Associated Health Service Professions Board, has made the regulations contained in the Schedule hereto.

SCHEDULE

1. In this Schedule "the Regulations" shall mean the regulations promulgated by Government Notice R. 2610 of 3 December 1982, as amended by Government Notices R. 870 of 29 April 1983, R. 1196 of 10 June 1983, R. 1745 of 12 August 1983, R. 2322 of 26 October 1984, R. 2712 of 14 December 1984 and R. 1083 of 17 May 1985.

2. Regulation 8 of the Regulations is hereby amended—

- (a) by the substitution in paragraph (a) of the subregulation (1) for the expression "R250" of the expression "R300";
- (b) by the deletion in paragraph (b) of subregulation (1) of the words "in terms of section 14 for the first time";
- (c) by the substitution in subparagraph (i) of paragraph (b) of subregulation (1), for the expression "R250" of the expression "R300"; and
- (d) by the substitution in subparagraph (ii) of paragraph (b) of subregulation (1), for the expression "R125" of the expression "R150".

3. These regulations shall come into operation on 1 January 1987.

1982), op aanbeveling van die Suid-Afrikaanse Raad vir Geassosieerde Gesondheidsdiensberoep die regulasies vervat in die Bylae hiervan, uitgevaardig.

BYLAE

1. In hierdie Bylae beteken "die Regulasies" die regulasies aangekondig deur Goewermentskennisgewing R. 2610 van 3 Desember 1982, soos gewysig deur Goewermentskennisgewings R. 870 van 29 April 1983, R. 1196 van 10 Junie 1983, R. 1745 van 12 Augustus 1983, R. 2322 van 26 Oktober 1984, R. 2712 van 14 Desember 1984 en R. 1083 van 17 Mei 1985.

2. Regulasie 8 van die Regulasies word hierby gewysig—

- (a) deur in paragraaf (a) van subregulasie (1) die uitdrukking "R250" deur die uitdrukking "R300" te vervang;
- (b) deur in paragraaf (b) van subregulasie (1) die woorde "kragtens artikel 14 vir die eerste keer" te skrap;
- (c) deur in subparagraph (i) van paragraaf (b) van subregulasie (1) die uitdrukking "R250" deur die uitdrukking "R300" te vervang; en
- (d) deur in subparagraph (ii) van paragraaf (b) van subregulasie (1) die uitdrukking "R125" deur die uitdrukking "R150" te vervang.

3. Hierdie regulasies tree op 1 Januarie 1987 in werking.

DEPARTMENT OF TRADE AND INDUSTRY

No. R. 2416

21 November 1986

MAINTENANCE AND PROMOTION OF COMPETITION ACT, 1979

I, Dawid Jacobus de Villiers, Minister of Trade and Industry do hereby, in terms of section 13 (2) of the Maintenance and Promotion of Competition Act, 1979 (Act 96 of 1979), withdraw the Government Notices set out in the Schedule.

D. J. DE VILLIERS,
Minister of Trade and Industry.

SCHEDULE

- R. 1013 of 5 July 1963.
- R. 1014 of 5 July 1963.
- R. 1955 of 27 October 1972.

DEPARTEMENT VAN HANDEL EN NYWERHEID

No. R. 2416

21 November 1986

WET OP DIE HANDHAWING EN BEVORDERING VAN MEDEDINGING, 1979

Ek, Dawid Jacobus de Villiers, Minister van Handel en Nywerheid trek, kragtens artikel 13 (2) van die Wet op die Handhawing en Bevordering van Mededinging, 1979 (Wet 96 van 1979), die Goewermentskennisgewings uiteengesit in die Bylae hierby in.

D. J. DE VILLIERS,
Minister van Handel en Nywerheid.

BYLAE

- R. 1013 van 5 Julie 1963.
- R. 1014 van 5 Julie 1963.
- R. 1955 van 27 Oktober 1972.

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